List of Witnesses from the Madras Presidency examined before the Royal Commission. (*First to Ninth Days.*)

FIRST DAY, 8th January 1913.

	PAGES
Sir Ralph Benson, *Kt.*, I.C.S., Judge, High Court of Judicature, Madras	1–48
Maharaja Sir Velugoti Sri Rajagopala Krishna Yachendrulavaru Bahadur, K.C.I.E., Panchahasari Mansabdar, of Venkatagiri	48–52
M.R.Ry. Diwan Bahadur M. Adinarayana Aiya Garu, Tondiarpet, Madras	52–63

SECOND DAY, 9th January 1913.

M.R.Ry. Rao Bahadur C. Krishnaswami Rao Avargal, Subordinate Judge	63–85
A. G. Cardew, Esq., C.S.I., I.C.S., Acting Chief Secretary to the Government of Madras ..	85–133
M.R.Ry. Rao Bahadur V. K. Ramanujachariar Avargal	134–141
M.R.Ry. Rao Bahadur T. Raghaviah Pantulu Garu, Assistant Secretary, Board of Revenue.	141–150

THIRD DAY, 10th January 1913.

M.R.Ry. Rao Sahib S. N. V. Rajachar Avargal, Deputy Collector	151–157
M.R.Ry. Rao Sahib T. Balaji Rao Nayudu Garu, Revenue Divisional Officer	157–163
A. R. Knapp, Esq., I.C.S., Collector	164–187
M.R.Ry. Diwan Bahadur L. A. Govindaraghava Aiyar Avargal, High Court Vakil, Madras.	187–197
The Rev. E. M. Macphail, Professor, Christian College, Madras	197–211

FOURTH DAY, 11th January 1913.

M.R.Ry. P. R. Sundara Aiyar, Judge of the High Court of Judicature, Madras	211–237
M.R.Ry. Rao Bahadur K. Ramanujachari Avargal, Maharaja's College, Vizianagram ..	237–244
M.R.Ry. V. S. Srinivasa Sastri, Triplicane	244–252
M.R.Ry. S. Kasturi Ranga Aiyangar Avargal, Editor, *The Hindu*	252–262

FIFTH DAY, 13th January 1913.

M.R.Ry. Diwan Bahadur P. Rajagopala Chariyar Avargal, C.I.E., Diwan of Travancore ..	262–287
M.R.Ry. Nyapathy Subba Rao Pantulu Garu, High Court Vakil, Cocanada	287–299
Yakub Hasan, Esq. (on behalf of the Madras Presidency Muslim League)	299–309
M.R.Ry. Khan Bahadur Muhammad Aziz-ud-din Sahib, I.S.O., Collector of South Arcot ..	309–322

SIXTH DAY, 14th January 1913.

W. O. Horne, Esq., C.S.I., I.C.S., Acting First Member, Board of Revenue	322–342
The Rev. A. Andrew, United Free Church of Scotland Mission, Chingleput	342–351
J. C. Fernandes, Esq., District and Sessions Judge, Guntur	351–359
A. M. Coomaraswami Tampoe, Esq., I.C.S., Divisional Officer, Narsapur	359–366
G. F. Paddison, Esq., I.C.S., Collector, Bellary	366–380

SEVENTH DAY, 15th January 1913.

Sir C. Arnold White, *Kt.*, Chief Justice, High Court of Judicature, Madras	381–388
M.R.Ry. Diwan Bahadur L. D. Swamikannu Pillai Avargal, Registrar of Co-operative Credit Societies, Madras	388–394
M.R.Ry. Rao Bahadur B. Narasimheswara Sarma Garu, High Court Vakil, Mylapore ..	395–408
M.R.Ry. T. V. Seshagiri Aiyar, High Court Vakil, Vepery	408–419
M.R.Ry. M. Ramachandra Rao Pantulu Garu, High Court Vakil, Ellore	419–423
Dr. T. M. Nair, Madras	423–434

EIGHTH DAY, 16th January 1913.

M.R.Ry. G. A. Natesan Avargal, B.A., Editor of the *Indian Review*	435–453
M.R.Ry. Rao Bahadur P. Tiagaraiya Chetti Avargal, Tondiarpet, Madras	453–460
Sir C. Sankaran Nayar, *Kt.*, C.I.E., Judge of the High Court of Judicature, Madras ..	460–471
M.R.Ry. T. R. Ramachandra Aiyar Avargal, Vakil, High Court, Madras	471–476
M.R.Ry. Diwan Bahadur K. Krishnaswami Rao Avargal, C.I.E., Triplicane	476–481

NINTH DAY, 17th January 1913.

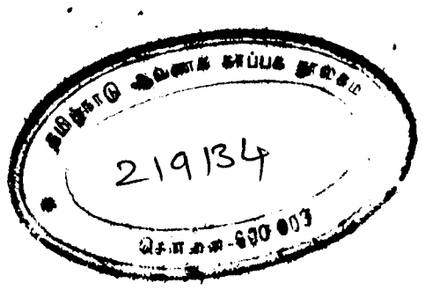
Sir John Wallis, *Kt.*, Judge of the High Court of Judicature, Madras	482–496
M.R.Ry. Diwan Bahadur C. Karunakara Menon Avargal, Editor, *Indian Patriot*	497–500
M.R.Ry. Rao Bahadur W. L. Venkataramiah Garu, Government Pleader, Berhampur ..	500–509
A. D. Jackson, Esq., Madras Chamber of Commerce	510–516
V. Pandrang Rao, Esq., I.C.S., Divisional Officer, Tellicherry	516–534
M.R.Ry. K. Chidambaranatha Mudaliyar Avargal, Shiyali, Tanjore district	534–539

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NOTE.

The numbering of the Questions is consecutive throughout. The sub-numbers in brackets correspond with the numbers in the printed sets of Questions marked **A** and **B**, which were issued to official and non-official witnesses respectively, and which will be found on pages v—xxxvii of this volume.





A

QUESTIONS RELATING TO THE INDIAN CIVIL SERVICE.

Methods of Recruitment.

(*a*) *General.*

1. What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India" * and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any persons born and domiciled within the Dominions of His Majesty in India of parents habitually resident in India and not established there for temporary purposes only; and the term has been so used throughout these questions.

4. Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?

5. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

6. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—

(*a*) Selection by headmasters of schools approved or otherwise:
(*b*) Selection by authorities in Universities approved or otherwise:
(*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State:
(*d*) Combined nomination and examination:
(*e*) Any other method.

7. What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?

8. Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?

9. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?

10. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?

11. If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?

12. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?

13. Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose.

14. Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled "within the Dominions of His Majesty in India, of parents habitually resident in India, and not "established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter.

(*b*) *Age Limits.*

15. If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education? †

† The principal changes in the age limits have been as follows:—

Years.	Age limits at open competition.	Period of probation in England.	Age of selected candidates at end of year of arrival in India.
1855—1857	18—23 years	No probation in England	18½—23½
1860—1865	18—22 years	One year's probation	19½—23½
1866—1878	17—21 years on 1st March	Two years' probation	19½—23½
1878—1891	17—19 years on 1st January ...	Two or three years' probation ...	20—23
1892—1895	21—23 years on 1st April	One year's probation	22½—24½
1896—1905	21—23 years on 1st January ...	Do.	23—25
Since 1906	22—24 years on 1st August	Do.	23½—25½

SYSTEMS OF TRAINING AND PROBATION—*cont.*

(*a*) *Probation*—cont.

55. What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

56. In the report of the Treasury Committee appointed to consider the organisation of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?

57. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers.

58. In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?

59. Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?

(*b*) *Training.*

60. Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

61. Is the existing system of departmental examinations suitable, and if not, what change do you recommend?

62. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?

63. Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?

64. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?

65. Do you recommend any special course of study in law in India for officers selected for the Judicial branch?

66. Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details.

67. Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?

68. Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.

69. If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers.

70. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

71. Please add such remarks as you may desire to offer on any points relating to the system of probation and training for the Indian Civil Service which are not covered by your answers to the foregoing questions.

CONDITIONS OF SERVICE.

72. The present theory underlying the conditions of service in the Indian Civil Service is—(*a*) that the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?

73. It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above

CONDITIONS OF SERVICE—*cont.*

that of the lowest grade, but not exceeding Rs. 1,000 per mensem. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?

74. Please show in a tabular statement for the last five years, quarter by quarter, with foot-notes, giving the names, the total nett number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience and, if so, what has been caused thereby to the Administration.

75. Please now see the statement marked AA and the list marked—

Madras=*A*,
Bombay=*B*,
Bengal=*C*,
United Provinces=*D*,
Punjab=*E*,
Burma=*F*,
Bihar and Orissa=*G*,
Central Provinces and Berar=*H*,
Assam=*I*.

which have been reproduced in Appendix VII to these questions, and say whether they are correct for your Province. If not, please state what amendments are necessary.

76. Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?

77. Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. Attention is invited in this connexion to List J in Appendix VII to these questions.

78. Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?

79. Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade, work satisfactorily? If not, what change of practice appears to you to be necessary?

80. Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your Province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail.

81. Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?

82. Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and ·6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?

83. Does the annual decremental rate of 4·17 per cent. on the total strength of the service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same.

84. Does the theoretical strength of the service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?

85. Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?

86. State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that accurate results are attained thereby? If not, what alterations do you recommend?

87. Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

88. To what extent are the functions of the Officers of the Executive and Judicial Branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?

89. Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave, and pension.

CONDITIONS OF SALARY.

90. Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service Cadre and the grading of each class of post for the different Provinces, and say whether they are correct for your Province.

91. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the service authorised on the 1st April of each of the following years: 1860, 1870, 1880, 1890, 1900 and 1912.

92. Are the present rates of pay and grading suitable? If not, what alterations do you recommend?

93. If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?

94. Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your Province, and, if so, what?

A.—Provincial Civil Service.]

METHODS OF RECRUITMENT—*cont.*

(*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend.

7. To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?

8. Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?

SYSTEMS OF TRAINING AND PROBATION.

9. What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?

10. Is the existing system of Departmental examinations suitable, and, if not, what changes do you recommend?

CONDITIONS OF SERVICE.

11. Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?

12. What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and, if not, what alterations do you recommend?

13. In particular, is the leave reserve adequate, and the system on which it is graded suitable?

14. Is there any reserve for officers under training and is it adequate?

15. What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?

16. To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?

17. Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?

18. To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?

19. Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?

20. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?

21. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?

CONDITIONS OF SALARY.

22. Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?

23. Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900 and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?

24. Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?

25. Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?

26. What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?

27. As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?

28. What is your experience of the practical working of time-scales of pay in other Indian services?

29. If you recommend any kind of time-scale of pay please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different?

30. Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?

CONDITIONS OF LEAVE.

31. Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

[A.—Provincial Civil Service.

CONDITIONS OF LEAVE—*cont.*

32. Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

33. Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

34. Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

35. Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?

36. Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

37. Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration, and, if so, what; and what remedy do you suggest?

38. In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?

39. Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?

CONDITIONS OF PENSION.

40. Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?

41. Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?

42. Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?

43. Do you approve of the present system regulating pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?

44. Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?

45. To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially-recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?

GENERAL.

46. Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable.

47. Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.

A.—Indian Civil Service.]

APPENDIX I.

Period of Age-Limits, 17–21, *i.e.*, down to 1877.		Period of Age-Limits, 17–19, *i.e.*, 1878–1891.	
Subjects.	Marks.	Subjects.	Marks.
1. English Composition	500	1. English Composition	300
2. History of England, including that of the Laws and Constitution.	500	2. History of England, including a period selected by the candidate.	300
3. English Language and Literature	500	3. English Literature, including books selected by the candidate.	300
4. Language, Literature, and History of Greece.	750	4. Greek	600
5. Language, Literature, and History of Rome	750	5. Latin	800
6. Language, Literature, and History of France	375	6. French	500
7. Language, Literature, and History of Germany.	375	7. German	500
8. Language, Literature, and History of Italy	375	8. Italian	400
9. Mathematics (pure and mixed)	1,250	9. Mathematics (pure and mixed)	1,000
10. Natural Science—that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology; (5) Botany. The total (1,000) marks may be obtained by adequate proficiency in any two or more of the five branches of Science included under this head.	1,000	10. Natural Science—that is, the Elements of any two of the following Sciences, viz., Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300.	800 or 600
11. Moral Science—that is, Logic, Mental and Moral Philosophy.	500	11. Logic	300
12. Sanskrit Language and Literature	500	12. Elements of Political Economy	300
13. Arabic Language and Literature	500	13. Sanskrit	500
		14. Arabic	500

Period of Age-Limits, 21–23, *i.e.*, 1892–1905.		Period of Age-Limits, 22–24, *i.e.*, 1906 to Date.	
1. English Composition	500	1. English Composition	500
2. English History	500	2. English History, either or both sections may be taken—	
		Section I., to A.D. 1485	400
		Section II., A.D. 1485 to 1848	400
3. English Law, viz., Law of Contract—Criminal Law—Law of Evidence and Law of the Constitution	500	3. English Law	500
4. English Language and Literature (including special period named by the Commissioners).	500	4. English Language and Literature	600
5. Greek Language and Literature	750	Greek, not less than two sub-divisions of which one must be Translation :—	
		5. Translation	400
		6. Prose Composition	200
		7. Verse Composition	200
		8. Literature, etc.	300
6. Greek History (Ancient, including Constitution)	400	9. Greek History (Ancient, including Constitution).	500
7. Latin Language and Literature	750	Latin, not less than two sub-divisions, of which one must be Translation :—	
		10. Translation	400
		11. Prose Composition	200
		12. Verse Composition	200
		13. Literature, etc.	300
8. Roman History (Ancient, including Constitution)	400	14. Roman History (Ancient, including Constitution)	500
9. Roman Law	500	15. Roman Law	500
10. French Language and Literature	500	16. French, History of the Language and Literature.	200
		17. French, Translation, Composition and Conversation.	400
11. German Language and Literature	500	18. German, History of the Language and Literature.	200
		19. German, Translation, Composition and Conversation.	400
		20. Italian, History of the Language and Literature.	200
		21. Italian, Translation, Composition and Conversation.	400
12. General Modern History (period to be selected by Candidates from list in the syllabus issued by the Commissioners, one period at least to include Indian History).	500	22. General Modern History	500
13. Mathematics (pure and applied)	900	23. Lower Mathematics	1,200
14. Advanced Mathematical subjects (pure and applied).	900	24. Higher Mathematics	1,200
15. Natural Science, *i.e.*, any number not exceeding three of the following subjects :—		25. Natural Science, *i.e.*, any number not exceeding four of the following or three if both Lower and Higher Mathematics be also taken :—	
Elementary Chemistry and Elementary Physics 600		(1) Chemistry 600	
(*N.B.*—This subject may not be taken up by those who offer either Higher Chemistry or Higher Physics)—		(2) Physics 600	
Higher Chemistry 600		(3) Geology 600	2,400
Higher Physics 600		(4) Botany 600	or
Geology 600	1,800	(5) Zoology 600	1,800
Botany 600		(6) Animal Physiology 600	
Zoology 600		(7) Geography 600	
Animal Physiology 600			
16. Logic and Mental Philosophy (Ancient and Modern).	400	26. Logic and Physiology	600
17. Moral Philosophy (Ancient and Modern)	400	27. Moral and Metaphysical Philosophy	600
18. Political Economy and Economic History	500	28. Political Economy and Economic History	600
19. Political Science (including Analytical Jurisprudence, the Early History of Institutions and Theory of Legislation).	500	29. Political Science	500
20. Sanskrit Language and Literature	500	31. Sanskrit Language and Literature	800
21. Arabic Language and Literature	500	32. Arabic Language and Literature	800

Candidates are at liberty to name any or all of these branches of knowledge. No subjects are obligatory.

Consistently with the limitations specified above Candidates are at liberty to name any of the foregoing subjects, provided that the maximum number of marks that can be obtained from the subjects chosen is limited to 6,000.

[A.—Indian Civil Service.

APPENDIX II.

The India Civil Service Act, 1861.

(24 & 25 Vict., c. 54.)

An Act to confirm certain Appointments in India, and to amend the Law concerning the Civil Service there.

[1st August 1861.]

Whereas by section fifty-six of an Act of the thirty-third year of King George the Third, Chapter fifty-two, it was enacted that all the civil servants of the East India Company in India under the rank or degree of Members of Council should have and be entitled to precedence in the service of the said Company at their respective stations according to their seniority of appointment, and that no such civil servant should be capable of being advanced or promoted to any higher station, rank, or degree therein than he should be entitled to according to the length of his service; and by section fifty-seven of the same Act it was enacted that all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of Counsellor) should be from time to time filled up and supplied from amongst the civil servants of the said Company belonging to the presidency wherein such vacancies should respectively happen: And whereas by reason of the exigencies of the public service vacancies in certain offices, places, and employments in India have been filled up by the appointment of persons not being civil servants, or not being civil servants belonging to the presidency wherein the vacancies have happened, and otherwise not in accordance with the provisions of the said enactments, and it is expedient that such appointments should be rendered valid, and also that the authorities in India should be empowered to make such appointments in like cases in future: 33 G. 3 c. 52.

Be it enacted by the Queen'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 :—

Appointments not in accordance with 33 G. 3. c. 52, valid.

1. *All appointments made by the authorities in* India *to any such Offices, Places or Employments shall be and be deemed to have been as valid and effectual as if the Act hereinbefore recited or referred to had not been passed*— (*Rep.* 55 *&* 56 *Vict., c.* 19).

Vacancies in offices to be supplied by covenanted civil servants.

2. All vacancies happening in any of the offices, places, or employments specified in the Schedule annexed to this Act, and all such offices which may be created hereafter, shall be filled up and supplied, except as hereinafter provided, from amongst the covenanted civil servants of the Crown in India.

Persons not covenanted civil servants may, under special circumstances, be appointed to such offices subject to certain restrictions.

3. Where it appears to the authority in India by whom an appointment should be made to any office, place, or employment specified in the said Schedule, that such appointment, under the special circumstances of the case, should be made without regard to the recited qualifications, conditions, and restrictions of the said Act, it shall be lawful for such authority to make such appointment accordingly; provided that no person shall be so appointed who has not resided for at least seven years in India, and that every person previously to his being so appointed to any of the offices in the Revenue and Judicial Departments specified in the said Schedule shall pass an examination in the vernacular language of the district in which he is to be employed, where such examination is now required, and shall be subject to all the departmental tests and other qualifications and restrictions which are or may be imposed in the like case on covenanted civil servants.

Such appointment in each case to be reported to the Secretary of State.

4. Every such appointment shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of India, together with the special reasons for making the same; and unless the Secretary of State in Council shall approve such appointment, with the concurrence of a majority of Members present at a meeting and shall within twelve months from the date of such appointment notify such approval to the authority by whom the appointment was made, then such appointment shall be cancelled.

Certain offices may be filled up without regard to restrictions prescribed by recited Act.

5. All vacancies happening in any other offices, places, or employments than those mentioned in the said Schedule, and all other offices than those so mentioned that may hereafter be created in India may be filled up and supplied without regard to the qualifications, conditions, and restrictions prescribed by the said Act.

Act not to apply to office of Lieutenant-Governor, etc.

6. Provided always that this Act shall not apply to the office of Lieutenant-Governor of any part of Her Majesty's dominions in India, or to any offices for the supply of which provision may be made by any other Act of the present session of Parliament.

So much of 33 G. 3. c. 52, as requires seniority, etc., for appointments repealed.

7. Section fifty-six of the said Act of the thirty-third year of King George the Third, and so much of the other sections of the said Act and of any other Act now in force as requires seniority as a condition or qualification for the appointment of civil servants to offices, places, or employments, shall be repealed.

Schedule.

Secretaries, Junior Secretaries, and Under Secretaries to the several Governments of India, except the Secretaries, Junior Secretaries, and Under Secretaries in the Military, Marine, and Public Works Departments.

Accountant-General.
Civil Auditor. (*a*)
Sub-Treasurer. (*b*)

Judicial.

1. Civil and Sessions Judges, or Chief Judicial Officers of Districts of the Provinces now known as Regulation Provinces.
2. Additional and Assistant Judges in the said Provinces.
3. Magistrates or Chief Magisterial Officers of Districts in the said Provinces.
4. Joint Magistrates in the said Provinces.
5. Assistant Magistrates or Assistants to Magistrates in the said Provinces.

Revenue.

1. Members of the Board of Revenue in the Presidencies of Bengal and Madras.
2. Secretaries to the said Boards of Revenue.
3. Commissioners of Revenue or Chief Revenue Officers of Divisions in the Provinces now known as Regulation Provinces.
4. Collectors of Revenue or Chief Revenue Officers of Districts in the said Provinces.
5. Deputy or Subordinate Collectors where combined with the Office of Joint Magistrate in the said Provinces.
6. Assistant Collectors or Assistants to Collectors in the said Provinces.
7. Salt Agents.
8. Controller of Salt Chowkies.
9. Commissioners of Customs, Salt and Opium
10. Opium Agents.

(*a*) Now called Comptroller-General.

(*b*) Now non-existent.

APPENDIX III.

THE GOVERNMENT OF INDIA ACT, 1870.

(33 Vict., c. 3.)

An Act to make better provision for making Laws and Regulations for certain parts of India, and for certain other purposes relating thereto.

[25th March 1870.]

* * * * *

Power to appoint natives of India to certain offices without certificate from the Civil Service Commissioners. 21 & 22 Vict., c. 106, 24 & 25 Vict., c. 54.

6. Whereas it is expedient that additional facilities should be given for the employment of natives of India, of proved merit and ability, in the civil service of Her Majesty in India:

Be it enacted, that nothing in the Government of India Act, 1858, or in the Indian Civil Service Act, 1861, or in any other Act of Parliament or other law now in force in India, shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employments in the civil service of Her Majesty in India from appointing any native of India to any such office, place, or employment, although such native shall not have been admitted to the said civil service of India in manner in section thirty-two of the first-mentioned Act provided, but subject to such rules as may be from time to time prescribed by the Governor-General in Council, and sanctioned by the Secretary of State in Council, with the concurrence of a majority of members present;

and that for the purpose of this Act the words "natives of India" shall include any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only;

and that it shall be lawful for the Governor-General in Council to define and limit from time to time the qualification of natives of India thus expressed; provided that every resolution made by him for such purpose shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament.

APPENDIX IV.

Notification of the Government of India, Home Department (Establishments), No. 1128, dated Simla, the 26th August 1910.

In exercise of the power conferred by section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), and in supersession of the rules published in the Home Department Notification No. 2159 (Public), dated the 2nd November 1892, the Governor-General in Council has been pleased to make the following rules, which have been sanctioned by the Secretary of State in Council with the concurrence of a majority of the members present.

1. The local Government may appoint any member of the provincial civil service subordinate to it, who is a native of India, and of proved merit and ability, to any of the offices, places, and employments ordinarily held by members of the Civil Service of His Majesty in India, to fill which it has been declared by such local Government (by notification in the official Gazette) that members of such provincial civil service can properly be appointed.

2. The local Government may at any time appoint any native of India of proved merit and ability to any of the offices, places, and employments specified by such local Government in any such notification as in Rule 1 is mentioned; provided that not more than one-fourth of the offices, places, and employments so specified shall at any one time be held by natives of India not members of the provincial civil service subordinate to the local Government; but this proviso shall not apply to or include any native of India (not a member of a provincial service) who has, prior to the making of these rules, been appointed under section 6 of the Government of India Act, 1870 (33 Victoria, Chapter 3), to an office, place, or employment in the Civil Service of India.

3. In addition to appointments made under Rules 1 and 2 the local Government may, whenever the exigencies of the public service render it necessary, appoint to any of the offices, places, or employments ordinarily held by members of the Civil Service of His Majesty in India, for a period not exceeding three months, any native of India of proved merit and ability; provided that the appointment of any such officer shall not involve his transfer from another district.

4. The local Government may declare any appointment to be made on probation only and may prescribe the terms on which it is made and the conditions with which the person appointed must comply before he can be confirmed.

5. The local Government may at any time suspend and remove any person appointed by such local Government under these rules.

A. EARLE,
Offg. Secretary to the Government of India.

APPENDIX V.

STATEMENT showing Posts listed as open to the Provincial Civil Services.

—	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces (and Berar).	Total.
Superior Posts.									
Heads of districts	2	2	} 8	2	2	2	} 5	4	} 49
District and Divisional Judges.	4	3		5	6	2		2	
Settlement Collectors ..	..	..	..	..	2	1	..	..	3
Sub-Collectors	2	..	..	..	..	..	..	..	2
Secretary, Board of Revenue	..	..	..	..	1	..	..	..	1
Talukdari Settlement Officer.	..	1	..	..	..	..	..	..	1
Total ..	8	6	8	7	11	5	5	6	56
Inferior Posts.									
Secretary to Board of Revenue.	1	..	..	1	..	..	..	..	2
Under Secretary to Government.	1	..	1	..	1	..	1	..	4
Joint Magistrates or Assistant Commissioners or Assistant Collectors.	5	8	8	7	3	..	..	2	33
Assistant Judges	..	3	..	..	..	..	..	..	3
Small Cause Court Judges ..	..	..	..	2	..	..	..	..	2
Assistant Settlement Officers.	..	..	..	2	..	..	..	..	2
Assistant to Director of Land Records.	..	..	..	1	..	..	..	..	1
Total ..	7	11	9	13	4	..	1	2	47
Grand Total, Superior and Inferior.	15	17	17	20	15	5	6	8	103

APPENDIX VI.

Final Examination of 1891 when the Period of Probation was two Years.		Final Examination of 1912 when the Period of Probation was one Year.	
Subjects (*a*).	Marks.	Subjects.	Marks.
1. * Classical languages of India—		*Compulsory*—	
Sanskrit	500	1. The principal vernacular language of the Province to which the candidate is assigned.	400
Arabic	400	2. Indian History	400
Persian	400	3. Indian Penal Code	400
2. † Vernacular languages of India (excepting Hindustani when taken up by Madras candidates and Gujrati) each.	400	4. Code of Criminal Procedure ..	200
		5. The Indian Evidence Act	200
3. The History and Geography of India.	350	*Optional*—(Not more than one of following subjects.)	
4. ‡ Law	1,250	1. § Sanskrit	400
5. Political Economy	350	2. § Arabic	400
		3. Persian	400
		4. Hindustani (for candidates assigned to the Province of Burma only).	400
		5. Hindu and Muhammadan Law ..	450

(*a*) In addition to the above, candidates were permitted to take up any one of the following branches of natural science, viz., Agricultural chemistry, botany, geology and zoology, for which 350 marks were allowed.

* One or more of these subjects could be taken.

† One of the languages prescribed for the candidates' Presidency or Province.

‡ The course of reading in Law included—

20th Report of His Majesty's Civil Service Commissioners, pages 523–6.

(1) General Jurisprudence—
Blackstone's Commentaries.
Austin's Jurisprudence.
The Institutes of Justinian.
Maine's Ancient Law.
Mackenzie's Studies in Roman Law.
Bentham's Theory of Legislation.

(2) Law of Evidence—
The Indian Evidence Act.
Pitt Taylor's Treatise on the Law of Evidence.

(3) Law of India—
The Code of Civil Procedure.
The Indian Penal Code.
The Code of Criminal Procedure.
The Indian Law of Contracts.
The Intestate and Testamentary Succession Act.
Hindu Law.
Muhammadan Law.

Simultaneously the candidates attended courts and supplied the following detailed reports, with an analysis and notes in each case:—

First Periodical Examination.	Seven reports of police court cases of a stipendiary magistrate, embracing cases in which the magistrate exercised final jurisdiction and cases which he committed for trial.
	Four civil cases of a county court in which the parties were represented by counsel.
	One separate report of the whole business, of whatever kind, transacted in a police court during one day.
Second Periodical Examination.	Five reports of civil actions in the superior courts of London in which the defendant was represented by counsel.
	Five reports of cases decided in the Central Criminal Court in which the prisoner was represented by counsel.
Third Periodical Examination.	Three reports of civil cases of importance tried before special juries in the Superior Courts of London.
	Three reports of criminal cases of importance tried before juries in the Central Criminal Court and selected for some special quality such as the gravity of the offence, the nature of the evidence produced, the number of the prisoners, etc.
Final Examination ..	One report of the investigation before a London police magistrate of a grave criminal charge ending in committal.
	One report of the whole business, of whatever kind, transacted in a London police court in one day.
	Two reports of important civil cases tried by a special jury in London.
	One report of a case heard in the Judicial Committee of the Privy Council on appeal from India.

§ These subjects cannot be offered by any candidate who has offered them at the Open Competition.

APPENDIX VII.

AA

Statement showing the Cadre and Strength of the Indian Civil Service for India as a whole and by Presidencies or Provinces, as sanctioned on 1st July 1912, together with the number of Posts listed as open to the Provincial Service in accordance with the terms of the Rules *made under the provisions* of section 6 of the Government of India Act, 1870 (33 Vict., Cap. 3).

—	Madras.	Bombay.	Bengal.	United Provinces.	Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
(1) No. of "Superior" posts, *i.e.*, posts carrying a salary of over Rs. 1,000 a month in the Presidency or Province.	87	84	90	111	80	83	54	51	22	662
(2) *Deduct* for posts listed as open to Provincial Service.	8	6	8	7	11	5	5	6	..	56
(3) *Add* for posts under the Government of India (*a*).	8	8	8	10	7	6	5	4	2	58
(4) Balance number of "Superior" posts.	87	86	90	114	76	84	54	49	24	664
(5) *Add* 4 per cent. for temporary posts and for deputation. [*N.B.*—For such posts additions are made in the lowest grade of assistants.]	3	3	4	5	3	3	2	2	1	26
(6) Total number of "Superior" posts on which recruitment is based.	90	89	94	119	79	87	56	51	25	690
(7) *Add* "Inferior" posts, *i.e.*, posts above the lowest grade of assistants, but below the "Superior" posts, at 39 per cent. of line (6).	35	35	37	46	31	34	22	20	9	269
(8) *Add* leave reserve at 40 per cent. of line (6).	36	35½	37½	47½	32	35	22½	20	10	276
(9) *Add* training reserve at 15·5 of line (6).	14	13½	14½	18½	12	13	8½	8	4	106
(10) Strength of service required at 194·5 per cent. of line (6).	175	173	183	231	154	169	109	99	48	1,341
(11) Rate of recruitment at 4·17 per cent. of strength shown in line (10).	7·3	7·2	7·6	9·6	6·4	5·3 Civil. 1·7 Military.	4·5	4·1	2·0	54 Civil. 1·7 Military.

(*a*) The figures under this line are fixed arbitrarily from time to time for purposes of recruitment, and are not intended to limit or guarantee the number of posts under the Government of India, which may at any time be filled from a particular Province.

APPENDIX VII—*cont.*

LIST A.

MADRAS.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
2	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chief Secretary	3,750
1	Member, Board of Revenue	3,500
1	Secretary, Revenue Department	3,125
2	Members, Board of Revenue	3,000
2	District and Sessions Judges, first grade	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Resident, Travancore	2,800
7	District and Sessions Judges, second grade	2,500
1	Secretary, Municipal (Local) Department	2,500
(*a*) 7	Collectors, first grade	2,500
7	District and Sessions Judges, third grade	2,250
(*a*) 14	Collectors, second grade	2,250
6	District and Sessions Judges, fourth grade	2,000
1	Commissioner of Coorg	1,800—2,000
(*a*) 6	Collectors, third grade	1,800
1	Secretary to Commissioner of Land Revenue	1,500—1,800
1	Secretary to Commissioner, Salt and Abkāri Revenue	1,500—1,800
1	Registrar, High Court	1,500—1,800
1	Private Secretary	1,500
(*b*) 20	Sub-Collectors and Joint Magistrates, first grade	1,200
Total .. 87		
Deduct — 8	For posts listed as open to the Provincial Service.	
Add + 9	For posts under the Government of India.	
Balance .. 87		
	Inferior posts, i.e., *Posts above the Lowest Grade of Assistants, but below the "Superior" Posts in order of Pay.*	
3	Under Secretaries	1,000
16	Joint Magistrates, second grade	900
16	,, ,, third ,,	700
Total .. 35		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
36	Leave reserve.	
14	Training reserve.	
Total .. 53		

(*a*) Includes Collector of Madras, Director of Agriculture, and Registrar of Co-operative Credit Societies.
(*b*) Includes Deputy Commissioner of Salt and Abkāri, and Director of Land Records.

APPENDIX VII—*cont.*

LIST B.

BOMBAY (INCLUDING SIND).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
3	High Court Judges	4,000
1	Chief Secretary	3,750
1	Commissioner in Sind	3,750
3	Commissioners	3,500
1	Secretary	3,125
1	Commissioner of Customs, Salt, Opium, etc.	3,000
1	Municipal Commissioner, Bombay	3,000
1	Judicial Commissioner, Sind	3,000
1	Inspector-General of Police	2,500—100—3,000
1	Additional Judicial Commissioner	2,750
(*a*) 3	District and Sessions Judges, first grade	2,500
1	Secretary	2,500
6	District and Sessions Judges, second grade	2,325
13	Senior Collectors	2,325
1	Commissioner of Settlement and Director, Land Records	Salary of grade *plus* a local allowance of Rs. 250.
9	District and Sessions Judges, third grade	1,800
(*b*) 15	Junior Collectors	1,800
1	Registrar, High Court	1,700
1	Private Secretary	1,500
1	Deputy Commissioner, Upper Sind Frontier	1,200 Local allowance Rs. 300.
3	Political appointments	..
1	Assistant Remembrancer of Legal Affairs	1,250—50—1,500
2	Under Secretaries	1,250
1	Talukdari Settlement Officer	1,100
1	Assistant to Commissioner in Sind	1,100 Local allowance Rs. 100.
1	Manager, Sind Encumbered Estates	Salary of grade *plus* special allowance of Rs. 200.
2	Superintendents of Land Records	Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
5	Assistant Collectors, first grade	900 (*c*)
Total .. 84		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add + 8	For posts under the Government of India.	
Balance .. 86		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
17	Assistant Collectors, first grade	900
18	Do. second ,,	700
Total .. 35		
	Reserve posts, i.e., *Assistant Collectors.*	400—500
3	Reserve for temporary posts and for deputations.	
35½	Leave reserve.	
13½	Training reserve.	
Total .. 52		

(*a*) Includes Remembrancer of Legal Affairs.
(*b*) Includes Collector of Salt Revenue, Collector of Bombay and Director of Agriculture and Co-operative Credit Societies; but excludes Collector of Customs, Bombay.
(*c*) It has recently been proposed to raise the pay of these five appointments to Rs. 1,200.

APPENDIX VII—*cont.*

LIST C.

BENGAL.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
2	Members of Council	5,333⅓
4	High Court Judges	4,000
1	Member, Board of Revenue	3,750
1	Chairman, Calcutta Corporation	3,500
1	Chief Secretary	3,333⅓
(*a*) 3	District and Sessions Judges, first grade	3,000
1	Chairman of the Calcutta Improvement Trust	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
2	Secretaries	2,750
(*a*) 13	District and Sessions Judges, second grade	2,500
(*b*) 12	Magistrates and Collectors, first grade	2,250
(*a*) 14	District and Sessions Judges, third grade	2,000
(*b*) 13	Magistrates and Collectors, second grade	1,800
1	Registrar, High Court	1,700
(*b*) 14	Magistrates and Collectors, third grade	1,500
1	Private Secretary to His Excellency the Governor	1,500
1	Deputy Chairman, Calcutta Corporation	1,500
Total .. 90		
Deduct — 8	For posts listed as open to the Provincial Service.	
Add + 8	For posts under the Government of India.	
Balance .. 90		
	Inferior posts (i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay, excluding one listed Under Secretaryship*).	
2	Under Secretaries	1,000
17	Joint Magistrates	900
17	Do.	700
Total .. 36		
	Reserve posts, i.e., *Assistant Magistrates*.	400—500
4	Reserve for temporary appointments and deputations.	
37½	Leave reserve.	
14½	Training reserve.	
Total .. 56		

(*a*) Includes Superintendent and Remembrancer of Legal Affairs and three District and Sessions Judges for Assam.
(*b*) Includes Commissioner of Excise, Director of Land Records, Director of Agriculture, two Secretaries to the Board of Revenue, Registrar of Co-operative Credit Societies, three Settlement Officers and four Additional Magistrates for Dacca, Midnapur, Backergang and Mymensing.

APPENDIX VII—*cont.*

LIST D.

UNITED PROVINCES.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
3	High Court Judges	4,000
1	Judicial Commissioner	3,500
2	Members, Board of Revenue	3,500
1	Additional Judicial Commissioner	3,333⅓
1	Chief Secretary	3,000
2	District and Sessions Judges, first grade	3,000
9	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
1	Opium Agent	2,500—100—3,000
1	Commissioner, Kumaun	2,500
(*a*) 7	District and Sessions Judges, second grade	2,500
(*b*) 19	Magistrates and Collectors, first grade	2,250
(*a*) 6	District and Sessions Judges, third grade	2,250
10	District and Sessions Judges, fourth grade	1,833⅓
(*b*) 17	Magistrates and Collectors, second grade	1,833⅓
4	Deputy Commissioners, first grade	1,833⅓
3	District and Sessions Judges, fifth grade	1,666⅔
(*b*) 10	Deputy Commissioners, second grade	1,666⅔
1	Registrar, High Court	1,600
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Deputy Director of Land Records	
1	Registrar, Co-operative Credit Societies	
1	Superintendent, Dehra Dun	1,500
1	Deputy Commissioner, Naini Tal	1,500
1	Assistant Judge	1,100
2	Deputy Commissioners of Garhwal and Almora	1,000
Total .. 111		
Deduct — 7	For posts listed as open to the Provincial Service.	
Add + 10	For posts under the Government of India.	
Balance .. 114		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay.*	
2	Under Secretaries	1,000
1	Under Secretary	800
1	City Magistrate, Lucknow	1,000
14	Joint Magistrates, first grade	1,000
6	Assistant Commissioners, first grade	800
1	Assistant Judge	800
20	Joint Magistrates, second grade	700
1	Registrar, Judicial Commissioner's Court	Salary of grade.
Total .. 46		
	Reserve posts, i.e., *Assistant Collectors*.	400—500
5	Reserve for temporary posts and for deputations.	
47½	Leave reserve.	
18½	Training reserve.	
Total .. 71		

(*a*) Includes the Legal Remembrancer.
(*b*) Includes two Secretaries in the Board of Revenue, Judicial and Financial Secretaries to Government, Director of Land Records and Agriculture and Commissioner of Excise.

APPENDIX VII—*cont.*

LIST E.

PUNJAB (EXCLUDING THE NORTH-WEST FRONTIER PROVINCE).

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
2	Judges, Chief Court	3,500
2	Financial Commissioners	3,500
1	Chief Secretary	3,000
5	Commissioners	2,750
2	Divisional Judges, 1st grade	2,750
3	Divisional Judges, 2nd grade	2,500
5	Divisional Judges, 3rd grade	2,250
(*a*) 10	Deputy Commissioners, 1st grade	2,250
6	Divisional Judges, 4th grade	1,800
(*a*) 11	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(*a*) 13	Deputy Commissioners, 3rd grade	1,500
6	Settlement Officers	} Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
1	Senior Secretary to Financial Commissioners	Salary of grade subject to a minimum of Rs. 1,200 and a maximum of Rs. 1,800.
1	Junior Secretary to Financial Commissioners	Salary of grade subject to a maximum of Rs. 1,500 and a minimum of Rs. 1,000.
1	Registrar, Chief Court	1,250
Total .. 80		
Deduct — 11	For posts listed as open to the Provincial Service.	
Add + 7	For posts under the Government of India.	
Balance .. 76		
	Inferior posts, i.e., *posts above the lowest grade of assistants, but below the "superior" posts in order of pay (excluding one Under Secretaryship listed).*	
2	Under Secretaries	1,000
14	Assistant Commissioners, 1st grade	900
15	Assistant Commissioners, 2nd grade	700
Total .. 31		
	Reserve post, i.e., *Assistant Commissioners of the lowest grade.*	400—500
3	Reserve for temporary posts and for deputations.	
32	Leave reserve.	
12	Training reserve.	
Total .. 47		

(*a*) Includes two Secretaries of Government, Director of Land Records, Director of Agriculture and Political Agent in the Phulkian States.

APPENDIX VII—*cont.*

LIST F.

BURMA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
1	Chief Judge, Chief Court	4,000
1	Judge, Chief Court	3,500
1	Judicial Commissioner, Upper Burma	3,500
1	Financial Commissioner	3,500
1	Chief Secretary to Government	3,000
8	Commissioners of Divisions	2,750
1	Commissioner of Settlements and Director of Land Records ..	2,750
2	Divisional Judges, 1st grade	2,750
1	President, Rangoon Municipality	2,500 (*a*)
1	Director of Agriculture	2,400 (*d*)
2	Divisional Judges, 2nd grade	2,250
(*c*) 12	Deputy Commissioners, 1st grade	2,250
1	Revenue Secretary to Government	2,250 (*b*)
1	Secretary to Government	2,250 (*b*)
2	Divisional Judges, 3rd grade	1,800
(*c*) 13	Deputy Commissioners, 2nd grade	1,800
8	District Judges	1,500
(*c*) 15	Deputy Commissioners, 3rd grade	1,500
1	Deputy Director of Land Records	1,600 (*b*)
1	Secretary to Financial Commissioner	1,500 (*b*)
1	Registrar, Chief Court	1,400 (*b*)
6	Settlement Officers	} Salary of grade *plus* special allowance of Rs. 150.
1	Registrar, Co-operative Credit Societies	
Total .. 83		
Deduct — 5	For posts listed as open to the Provincial Service.	
Add + 6	For posts under the Government of India.	
Balance .. 84		
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts in order of pay.*	
11	Assistant Commissioners, 1st grade	1,000
13	Assistant Commissioners, 2nd grade	700
10	Assistant Commissioners, 3rd grade	600
Total .. 34		
	Reserve posts, i.e., *Assistant Commissioners of the 4th grade.*	450—500
3	Reserve for temporary posts and for deputations.	
35	Leave reserve.	
13	Training reserve.	
Total .. 51		

(*a*) Maximum salary including a local allowance of Rs. 250 a month.
(*b*) Maximum salary including a local allowance of Rs. 400, Rs. 300, Rs. 200, Rs. 200 and Rs. 200, respectively.
(*c*) Includes Superintendents of Shan States, Collector of Rangoon and Commissioner of Excise, the latter officer drawing the salary of grade *plus* a local allowance of Rs. 250, without a maximum.
(*d*) Maximum salary including a local allowance of Rs. 150 a month.

APPENDIX VII—*cont.*

LIST G.

BIHAR AND ORISSA.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Lieutenant-Governor	8,333⅓
2	Members of Council	5,000
2	High Court Judges	4,000
1	Member, Board of Revenue	3,500
1	Chief Secretary	3,000
(a) 2	District and Sessions Judges, 1st grade	3,000
5	Commissioners	2,916⅔
1	Inspector-General of Police	2,500—100—3,000
(a) 5	District and Sessions Judges, 2nd grade	2,500
(b) 9	Magistrates and Collectors, 1st grade	2,250
(a) 5	District and Sessions Judges, 3rd grade	2,000
(b) 10	Magistrates and Collectors, 2nd grade	1,800
(b) 10	Magistrates and Collectors, 3rd grade	1,500
Total .. 54		
Deduct — 5	For posts listed as open to the Provincial Service.	
Add + 5	For posts under the Government of India.	
Balance .. 54	On which recruitment is based.	
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts (including one listed Under Secretary) in order of pay.*	
2	Under Secretaries	1,000
10	Joint Magistrates, 1st grade	900
10	Joint Magistrates, 2nd grade	700
Total .. 22		
	Reserve posts, i.e., *Assistant Magistrates.*	400—500
2	Reserve for temporary posts and for deputations.	
22½	Leave reserve.	
8½	Training reserve.	
Total .. 33		

(a) Includes Superintendent and Remembrancer of Legal Affairs and Judicial Commissioner, Chota-Nagpur.
(b) Includes two Secretaries to Government, and Directors of Land Records and Agriculture, Commissioner of Excise, Registrar of Co-operative Credit Societies, two Settlement Officers and Political Officer, Orissa.

APPENDIX VII—*cont.*

LIST H.

CENTRAL PROVINCES AND BERAR.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
	Central Provinces.	Rs.
1	Chief Commissioner	5,166⅔
1	Financial Commissioner	3,500
1	Judicial Commissioner	3,500
1	Additional Judicial Commissioner	3,000
1	Second Additional Judicial Commissioner	2,750
3	Commissioners	2,750
2	Do.	2,500
1	Senior Divisional Judge	2,500
(a) 8	Deputy Commissioners, 1st class	2,250
(a) 12	Do. 2nd class	1,800
(a) 14	Do. 3rd class	1,500
4	Settlement Officers	Salary of grade *plus* special allowance of Rs. 150.
1	Director of Agriculture	
1	Registrar, Co-operative Credit Societies	
Total .. 51		
Deduct — 6	For posts listed as open to the Provincial Service.	
Add + 4	For posts under the Government of India.	
Balance .. 49		
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts in order of pay.*	
6	Assistant Commissioners, 1st grade	900
13	Assistant Commissioners, 2nd grade	700
Total .. 19		
	NOTE.—There is a defect of one post. It has recently been proposed to correct the defect and to grade the 20 posts as follows :—	
10	Assistant Commissioners, 1st grade	900
10	Assistant Commissioners, 2nd grade	700
Totall .. 20		
	Reserve posts, i.e., *Assistant Commissioners of the lowest grade.*	
2	Reserve for temporary posts and for deputations.	400–500
20	Leave reserve.	
8	Training reserve.	
Total .. 30		

(a) Includes Chief Secretary, Secretary, Political Agent of Chhattisgarh, Commissioner of Excise, Commissioner of Settlements, three Divisional Judges, Inspector-General of Police, and two District and Sessions Judges, and one Secretary to the Chief Commissioner. The Inspector-General of Police draws a local allowance of Rs. 450 subject to a maximum salary of Rs. 2,500 a month.

APPENDIX VII—*cont.*

LIST I.

ASSAM.

Superior Posts in Order of Pay.

Number.	Designation.	Pay of each.
		Rs.
1	Chief Commissioner	5,166⅔
2	Commissioners	2,750
(a) 6	Deputy Commissioners, 1st grade	2,250
(a) 7	Deputy Commissioners, 2nd grade	1,800
(a) 6	Deputy Commissioners, 3rd grade	1,500
Total .. 22		
Deduct *Nil.*	For posts listed as open to the Provincial service.	
Add + 2	For posts under the Government of India.	
Balance .. 24		
	Inferior posts, i.e., *posts above the lowest grade of assistants but below the "superior" posts in order of pay.*	
2	Under Secretaries	1,000
4	Joint Magistrates, 1st grade	900
3	Joint Magistrates, 2nd grade	700
Total .. 9		
	Reserve posts, i.e., *Assistant Magistrate.*	400—500
1	Reserve for temporary posts and for deputations.	
10	Leave reserve.	
4	Training reserve.	
Total .. 15		

(a) Includes Superintendent of Lushai Hills; Commissioner of Excise, Inspector-General of Registration and Registrar of Co-operative Credit Societies; Director of Land Records and Agriculture; two Secretaries to the Chief Commissioner; Inspector-General of Police; one Settlement Officer; and Political Agent, Manipur.

LIST J.

SUPERIOR POSTS UNDER THE GOVERNMENT OF INDIA.

Number.	Designation.	Pay of each.
		Rs.
3	Members of Council	6,666⅔
	Home Department—	
1	Secretary	4,000
1	Deputy Secretary	2,000
1	Director, Criminal Intelligence	3,000
1	Superintendent of Port Blair	2,500—3,000
	Finance Department—	
1	Secretary	4,000
1	Joint Secretary	3,000
1	Deputy Secretary	2,250
1	Comptroller and Auditor General	3,500—4,000
3	Accountants-General	2,250—2,750
3	Officers of the Indian Finance Department	1,100—1,800
	Foreign Department—	
1	Secretary	4,000
1	Deputy Secretary	2,250
23	Political Officers	1,100—4,000
	Legislative Department—	
1	Secretary or Deputy Secretary	3,000—3,500 or 2,000
	Department of Revenue and Agriculture—	
1	Secretary	4,000
	Department of Commerce and Industry—	
1	Secretary	4,000
1	Director-General of Posts and Telegraphs	3,000—3,500
4	Postmasters-General	1,500—1,750 or 1,750—2,000 or 2,250—2,500
1	Commissioner, Northern India Salt Revenue	2,500
1	Inspector-General of Excise and Salt	3,000
3	Collectors of Customs	2,050—2,500
2	Assistant Collectors of Customs	1,150—1,400
	Department of Education—	
1	Secretary	3,000
Total .. 58		

APPENDIX VII—*cont.*

RR.

STATEMENT showing for INDIA as a whole and by PRESIDENCIES and PROVINCES the actual Strength of the INDIAN CIVIL SERVICE CADRE, as it stood on 1st July 1912, compared with the strength at which it should have stood on the same date in accordance with the sanctioned calculations.

Provinces.	Sanctioned strength.	Actual strength on 1st July 1912.		Number of officers over (+) or under (—) strength.
1	2	3		4
Madras	175		173	— 2
Bombay	173		176 (a)	+ 3
Bengal	183		174 (b)	— 9
United Provinces	231		237 (c)	+ 6
Punjab	154	Civilians 162 (d) .. / Military 29 (e) ..	191	+ 37
Burma	169	Civilians 126 .. / Military 49 ..	175	+ 6
Bihar and Orissa	109		107 (f)	— 2
Central Provinces	99		104 (g)	+ 5
Assam	48	Civilians 39 .. / Military 9 ..	48	..
Total ..	1,341		1,385	+ 44

(a) Excluding Sir B. Robertson, who permanently belongs to the Central Provinces, where he has been included, but including Mr. H. C. Mules of the Sind Commission.

(b) Excluding Messrs. Nathan and Hallett, who have been temporarily lent by Bihar and Orissa to Bengal and have been included in the Bihar and Orissa cadre.

(c) Including Sir H. Butler, who has not been numbered in the Civil List, but excluding Messrs. W. Alder and T. K. Johnston, who have been temporarily transferred to, and included in, the Bengal cadre.

(d) Including Messrs. O'Dwyer, Lorimer, Barton, Grant, Rennie, Johnston, Glancy, Pipon, Bolton, Pears, Jelf Howell, Bill, Copeland, Fraser, Fitzpatrick, Latimer, serving in the Political Department under the Government of India in the North-West Frontier Province, and Messrs. Bray and Cater, also serving under the Government of India in the Political Department in Baluchistan, and excluding Messrs. Cowan, Macnair and Jacob, serving in Bengal, where they have been included, and Mr. Gordon, serving in Assam, in which he has also been included.

(e) Including Lieutenant-Colonel Rawlinson, Mr. J. S. Donald, Major Blakeway, Lieutenant-Colonel Sir G. Roos-Keppel and Captain Keen, serving in the Political Department under the Government of India in the North-West Frontier Province.

(f) Excluding the late Mr. Shettle.

(g) Including Sir B. Robertson, who permanently belongs to the Central Provinces, but has been wrongly omitted from the Civil List, but excluding Messrs. Crawford (serving in Bihar and Orissa, where he has been included), and Liddell (serving in Bengal, in which he has been included), and three Indian members of the Behar Commission who have been treated as holding posts corresponding to three listed posts.

APPENDIX VIII.

CC.

Nature of posts.	Madras.		Bombay.		Bengal.		United Provinces.	
	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
		Rs.		Rs.		Rs.		Rs.
Lieutenant-Governors and Chief Commissioners.	..	..	..	..	..	..	1	8,333⅓
Members of Councils	2	5,333⅓	2	5,333⅓	2	5,333⅓	..	..
Judges of High or Chief Courts.	2	4,000	3	4,000	4	4,000	3	4,000
Boards of Revenue or Financial Commissioners.	4	(1) 3,750 (1) 3,500 (2) 3,000	..	..	1	3,750	2	3,500
Commissioners of Divisions and others of same rank.	..	..	6	(1) 3,750 (3) 3,500 (2) 3,000	5	2,916⅔	10	(9) 2,916⅔ (1) 2,500
Secretaries to Government	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,750 (1) 3,125 (1) 2,500	3	(1) 3,333⅓ (2) 2,750	1	3,000
Secretaries to Boards of Revenue or Financial Commissioners.	2	1,500—1,800	..	..	..	..	..	..
Judicial Commissioners ..	..	..	2	(1) 3,000 (1) 2,750	..	..	2	(1) 3,500 (1) 3,333⅓
District and Sessions Judges or Divisional Judges and District Judges.	22	(2) 3,000 (7) 2,500 (7) 2,250 (6) 2,000	18	(3) 2,500 (6) 2,325 (9) 1,800	30	(3) 3,000 (13) 2,500 (14) 2,000	28	(2) 3,000 (7) 2,500 (6) 2,250 (10) 1,833⅓ (3) 1,666⅔
Collectors or Deputy Commissioners.	27	(7) 2,500 (14) 2,250 (6) 1,800	29	(13) 2,325 (15) 1,800 (1) 1,500	39	(12) 2,250 (13) 1,800 (14) 1,500	54	(19) 2,250 (21) 1,833⅓ (10) 1,666⅔ (2) 1,500 (2) 1,000
Political officers ..	1	2,800	3	..	..	..	..	..
Miscellaneous posts ..	(a) 4	(1) 2,500-3,000 (1) 1,800-2,000 (1) 1,500-1,800 (1) 1,500	(b) 6	(1) 2,500-3,000 (1) 1,700 (1) 1,500 (1) 1,250-1,500 (2) 1,100	(c) 6	(1) 3,500 (1) 3,000 (1) 2,500-3,000 (1) 1,700 (1) 1,500 (1) 1,300	(d) 4	(2) 2,500-3,000 (1) 1,600 (1) 1,100
Under Secretaries to Government.	3	1,000	2	1,250	2	1,000	3	(2) 1,000 (1) 800
Joint Magistrates or Assistant Commissioners, 1st grade.	20	1,200	..	..	..	..	..	..
Joint Magistrates or Assistant Commissioners, 2nd (1st) grade.	16	900	17	900	17	900	22	(15) (e) 1,000 (7) (f) 800
Joint Magistrates or Assistant Commissioners, 3rd (2nd) grade.	16	700	18	700	17	700	20	700
Joint Magistrates or Assistant Commissioners, 4th (3rd) grade.	..	..	..	..	..	..	..	..
Assistant Collectors or Commissioners.	53	400—500	57	400—500	56	400—500	71	400—500
Appointments which do not carry fixed pay and the salary of which depends on the position of their holders.	..	..	5	..	..	..	7	..
Total ..	175	..	171	..	182	..	228	..

(a) Inspector-General of Police, Commissioner of Coorg, Registrar of High Court and Private Secretary to Governor.
(b) Inspector-General of Police, Registrar of High Court, Private Secretary to Governor, Assistant Legal Remembrancer, Assistant to Commissioner in Sind and Talukdari Settlement Officer.
(c) Chairman of Calcutta Corporation, Chairman of Calcutta Improvement Trust, Inspector-General of Police, Registrar of High Court, Private Secretary to Governor and Deputy Chairman of Calcutta Corporation.
(d) Inspector-General of Police, Opium Agent, Registrar of High Court and Assistant Judge.
(e) Includes City Magistrate of Lucknow.
(f) Includes an Assistant Judge.

APPENDIX VIII.

CC.

Punjab.		Burma.		Bihar and Orissa.		Central Provinces and Berar.		Assam.	
No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.	No.	Pay.
	Rs.		Rs.		Rs.		Rs.		Rs.
1	8,333⅓	1	8,333⅓	1	8,333⅓	1	5,166⅔	1	5,166⅔
..	..	..	..	2	5,000	..	..	..	..
3	(1) 4,000 (2) 3,500	2	(1) 4,000 (1) 3,500	2	4,000	..	..	..	..
2	3,500	1	3,500	1	3,500	1	3,500	..	..
5	2,750	9	2,750	5	2,916⅔	5	(3) 2,750 (2) 2,500	2	2,750
1	3,000	1	3,000	1	3,000	..	..	..	..
2	(1) 1,200–1,800 (1) 1,000–1,500	..	..	..	..	..	..	..	..
..	..	1	3,500	..	..	3	(1) 3,500 (1) 3,000 (1) 2,750	..	..
24	(2) 2,750 (3) 2,500 (5) 2,250 (6) 1,800 (8) 1,500	14	(2) 2,750 (2) 2,250 (2) 1,800 (8) 1,500	12	(2) 3,000 (5) 2,500 (5) 2,000	1	2,500	(f)	..
34	(10) 2,250 (11) 1,800 (13) 1,500	40	(12) 2,250 (13) 1,800 (15) 1,500	29	(9) 2,250 (10) 1,800 (10) 1,500	34(i)	(8) 2,250 (12) 1,800 (14) 1,500	19	(6) 2,250 (7) 1,800 (6) 1,500
..	..	..	..	..	..	..	..	..	..
(g) 1	1,250	..	..	1 (h)	2,500—3,000	..	..	..	..
2	1,000	..	..	2	1,000	..	..	2	1,000
..	..	..	..	..	..	..	..	..	..
14	900	11	1,000	10	900	6	900	4	900
15	700	13	700	10	700	13	700	3	700
..	..	10	600	..	..	..	..	..	..
47	400—500	51	450—500	33	400—500	31	400—500	15	400—500
7	..	14	..	..	..	6	..	..	..
158	..	168	..	109	..	101	..	46	..

(g) Registrar of Chief Court.
(h) Inspector-General of Police.
(i) Includes Divisional Judges except the Senior Divisional Judge.
(j) Three District and Sessions Judges are graded with the Bengal cadre.

A.—Indian Civil Service.]

APPENDIX VIII—*cont.*

DD.

Presidency or Province.	Collectors or Deputy Commissioners.						District and Sessions Judges, including Divisional and District Judges.						Joint Magistrates, Assistant Collectors and Assistant Commissioners.									
	Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,600 and over but less than Rs. 1,800.		Total number of appointments.	Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,600 and over but less than Rs. 1,800.		Total number of appointments.	Appointments in the grades of Rs. 900 and over but below Rs. 1,600.		Appointments in the grades of Rs. 700 and over but below Rs. 900.		Appointments in the grades of Rs. 500 and over but below Rs. 700.			
		No.	Per-centage.	No.	Per-centage.	No.	Per-centage.		No.	Per-centage.	No.	Per-centage.		No.	Per-centage.	No.	Per-centage.	No.	Per-centage.		
Madras	27	21	77·8	6	22·2	..	..	22	16	72·7	6	27·3	..	105	36	34	16	15·3	53	50·4		
Bombay	29	13	44·8	16	61·7	..	..	18	9	50	9	50	..	92	17	18·5	18	19·6	57	61·9		
Bengal	39	12	30·8	13	33·3	..	..	30	16	53·3	14	46·7	..	90	17	18·8	17	18·8	56	62·2		
United Provinces	54	19	35·2	21	38·9	14 *	25·9	28	15	53·6	10	35·7	3	113 †	15	13·3	27	23·9	71	62·8		
Punjab	34	10	29·5	11	32·3	13	38·2	24	10	41·7	6	25	8	76	14	18·4	15	19·8	47	61·8		
Burma	40	12	30	13	32·5	15	37·5	14	4	28·6	2	14·3	8	85	11	12·9	13	15·3	61	71·8		
Bihar and Orissa	29	9	31·0	10	34·5	10	34·5	12	7	58·3	5	41·7	..	58	10	18·9	10	18·9	33	62·2		
Central Provinces and Berar ..	34	8	23·5	12	35·3	14	41·2	1	1	100	..	..	..	50	6	12	13	26	31	62		
Assam	19	6	31·6	7	36·8	6	31·6	..	..	..	..	..	..	22	4	18·1	3	13·6	15	68·3		

* Includes two hill Deputy Commissionerships which carry a pay of Rs. 1,000 each on account of their amenities.
† Includes City Magistrate, Lucknow, and an Assistant Judge on Rs. 800.

[A.—Provincial Civil Service.

APPENDIX A.

Resolution of the Government of India, Home Department (Establishments), Nos. 1046-1058, dated Simla, the 19th August 1910.

The Governor General in Council has had under consideration the recommendation made by the Royal Commission on Decentralisation at the end of paragraph 128 of their Report on the subject of framing rules for the recruitment of provincial services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based.

2. In the present Resolution the Governor General in Council proposes to deal only with the provincial civil services (executive and judicial). The case of other provincial services will be separately considered.

3. The present system, under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the provincial civil services, was introduced in 1892, as the result of the Report of the Public Service Commission. The Governor General in Council has now decided to accept in substance the recommendation of the Decentralisation Commission, and is pleased accordingly to invest Local Governments with the power to make rules for the recruitment of the provincial civil services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service Commission, and the Governor General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to re-state them in the present connection, as follows:—

I. The rules must be adapted, on the one hand, to obtain thoroughly efficient candidates, and, on the other, to secure the due representation in the public service of the different classes of the community.

II. Every candidate for appointment by recruitment must furnish satisfactory evidence—

(*a*) that he is not over 25 years of age, except in the case of Barristers, Advocates, or Pleaders appointed to the judicial branch; these excepted cases will be governed by article 51 of the Civil Service Regulations;

(*b*) that he has attained a prescribed preliminary standard of general education to be fixed by Local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility;

(*c*) that he is of sound health, good physique, and active habits; and

(*d*) that he is of good character.

III. Every person appointed to the provincial civil service by direct recruitment shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the Local Government declares such probation or training to be unnecessary.

IV. The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

V. Admission to the provincial civil service should usually be confined to persons who are natives of the province or have definitely settled in it; in the case of candidates who are not natives of the province, recent residence of at least three years in the province should, as a general rule, be an essential condition of admission. No Barrister, Advocate, or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

VI. Europeans who are not statutory natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII. The Local Government should reserve to itself the right to make promotion to the superior grades of the provincial civil service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.

VIII. The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the provincial civil services, and whenever the Government of India exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates, or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

IX. No member of the provincial civil service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

4. The Governor General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this Resolution should be published by the local Governments and Administrations as part of the respective provincial rules.

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* Madras.	Punjab.
Bombay.	Burma.
Bengal.	Eastern Bengal and Assam.
United Provinces.	
† Foreign.	Public Works.
Revenue and Agriculture.	Commerce and Industry.

ORDER.—Ordered that a copy of this Resolution be forwarded to the local Governments * and Departments of the Government of India † noted on the margin and to the Honourable the Chief Commissioner of the Central Provinces for information.

A. EARLE,
Offg. Secretary to the Government of India.

A.—Provincial Civil Service.]

APPENDIX B.

Office.	Rate of pay in Rupees.	Number of appointments in each grade.														
		Madras.	Bombay.			Bengal.	United Provinces.			Punjab.	Burma.	Bihar and Orissa.	Central Provinces.	Assam.	Total.
			Presidency proper.	Sind.	Total.		Agra.	Oudh.	Total.						
Executive Branch.	800	3	..	..	2	5	..	..	4	3	3	4	2	1	27
	700	6	..	..	3	7	..	..	6	4	5	5	3	1	40
Deputy Collectors in Madras, Bombay, Bengal, the United Provinces, and Bihar and Orissa.	600	8	..	..	7	16	..	..	12	5	10	12	6	3	79
	500	29	..	..	23	48	..	..	35	12	36	36	14	10	243
Extra Assistant Commissioners in the Punjab, Burma, Central Provinces and Assam.	400	32	..	..	23	71	..	..	53	24	36	52	23	14	328
	300	29	..	..	24	73	..	..	56	25	35	54	24	15	334
	250	30	..	..	..	79	..	..	58	(a) 40	..	59	14	16	296
	200	..	..	..	..	..	..	..	..	..	..	..	12	..	12
Total ..	..	137	..	..	82	299	..	..	223	113	125	222	98	60	1,359
Mamlatdars	250	..	29	..	29	..	..	..	..	..	..	..	..	..	29
	225	..	34	..	34	..	..	..	..	..	..	..	..	..	34
	200	..	39	..	39	..	..	..	..	..	..	..	..	..	39
	175	..	45	..	45	..	..	..	..	..	..	..	..	..	45
	150	..	50	..	50	..	..	..	..	..	..	..	..	..	50
Total ..	..	..	197	..	197	..	..	..	..	..	..	..	..	..	197
Total (Executive Branch) ..	..	137	..	..	279	299	..	..	223	113	125	222	98	60	1,556
Judicial Branch.	1,000	..	..	..	..	6	..	..	..	..	..	2	..	..	8
	800	4	3	1	4	12	3	2	5	3	1	6	2	..	37
Subordinate Judges (also called Judicial Extra Assistant Commissioners in the Punjab and District Judges in the Central Provinces in the grades of Rs. 500 and upwards).	700	..	..	..	..	..	..	..	..	4	1	..	3	..	8
	650	5	4	1	5	..	7	3	10	..	..	..	..	..	20
	600	..	..	..	..	24	..	..	..	5	2	12	5	..	48
	500	9	8	1	9	..	9	7	16	12	8	..	5	..	59
	400	..	..	..	..	..	..	..	..	12	8	..	17	..	37
	300	..	..	..	..	..	..	..	..	12	9	..	16	..	37
Total ..	..	(d) 18	15	3	18	(b) 42	19	12	31	48	29	(b) 20	48	(b)	254
Munsifs (also called Subordinate Judges, 2nd class, in Bombay).	500	..	..	..	..	12	..	..	..	..	..	..	..	..	12
	400	33	19	2	21	61	22	8	30	..	..	20	..	..	165
	300	33	22	4	26	70	24	8	32	..	..	19	..	..	180
	250	33	..	..	..	66	..	..	..	..	..	19	..	..	118
	200	29	36	5	41	86	22	10	32	..	..	10	..	..	148
	175	..	..	..	..	..	..	..	..	..	..	..	..	..	..
	150	..	12	3	15	..	..	..	..	..	..	..	..	..	15
Total ..	..	(c) 128	89	14	103	(b) 245	68	26	94	(c)	(c)	(b) 68	(c)	(b)	638
Total (Judicial Branch) ..	..	146	104	17	121	287	87	38	125	48	29	88	48	..	892
Grand total ..	..	283	..	..	400	586	..	..	348	161	154	310	146	60	2,448

(a) This grade is common to both the Judicial and Executive branches.
(b) The Subordinate Judges and Munsifs employed in Assam are included in the Bengal cadre, and both that cadre and the Bihar and Orissa cadre have been shown above in accordance with the scale proposed by the Calcutta High Court. This matter is under discussion in connection with the recent territorial changes.
(c) Munsifs in the Punjab and the Central Provinces and Judicial Myooks in Burma belong to the Subordinate Judicial Service, and are paid at rates ranging from Rs. 150 to Rs. 250 a month.
(d) Includes four appointments which have been added since the last general reorganisation in 1884.
(e) , three , , , revision of the grades in August 1911.

B

QUESTIONS RELATING TO THE INDIAN AND PROVINCIAL CIVIL SERVICES.

[Note.—In replies to these questions, it should be clearly specified whether the reply refers to the whole Provincial Civil Service, or to the Executive Branch or to the Judicial Branch.]

INDIAN CIVIL SERVICE.

1. What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?

2. In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?

3. Is the system equally suitable for the admission of "Natives of India" * and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?

* The term "Natives of India" has been defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India and not established there for temporary purposes only, and the term is so used throughout these questions.

4. Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.

5. If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.

6. In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?

7. What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?

8. If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?

9. If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?

10. Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?

11. Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.

12. Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter.

13. If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons.

14. What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?

15. What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?

16. What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?

17. Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons.

18. Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?

19. Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?

20. Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?

21. Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?

B.—Indian and Provincial Civil Services.]

22. If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your Province would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?

23. Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?

24. What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?

25. Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?

26. Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?

27. Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?

28. Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?

29. Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?

30. If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?

31. Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

32. Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?

33. Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?

34. Do you think it desirable that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?

35. Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?

36. Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?

37. Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch.

38. Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?

39. Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details.

40. Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.

41. If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited.

42. Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.

43. Please add such remarks as you may desire to offer on any points relating to the probation and training of members of the Indian Civil Service which are not covered by your answers to the foregoing questions.

44. Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views.

45. Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?

46. If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?

47. Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the Service?

[B.—Indian and Provincial Civil Services.

48. Have you any proposals to make in regard to the leave rules applicable to members of the ndian Civil Service?

49. Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians nd to members of the Provincial Civil Services holding listed posts? In particular, do you consider at separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?

50. Please add such other remarks as you may desire to offer on any point relating to the nditions of service, salary, leave, and pension in the Indian Civil Service.

PROVINCIAL CIVIL SERVICE.

51. Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, efining the general conditions which should govern recruitment to the Provincial Civil Service and produced as Appendix A.* Are these conditions suitable, or have you any recommendations to make r their alteration?

52. In particular, are the rules for the recruitment of the Provincial Civil Service in force in your rovince suitable, or have you any recommendations to make for their alteration?

53. Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted residents of the province to which it belongs?

54. Are all classes and communities duly represented in your Provincial Civil Service? Do you nsider that this is desirable, and what arrangements do you recommend to secure this object?

55. Are you satisfied with the existing arrangements for the training and probation of officers ppointed to the Provincial Civil Service? If not, please state your objections, and what other rrangements you recommend.

56. Do you consider that the numbers of officers authorised for the various grades of your rovincial Civil Service are satisfactory? If not, please state your views.

57. To what extent are the functions of the officers of the executive and judicial branches of your rovincial Civil Service differentiated? Is any change desirable, and if so, in what direction?

58. Are you satisfied with the present designation "the Provincial Civil Service"? If not, what ould you suggest?

59. Do you accept as suitable the principle recommended by the Public Service Commission of 886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary ould be adjusted by a consideration of the terms necessary to secure locally the desired qualifications the officers appointed? If not, what principle do you recommend?

60. Are the existing rates of pay and grading in the Provincial Civil Service of your Province dequate to secure the desired qualifications in the officers appointed? If not, what alterations do you ecommend?

61. Do you approve of the arrangement by which officers of the Provincial Civil Service holding sted posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by embers of the Indian Civil Service? If not, what rates do you suggest for the various ppointments?

62. Have you any proposals to make with regard to the leave rules applicable to the Provincial ivil Service? In particular, do you regard the existing differences between the leave rules for the uropean and Indian Services as suitable?

63. Are you satisfied with the present system of superannuation pensions for officers of the rovincial Civil Service? If not, please say what modifications you would suggest, and on what rounds?

64. Are you satisfied with the existing organisation of the Provincial Civil Service? If not, lease state what alternative organisation you consider desirable, and explain fully your views, aking any suggestions that appear to you to be suitable.

65. Have you any other proposals to make in regard to the Provincial Civil Service not covered y your answers to the above questions? If so, please explain them.

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* *Vide* page xxxiii.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

ON THE

PUBLIC SERVICES IN INDIA.

At Fort St. George, Madras.

Wednesday, 8th January 1913.

FIRST DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. OLDFIELD, Esq., Acting Judge of the High Court of Judicature, Madras.
M.R.Ry. Diwan Bahadur R. RAMACHANDRA RAO Avargal, Collector, Nellore.
M.R.Ry. V. SUBRAHMANYAM PANTULU Garu, District Judge, Cuddapah.

M. S. D. BUTLER, Esq., C.V.O., C.I.E. } (*Joint Secretaries.*)
R. R. SCOTT, Esq. }

Sir RALPH BENSON, *Kt.*, I.C.S., Judge, High Court of Judicature, Madras.

Written answers relating to the Indian Civil Service.

1 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I have had over 40 years' experience of it and I accept it as generally satisfactory in principle; perhaps, I should say, in practice, rather than in principle. But see answer to question (6).

2 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes.

3 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—No.

4 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Yes. The larger the number of appointments that are open to competition, the greater will be the number, and the better the qualifications, of the men who will compete. At present the Home Civil Service appears to be decidedly more popular than the Indian Civil Service, but it was not so until recently. When I entered the service the Home Civil Service was mainly recruited from the men who failed for the Indian Civil Service. The prospects of men in the Home Civil Service appear to have greatly improved in recent years, while those of the Indian Civil Service have declined, both financially and otherwise. Work has greatly increased, and the amenities of life, in many of the smaller stations, have been greatly reduced by the diminution of the European element, and notably by the withdrawal of European medical aid.

5 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—

(*a*) Selection by headmasters of schools approved or otherwise:

(*b*) Selection by authorities in Universities approved or otherwise:

(c) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State:

(d) Combined nomination and examination:

(e) Any other method?—Though I have said that I consider the present system satisfactory in principle, I do not mean that it is theoretically the best. The ideal system would be one in which selection on account of *character* would have its place. The Egyptian Civil Service is recruited by a combination of nomination and selection under which weight is given especially to character and to success both in examinations and in games, and in the latter especial importance is rightly attached to the fact that a man has been a captain or secretary of the club or team. I understand that the class of men obtained is exceptionally good, and highly regarded. If a system of this kind were practicable for India, I would like to see it adopted; but I regard it as *impracticable*. The whole Empire is deeply interested in the Indian Civil Service, and it would be impossible to devise a system of nomination and selection that would satisfy all parts of it, or even all parts of India and the United Kingdom. I take it that public opinion at home is so definitely determined in favour of open competition that it is idle to discuss any other method of general recruitment; but it is possible that a slight modification might be made somewhat as follows:—

The first 75 or 80 per cent. of the recruits to be obtained as at present by open competition, but the Civil Service Commissioners to have a limited power of selection for the last 20 or 25 per cent. The difference between these men and an equal number of men who have just failed, as shown by the results of the examination, is quite trifling. In regard to these last 20 or 25 per cent. the Civil Service Commissioners might be allowed to select the required number out of the best of the 20 or 25 per cent. at the bottom of the list and an equal number of the men who just failed to get into it, having regard to character and fitness as judged otherwise than by examination. For this purpose all candidates before going up for the examination should be at liberty to submit to the Civil Service Commissioners testimonials of character and general fitness. If in each of the chief Universities a small committee could be formed who would consider each candidate's fitness, having regard to his tutor's reports, the position held by the candidate at school and at the University, both as regards character, work and games, and report thereon to the Civil Service Commissioners, it would greatly facilitate their work of selection. The Civil Service Commissioners would of course also have the right to interview candidates for the purpose of selection. I doubt, however, whether public opinion at home would approve of even this slight modification of the present system.

6 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am strongly opposed to simultaneous examinations. The question was so fully considered by the last Public Service Commission, and the objections to them are so fully and well stated in their report, that I have nothing to add. I will only say that those objections seem to me to apply as strongly now as then.

7 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

8 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am altogether opposed to it. I do not see on what principle any proportion could be fixed, nor do I think that admission to the Indian Civil Service by examination in India would be at all a satisfactory method of recruitment.

9 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am not in favour of any such system as is suggested. I think the existing system of open competition in London, supplemented as it is by the throwing open of certain listed appointments to members of the Provincial Civil Service of proved merit and ability, is the best system that the present condition of India admits of.

10 (13). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system that you would propose?—No. It is not a change in the method of recruitment but improved legal training for the recruits that is required—see answer to question (64) where the question of selection and training is fully discussed.

11 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His "Majesty in India, of parents habitually "resident in India, and not established there for "temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—Yes, subject to this small change, that it is not necessary that the "native" should actually be "born" in India. The definition should run "any person domiciled in India and born of parents, etc."

12 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I hold strongly that the period of probation in England should be at least *two* years in order to give time for the study of the principles of law (as to which see answer to question (64)).

I also hold that the responsibilities thrown on young civilians as Magistrates, often having to deal with serious riots, and the conditions of their life when posted to independent charges, often in isolated stations and away from the formative influences of older members of the service or other Europeans, are such that they should not arrive in India until their character has been fairly well set and they have acquired some knowledge of men and affairs. This can hardly be before attaining the age of 23.

I also hold that the age should be so fixed as to enable men to have the benefit of University associations and training—either before, or after, or partly before and partly after, the open competition. The age should be fixed with regard to these three *desiderata*, but I am not sufficiently acquainted with the conditions of the English Universities to say exactly what limits will best attain them. When I came to India the age limits were 17 to 21 and I thought many of the men were immature. I am inclined to think that it is not necessary to let men finish their University course before going up for the "open." If this is done, and there is a two years' probation (which I consider essential), men get rather stale. It would seem to be sufficient to attract them to the University by making residence there a condition of receiving an allowance while on probation. Selected candidates, in that case, would ordinarily have to give up all attempts to take Honour degrees, but this would seem to be a lesser evil than making them stale and weary of study during the years of probation and after arrival in India. Perhaps, on the whole, the best age limits would be 20–22, or 21–23.

13 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—Very good.

14 (18). What is the most suitable age at which junior civilians should arrive in India?—At or soon after 23 years of age. See reply to question (15).

15 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—The reply to the second part of the question is in the negative.

16 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature "that no candidate who may fail shall, to "whatever calling he may devote himself, have "any reason to regret the time and labour which "he had spent in preparing himself to be "examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—Yes.

17 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (a) of school-leaving age and (b) of University-leaving age?—The chief change I recommend is to increase the value assigned to legal subjects. I cannot do better than quote an extract from a minute I wrote six years ago in connection with the question of giving better legal training to young civilians. I then wrote:—

"I would begin at the very beginning and endeavour to offer men with an inclination to legal study inducements to indulge it at every stage in their career from the day they resolve to 'try for the Indian Civil Service' until they are full-blown Judges of a High Court. Englishmen are as a rule profoundly ignorant of Civil law, since it rarely touches their daily lives. Any ordinary ryot in India knows more of the law of mortgages than an average University graduate in England. The sooner our young civilians have their attention directed to the study of the principles of the Civil law, the sooner they will gain that legal instinct which is so valuable in a Judge. I would, therefore, make it worth the while of every candidate for the open competition who has any inclination for legal work, to take up law as a subject for the examination. For a long time law found no place at all among the subjects. Now Political Science, Roman Law and English Law are included. So far, good. But the marks assigned for each of them are less than the marks assigned for each of such minor subjects as, let us say, Geology, Botany and Zoology—subjects, too, which can be worked up rapidly by any one with a good memory. I cannot but think that in point both of mental training and of equipment for actual work, the young man who has absorbed the chief principles of Political Science, Roman Law and English Law will be in a better position than the young man who has committed to memory the chief facts of the three natural sciences I have named. Men will always take up for the examination the subjects which "pay" best, and if great subjects like English Law and Roman Law are to be encouraged, more marks must be assigned to them in comparison with other subjects."

18 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No.

19 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (32 Vict., c. 3), reproduced as Appendices II and III to these questions.]

20 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service

cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?

21 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I accept the existing system, described in question (25), as, on the whole, the most satisfactory method that can be devised under present conditions for recruiting "Natives of India." It enables Government on the spot, which is the only authority that can act with full knowledge of local conditions and requirements, to vary the "listed" appointments from time to time as may be expedient. The great principle of admission to all comers by "open competition" must be upheld. In practice the door is found to admit rather too small a number of "Natives of India" to satisfy legitimate claims; and, when this is so, a second door is, in effect, opened under the rules framed for "listing" certain posts, which may safely and conveniently, from time to time, be filled by "Natives of India," though ordinarily reserved for the Indian Civil Service. No doubt if the best class of men are to be attracted to the Indian Civil Service, it is essential, that they should be assured of reasonably certain prospects of promotion, and there should be no feeling that their just expectations may at any time be defeated by other men being put in over their heads capriciously or through favoritism or merely to satisfy the claims of "Natives of India" to more appointments. It can hardly be said that so far as judicial work is concerned, it is necessary to reserve absolutely any whole class of judicial appointments, whether that of District and Sessions Judge, or even that of District Magistrate, for the Indian Civil Service. Exceptional men may be found from time to time in the Provincial Civil Service who are fitted for those posts, and whom it is desirable to promote. But I am quite sure that, under present conditions, such appointments should be very limited in number, and especially so in the case of District Magistrates, who have the most important executive and administrative functions to perform, not only in supervising the *work* of the other Magistrates in the district, but also in connection with their selection, promotion and leave and in connection with the selection, promotion, leave and pay of the very large ministerial establishments that work under them, and further as Collectors of districts, in controlling and supervising the great Revenue establishments, and in co-ordinating the work of many other great departments, such as Police, Local and Municipal Councils, Sanitation, Education and so forth.

Even in the case of District Judges, their administrative duties are of great importance, as they supervise the administrative work of the Subordinate Judges and District Munsifs, inspect their offices and exercise considerable control over their establishments in the matter of appointments, promotion, pay and leave. They send to the High Courts every year confidential reports on the character and work of District Munsifs, and the High Court is largely guided by their recommendations in appointing District Munsifs, and in transferring them, promoting them, giving them enhanced Small Cause powers and so forth.

The High Court also acts very largely on their advice in the matter of establishing new courts to meet the constant increase in litigation, not only as regards the necessity for new courts but also as to their location, accommodation and so forth. In all these matters administrative experience and general business capacity are of great importance. It cannot be denied that the early education (using the word in its widest sense) of the majority of the men who enter the Indian Civil Service by open competition, and their training in administrative work in India before they become District Judges, give them an experience and a faculty for dealing with administrative questions which is not generally possessed and cannot be expected, in the case of "Natives of India" or others who have not had the same early advantages.

Then it must be remembered that under the existing system the same person who is District Judge, is also Sessions Judge and as such hears appeals from the decisions of the highest (1st class) Magistrates in the district and also himself tries the gravest classes of offences, such as murder, dacoity, rape and so forth. Their general education and training and their long experience (generally 12 or 14 years), as magistrates, render the Indian Civil Service men specially suitable for the post of Sessions Judge.

To put the matter shortly, so far as the *decision of civil cases*, original or appellate, that is so far as purely *judicial* work is concerned, it could be done quite satisfactorily by "Natives of India" of proved merit and capacity and character, though not members of the Indian Civil Service.

But for the important administrative duties of the District Judge, and for the still more important criminal work that falls to him as Sessions Judge, the man who has had the education and experience which the Indian Civil Service gives him, has a great advantage over men who have not had a similar education and experience.

It must also be remembered that by Statute not less than one-third (that is at present three) of the Judges of the High Court of Judicature must be selected from the Indian Civil Service. It is essential that the number of District and Sessions Judgeships held by members of the Indian Civil Service should be sufficient to afford adequate training for, and an adequate field from which to select, the Indian Civil Service Judges of the High Court. Naturally only a limited percentage of the District and Sessions Judges show the capacity and qualities essential in a Judge of the High Court, and if the field from which the selection has to be made is greatly narrowed it must re-act unfavourably on the standard of the High Court which it is essential to maintain.

These considerations point to the conclusion that though it is not essential that the post of District and Sessions Judge should be reserved by Statute for the Indian Civil Service, yet it is highly desirable that the great majority of such posts should, in practice, be filled by Indian Civil Service men. No definite *proportion* can be permanently laid down. The exact number will vary from time to time and can best be determined by the local Government by Statutory rules as at present.

In effect, therefore, I would maintain the present Statutory limitation reserving the post of District and Sessions Judge for the Indian Civil Service, but allowing the local Government to throw open a certain number of the appointments to Natives of India of proved merit and ability, under Statutory rules as at present, in accordance with the requirements and conditions which from time to time prevail.

I do not see any need for change in the existing system. It has worked well in the past, and it is adapted to enable the changes which experience may dictate to be carried out from time to time.

In this connection I think it is not always realized how far the judicial work of the country—both civil and criminal—is in the hands of Indians.

It should be clearly realized that *by far the greater part* of the work is in the hands of Indians, and the proportion in their hands is steadily and rapidly increasing under the existing system.

I pass by the town of Madras, merely remarking that at present four out of the ten High Court Judges are Indians, as are also the City Civil Court Judge, all the Small Cause Court Judges and all the Presidency Magistrates except one.

Turning now to the rest of the Presidency (outside the town of Madras) the unit of judicial (as of most other) administration is the district. There are 22 districts, each with a population of, say, from one and a half millions to two millions. Each district is presided over by a District and Sessions Judge. As Sessions Judge he tries cases of grave crime committed to him for trial by the Magistrates, and he hears appeals from cases tried by the highest (*i.e.*, first class) Magistrates. As District Judge he is the Chief Civil Court both for original suits and appeals, and he is assisted in both classes of work by one or more Sub-Judges. These Sub-Judges can try both original suits and appeals without any pecuniary limitation, and, in fact, the great bulk of the superior civil litigation, both original and appellate, is in their hands. Two of them also, as Assistant Sessions Judges, help to deal with the superior criminal work of the country. Below them come the District Munsifs who dispose of all original suits up to Rs. 2,500 in value. The *superior courts* of civil and criminal jurisdiction are, then, the District and Sessions Judges and the Subordinate Judges. There are 22 District and Sessions Judges, and of these six are Indians and sixteen are Europeans. There are 24 Subordinate Judges *all* of whom are Indians. Thus of the 46 superior courts 16 are Europeans and 30 are Indians, while of the inferior courts (*i.e.*, those dealing with suits up to Rs. 2,500 in value) only one is an European and no less than 133 are Indians. So much for the *personnel* of the courts. I append a statement showing the number of cases dealt with by Europeans and Indians respectively in each of the classes of courts to which I have referred.

Statement showing the number of European and Indian Judges and the number of cases disposed of by them in 1911, *excluding the town of Madras.*

Nationality.		Number of Judges.	Civil disposals.			Criminal disposals.	
			Original suits.	Small causes.	Appeals.	Sessions cases.	Criminal appeals.
District and Sessions Judges, 22.*	(a) Europeans	16	325	..	5,350	1,012	1,043
	(b) Indians	6	122	..	1,876	300	262
Subordinate Judges, two of whom are also Assistant Sessions Judges, 24.†	(a) Europeans	*Nil.*	..	..	..	..	..
	(b) Indians	24	1,659	29,955	4,449	..	..
Total Superior Courts, 46.	(a) Europeans	16	325	..	5,350	1,012	1,043
	(b) Indians	30	1,781	29,955	6,325	300	262
District Munsifs, 134.‡	(a) European	1	647	1,543	..	..	..
	(b) Indians	133	101,281	166,184	..	..	..

* Agency Sessions Judges excluded. † Sub-court of Cochin and Agency Sub-Judges excluded.
‡ Four Revenue officers and Agency Munsifs excluded.

It will be observed that the 16 European Judges of the Superior courts disposed of 325 civil original suits, and 5,350 civil appeals, as well as 1,012 sessions cases and 1,043 criminal appeals; while the 30 Indians in the Superior courts disposed of 1,781 civil original suits and 6,325 civil appeals, besides 29,955 small cause suits of the value of from Rs. 200 to Rs. 500 each, and also of 300 sessions cases and 262 criminal appeals.

In the inferior, that is in the District Munsif's Courts, 133 Indian Judges disposed of 101,281 original and 166,184 small cause suits, while the one European Judge disposed of 647 original suits and 1,543 small cause suits. To put the matter shortly, practically the *whole* of the original civil suits of the country up to Rs. 2,500 in value, and *six-sevenths* of the original suits above that value, and considerably *more than half* of all the civil appeals disposed of by Indians. On the other hand the bulk of the highest criminal work is still in the hands of Europeans, the proportion being about three-fourths of the sessions cases and nearly four-fifths of the higher criminal appeals.

If we turn now to the Magistracy the figures are hardly less striking. The chief Magisterial control is exercised by the District Magistrate—one in each district. He tries a small number of criminal appeals and a very few original criminal

cases; but by far the most important part of this work is the exercise of a general supervision over the Magistrates and magisterial work of the district. Each district is divided into sub-divisions with a first-class Magistrate in charge of it. He tries grave cases which are scheduled as triable ones by a first-class Magistrate, and he exercises control over and hears appeals from, the second and third-class Magistrates in his sub-division, who try the great bulk of the magisterial cases. The appellate and controlling jurisdiction and also the power to try the graver classes of offences (not triable exclusively by the Court of Session) are vested, therefore, in the District and Sub-Divisional Magistrates who may be called the *Superior Magistrates*; while the rest of the magisterial work is disposed of by other Magistrates who may be called the *Inferior Magistrates*. The following statement shows the number of European and Indian Judges in each of the above classes, and the number of criminal cases and appeals heard by them in 1911 :—

Statement showing the number of European and Indian Magistrates in 1911 *in the Presidency of Madras excluding the town of Madras.*

Nationality.		Number.	Original cases.	Criminal appeals.
District Magistrates	(*a*) Europeans	25	70	315
	(*b*) Indians	2	4	83
First-class Sub-Divisional Magistrates.	(*a*) Europeans	21	1,876	1,682
	(*b*) Indians	81	6,188	4,753
Superior Total Magistrates	(*a*) Europeans	46	1,946	1,997
	(*b*) Indians	83	6,192	4,836
Other Magistrates	(*a*) Europeans	37	2,644	..
	(*b*) Indians	605	210,798	..

It will be observed that of the Superior Magistrates 46 are Europeans and 83 are Indians, while of the Inferior Magistrates only 37 are Europeans while 605 are Indians. The Superior European Magistrates disposed of 1,946 original and 1,997 appeals, while the Superior Indian Magistrates disposed of 6,192 original and 4,836 appeals. The Inferior European Magistrates disposed of 2,644 original cases while the Inferior Indian Magistrates disposed of 210,798 such cases. To put the matter shortly, there are nearly twice as many Indians as Europeans among the Superior Magistrates and they try three times as many original and much more than twice as many appeals; while among the Inferior Magistrates there is only one European to every 16 Indians, and he tries only one out of every 80 cases.

22 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the civil administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted? I do not consider that it is possible to lay down any fixed proportion. But I do most strongly hold that it is essential that the European element in the civil administration should be sufficiently strong both in point of numbers and position, to guarantee—

(*a*) the present high standard of purity and efficiency not only in the every-day administration of public affairs, but also in those times of special stress, that from time to time arise owing to widespread calamity, such as famine or plague, when exceptional energy and administrative capacity are required, and

(*b*) the public safety and the supremacy of the British Government in times of mutiny or widespread civil disturbances, whether resulting from sedition or from religious or sectarian animosity between different sections of the population, or otherwise.

In this connection see reply to question (23).

23 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the administration, whether on executive or judicial duties?—Hardly so, so far as District and Sessions Judges are concerned; but the number who have so far attained that rank is too few to enable any final opinion to be formed. I do not give any opinion as to those in other posts as my experience of them is too limited to justify my doing so.

24 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No.

25 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (*a*) military officers and (*b*) others; and give details of the latter—None. None are appointed in this Presidency.

26 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—Yes, so far as the Judicial branch is concerned.

27 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—Yes, so far as the Judicial branch is concerned.

28 (35). To what extent also during the last five years have these listed posts been filled—

(*a*) by members of the Provincial Civil Service;

(*b*) by other "Natives of India"?

Please give the names and positions of the latter, if any?—Three of the four District and Sessions Judgeships which have been "listed" for "Natives of India" have been ordinarily filled by Provincial Civil Service men, and the fourth by an advocate or a vakil of the High Court, not in the Provincial Civil Service. Until March 1911 one of the Provincial Civil Service posts was held by a "Statutory" Civilian (Mr. Manavedan Raja). The fourth of the "listed" posts above referred to was held *first* by Mr. M. O. Parthasarathi Aiyangar, an advocate of the High Court, who was first appointed Judge of the City Civil Court, and afterwards a District and Sessions Judge; and afterwards the post was held by Mr. C. V. Kumaraswami Sastri, a vakil of the High Court, who was first appointed Judge of the City Civil Court, and afterwards a District and Sessions Judge.

29 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—Yes, so far as the Judicial branch is concerned.

30 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—

(*a*) to the members of the Provincial Civil Service; and

(*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—I understand that it does not, but I am not clear as to the exact grounds of dissatisfaction, unless they are of a sentimental character.

Nor am I clear as to the advantage of the present arrangement. It has the obvious disadvantage of tending to obscure the extent to which the statutory reservations for the Indian Civil Service are encroached upon by the process of listing. This, however, does not apply to the Judicial listed appointments, *i.e.*, four District and Sessions Judgeships.

31 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—Yes, so far as the Judicial branch is concerned.

32 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—Officers of the Provincial Civil Service who have been appointed District and Sessions Judges have been as efficient as, or more efficient than, the members of the Indian Civil Service holding similar posts during the first few years after appointment, so far as purely *judicial* work on the *civil* side is concerned. This is due, in my opinion, largely to the absence of training and experience in civil law from which the Indian Civil Service men suffer. With the experience of a few years, the Indian Civil Service men improve greatly, while the Provincial Civil Service men, being near the end of their service, rather tend to become slow. During the later years of their service the Indian Civil Service men are rather more efficient than the Provincial Civil Service men even in civil judicial work. In criminal work and in administrative work the Indian Civil Service men are more efficient all through. See reply to questions (23) to (25) where this aspect is more fully noticed.

33 (40). Please now turn to the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled?—None, so far as Judicial branch is concerned.

34 (41). Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same?—No, so far as *permanent* judicial appointments are concerned. For *temporary* appointments, see clause 4 of the notification, Appendix IV.

35 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—It should be continued and extended to two years as formerly. See reply to questions (64) to (68).

36 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—(*a*) Two years at least. See reply to questions (64) to (68).

37 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes, or at Trinity College, Dublin, or at other approved *residential* University.

38 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Yes, residential Universities should be prescribed, in order to give the candidates the culture and knowledge of men which can best be obtained at such Universities.

39 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend.—Yes. I should be inclined to recommend the system in force when I was a probationer, viz., two years' probation, with half-yearly examinations, and an allowance of £50 after each of the first three examinations and £150 after the Final examinations, conditional on doing reasonably well at each examination and also on residing at one of the selected Universities.

40 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854 that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply

equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes. I assume that the examination will be either at the end or about the middle of the University course.

41 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you? (52) In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(51–52) I have already advocated the return to the two years' probation after open competition and this chiefly in order to give the selected candidates an opportunity for acquiring a more adequate equipment in the elements of law than is now possible. I would advocate a return to a course of study similar to that in force in 1891, including especially Law and Political Economy. I think the Law course might be made more modern and practical by the omission of Roman Law (Institutes of Justinian and Mackenzie's Studies) and by adding to the Indian Law the Transfer of Property Act and the Specific Relief Act.

(*a*) I always thought the time I spent in attending the Law Courts and in reporting cases was time well spent, as giving us correct ideas as to the relations between Bench and Bar, and the manner in which a case should be handled.

(*b*) The teaching of Indian Law should certainly be maintained as a fundamentally essential part of the training, and it should be extended as proposed above. The most important work in almost all departments of the Executive Government is now largely concerned with legal questions, and a general knowledge of the most important Indian Acts is of the greatest benefit to all branches of the Indian Civil Service, but it is vitally necessary to those in the judicial line.

(*c*) I am inclined to think that it would suffice to teach the grammar and text-books of *one* Indian language in this Presidency instead of *two*, as in my time. The attempts to learn the languages colloquially were always a failure. It can be far more easily learned in India, but is greatly facilitated by having a good grammatical and book knowledge beforehand.

(*d*) I think Indian Geography, and certainly Political Economy, should be studied. I doubt the use of accounts for the average man. As to the study of Law *please see answer* 2 *to questions* (64) *to* (67).

42 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—Certainly in England, where there are greater facilities for the studies required and less distractions in the way of outdoor games, sport and society, to say nothing of the climatic advantages of England. The men would be too old to submit to school discipline in India. They would probably waste their time and possibly get into debt as so often happened in old days when the men were kept at Provincial colleges for a year or so after arrival in India.

43 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I hardly think it feasible, nor is it desirable—see reply to question (53).

44 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I do not think it is feasible. The number to be dealt with each year is too small to justify the employment of an adequate teaching staff separately for each province.

45 (56). In the report of the Treasury Committee appointed to consider the organisation of oriental studies in London (1909), the view is taken that the preliminary training in oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I fear not.

46 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—No, not further than is involved in the option of studying Sanskrit, Arabic, Persian and Hindustani given in syllabus in 1912, Appendix VI.

47 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Yes generally, but as regards those intended for the Judicial branch see reply to questions (64) to (67).

48 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—A return to a two years' probation and the study of *one* language (instead of *two*) during that period will go far to improve the European's knowledge of at least one Indian language. The Indians themselves very generally know only one vernacular well.

49 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between

recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other) and what conditions do you propose? (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch? (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details. (67) Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of oriental languages?—The matters dealt with in questions (64) to (67) have been the subject of protracted discussion for the past sixteen years between the High Court of Madras, the Madras Government and the Government of India. I have in repeated letters or minutes, official and demi-official, urged the absolute necessity of improving the legal knowledge of civilians generally and of those selected for judicial service in particular, and I have made suggestions to that end. Certain definite and important conclusions have now been arrived at by the Government of India and the Secretary of State, and only certain details await settlement before orders should be issued. Instead of merely stating my own opinion on the points raised in these four questions I think it best to refer to the Government of India letters and to the minutes which I wrote in connection with them. They deal with the whole matter in a comprehensive manner, and with especial advertence to the existing system and the requirements of this Presidency.

It is not necessary to go back further than the Government of India letter No. 1353, Home—Judicial, dated 5th October 1906, in which there is a summary of the discussions since 1842, and in which it was resolved to prescribe "for judicial officers a compulsory course of training of such a character as not only to fit them for their duties, but to be recognised as conferring suitable qualifications." With this object the Government of India proposed—(*a*) to send officers choosing the judicial line to England for a year to read in a barrister's chambers, the fees for their instruction being paid by Government; (*b*) to require officers to elect, or be selected by Government, for the executive or the judicial line much earlier than was then the practice; and (*c*) that on return from the period of study in England suitable judicial work should be found for them, so as to give them experience of original work before becoming judges of appeal. The Government of Madras was asked to give its opinion as to the most suitable system to adopt in order to give effect to these conclusions. The following is the minute which I recorded in this connection, and the views stated in it were adopted generally by the High Court:—

[Government of India letter No. 1353, dated 5th October 1906, Judicial.]

Minute recorded by the Hon'ble Justice Sir Ralph Benson.

"I heartily concur with the proposition from which the Government of India starts, viz., that both in the interest of Judicial efficiency, and on broad grounds of public policy, it is essential that comprehensive measures should be taken without delay to improve the legal training of Junior Civilians whom it is intended to employ as District and Sessions Judges.

"Under the present system the young civilian, after passing the open competition in England, spends one year there in special preparation for his work in India. He learns a little of the criminal law and of the law of evidence, but he learns nothing at all of general jurisprudence or civil law. On arrival in India he is engaged in revenue and magisterial work for the first twelve or fourteen years, and is then appointed to act as District and Sessions Judge or as Collector and Magistrate. There is no system in this Presidency, as there is in Bengal, by which officers elect for the one branch or the other. They are posted by Government according to the vacancies that occur, though, no doubt, if a man expresses a wish to enter the judicial line his wish is usually complied with, as the almost universal desire of the best men is to remain in the revenue line.

"The young Sessions Judge usually does his criminal work well, for he has a dozen years' experience as a Magistrate. But of civil work he has had, broadly speaking, no experience whatever. It is impossible that in these circumstances he should at first do justice to himself, or administer the law with that knowledge that is expected of the highest court in a district, exercising not only unlimited original jurisdiction but also appellate powers over Sub-Judges and District Munsifs who have made the study of law and judicial work the business of their lives. That the young civilian succeeds as well as he does, and in a few years becomes, in the majority of cases, a reasonably satisfactory civil Judge, speaks volumes for the goodness of the raw material that is in him, and proves that if properly treated the raw material might be converted into a satisfactory civil Judge at a much earlier stage than at present.

"The young civilian is in nine cases out of ten well above the average of professional men in ability and industry and in general mental training. The experience which he gets in the revenue and magisterial line during the first ten or twelve years of his official life usually gives him a most valuable insight into the ways of thought, habits, customs, and prejudices of natives, as well as a working knowledge of their language. All this, with his common sense way of looking at things, usually makes him an excellent Judge of fact. If the judicial line could only get its fair share of the best civilians, and if those men could be given a reasonable preliminary training in civil law, there would be little cause for complaint, and the civilian judge would be enabled to hold his own thoroughly alongside the Native Sub-Judge or to rise superior to him in civil, as he usually does in criminal law.

"That he is not given any preliminary training in civil law is not only unfair to himself, but is also unfair to the public who have occasion to resort to the courts: it adds to the appellate and revisional work of the High Court, and, what is far more important, it tends very seriously to lower the prestige of the European Judge, and through him of all Europeans, in the eyes of the native public.

"I regard this as an evil of the most far-reaching character, which will certainly lead to political embarrassment, if not to actual danger, in the near future, if we fail to check it in time. There is no real difficulty in checking it. It would cease if we only get a fair share of the best civilians to enter the judicial line, and if we gave them a fair chance of learning the law before they are called on to administer it as an Appellate Court; but unfortunately neither the one nor the other of these conditions is fulfilled; nor has there been any sustained or determined attempt on the part of those in authority, during the past thirty years, to see that they shall be fulfilled. On the contrary, the little legal training that was given thirty years ago is no longer given; and the executive line is maintained on a far higher level of attractiveness than the judicial line as regards both emoluments and the prospects of distinction and honour. As a consequence the best men are steadily attracted to it, and the inferior men are left to occupy the Judicial Bench. No man is ever advised by his friends to choose the judicial branch. I well remember when my own turn for promotion came and I told a friend who was high in the service, and who was as distinguished for keenness of insight as for bluntness of language, that I had voluntarily accepted a Judgeship, the only congratulation I got from him was "You are a fool, that's what you are." This is but an illustration of the universal feeling that a man's prospects in the judicial line are far inferior to what they would be in the executive line. Nor is this all. It was long, I regret to say, a not uncommon practice to transfer to the judicial line men who had proved to be failures on the revenue side, and sometimes this was openly done as a punishment for idleness or incompetence. It is easy to understand how this lowers the general reputation of the judicial line, and renders it unpopular with the service.

Note.—The regrading of the judicial branch of the Indian Civil Service since this was written has done much to remedy the pecuniary disadvantages of that branch. The pecuniary position is now, I think, satisfactory.

"In this connection it is highly satisfactory to observe that the Government of India expresses the opinion that 'it should be laid down as an absolute rule that men who have failed in the executive line should not be transferred to the judicial line.' Cases may, no doubt, arise in which owing to ill-health or other causes, not involving idleness or mental incompetence, it may be for the interest of the State to transfer a man from the revenue to the judicial line, but if a man is too idle or incompetent to be a Collector and Magistrate, the proper course is to keep him in an inferior appointment instead of transferring him to an appointment of equal grade as a District and Sessions Judge.

"2. The Government of India reserves for separate consideration the question of the measures to be taken to attract to the judicial line a fair proportion of the most capable men, and in the present letter deals only with the steps to be taken to improve the legal training of the judicial branch.

The proposals that are made are—

(*a*) That officers should be invited to elect for the judicial or the executive line after the close of the fourth year of service, and should be required to do so in all cases immediately after the close of the fifth or sixth year. In the event of too large a proportion of officers selecting one line, Government would exercise their right of selection to redress the balance, irrespective of the wishes of the officers concerned.

(*b*) That officers choosing or selected for the judicial line should be sent to England for a year to read in a Barrister's chambers, the fees for their instruction being paid by Government, and that on their production of a certificate that they had worked well and made good use of their opportunities they should be given full pay, but that on failure to do so the time should be counted as furlough and pay should be given at furlough rates.

(*c*) That officers, on return from the year's training in England, should be provided with suitable judicial employment and that systematic arrangements should be made to utilize them in such a manner as to give them experience of original civil work before becoming judges of appeal.

"I think that the second of these proposals is an excellent one. It cannot fail to give a considerable insight into the general methods of procedure in the civil courts and the relations which ought to govern the bench and the bar, and it will give an opportunity to all of learning something of the principles of the more important branches of the civil law.

"But, in my humble judgment, the proposal, though excellent as far as it goes, does not go far enough. It does not begin early enough to turn the mind in the direction of the legal study, and it stops short too soon. I shall presently state the further measures which, I think, might be taken with this object in view, but I first turn to the two other proposals of the Government of India.

"The third proposal is an obvious corollary of the first and is an essential step in the ladder of legal training that should lead to the exercise of appellate powers. The only wonder is that the present system should have been allowed to last for so many years, and should not have given rise to greater dissatisfaction than it has in the past.

"On return from the year's training in England the young civilian will have some equipment wherewith to begin work as a civil judge. He will then have to apply the maxim "practice makes perfect". The only way to learn how to actually do a thing well is to do it, and to do it again and again. How best to give the civilian the opportunity of doing original civil work before he is appointed to be a District and Sessions Judge with appellate powers, has been the subject of much correspondence between Government and the High Court.

I would propose—

(*a*) that as many appointments of Assistant District and Sessions Judges should be created as may be sufficient, after two years' service in that grade, to supply the annual vacancies among the District and Sessions Judges;

(*b*) that the civilians selected for judicial work after their year of training in the Barrister's chambers, should be appointed to these posts on Sub-Collector's pay;

(*c*) that the Assistant District and Sessions Judges should have no separate local jurisdiction for the first year at least, but should try only such selected cases as should be transferred to them for trial by the District and Sessions Judge (such cases being original civil cases taken generally from a District Munsif's or Sub-Judge's file), that they should also try a considerable number of the less important Sessions cases, and they should for the first year at least not do any appellate or small cause work;

(*d*) that it should be distinctly understood that the *raison d'être* of the appointments is not so much to get through a quantity of work, as to qualify and train the holders for the higher appointment of District Judge mainly by the trial of the original suits of such a character and under such circumstances as to afford time and opportunity of studying the principles and practice of the law more completely than is possible when the tale of work to be done is so heavy as to leave little or no time for concurrent study. But it is intended that as Assistant Sessions Judges they should lend substantial aid to the generally overworked District and Sessions Judges under whom they would work, and by relieving them of most of their sessions work leave them more time for civil work, the want of which at present is one of the most unsatisfactory features of the District Judge's position, and one that militates seriously against his acquiring a fair acquaintance with civil work within a reasonable time.

"In this connection, I would add that a period of one year's training instead of two as Assistant District and Sessions Judge, might ordinarily be held sufficient in the case of men who have been called to the Bar, and thus a definite inducement would be held out to men to qualify in this way, and the Government would be saved their salaries during one year of training, a saving which would far more than pay the honorarium which I suggest later on in this note should be given to men so qualified.

"3. The question of the period of service at which selection for the judicial line should be made is one of great difficulty. The answer that will be given will, I think, largely depend on whether the question is looked at purely from the point of view of what is best for judicial training, or from the point of view also of what is most in keeping with the conditions in the other branch of the service and what is administratively most convenient and economical.

"The early bifurcation proposed by the Government of India has the obvious advantage that it gives a longer legal training than could be given if the bifurcation were later. But there are great disadvantages to be set against this, some of which are noticed by the Government of India. I would add that the earlier the bifurcation the fewer are the men who will voluntarily elect for judicial service. The prospects of sport and the free life of the camp appeal strongly to the young men in favour of the revenue line, but such attractions diminish as men grow older, and the counter attractions noticed by the Government of India grow stronger. It is of immense importance that each man should, as far as possible, be allowed to follow the line that he "most affects." If the fixing of the period for bifurcation at the end of the eighth, instead of at the end of the sixth year, would lead, as I think it would, to more men voluntarily choosing the judicial line, it would be a strong argument in favour of the latter period.

"Moreover in this Presidency, as I have said, a man is not appointed to act in the grade of District and Sessions Judge (or Collector and Magistrate) until he is in his twelfth or fourteenth year. It has, of course, often been even later. If a man elects for the judicial line as early as the end of his fourth year, as suggested by the Government of India, and then has his year's training, it will be necessary to find suitable judicial employment for him from his sixth year onward. Even if he does not elect the judicial line until the end of the sixth year, the latest date proposed by the Government of India, judicial employment will have to be found for him from the beginning of the eighth year. He will thus have to remain in training, or preparatory, appointments for periods varying from four to six or seven years. No doubt after the first two years he will be able to turn out a full tale of work and may well be employed in working off the arrears which, from one cause or another, under the present system, constantly accumulate in the District and Sub-Judge's Courts, and necessitate the appointment of temporary Sub-Judges to deal with them. But, even allowing for this set off, the system would be more expensive than the present, and the retention of the selected officers in the training grade for so long will render the judicial line less attractive and still further deter the best men from entering it.

"On the whole, in lieu of the Government of India proposal, I would be much inclined to make the period of compulsory bifurcation the end of the eighth, instead of the end of the sixth year, with permission to elect for judicial service at the end of the sixth year or seventh. By the end of the eighth year the officer is, under the Civil Service Regulations, entitled to his first furlough of two years. If chosen for judicial work he would probably take one year's furlough in continuation of the year of training under the Barrister and thus save the cost of the voyage from and to India (which would be an appreciable inducement in the case of some men) and save Government here from the extra changes in appointments that would be necessary if a man should return to India for a year or so after training, and before his first furlough.

"Thus with eight years' service in India, a year of training at Home in Chambers, and a year of furlough, the officer would have completed his tenth year. When appointed Assistant District and Sessions Judge and after about two years' training in that grade he would be reasonably well qualified to be appointed to act as District and Sessions Judge with full powers, appellate as well as original. Some such scheme would fit in with the general conditions of the Administration in this Presidency, and would, I think, just hit the happy mean as to the best time for bifurcation. I trust, however, that no difference of opinion as to the best time will stand in the way of the great reform proposed. The reform, or something like it, is absolutely essential; the exact time when the training can best be given is of minor importance and must remain largely a question of opinion.

"4. (*a*) I have said that in my judgment the proposal by the Government of India, though excellent as far as it goes, does not go far enough

that it does not begin early enough to turn the mind of the young civilian towards the study of the Civil Law, and that other measures ought also to be taken to encourage him to study the Civil Law and fit himself for the higher Judicial appointments.

"I would begin at the very beginning and endeavour to offer men with an inclination to legal study inducements to indulge it at every stage in their career from the day they resolve to "try for the Indian Civil Service" until they are full-blown Judges of a High Court. Englishmen are as a rule profoundly ignorant of Civil Law, since it rarely touches their daily lives. Any ordinary ryot in India knows more of the law of mortgages than an average University Graduate in England. The sooner our young civilians have their attention directed to the study of the principles of the Civil Law the sooner they will gain that legal instinct which is valuable in a Judge. I would therefore make it worth the while of every candidate for the open competition who has any inclination for legal work, to take up law as a subject for the examination. For a long time law found no place at all among the subjects. Now Political Science, Roman Law and English Law are included. So far, good. But the marks assigned for each of them are less than the marks assigned for each of such minor subjects as, let us say, Geology, Botany and Zoology—subjects, too, which can be worked up rapidly by any one with good memory. I cannot but think that in point both of mental training and of equipment for actual work, the young man who has absorbed the chief principles of Political Science, Roman Law and English Law will be in a better position than the young man who has committed to a memory the chief facts of the three natural sciences I have named—men will always take up for the examination the subjects which "pay" best, and if great subjects like English Law and Roman Law are to be encouraged, more marks must be assigned to them in comparison with other subjects.

"(*b*) At present after the open competition is passed the selected candidate spends one year in England, and during that time besides Criminal Law which is compulsory he may take up Hindu and Muhammadan Laws as optional subject. When I joined the service in 1871 we spent two years at home after the open competition. During that time we read, along with other subjects, a certain amount of Jurisprudence, and Roman and Civil Law. We were required to write reports of cases tried in all the courts from the Police Courts to the Privy Council. We were examined every six months, and our allowances depended on our passing creditably. I have always regarded that time as well-spent. It was not, of course, possible to learn much of any one subject, but the little that was learned was sufficient to excite an interest in legal study and to lay a foundation on which to build later on. The turning of the mind to legal studies, and the two years then available, also induced many of the "competition-wallahs" to join one of the Inns of Court and commence the course for a call to the Bar, which course many of them completed on their first furlough home from India. I would be inclined to return to this system, but I would not reduce the age for the "open competition." There can be no doubt that the maturer men sent out under the present age limits are superior as a class to the younger men sent out under the former age limits.

"(*c*) Under the Civil Service Regulations the young civilian is entitled to two years' furlough at the end of his first eight years' service in India, and nearly all men then take leave, if not for two years, at least for a year or more. I would offer men inducements to go on with legal study during this period. Those who, before going to India, had begun "eating their dinners" at one of the Inns of Court, would then naturally continue the course and get called to the Bar. If the examination is even now not very difficult, it is certainly much more of a reality than it was formerly. It is at least sufficient to direct a willing worker in the way he should go, and give him an inducement to accomplish a certain amount of work by a given date. But the "call" and the preparation for it cost money, and that is just what the young civilian rarely has on his first furlough. The cost of "getting called" in my time used to be about £200 in all. I would give this sum as an honorarium to any young civilian who should get called to the Bar, just as Government encourages the study of certain languages by the grant of leave to study for them and the grant of an honorarium on passing. I believe that the grant of such an honorarium would have a powerful influence in inducing the young civilian to lay himself out for a "call" from the beginning of his career, and thus lead him to the study of the Civil Law on each successive opportunity.

"As already suggested a period of one year's training as Assistant District and Sessions Judge, instead of two, might ordinarily be held sufficient in the case of men who have been called to the Bar, and thus a definite inducement would be held out to men to qualify in this way, and the Government would be saved their salaries during one year of training, a saving which would far more than pay the honorarium I have suggested for men so qualified."

The next letter from the Government of India is No. 545, Home, Judicial, dated 30th March 1911, which stated that the Secretary of State for India agreed with the Government of India as to "the pressing necessity of securing—

(*a*) that judicial officers shall enter upon their duties with an adequate equipment of legal knowledge,

(*b*) that they shall be enabled to acquire judicial experience at an early stage of their career, and

(*c*) that facilities shall be given them for extending their knowledge of law by special study at a later stage."

It also stated that it had been proposed to the Secretary of State to extend the period of probation to *two* years and "to expand the course of instruction in law so as to comply with modern requirements."

To secure these objects the Government of India and the Secretary of State made certain proposals, and asked for the opinion of the Local Government on various points.

What the proposals are, and my opinion on the points raised, appear in the following minute recorded by me in connection therewith:—

Note on letter from Government No. 2471 of 19th April 1911, by the Hon'ble Mr. Justice Benson.

"It is very satisfactory to find that the Government of India and the Secretary of State have now resolved on comprehensive measures to improve the training of junior Civilians chosen for judicial employment, and that the measures resolved on follow, to a great extent, the lines unanimously recommended by this Court in the Registrar's letter of 19th December 1906.

"As then recommended by us, the Government of India now propose that the period of training in England for probationers for the Indian Civil Service shall be extended from one to two years, and that the course of instruction in law shall be 'expanded so as to comply with modern requirements'.

"They have also determined that junior Civilians selected for judicial employment (1) shall be trained for the higher posts in the judicial line by being first employed on subordinate judicial duty; and (2) shall be given facilities for the study of law in England by the grant of study leave on liberal terms.

"The Government of India ask our Government for a detailed scheme to give effect to these last two proposals, and make certain suggestions in regard thereto. Our Government says that it will be glad to have any further remarks we may have to make on the present proposals.

"2. It will be remembered that the scheme proposed by us was briefly that Civilians should be selected for judicial service towards the close of their eighth year of service, that is, just before they would become eligible under the Civil Service Regulations for their first furlough; and that they should then have a year's legal study in England. It was thought that many men would probably avail themselves of a period of ordinary furlough in continuation of the study leave and get called to the Bar. It was proposed that on his return to India (about the end of his tenth year of service) he should have two years' training in subordinate judicial employment and should then be regarded as qualified for appointment as an officiating District and Sessions Judge.

"The exact scheme proposed was—

(*a*) that as many appointments of Assistant District and Sessions Judges should be created as may be sufficient, after two years' service in that grade, to supply the annual vacancies among the District and Sessions Judges;

(*b*) that the Civilians selected for judicial work after their year of training in the Barrister's chambers should be appointed to these posts on Sub-Collector's pay;

(*c*) that the Assistant District and Sessions Judges should have no separate local jurisdiction for the first year at least, but should try only such selected cases as should be transferred to them for trial by the District and Sessions Judge (such cases being original civil cases taken generally from a District Munsif's or Sub-Judge's file), that they should also try a considerable number of the less important sessions cases, and that they should for the first year at least not do any appellate or small cause work;

(*d*) that it should be distinctly understood that the *raison d'être* of the appointments is not so much to get through a quantity of work as to qualify and train the holders for the higher appointment of District Judge mainly by the trial of original suits of such a character and under such circumstances as to afford time and opportunity of studying the principles and practice of the law more completely than is possible when the tale of work to be done is so heavy as to leave little or no time for concurrent study. But it was intended that as Assistant Sessions Judges they should lend substantial aid to the generally overworked District and Sessions Judges under whom they would work, and by relieving them of most of their sessions work leave them more time for civil work, the want of which at present is one of the most unsatisfactory features of the District Judge's position, and one that militates seriously against his acquiring a fair acquaintance with civil work within a reasonable time.

"It will be observed that in this scheme the study leave in England was to precede the training in subordinate judicial work in India and the latter was to be followed at once (or almost at once) by employment in the higher judicial posts. It was pointed out that such a scheme would fit in well with the general conditions of the administration in this Presidency. I still think that that scheme was the best that could be made having regard to the conditions that exist in this Presidency; but the Government of India has now directed—

(*a*) that the legal training in this country shall be given before the young Civilian is entitled to his first furlough, *i.e.*, before the close of his eighth year of service; and

(*b*) that the study leave shall be *subsequent* to the training in subordinate judicial work, shall ordinarily be combined with furlough, and that this combined leave shall be so arranged 'as to 'end when the officers are ripe for appointment 'as officiating District and Sessions Judge.'

"Assuming (as we have already recommended) that the period of legal training in this country should be two years, the conditions laid down by the Government of India indicate the following scheme:—

(*a*) A sufficient number of young Civilians should be selected at the end of their *sixth* year of service;

(*b*) they should undergo legal training in this country for two years;

(*c*) they should then go on furlough and study leave for one or two years;

(*d*) they would return to India with about nine or ten years of service; and

(*e*) they should then be appointed to officiate as District and Sessions Judges.

"The obvious objection to this scheme is that it gives promotion to the grade of officiating District and Sessions Judges after about ten years' service, whereas such promotion now is obtained in both the judicial and revenue branches of the services only after three or four years' more service. This difficulty, however, could be got over by making a special grade on Rs. 1,200 (the pay of a Sub-Collector) for these men, until they are of sufficient service to enter the lowest of the existing grades of the judicial branch. This might well be a year less than the length of service required for entering into the corresponding grade in the revenue line in the

case of men who have been called to the Bar, on the principle already recommended by us.

"The only other way to give effect to the conditions laid down by the Government of India would be not to give study leave in combination with an officer's *first* furlough (after eight years' service) but to give it (with or without a second period of furlough) about the twelfth or thirteenth year of service; but this would have the fatal disadvantage of a long break (say from the eighth to the twelfth year) in the continuity of legal training and judicial work; and it is therefore by no means to be recommended. Once a man takes up judicial work and training he should adhere to it, and not return to revenue work.

"3. In paragraph 3 of the letter of Government of India the question is raised as to the length of the period during which an officer should be employed—

(*a*) solely on original civil work, and in being trained pure and simple, and

(*b*) in subordinate judicial work of such a character that he might be regarded as forming part of the regular judicial service.

"We have already expressed the opinion that the total period of training should be two years. The first year should be what the Government of India call 'a period of training pure and simple'. The officer under training should sit at first with the District Judge when doing civil work or (when the latter is engaged in sessions) he should sit with the senior Subordinate Judge doing civil work, and observe how issues are framed and how cases are conducted and argued, at the same time studying the civil law and especially the Civil Procedure Code. After a couple of months of this he should be made a temporary Subordinate Judge, without local jurisdiction, and should try such original civil suits as might be specially transferred to him by the District Judge from the file of a District Munsif or Subordinate Judge. The number and importance of these might be increased as he gained experience and facility, but it should always be remembered that the object in view would be to train him for work rather than to exact a tale of work from him, and the District Judge should, from time to time, when he is himself engaged in any specially interesting and instructive civil case, require the officer under training to sit with him in Court and watch the conduct of the case.

"At the end of a year he could undertake a full tale of regular work, but it would be rarely expedient that he should take the place of one of the permanent Subordinate Judges. He would not yet be fit for civil appellate powers and he would be overwhelmed with the mass of the vernacular papers to be dealt with in small cause cases and other work. He would be more fitly employed to take the place of one of the temporary Subordinate Judges who are constantly being employed for six months or a year to clear off arrears of original suits that grow up in the Subordinate and District Courts, and he might at the same time be made an Assistant Sessions Judge to relieve the Sessions Judge of some of his less important sessions work and thus give him more time for civil work—a matter that we have often urged as in itself an important object. Thus, though the existing permanent cadre of judicial officers could not be reduced, there would be less necessity than there now is for temporary Additional District Munsifs and Sub-Judges. We have at present five of the former, and no less than five of the latter; so there is ample room for the employment of the Civilian in his second year of training in these posts without interfering with the permanent cadre.

"4. With regard to study leave dealt with in paragraph 4 of the Government of India letter, I think that it should not exceed one year in all, and that it might be taken in instalments, provided the applicant satisfied the authority granting it that it is required for study and will be usefully occupied therein. I am not sufficiently familiar with the present-day facilities for legal study that exist in England to discuss the courses of study that should be sanctioned, and what checks should be employed against waste of time. I have no doubt some of my learned brothers can deal more satisfactorily with this part of the letter under reference, but it is, I think, clearly desirable to encourage men to get called to the Bar, with the double benefit to be derived from the course of study preliminary thereto and the prestige attending to a Barrister's status. Any rules regarding the taking of study leave in instalments should be framed so as to facilitate the men being called to the Bar, or following out whatever courses of study are approved. The allowances should be sufficiently liberal to induce men to apply for study leave and to defray the cost of the courses prescribed.

Note.—Further consideration has led me to doubt the desirability of giving study leave in instalments.

R.S.B.—1-1-13.

"5. With regard to paragraph 6 of the Government of India letter, I think that any man who has been selected for the judicial line and has undergone one year's training should be eligible to go up for the examinations at any time before the close of his thirteenth year, *i.e.*, the time when he would ordinarily begin to act continuously in one of the present grade of District and Sessions Judges.

"In the above note I have only contemplated the case of officers who are now so junior as to be eligible for the local training under the conditions proposed, that is, men of only six years' service.

"But in any rules that are finally adopted provision will have to be made both as regards training and study leave for men who are suitable for judicial appointments, but who are too senior to get the training above referred to and who are not yet senior enough for judicial appointments under the existing system of selection."

50 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the judicial branch? If so, please give details?—Yes, see question (64).

51 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—Yes. There might be two examinations corresponding to the High Proficiency and Honours examinations in languages, with similar rewards. A candidate might be allowed to go up for the examinations at any time prior to his becoming a permanent District and Sessions Judge.

52 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.—No.

53 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals.—No.

54 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think that the present system of promotion by seniority subject to fitness and tempered by selection in the case of the higher offices is satisfactory in theory. But in practice I think too great tenderness is shown to inefficient officers. Officers who are inefficient owing to ill-health or mental incapacity should be retired on pensions proportionate to their service and so graduated as to avoid hardship to the individual, thus removing the chief cause which now induces Government sometimes to tolerate inefficiency unduly.

Officers inefficient through indolence or from causes under their own control, should be reduced to lower posts more frequently and firmly than is now the case, and, if incorrigible, they should be dismissed. Such cases, however, are very rare. Ill-health is almost always at the bottom of inefficiency.

I regret to say that it was at one time the practice to transfer to the judicial branch men found to be inefficient in other lines. We have often protested against this and the Government of India [see reply to Questions Nos. (64) to (68)] have strictly forbidden it. The practice is now, I am glad to say, discredited in theory at all events, though I am not sure that we do not still get into the judicial branch more than our fair share of the weaklings of the service.

It is hoped that the practice will altogether cease when the proposals now before the Secretary of State for the earlier bifurcation of the executive and judicial branches and for the training in law for the judicial branch are sanctioned.

55 (88). To what extent are the functions of the officers of the executive and judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—The question of the separation of judicial and executive functions has been so recently and so exhaustively dealt with by every authority in India, up to the Government of India, that I do not propose to attempt to deal with it now. I will only say that I do not think that any change is desirable.

The officers charged with the *Civil Judicial* work of the country are wholly and entirely free from executive functions. So are the highest Criminal Courts, viz., the Courts of Sessions.

The greater part of the magisterial work is done by Stationary Sub-Magistrates, who have no executive functions.

It is only in the District and Sub-Divisional Magistrates, and to a limited extent among certain other Magistrates (viz., the Tahsildar and Sheristadar-Magistrates) that both functions are combined. The combination does very little practical harm. It is economical. It is gradually diminishing as the number of Stationary Magistrates is increased. To abolish it altogether would cause great expense, and in wild and sparsely inhabited tracts will cause hardship by involving parties in longer journeys to find a Magistrate. It is very much in harmony with the traditional notions of the fitness of things that prevail in the bulk of the country people.

56 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—No, unless the loss is made up by an equivalent addition to salaries. The concession is fully justified by the great fall in the purchasing power of silver, at the same time that there has been a great increase in the cost of living both in India and at Home.

The officer who is domiciled in Britain has much heavier expenses to defray, in the matter of educating his children, in going home to see them and other relatives and for the sake of his health, and often in maintaining a wife and family at home, and also in obtaining from home many of the things which are necessaries of life to him, in all these and many other ways his salary does not go so far as the salary of the man domiciled in India, especially if he be an Indian pure and simple.

In some way or other this difference should be acknowledged, and compensated for by a higher salary or by travelling or other allowances: just as, on the other hand, the extra difficulty which an Indian needs in going to England for the open competition is acknowledged and compensated for by the "listing" of certain appointments for "Natives of India".

57 (96). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of an increase of salary to those members of the service who now draw no exchange compensation allowance?—Yes, in the case of all who are domiciled in Britain or, in part, outside India. See question (95).

58 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—Yes. I think the Indian on two-thirds of the full salary is probably better off than the European on the full salary. When allowance is made for the unavoidable extra expenses of the latter (due to his being an European), his "*real remuneration*" is probably less than the Indian on two-thirds of the same salary. The Indian member of the Indian Civil Service is entitled to the full salary of the Indian Civil Service by virtue of his having entered by the same door as other Indian Civil Service men, and by reason

of the advantages that entry by that door are considered to give.

59 (105). Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions? —The terms given to men during the first few years should be improved as follows:—

(*a*) The selected Indian Civil Service man should be given a *first*-class passage to India as police and other service men are. At present he is only given a second-class passage.

(*b*) On arrival in India he should be given an equipment allowance of £100 (Rs. 1,500) for purchase of tents and horses.

The advances now given for that purpose are recovered so quickly as to press very heavily on the first year's income, and the result is debt.

(*c*) The initial pay should be Rs. 500 a month, rising by annual increments of Rs. 100 a month up to Rs. 1,500.

This increase is justified by the great increase in the cost of living in recent years, and by the greater age at which men come out in the Indian Civil Service and by the salary paid in early years to men in other departments.

(4) Special allowances sufficient to cover all costs of transfers should be given, instead of the very inadequate sums now allowed.

60 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d.* the rupee? If so, what change?—No.

61 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Yes, so far as I know.

62 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of £1,200 a year after 11½ years' actual service as Judges? Do you recommend any change in the present conditions?—I think the arrangement is satisfactory. I do not recommend any change. It is of the *utmost* importance to maintain absolute and entire equality among the Judges in the matter of pay, leave and pension: otherwise those who are at a disadvantage in any of these matters may come to be regarded as inferior also in judicial position and authority. Very few Indian Civil Service Judges serve long enough to earn the higher pension, and if they do their fund contributions more than make up for the small extra pension. The nature of the work and the conditions under which it is done are certainly more exacting than those of the higher appointments in the executive line. This and the necessity for absolute equality among the Judges justify the special pension. It is, indeed, a mistake to call it a "*special*" pension. It is the ordinary pension of *all* High Court Judges. To enact that a High Court Judge if drawn from the Indian Civil Service should have a smaller pension than if he is taken from the Bar, or from the Provincial Civil Service, or from any other service, would be to *penalize* a man for belonging to the Indian Civil Service. Only "green-eyed jealousy" could attempt to justify this. The High Court Judge is paid his pension for the 11½ years' work he does on the Bench, not for his previous work. The fact that he has done good work previously for Government would be a strange reason for reducing the pension he would get if he had never done such work.

63 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes, see answer to question (87). It would "pay" Government in every way to be able to get rid of "hard bargains."

64 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—Yes, subject to what I have stated in reply to question (87).

Written answers relating to the Provincial Civil Service.

65 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Yes.

66 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—They are suitable.

67 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B, to these questions, and state whether the information is correct for your province. If not, what alterations are required?—Yes, but it omits to mention 12 temporary Sub-Judges, in the lowest grade, that is on Rs. 500; and it also omits 6 temporary District Munsifs in the lowest grade, that is on Rs. 200.

68 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation?—*Subordinate Judges.*—(*a*) In 1887 under the Provincial Civil Service rules Subordinate Judges were appointed by the Local Government but had to be selected from Barristers, Advocates, High Court Vakils, Attorneys of the High Court and District Munsifs.

(*b*) The selection of Subordinate Judges is still regulated by the same rule. In 1908 the rule was broken in order that an Additional Member of the Legislative Council, who was only a first-grade Pleader, might be appointed.

(*c*) In practice the majority of Subordinate Judges are selected from the District Munsifs. At present there are, out of eighteen permanent and twelve temporary Subordinate Judges, only three who were not District Munsifs at the time of their appointments as Subordinate Judges.

(*d*) In 1887 there were thirteen permanent Subordinate Judges, two in the first grade, five in the second grade and six in the third grade. There are now 18, of whom four are in the first grade, five in the second grade and nine in the third grade. There are also twelve Temporary Subordinate Judges at the present time, who are all in the last grade.

(*e*) In 1895 a rule was made by the Secretary of State under 33 Vict. that the Government of Madras might appoint any Subordinate Judge who was a Native of India of proved merit and ability to be also an Assistant Sessions Judge; but the Government of India requested the Local Government not to appoint more than two Subordinate Judges to be Assistant Sessions Judge at one time. The object of appointing Subordinate Judges to be Assistant Sessions Judges was to give them experience of criminal work which would be useful to them, if they were afterwards promoted to be Sessions Judges, and at the same time to relieve District and Sessions Judges of some of their criminal work in order that they might devote more time to important civil cases.

(*f*) In 1896, when an additional Temporary Subordinate Judge was required for Tinnevelly, a permanent Subordinate Judge was transferred to the new Temporary Court from Calicut and his place at Calicut was taken by an acting Sub-Collector, Mr. J. H. Munro, whose place in the Revenue Department was taken by a Deputy Collector on Rs. 500, the pay sanctioned for the Temporary Subordinate Judge's appointment. Mr. Munro was appointed by way of an experiment in the training of junior Civilians for judicial work. The experiment has not so far been repeated.

District Munsifs.—(*a*) In 1887, as at present, District Munsifs were appointed by the High Court and had to possess qualifications required by rules made by the High Court with the sanction of the Local Government. In 1887 the choice of the High Court was limited by the rules then in force to—

(1) Advocates, Vakils and Attorneys of the High Court and persons duly qualified for admission as Advocates, Vakils or Attorneys;

(2) persons who had obtained the degree of Bachelor of Laws at one of the Universities of Madras, Calcutta and Bombay;

(3) persons who had passed the first-grade Pleadership Examination;

(4) persons who had passed before 1885 Special Tests then prescribed for other candidates for District Munsif's posts; and

(5) persons in the service of Government who passed those tests before 1890.

District Munsifs had to be appointed ordinarily before they reached the age of thirty.

(*b*) In 1904 the ordinary maximum age for appointment was raised to 35; and with effect from 1st January 1911 new rules regarding the qualifications of candidates were introduced, the changes effected by which were to make Bachelors of Laws of the Allahabad University eligible, and to require that Bachelors of Laws of the Madras University who passed the examination qualifying for their degree after the year 1899 should have to pass also the examination in the Law of Practice and Procedure, Civil and Criminal, prescribed for apprentices of the High Court.

(*c*) At the present time there are 130 permanent and 6 temporary District Munsifs, and of these 26 were Government officials at the time when they were appointed District Munsifs, and almost all the officers were practising Advocates, Vakils or Pleaders.

(*d*) In 1887 there were 106 permanent District Munsifs, 25 in the first grade, 25 in the second grade, 25 in the third grade and 31 in the fourth grade. In 1892, by which time there were 114 District Munsifs, their appointments were regarded so that there were 30 in the first grade, 30 in the second grade, 30 in the third grade and 24 in the fourth grade. In 1911, by which time the number of permanent appointments of District Munsifs had risen to 125, their appointments were regraded as follows:—33 in the first grade, 33 in the second grade, 33 in the third grade and 26 in the fourth grade. Since this last regrading 5 permanent appointments have been added to the fourth grade. There are also at the present time 6 temporary District Munsifs' appointments, all in the fourth grade.

69 (5). Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your province in each year?—Nil.

70 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—Our system has for a long time been the same. It is satisfactory and I do not recommend any change. Briefly it is this. We maintain a register of vakils and others who are qualified for the post of District Munsif according to the rules framed by the High Court and approved by Government, and who have applied for appointment. With each application are filed testimonials of character and fitness from the candidates, school and college authorities, and from other persons, and more especially from the various Judges, Indian and European, before whom they have practised. From these registered candidates the Judges at a meeting, after consulting the District Judges as to the qualifications and character of the candidates practising in their respective districts, select a limited number once a year, sufficient to meet the vacancies of a year, and from this select list candidates are appointed to act in vacancies as they occur from time to time. From acting appointments they pass to permanent appointments as they fall vacant, and they are then on probation for two years, during which time the District Judges make periodical reports on their character and fitness.

They rise practically by seniority until they reach the top of the second grade, and then the Judges at a meeting consider whether or not they should pass to the first grade.

The appointment of Sub-Judges rests with Government, but in practice the Government always (or nearly always) consults the High Court, and the High Court at a meeting of the Judges makes its recommendations, usually from the fittest of the senior District Munsifs, or, in

very rare instances, from other qualified candidates.

71 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—Three natives of Cochin are District Munsifs. One native of Travancore is acting as a District Munsif. Ordinarily only residents of the province should be recruited, but I see no objection to such occasional appointments as above, since the language and customs and laws and people of those States are similar to those of the British district of Malabar, and those States frequently select one or more of their superior Judges from our Provincial Civil Service, the officers being seconded for such employment.

72 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to scure this object?—Yes. Yes. Our present system of selection is in practice found sufficient.

73 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—There is no system of training. The probation for District Munsifs is two years, in addition to previous acting appointments for periods varying from six months to about a year. The Sub-Judges are selected almost entirely from District Munsifs of long standing and experience.

74 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—Indian Sub-Judges and District Munsifs are required to pass certain prescribed tests in two vernaculars; Europeans and Eurasians only in one. I do not recommend any change.

75 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No.

76 (12). What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—The Judicial branch is one that is always expanding as the pressure of increasing litigation requires. When the number of either permanent or temporary Sub-Judges, or District Munsifs is found to be insufficient, the High Court recommends such additions as are required to Government; and Government, with the sanction of the Government of India, allows such addition as it considers necessary. The number of permanent and temporary officers in the service is determined by the number of such appointments, and the number of officers acting in vacancies is fixed with reference to the number of acting vacancies existing from time to time. It is satisfactory.

No alteration is required, except perhaps in the rule by which all *temporary* appointments are placed in the *lowest* grade.

Where the number of temporary appointments is so great as it is at present among Sub-Judges (viz., 12 temporary with a permanent cadre of only 18), it is felt to be, and no doubt is, a hardship that so many men should be for so long kept in the lowest grade.

77 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—There is no leave reserve. Selected candidates are always eager to act in a temporary vacancy. No alteration is required.

78 (14). Is there any reserve for officers under training and is it adequate?—There is no reserve. See replies to questions (13) and (12).

79 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion? See questions (12) to (14). It works well.

80 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—See replies to questions (4) and (6). Sub-Judges are not appointed by seniority. They are selected on grounds of special fitness owing to character and ability, but seniority is also allowed weight in deciding between candidates of equal or nearly equal merit.

No change is required.

81 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—Yes. I do not think any further rules are required.

82 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The Civil Judicial officers have no executive functions. As to the Magistrates, see reply to question (88) relating to the Indian Civil Service.

83 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—Yes. See reply to questions (23) and (24) relating to Indian Civil Service. Government usually consults the High Court. I have no alterations to suggest.

84 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—See reply to question (37) relating to Indian Civil Service.

85 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes. I have no suggestion.

86 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

87 (23). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service

authorised on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—There are now, and there have been since 1887, three grades of Sub-Judges, viz.—

	Rs.
First grade on	800
Second grade on	650
Third grade on	500

The numbers were in 1887—

First grade	2
Second grade	5
Third grade	6
Total ...	13

The numbers were in 1912—

First grade	4
Second grade	5
Third grade	9
Total ...	18

but there are also now 12 temporary Sub-Judges all on Rs. 500.

There are now and there have been since 1887 four grades of District Munsifs, viz.—

—	Rs.	Number in 1887.	Number in 1892.	Number in 1912.
First grade on ..	400	25	30	33
Second grade on ..	300	25	30	33
Third grade on ..	250	25	30	33
Fourth grade on ..	200	31	24	29
Total ..		106	114	128

and there are also now six temporary District Munsifs on Rs. 200.

Thus there has been no improvement in pay since 1887.

In 1894 Subordinate Judges and District Munsifs were exempted from the operation of article 478, Civil Service Regulations, by which a reduction of 1/40th is made in an officer's pension for every year by which his age at the time of appointment exceeds thirty years.

88 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The High Court lately received memorials from nine Subordinate Judges, and from 57 District Munsifs, regarding their pay and other grievances. These were carefully considered by the High Court, and dealt with in a letter of the 2nd May last to Government. I cannot do better than annex extracts from that letter as it expresses in full the views I hold and the reasons therefor on the questions raised, as well as a full statement of the matters in regard to which the Judicial Provincial Service felt that they had ground of complaint.

As regards pay briefly our proposal was that the Judicial branch (*i.e.*, the Subordinate Judges and District Munsifs) should be placed on an equality with the recently re-organized Executive branch (Deputy Collectors), the Subordinate Judges in three grades corresponding in pay with the three highest grades of Deputy Collectors, and the District Munsifs in four grades corresponding in pay with the next four grades of Deputy Collectors, as follows:—

Deputy Collectors.

	Rs.
First grade	800
Second ,, ...	700
Third ,, ...	600

Subordinate Judges' proposed pay.

First grade	800
Second ,, ...	700
Third ,, ...	600

Subordinate Judges' present pay.

First grade	800
Second ,, ...	650
Third ,, ...	500

Deputy Collectors.

Fourth grade	500
Fifth ,, ...	400
Sixth ,, ...	300
Seventh ,, ...	250

District Munsifs' proposed pay.

First grade	500
Second ,, ...	400
Third ,, ...	300
Fourth ,, ...	250

District Munsifs' present pay.

First grade	400
Second ,, ...	300
Third ,, ...	250
Fourth ,, ...	200

Some of our Judges thought the pay of our Subordinate Judges might be Rs. 1,000, Rs. 800 and Rs. 600 as in Bengal. I am not prepared to say that such pay would be excessive, but I think that the lower scale above given would satisfy legitimate claims at present.

[*Annex to reply to question* 24.]

Letter from the Registrar, High Court, Madras, to the Chief Secretary to Government, dated 2nd May 1912, *R.O.C. No.* 2808 *of* 1910.

"In reply to your letter No. 6469–1, Judicial, dated 19th December 1910, returning for the opinion of the High Court nine memorials from Subordinate Judges praying for improvement, in their pay and position, I am directed to state that these memorials and 57 similar memorials, which have been received from District Munsifs, have been carefully considered by the Honourable the Chief Justice and the Judges. In their Lordships' opinion all these memorials deserve the sympathetic consideration of the Government and they may well be dealt with together, as Subordinate Judges and District Munsifs are members of one service and every matter which affects Subordinate Judges affects also the District Munsifs who look forward to promotion to Subordinate Judgeships.

"2. The prayers of the Subordinate Judges are with slight variations as follows, viz.:—

(*a*) that the pay of their three grades may be raised to Rs. 1,000, Rs. 800 and Rs. 600, respectively;

(*b*) that, when acting vacancies occur in the first or second grades, acting promotions may be made from the second and third grades:

(*c*) that instead of earning by active service for eleven months privilege leave for one month on half pay, as under the present rules, they may be allowed to earn privilege leave for 15 days on full pay ;

(*d*) that two Judgeships of the Presidency Court of Small Causes may be reserved for Subordinate Judges ;

(*e*) that one of the Presidency Magistrates' appointments may be open to Subordinate Judges ; and

(*f*) that the period of service required for earning their full pension may be reduced to 20 years.

" The prayers of the District Munsifs are—

(*a*) that the pay of their four grades may be raised to Rs. 500, Rs. 400, Rs. 300 and Rs. 250, respectively ;

(*b*) that officers acting in the last grade may receive the full pay of that grade ;

(*c*) that appointments as first-grade District Munsifs or Subordinate Judges may not be given to members of the Bar or other persons not in the Judicial branch of the Provincial Civil Service but may be reserved for District Munsifs, that, if this prayer cannot be granted, the number of first-grade District Munsifs' appointments and Subordinate Judges' appointments open to persons other than District Munsifs may be decided once for all and that a certain number of District Judgeships and Judgeships of the Presidency Court of Small Causes may be reserved for District Munsifs originally appointed to the fourth grade ;

(*d*) that the annual vacation of District Munsifs' Courts may be extended to two months or in the alternative that District Munsifs may be allowed privilege leave on full pay for two weeks each year and may be permitted to combine it with the vacation ; and

(*e*) that the period of service required for earning their full pension may be reduced to 22 years.

3. * * *

" 4. A stronger argument however and one more relied on by the memorialists in support of their prayer for higher pay is that in the quarter of a century since the present scale of pay was fixed there has been a great increase in general prices and also an increase in the standard of living among the class of educated men from which the judicial service is recruited. The general increase in price is notorious, and it presses hardly on all persons in receipt of fixed incomes. The cost of higher education has also increased and is likely to increase still more. It presses heavily on the District Munsifs, who so often have to work in small stations where there are no facilities for the education of their children and who therefore have to maintain two houses or to board their children out in places where there are suitable schools. The general standard of living has also risen and has become more expensive. There is no doubt that the Subordinate Judge and District Munsif of to-day are poorer men than their predecessors of 25 years ago relatively to the vakils and clients who appear before them. It is a serious question whether the pay of the District Munsifs in the lower grades is now sufficient to support the position and dignity which they ought to hold in public estimation and which will always depend in no small degree on the remuneration which they receive. Nor should it be forgotten that the educational qualifications now required of judicial officers are higher and cost more to obtain than was the case in 1884. There was then only 16 Subordinate Judges and District Munsifs who had taken the University degree in Law. Now there are no less than 131 who are Bachelors of Laws and have undergone the more expensive training required for that degree.

" 5. It is alsopointed out that the remuneration given to the Executive branch (Deputy Collectors and Magistrates) of the Provincial Service is higher than that given to the Judicial branch. This will appear clearly from the following statement in which the first three grades of Deputy Collectors may be taken to correspond to the Subordinate Judges and the last four to the District Munsifs :—

Deputy Collectors and Magistrates.

	Rs.
I grade	800.
II ,, ...	700.
III ,, ...	600.
IV ,, ...	500.
V ,, ...	400.
VI ,, ...	300.
VII ,, ...	250.

Subordinate Judges.

I grade	800.
II ,, ...	650.
III ,, ...	500.

District Munsifs.

I grade	400.
II ,, ...	300.
III ,, ...	250.
IV ,, ...	200.

" It will be observed that the executive officer begins on Rs. 50 a month more than the Judicial officer and receives Rs. 50 or Rs. 100 more in every grade throughout the scale except the highest. It will not be contended that the work of the judicial officers is less exacting or less responsible than that of the executive officers, or that the officers are themselves less capable or less highly qualified by the education and character. As regards education, a large majority of the judicial service, especially in the junior grades, are men with University degrees in Law as well as in Arts. As pointed out above, 131 have taken the two degrees of Bachelor of Arts and Bachelor of Laws, 69 have the additional qualification of being High Court Vakils, six have taken the higher degree of Master of Arts and five that of Master of Laws. There are only nine who are not graduates of a University. The Honourable the Chief Justice and the Judges are not aware of any valid reason why the Judicial branch of the Provincial Service should be remunerated on a lower scale than the Executive branch . . . .

" The Subordinate Judges ask that the pay of their three grades may be raised from Rs. 500, Rs. 650 and Rs. 800 to Rs. 600, Rs. 800 and Rs. 1,000, respectively. It may be noted in passing that Subordinate Judges in Bengal are paid on the scale proposed by the memorialists ; but no strong argument can be drawn from the scale of pay in another Presidency, where no doubt various other considerations have weight. It appears to be more appropriate to place our

Subordinate Judges on par with the Executive branch of the Provincial Service in this Presidency, in which the cost of living and the general conditions of service are more or less the same for both branches. So far as the District Munsifs are concerned it is true that in the lower grades they are considerably younger than the Deputy Collectors in the corresponding grades, but this is fully counterbalanced by the fact that so many more of the District Munsifs are men who have received an expensive University education before admission to Government service. It may perhaps be said, as a general reply to the memorialists, that it is necessary to raise the pay of any class of Government servants when the supply of candidates for admission to that class is equal to the demand and that for appointments in the Judicial service there is at present an abundant supply of qualified applicants. It is no doubt true that there are plenty of applicants who are qualified according to our rules. The present pay and prospects attract a good class of candidates ; but with a few exceptions they are not of the best class, and we ought to have nothing but the very best for our judiciary. After considering all the circumstances the Honourable the Chief Justice and the Judges recommend that the pay of the three grades of Subordinate Judges should now be raised to correspond with the pay of the first three grades of Deputy Collectors and that the pay of the four grades of District Munsifs be raised to correspond with the pay of the last four grades of Deputy Collectors. I am to add that the Hon'ble Mr. Justice Sankaran Nair is of opinion that First-grade Subordinate Judges should receive Rs. 1,000 a month and that the Hon'ble Mr. Justice Sundara Aiyar recommends that the pay of the three grades of Subordinate Judges should be Rs. 1,000, Rs. 800 and Rs. 600 respectively.

" 6. In connection with their pay many of the District Munsifs ask that District Munsifs acting in the fourth grade should receive the full pay of that grade. In the opinion of the Honourable the Chief Justice and the Judges this would be a reasonable and proper concession, at least in the case of men appointed direct from the Bar, as the great majority of District Munsifs now are. Advocates and Vakils appointed to act as District Munsifs have to give up their practice, and they are liable to revert for one or more intervals before being confirmed, though arrangements are made to avoid this so far as possible. When acting under the present rules they receive only Rs. 100 a month, and they usually have to act for six months or more. It appears to the High Court to be altogether wrong that men entrusted with high Judicial powers should receive such inadequate remuneration. In the opinion of the High Court such acting District Munsifs should receive the full pay of their appointments. In the case of men already in service (*e.g.*, District Court Sheristadars), there is no need for any change in the present rules, as their pay and acting allowance together give them a higher salary and they have their permanent appointment to fall back on if they are obliged to revert for a time.

" 7. In this connection I am also to invite attention to my letter of 7th December 1910, regarding the disproportionately large number of officers working as Subordinate Judges who draw only Rs. 500 a month. As has been stated on several occasions the High Court is strongly of opinion that Rs. 500 is low pay for the important work which Subordinate Judges have to do. In their order No. 55, Judicial, dated 12th January 1911, the Government were pleased to state that this would be borne in mind when the grading of Subordinate Judges was next considered. I am to request that in dealing with these memorials this aspect of the matter may receive due attention.

" 8. Another important prayer in the memorials is that certain appointments may be reserved for the Judicial branch of the Provincial Service. The Subordinate Judges ask that two of the Small Cause Court Judgeships and one of the Presidency Magistrates' appointments may be reserved for them. It may be doubted whether the training and practice which a District Munsif gets in the disposal of civil work is specially calculated to fit him for the post of a Presidency Magistrate, whose judicial work is confined to criminal matters and is of a summary character, and who in times of disturbance might have important executive duties to perform. In their Lordships' opinion, Presidency Magistrates' appointments are more appropriately filled by specially qualified Deputy Magistrates. For the Judgeships of the Presidency Court of Small Causes there is no doubt that the experience of District Munsifs and Subordinate Judges in work of the same character in the mufassal does specially fit them, and there is no reason why they should not be appointed, as they often are, to these posts. It is probable however that the Government would prefer not to lay down any hard and fast rule in the matter, but to deal with each vacancy as it occurs, and their Lordships do not wish to make any recommendation on this point except that the claims of the Provincial Service should be considered with those of other applicants when vacancies occur.

" 9. The District Munsifs unanimously and very strongly protest against vakils or other members of the Bar who have not served in the lower grades being appointed as Subordinate Judges or first-grade District Munsifs. Their arguments may be stated best in their own words. The District Munsif of Ranipettai writes :—

' There is yet another important matter ' which I crave leave to state for the gracious ' consideration of their Lordships. The whole ' service views with dismay the three recent ' appointments in quick succession of members ' of the Bar as Subordinate Judges and as a ' first-grade Munsif. Ever since 1885 their ' Lordships have not adopted such a course ; and ' if District Munsifs of the earlier period who ' were not graduates in law made competent Sub- ' Judges, it would seem that there is no real need ' at the present day for taking men straight way ' from the Bar for the higher appointments. ' There was a time when two Presidency ' Magistrates, two Small Cause Judges and the ' City Civil Judge were all persons who had ' distinguished themselves in service. Indeed the ' late Sir T. Muthusamy Aiyar rose to the High ' Court Bench after a long career in the Subordi- ' nate Judicial Service. In 1894 four District ' Judgeships were thrown open to the Provincial ' Service ; but only two appointments have for

'all practical purposes been given to members of 'the subordinate judiciary. The field for promo- 'tion has gradually been narrowed with the result 'that a Sub-Judge from the rank of District 'Munsifs is now considered fit only to fill tempo- 'rary vacancies in the small court. Under the 'present conditions it takes nearly 14 years for a 'District Munsif of the last grade to become a 'first-grade Munsif and another four or five years 'to get Rs. 500 as Sub-Judge last grade. About '18 or 19 years have to elapse, therefore, before 'he can aspire to the position of a Subordinate 'Judge on a pay of Rs. 500. This interval in the 'case of District Munsifs is already very great 'and the policy lately inaugurated would, it is 'apprehended, considerably retard, if not alto- 'gether block, the chances of a District Munsif 'rising sufficiently high and thereby earning the 'fruits of long-devoted service. Three more 'appointments of Vakils and Barristers of com- 'paratively young age at once as Subordinate 'Judges or as District Munsifs of the first-grade 'would in the course of a few years so effectively 'fill up the higher grades that one already in 'service must rest content with a first-grade 'District Munsifi or with the last grade Sub- 'Judgeship before one arrives at the age of retire- 'ment. A continuance of this practice might by 'impeding the prospects of District Munsifs and 'rendering them uncertain tend to produce dis- 'content. In public interest it is respectfully 'submitted that it is most desirable that this 'service should not deteriorate either in conse- 'quence of disappointment among the officers or 'by making the service less attractive to men of 'capacity and efficiency.

'I therefore pray that their Lordships will be 'pleased to take steps for reserving to District 'Munsifs all the higher appointments open to 'the members of the subordinate judiciary as a 'reward for honest and efficient service. If, 'however, it is resolved to make in future similar 'appointment as those mentioned in the preced- 'ing paragraph, I humbly venture to suggest that 'the number of first-grade Munsifships and Sub- 'Judgeships which are to go to the Bar and the 'number of District Judgeships which are to go 'to Sub-Judges so appointed should be fixed once 'for all. Unless this is done and unless mem- 'bers of the Bar are appointed as first-grade 'Munsifs and as Sub-Judges only when vacancies 'arise in the number so fixed, it will be impossible 'for the present first-grade Munsifs to become 'District Judges and for the rest to attain even 'to the grade of Sub-Judges.'

"The three appointments to which the memorialists refer are—

(*a*) that of Mr. C. K. Srinivasa Rao, who was appointed direct to a first-grade Subordinate Judgeship in 1908, when he was 43 years of age;

(*b*) that of Mr. A. S. Balasubramania Aiyar, who was appointed to act as a third-grade Subordinate Judge in 1910, when he was 38 years of age; and

(*c*) that of Mr. P. C. Lobo, who was appointed to act as a first-grade District Munsif in 1910, when he was 32 years of age.

"When Mr. Srinivasa Rao was appointed, he was younger than 13 of the Subordinate Judges of the second and third grades whom he superseded; Mr. Balasubramania Aiyar when appointed was younger than any of the first-grade District Munsifs whom he superseded; and Mr. Lobo when appointed was almost the youngest District Munsif in the service. These appointments hit the memorialists in two ways—*firstly*, all who were superseded lost the step which they would have got if the vacancies had been filled from their ranks, and *secondly*, the men appointed being much younger than those whom they superseded will therefore remain much longer in service before retirement and thus retard the flow of promotion to the higher grades. It is easy to see that, if men from outside are brought into the various grades when they are younger than the men already in those grades, they will in time occupy all the highest appointments and remain in them for years to the exclusion of the older men superseded, who will reach the age limit and be obliged to retire without the possibility of attaining the highest appointments. The three appointments mentioned, following in rapid succession, created a general impression that it was intended to recruit the upper grades of the Judicial branch of the Provincial Service (those of Subordinate Judges and first-grade District Munsifs) to a great extent direct from the Bar instead of from the general body of District Munsifs. The Honourable the Chief Justice and the Judges believe that these particular appointments may all be regarded as of an exceptional character and that the Government have no such intention as that which the memorialists fear. But it is certain that the fear is widespread among the District Munsifs and is the cause of general alarm, or, as some of them say, of "dismay." It need hardly be said that it is the higher prizes at the top of a service or profession which mainly attract recruits to it. Any system of practice which diminishes the number of such prizes open to the lower ranks diminishes *pro tanto* the inducements to enter the service at the bottom. Any practice of filling the higher appointments direct from the Bar, or even the fear that any such practice is likely to be adopted in the future, is likely to be fatal to the recruitment of the best men, or even of good men, in the lower grades. Men have hitherto entered at the bottom of the list of District Munsifs in the assured hope that, if they work well and honestly, they will gradually rise and reach the higher posts; and this hope has compensated them for years of strenuous work on small pay with all the disadvantage of being obliged to change their homes every three years or oftener and to go anywhere from Ganjām to Cape Comorin at a few days' notice, often serving for years in small and unhealthy stations without any facilities for the education of their children or the other amenities of life which men of their education and antecedents greatly value. It is easy to see that, if this hope is defeated by the appointment of men direct from the Bar to many of the higher posts, men who are willing to enter Government service at the bottom of the list or District Munsifs will often prefer to enjoy the advantages of living and practising in Madras or other large centres and will look forward to getting into one of the higher appointments *per saltum* later on. The result will be that instead of getting many good men in the lower grades, as we have in the past, we shall get only second or third rate men in those grades, and the general level of

excellence in the service will be seriously lowered. Their Lordships propose to inform the District Munsifs from whom they have received memorials that the High Court does not intend to make any change in the usual practice in making appointments to first-grade District Munsifs' posts, nor are they prepared to recommend to the Government any departure from the practice which has prevailed hitherto in regard to Subordinate Judges' appointments.

"9A . . . . Nor do their Lordships support the request that Subordinate Judges should be allowed to earn privilege leave on full pay for 15 days by 11 months' active service instead of privilege leave on half pay for a month under the present rules. The request of the District Munsifs that their annual vacation should be extended from six weeks to two months is a matter with which the High Court can deal under the Madras Civil Courts Act, 1873. The proposal has been considered frequently by the High Court and has been rejected for a number of reasons. Among others it may be mentioned that District Munsifs as a body are much younger men than Subordinate Judges and their work, though heavy, is on the whole less exacting and involves less responsibility than that of Subordinate Judges. Moreover the addition of half a month to the vacation of every District Munsifs' Courts would reduce the working time of each court by about 5 per cent. and would make it necessary to add 5 per cent., *i.e.*, about six officers to the number of District Munsifs employed. The alternative proposal that District Munsifs should be allowed to take privilege leave on full pay for two weeks every year and to combine it with their vacation is still less admissible. Nearly every District Munsif would ask for such leave every year, and, if the leave were granted, it would be necessary to appoint an acting District Munsif for almost every court in the Presidency, which would be in the highest degree inconvenient and would cost almost as much as the creation of the new courts which would be required if the vacation of District Munsifs were extended to two months.

"10. Lastly the memorialists pray that the period of service required for earning their full pensions may be reduced to 20 or 22 years in consideration of the facts that the majority of District Munsifs are now appointed from the Bar when they are over 30 years of age and many of them as late as in their 35th year and that therefore it will be impossible for them to serve 25 years before they reach the age of 55 with the result that many of them may be forced to retire before they have earned their full pensions. Officers appointed direct from the Bar to the Judicial branch of the Provincial Service when over 30 years of age have been exempted from article 478 of the Civil Service Regulations, under which in calculating the pension of other officers appointed when over 30 one-fortieth part is deducted for every year by which their age when appointed exceeds 30—*vide* G.O. No. 892, Judicial, dated 6th June 1904. But the memorialists ask for something more than this concession, which does not remove their difficulty in earning full pensions. In view of the fact that the ordinary limit of age for first appointment as a District Munsif was raised to 35 in order that men of riper experience might be secured for the judicial service and of the strenuous and exacting nature of the work of Subordinate Judges and District Munsifs, which is shown among other things by the considerable number of such officers who in recent years have died while in service, the Honourable the Chief Justice and the Judges wish to recommend for the favourable consideration of Government the memorialists' prayer that the period of service required for earning a full pension should be reduced.

"11. I return the memorials from Subordinate Judges received with your letter, and I enclose the memorials received with your letter, and I also enclose the memorials received by the High Court from District Munsifs with copies of the letters of the District Judges through whom they were submitted."

89 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—Officiating promotions *are* now made in the different grades of District Munsifs. I think they should also be made in the case of Sub-Judges. Nearly all the officers in the small first grade of Sub-Judges are usually acting as District and Sessions Judges or in other higher appointments. Consequently very few Sub-Judges do in fact get paid as first-grade men. The refusal of officiating promotion between the grades is a cause of serious pecuniary loss through all the grades, which is the more felt as such promotion is allowed among District Munsifs.

90 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes. See reply to question (104) relating to Indian Civil Service.

91 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?

92 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?

93 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?

94 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?

95 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?

96 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?

97 (37). Generally speaking, do any of the present leave rules applicable to the Provincia

Civil Service cause inconvenience to the administration, and, if so, what; and what remedy do you suggest?

98 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—(31 to 37 and 39) Officers of the Provincial Civil Service are not entitled in the Judicial branch to any leave on full pay. They get vacations each year on full pay. They take very little furlough, presumably because they do not like the loss of pay which it involves. I think, too, that most of them when in health prefer the interest of daily work to the leisure of furlough. We hear very few complaints in regard to leave. Many District Munsifs, however, ask for two months' vacation, instead of six weeks, the time now sanctioned. This the High Court has always refused for reasons stated in paragraph 9 of letter extracts from which are annexed to reply to question (24) *supra*. I do not know that any changes in the rules are required.

99 (38). In particular are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—The Judicial branch does not suffer from excessive transfers. District Munsifs are ordinarily transferred as a matter of policy once in three years.

100 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Yes, but see proposal in paragraph 10 of letter extracts from which are annexed to reply to question (24) *supra*.

Sir RALPH BENSON, called and examined.

101. (*Chairman.*) You are, I understand, the senior Puisne Judge of the High Court of Madras?—That is so.

102. I understand that you are the senior Civil Servant in India?—I believe that is so, unless Sir George Knox of the Allahabad High Court is still in India.

103. May I offer on behalf of my colleagues and myself our best congratulations on that?—Thank you.

104. Will you be good enough to tell the Commission what your past experience has been and what positions you have held in the service?—I began in the usual way as Assistant Collector in the Salem district in 1873, and after holding a divisional charge there, I was transferred to Cuddapah and held a divisional charge there during the great famine of 1876–78. After that I became Assistant Commissioner in the Nilgiri district. At that time the Nilgiris were under a different system of administration from the rest of the Presidency; there was a special Act, the object of which was to have a smaller and cheaper establishment than in the ordinary district. I was Assistant Commissioner there, and that involved the position of being also a District Munsif, and Sub-Judge, and a District Magistrate, as well as a number of other offices that were combined with it—Treasury Deputy Collector, Secretary to the Municipality, and Secretary to the Local Fund Board, and I think several other offices. After being there for some time I was employed as Special Settlement Officer for that district. The Government resolved to undertake a special settlement, and that occupied about three years. Afterwards I was Forest Settlement Officer for a time there. Then I became Registrar of the High Court. After that I was in the Secretariat as Under Secretary to Government in the Revenue Department and then in the Public Department, and subsequently Secretary to the Board of Revenue. In 1888 I was appointed a District Judge, and I remained a District and Sessions Judge for eight years until 1896, when, after a period of special duty under Government, I was eventually selected for the High Court, and since 1896 I have been a Judge of the High Court.

105. You have had a wide and long experience?—I have.

106. You have been good enough to answer in a very ample and explicit form the questions that have been submitted to you, and the Commission are very grateful for the trouble you have taken. At the end of your examination I will ask you to be good enough to hand in your answers to be placed on the notes. I gather from these answers that you accept the present system of open competition for the Indian Civil Service as satisfactory in principle, or rather in practice?—That is so.

107. You would, for your own part, prefer a system of limited selection by the Civil Service Commissioners for a proportion of the vacancies, but you are doubtful whether public opinion at home would approve of such a departure from the principle of open competition?—That is so.

108. I believe you are opposed to simultaneous examinations being held in India and in England?—I am. I do not think they would answer.

109. And to any system for filling a fixed proportion of the vacancies in the Indian Civil Service by Natives of India recruited by separate examinations in India?—I do not think that would be feasible.

110. You are not in favour of any separate method of recruitment for the Judicial branch of the Indian Civil Service?—No.

111. You desire an improved system of training for that branch?—That is so. I think the present system, if those selected have a proper opportunity for adequate training, is as good a system as we can adopt.

112. You give us in a very explicit and elaborate form the scheme which you would suggest for that improved system of training?—Yes.

113. You consider that the age-limits for the open competition should be 20–22, or 21–23?—I should say that that would perhaps, on the whole, be the most suitable age.

114. And you would prefer a two years' probation to a one-year probation?—Certainly.

115. A two years' probation at approved Universities in England?—That is so.

116. You say also that in your opinion civilians should arrive in India at or soon after 23 years of age?—I think that about that age is the most suitable.

117. If the age-limits for examination were 21–23 a successful candidate, under your scheme, might be 25 years of age on arriving in India. Would you say that was too old?—I do not say that it is certainly too old, but there is a tendency perhaps for men to become stale if they go on having examinations up to 25 at home, followed by further examinations out here, which are necessary.

118. You suggest in your answers that many of the men who came to India when the age-limits were low were immature?—Yes. At the time when I entered the service the minimum age was 17, with a probation period of two years, and a man passing at 17 and having two years at home might come out at about 19, or very soon after. I think we had certain instances of men who were too immature for the work that was expected of them within a short time of their arrival in India.

119. So far as your experience goes, have you noticed any sign that the men who now come out at 25 are too old to adapt themselves readily to the details of their work in this country?—I cannot say that I have, but I have heard it mentioned in conversation that it is rather too old. I do not think so myself.

120. You have no strong opinion on the subject?—My opinion is that it is not on the whole too late, although perhaps I would prefer a somewhat earlier age.

121. On the question of the admission of Indians to the service, you consider that, so far as purely judicial work is concerned, it could be done quite satisfactorily by Natives of India not being members of the Indian Civil Service?—Yes, the purely judicial civil work.

122. But that the man with the Indian Civil Service experience has a very great advantage over another man who has not got that experience in respect of the administrative and criminal work which a District and Sessions Judge has to perform?—That is so.

123. Do you think that the great majority of the posts of District and Sessions Judge should be filled by Indian Civil Service men?—I do.

124. Can you tell the Commission what proportion of those posts is at present so filled?—Eighteen out of 22.

125. I gather from your answers that in your opinion the Indian Civil Service man starts with more experience of criminal cases and the Provincial Civil Service man with more experience of civil cases?—That is so.

126. And subsequently the Indian Civil Service man comes out best, because of his superior general education and experience?—That is so.

127. Generally speaking, you are against laying down any fixed proportion of posts in the Indian Civil Service to be reserved for Europeans?—Yes; I do not think it necessary to do so.

128. On the question of probation and training after admission to the service you think the probationers should attend the Law Courts and report cases, and that there should be more instruction in Civil Law and Jurisprudence than is the case at present?—I certainly think we want more instruction than we have at present. Part of the instruction we had in my time—it is now given up—consisted in attending the various courts from the Police Court up to the Privy Council. I think it was useful, but it is not enough; you want a great deal more.

129. I understand the principle is now definitely laid down, but has not yet been put in practice, that Indian Civil Service officers should be given some real legal training before they begin to officiate as District and Sessions Judges?—Yes. As the result of correspondence which has been going on for eight or ten years between the High Court and the Government and the Secretary of State a scheme has almost been finally adopted, only some details remaining to be settled.

130. The scheme which you yourself would favour appears to be the selection for the Judicial branch shortly before the end of the eighth year of service?—Yes.

131. The candidates for the Judicial branch would then spend two years in England, one on furlough, and the other on study-leave?—Yes.

132. In which time they would be expected to pass the Bar Final Examination?—Yes.

133. Then on coming back to India they would spend two years or so as Assistant District and Sessions Judges?—Yes.

134. And then in your opinion they would be fit to officiate as District and Sessions Judges?—Yes.

135. Do you think on the whole that this scheme has definite advantages over an alternative scheme providing for a period of practical training before the candidates take study-leave?—It fits in better with the existing state of administration in the Madras Presidency. Whether it is better in itself, apart from fitting in with the administration, I have no strong opinion. I am quite prepared to accept the scheme which the Government of India prefer, but it does not so well fit in with our Presidency arrangements here.

136. You recommend certain improvements in the authorized salaries of Indian Civil Service officers, notably an increase in the initial rate from Rs. 400 to Rs. 500 per month?—Yes.

137. And a time-scale up to Rs. 1,500 by annual increments of Rs. 100?—Yes.

138. Would you consider the increased minimum necessary even if candidates were appointed at a younger age than they are at present?—I think Rs. 500 is as little as a European in that position can live on in this country. He has to keep horses and undergo a considerable expenditure. I think Rs. 500 is a very moderate allowance to give to a man in that position.

139. You consider that the due representation of all classes and communities should be, and actually is, secured in the appointments made to the Provincial Civil Service?—Yes.

140. By due representation do you mean representation on a population basis or on some other basis, such as educational qualifications?—Not a population basis only. A population basis would give the non-Brahmans a very large majority. We have to take account of the fact that certain classes are very much more highly educated in proportion to population than other classes.

141. You are in favour of grading the Munsifs and Sub-Judges on the same lines as have been

approved for the Executive branch of the Provincial Civil Service?—Yes.

142. I understand that in most other provinces the Munsifs start at a lower rate of pay than the Deputy Collector or Extra Assistant Commissioner. Is there any consideration peculiar to Madras which would justify the difference of treatment which you propose in this respect?—I think perhaps we get rather older men, and a very large number of them are University men; they are practically all University graduates and have legal degrees. Men of their standing and education are entitled to the salary we suggest for them, which after all is only the same that their brothers in the Executive line, as Deputy Collectors, receive.

143. I have taken you broadly over your answers, and I am not going to attempt to occupy your time or the time of the Commission by going into the details of all the questions and answers. We are very grateful for the trouble you have taken. My colleagues will now ask you questions upon the statements and opinions you have expressed in your answers?—I shall be pleased to answer them.

144. (*Lord Ronaldshay.*) I should like to ask first a question with regard to your answer to question (5). You say that the prospects of the Indian Civil Service have decreased, and that one considerable reason for that is the withdrawal of European medical aid. Will you tell me since when, and roughly speaking to what extent, European medical aid has been withdrawn?—I cannot give any exact details, but it is a fact that within recent years the number of European District Medical Officers have become less than formerly, and it is a very great drawback to a man, especially a married man with wife and children, if he finds that there is no medical officer in the district. A man can never be sure whether there will or will not be. In some districts there are European Medical officers, and in others there are not. A man may be posted to a district where there is no European Medical officer, and it is undoubtedly a very great source of anxiety to men who have wives and children liable to sickness, as they are in this country, especially very sudden sickness.

145. I suppose the reason for the withdrawal of European medical aid is that the cadre of the European service is not sufficiently large to cover the ground?—I can hardly say what the reason is, as it is not a matter I have gone into.

146. With regard to the present system of examination, you think that a system of combined nomination and examination is beyond the region of practical politics?—That is the impression I have.

147. Assuming for the moment that that were not so, are you of opinion that a system of combined nomination and examination would give you a class of man who was more suited to discharging the duties which fall upon the officers in this country than you get under the present system?—I think it might operate to exclude some few who now are not very suitable men, but broadly speaking the class that we get is a very good class. Such a system would perhaps exclude a few of those who come in now, and the service would be better, perhaps, without them. There are, I think, very few.

148. I am not quite clear as to your views with regard to the age-limit for examination. You would like to see men come out to this country at about the age of 23, and you wish that these men should have a probationary period of two years in England before they come out?—Yes.

149. Therefore I assume that you think the age-limit for the competitive examination in England should be reduced to 19 to 21?—No, I do not think that; that was not my intention. What I said was that the open competition might run from 20–22, or from 21–23. At the end of my answer I say "Perhaps, on the whole, the best age-limits would be 20–22 or 21–23." The object of that was to give more opportunity for an University course.

150. But in answer to Question (18), you say you would like these men to come out to India at about the age of 23. If the age-limit for the examination is to be from 20–22 or from 21–23, and they are then to have a probationary period of two years in England, they could not possibly come out?—That is so, but supposing a man passes at 21, and then has two years, he would come out at 23. The lowest age I have put down for going up for examination is 20, so that if a man went up at 20 or 21, he could still come out at 23. Of course I do not attempt to fix 23 as absolutely the best age; it is merely about that time. What I have said in another part of the answer is that you cannot expect his character to be sufficiently set to meet the responsibilities and the conditions of life out here at an age earlier than 23. I think it might very well be 24 or 35, the present age. I have no quarrel with either of them provided there is a sufficient training beforehand.

151. Turning to question (26), I see that you say that Mr. P. K. Dadachanji, the sixth officer in the table you give, was reduced from a Head Assistant Collector for misconduct in some riots in 1909. Have you any objection to telling us what the character of the misconduct was?—I have not read the papers since the time. That is a note that was put in by the office which drew up this statement for me. I have some recollection of it; it was cowardice in the face of a very serious riot. I understand that he ran away when he ought to have held his ground.

152. Turning to questions (51) and (52), you say that in your opinion one Indian language only should be taught. Do you mean by that that the grammar and ground-work of one language only should be taught in England, but that a second language should be learned on the arrival of the recruit in this country?—Yes, if he was posted to a part of the country where the second language was spoken. The idea is rather to lighten the course at home for the two years so as to admit of more attention being given to law. If a man learns one of the Dravidian language well, he has at all events a knowledge of the fundamental grammar of all the Dravidian languages. They are a special family of languages that prevail in Southern India. I think one language learned thoroughly well would be perhaps better than two learned indifferently. I learned two myself.

153. But you do not go quite so far as to suggest that a man should be taught only one language and then restricted to the area for the whole of his service where that language is current?—I think it would be an inconvenience to restrict him, administratively inconvenient.

154. In answer to question (88), you say you do not think it is desirable that there should be any further separation between executive and judicial functions, and you mention expense as one of the objections to any further change in this direction. Is it mainly on the ground of expense that you are opposed to change in that direction?—No. I do not think expense to be the first consideration. It knits the whole administration together to have the union there is now between the executive and judicial functions. They must unite at some point on the way up to the highest authority, and I think the point at which they do unite now is practically a good arrangement. They all represent the justice of the King in one form or another, either the executive authority of the King or the King as a source of justice. They must eventually unite at some point.

155. You are quite definite that the training which an Indian Civilian gets during his earlier years in the service, his training as an executive officer, is a very valuable experience for him when he comes to occupy the position of District and Sessions Judge?—Most certainly, especially in regard to his position as Sessions Judge. His long experience as a Magistrate extending over ten or twelve years is usually extremely valuable; in fact, it would be difficult to expect him to do his duty satisfactorily without some such experience and training.

156. But I suppose the Natives of India who hold the position of District and Sessions Judge at the present time have undergone a similar training or experience?—If they are members of the Indian Civil Service they have. If they are not members of that service but are Provincial Service men they have not.

157. The Provincial Service men are, therefore, not so well qualified as all-round men to fill the position of District and Sessions Judge as the men who have gone through the training provided by the Indian Civil Service?—In my opinion they are not.

158. With regard to the Imperial branch of the service, you recommend a time-scale of pay, in the lower grades at any rate. Do you think the introduction of such a system of pay would in any way act as a check upon the industry of the officer? Would the knowledge that he was certain to receive these steady increases of pay by the efflux of time in your opinion act as any check upon his industry?—I do not think it would. The present rule is that a man is not promoted until he passes the departmental examinations, and there might be some such limitation in this case too, that he should not receive the time increments unless he passes the departmental examinations within a reasonable period, which might be laid down.

159. With regard to the scheme of legal training which you advocate, I see that what may be described as an experiment was made in this Presidency. You speak in your evidence of Mr. Munro, who was appointed by way of experiment in training junior civilians for judicial work. Can you tell us what has happened to Mr. Munro and whether the experiment was a successful one?—Mr. Munro after that period of training as a Sub-Judge became a District and Sessions Judge, and eventually became a Judge of the High Court. He retired about a year and a half ago. It certainly was successful in his case. He was a distinguished Judge.

160. With regard to the appointments of Sub-Judges, which you describe in your evidence as temporary, do these temporary posts become permanent ones?—Some do and some do not. At present the large number of temporary ones is due to enquiries that are going on with a view to a considerable addition to the permanent number; consequently the number of positions which would in the ordinary course have been made permanent are awaiting the report of the Commission which is reporting on the whole matter. That is one cause why there are so many. Another is that, for some reason or other which we find it very difficult to understand, there has been an enormous increase in litigation within the last few years, and it has been necessary to appoint temporary Judges to help to clear it off. We are in hopes that some of them may not be required permanently; in fact, we know some of them will not. But as often as a man works off arrears in one place they accumulate in another, and he has to be appointed temporarily to another place. It is an unsatisfactory system, but it seems to be one that we cannot help; it is the only way we can keep down arrears, which fluctuate greatly in different courts.

161. But in point of fact at the present moment, with a cadre of only eighteen, I understand you have really thirty Sub-Judges at work?—That is so. We have, I believe, twelve, and one has been just appointed since this answer was written, making thirteen.

162. But you do not anticipate that that will mean there will be thirty permanent appointments in the future?—I hope there will not be so many as thirty, but there will be very many more than the present number. We cannot determine the number until the Commissioner has reported.

163. Are you in favour of the Sub-Judges being recruited solely from the District Munsifs?—I think I may say that I should certainly wish to see the very great majority of them so recruited, but there may be circumstances which justify a departure from that rule. There have been some few departures, and I think the Government is right in reserving the power to make an appointment direct if they desire to do so. Broadly speaking, I think the appointments should be all made from the service. Men enter the service on very low pay, Rs. 200 a month, and are no doubt prompted by the prospect of sure promotion in the long run provided that they do good work.

164. (*Sir Theodore Morison.*) With regard to your answer to question (24), you say you are not prepared to lay down any fixed proportion of European subjects employed in the higher posts of the Civil Administration, but you think it is essential that the European element in the Civil Administration should be sufficiently strong both in point of numbers and position to guarantee two things that follow?—Yes.

165. Do you think that the European element at the present moment is sufficiently strong to guarantee that?—I hope so.

166. Do you think it could be substantially reduced?—I do not think it can be safely reduced at present. We have been reducing the European element considerably from time to time, and I think that at the present time it is as low as is compatible with the two conditions I have stated. It may not remain so. I think we ought to be prepared and to expect in the future that there may be room for a larger employment of Indians.

167. I gather that your answer lays emphasis particularly on the word "fixed proportion"; you think that the proportion at the present moment is about right but you would be unwilling to fix it?—Yes, I have no objection to the present proportion. I think the present proportion is reasonably satisfactory.

168. With regard to question (26), do I understand that the work of the officers on the judicial side, that is to say, those who have been District Judges and the like, come under review by yourself?—Yes, constantly.

169. You are the officer of the Government to whom we should apply for information as to how these officers have done?—The Government does not apply to any particular officer of the High Court. They apply to the High Court as a body and the High Court sends the report if necessary.

170. Taking the first nine of those gentlemen who have got about thirteen years' service, and confining your remarks to those who are in the Judicial branch, numbering five, could you tell us how many of those are above the average in efficiency and capacity in the Civil Service, how many below the average, and how many you would say were just ordinary officers?—It is a somewhat invidious question, but if you wish it I shall give my opinion for what it is worth.

171. Certainly not, if you do not wish it. If not about that question I thought you would certainly feel it about another question I was going to put, namely, whether you would be willing to give to the Commission your opinion upon those five officers in confidence?—I have no objection to giving it, if you prefer it, in public, but it is perhaps rather invidious.

172. If you have any critical remarks to make I should be very unwilling to have them in public?—I think No. 2 on the list is distinctly above the average, and I should say that Nos. 3 and 4 may be taken roughly as about the average, and that No. 5 was a distinct failure.

173. I see No. 9 is acting as District and Sessions Judge?—He was good as far as he went, but it was only for a very short time. I do not think any very definite opinion could be formed. I think he was quite up to the average. He has gone back to the Revenue line temporarily, or permanently. He is marked as having elected that line.

174. On what grounds did you give your answer to question (27): "Hardly so, so far as District and Sessions Judges are concerned,"? Perhaps it is not possible to continue this in public?—You have the names there, and you have my opinion about them, but they are a very small number to judge from, and I do not think our experience is at present perhaps sufficient to form any final conclusion.

175. In answer to question (80) you say that all classes of the community are duly represented in your Provincial Service, but I do not understand from your answer to question (6), in which you describe the way in which the selections are made, that the proportion to be given to each class or community is taken into consideration by you. It is perhaps taken but it is not stated here?—In selecting men for the Judicial branch of the Provincial Service we have no very definite system. We have an immense number of applicants, and when we find among them two that appear to have very much the same qualifications, we sometimes give the preference to one of the classes, or castes, or communities that we think are insufficiently represented. It is only a rough and ready method. There is no exact system or proportion, but we are guided by that as one of the matters which are taken into consideration.

176. You bear it in mind when you are making your selection?—That is so.

177. (*Mr. Chaubal.*) With reference to your answers to the first question, where you say that after your forty years' experience you accept the present system of recruitment as generally satisfactory in principle, is there any distinct impression on your mind that, with the different variations in the curriculum and in the age, any particular period has produced exceptionally good men, or exceptionally inferior men in the Civil Service; or is it your opinion on the whole that whatever the differences of curriculum and differences of age the standard of Civil Service efficiency has been uniformly maintained throughout?—I do not think it has been uniformly maintained. I have said in one of my answers that I thought some of the men who came out when the age was as young as 17 were immature, and I think so still.

178. I mean in point of capacity and ability?—Capacity and ability hardly depend on age. A man may be a man of capacity whether he be young or old.

179. My question was in respect to the age at which the men came out here. There have been from time to time different curricula for the examinations, and there have been different periods at which Englishmen have come out to India as Civil Servants. Is there any impression on your mind, after your forty years' service, that persons who came out under a particular curriculum, or persons who came out under a certain age-limit, were superior men to any of the others coming out under a different curriculum of study or a different age standard?—I think the men who have come out at an age higher than that of the time when I myself was appointed are on the whole more satisfactory men. I think 17 is too young.

180. Do you think that the present curriculum of study carries out the recommendation of Lord Macaulay's Committee that a man must be a man of general culture who should have no feeling, even if he failed to repent after a time, that he had wasted his time in studying for the Civil Service?—Yes, I think it does.

181. If you look at the present curriculum in Appendix I, may I in the first place know, under the present curriculum, what is about the highest number of marks with which candidates pass?—I am afraid I cannot give you any statistics about recent examinations as I have no knowledge.

182. Do you not think that out of these 32 subjects it is open to a man to take only three or four and pass?—I cannot say. It will depend on the number of marks he makes on those subjects I suppose, and on the number of marks other men make in other subjects.

183. You are not able to answer that question, because you have no knowledge of the higher standard at which men generally pass, or of the subjects?—That is so.

184. But supposing 3,000 or 2,500 was the highest number of marks that were obtained then it is open to a candidate to study only three or four subjects and pass through the Indian Civil Service course. On page 11, there are 32 subjects. I think Greek and the subjects connected with the study of Greek total up 1,600; that connected with Latin totals up 2,100. If he takes up one other subject do not you think it possible for a man with a study of only three or four subjects to get through the Indian Civil Service examination?—I really do not know. Some one in London who studies the examinations could give you much more information on that point than I can.

185. But assume for a moment that with the study of three or four of those subjects a man succeeded in getting through the Indian Civil Service course, would you still consider that Lord Macaulay's recommendation about general culture had been carried out in that case?—I do not think I need go into speculations of that kind; it is not a matter of which I have any special knowledge.

186. With regard to your answer to question (5), I want to know whether you remember in your experience any instances of young men having been prevented from appearing for the Indian Civil Service course because in India the amenities of life have diminished in some of the stations, or because of the withdrawal of European medical aid?—My own son would have gone up but for the present trend of things. I preferred that he should have his career at home.

187. When you speak of out-stations and smaller stations, am I to take that as a taluka station, as they are called in Bombay? Each district is divided into talukas, into small sub-stations; am I to understand it is a sub-station corresponding to that?—No, I mean the district head-quarters — a cusba station as it is called here sometimes.

188. A district station?—Yes.

189. Do you think that the amenities of life in district stations have lessened?—Yes.

190. In this Presidency?—Yes, undoubtedly, in several stations.

191. That is to say, there are not so many European officers at district stations as there were?—Yes. In some stations now, even in district head-quarters, there may perhaps be only a single European, or two: sometimes the District Superintendent of Police, the Engineer, and the Judge may all be non-Europeans, and the men who were their companions and friends are not there to the same extent that they formerly were.

192. But surely there are still stations where a man in the Forest service, the Police service, and the Public Works Department may meet with European officers?—Yes, there are.

193. Passing on to question (6), can you give us any test or standard of what you call character—how to test it?—I think everybody knows what is meant by high character.

194. I understand what is meant by high character, but can you give us any certain tests by which the officers who have to judge about the character of candidates in India can come to any conclusion?—I take it they can only do it either by personal knowledge of the candidate, or if that is not available by consulting those who do know his character.

195. You have no fear that selection by officers who are engaged in what might be called the testing of character, or in giving their opinion about character, is likely to deteriorate into patronage?—It depends very much upon who is exercising the patronage.

196. You have had some experience of what is known as the old Statutory Service, which was replaced by the Provincial Service?—Yes, I was in this Presidency at the time.

197. Were not men nominated in that service according to character and other considerations, and were not those considerations mainly those that entered into the nomination of persons for Statutory Service in this Presidency?—I think they were, but I had nothing to do with the nomination.

198. I do not mean that you had anything to do with it at all; I meant it as an illustration that as a matter of fact there was a system under which Government nominated to certain offices persons who were supposed to be of very good families, with character. I do not know about this Presidency, but in other Presidencies, according to the evidence given before the last Public Services Commission, it was put forward by the witnesses that the men nominated for the Statutory Service were failures. Therefore is it not likely that it would be very dangerous to nominate on character and to go back to the system of nomination in the Statutory Service?—I think that the men who were nominated for the Statutory Service were for the most part untried men, and it is not so easy to judge a man's character before he has been tried as after he has been tried. If a man has ten years of service in the Provincial Service, as is the case with our Judicial men, we can form a very good opinion of their character, and whether they are suitable for selection.

199. That is after you have had some experience of them?—Yes.

200. But I am now speaking of recruiting. Supposing the Government wanted to frame any rules, or the Commission wish to recommend any rules, by which recruitment for a certain service should be made, you consider the ideal system would be one in which selection on account of character would have its place? It is with reference to that that I ask whether it is possible for persons who wanted to make the nomination or selection to have any standard of character by which to judge, or whether it is likely to degenerate into what we had in the Statutory Service?—It is always a difficult thing to estimate character, but I think it is a thing which can be done to some extent, and as far as it can be done I think it is one of the most important considerations which should guide one in making a selection.

201. With reference to the Judicial service I want to have your opinion on this method of recruitment for the whole of the Judicial service. Supposing that service were recruited from men

who had taken a University degree plus the Bar examination and a training in criminal work, as Magistrates for a certain number of years, do you think that the higher Judicial services in this country could be efficiently manned in that way? I am only putting a proposal forward. Take away the Judicial service from the Indian Civil Service altogether, and man that service by men who have taken a B.A. at any of the Universities in England—or in India for the matter of that—a University degree plus examination at the Bar in Law, plus a probationary period in languages, and service for two or three years in criminal work in the Presidency, magisterial work, which of course would also give some experience of civil work: do you not think the Judicial work of the country would be likely to be equally well done if the Judicial service was manned in that way?—I do not know. I think you said two or three years' practice.

202. You may suggest a larger number of years as I am only giving it to you roughly?—I think if they had a period of training in criminal work and also in general administration they would be all the better for that. I think they would then form reasonably good District and Sessions Judges.

203. They might be expected to form them?—I think they might be expected to form them, but of course all these things depend on results, and we cannot be sure what the results might be. But that would come something very near the training which men have, or rather which we propose they should have.

204. The only difference being that in the one case you get in men ready for that work, while in the other case, after they enter the service, the State has to take special pains and incur expense. In the one case you get a man who has passed his examination in law, and who has taken his university course and degree, and what he wants is some special knowledge of language and experience in criminal work, and some knowledge of administration?—He would be very young to be put into the position of judicial head of a district. I am assuming that you have a man shortly after he has been called to the Bar and that you then give him what you suggest, two or three years.

205. Or perhaps four or five years?—That might make him perhaps 25 or 26. It would be a most unusual thing to put such a man in charge of a district as judicial head of the district, hearing appeals from Magistrates who were much older and more experienced than himself, including the District Magistrate, who might be a man of twenty-five years' experience.

206. That has always been so, unfortunately, in this country, because men have not always had the training that you would expect. But I am not speaking of training. We might give them actual experience by making them sit along with the Judge. I think you have answered my question by saying that they would be expected to make quite as good Judges as we had at present?—I do not think I said quite as good Judges. I said that they might be expected to make reasonably good Judges, but I qualified it by the statement that I do not think at that age they would be suitable for appointment as judicial heads of one of our large districts with perhaps two or three million people in it.

207. It is only in respect to that qualification that my next question arises. How many years' experience do you think they should have in this country of criminal and civil administration after the course they have taken at home—how many years do you think would be sufficient?—Perhaps twelve or fourteen.

208. Twelve or fourteen years' experience of what?—Of general administration and especially of criminal work; perhaps ten, twelve, or fourteen.

209. Have you seen the list of posts reserved for the Civil Service, the schedule to the Act of 1861, appendix 2 of that Act?—Yes, I see the list.

210. Take the first heading in the schedule: what would be your objections to leaving out of that schedule the post of Junior Secretaries and Under Secretaries?—I do not know that I have any objection, but I do not profess to speak about appointments outside the Judicial service. These appointments are appointments with regard to which I have had some experience but not very much.

211. I will be quite content with your opinion after your long experience?—I am not quite sure that I followed your question.

212. This schedule reserves certain classes of posts for the Indian Civil Service. Would there be any objection to removing the two posts of Junior Secretary and Under Secretary? They are not heads of departments; they are not persons with whom the head administration in any branch would lie. They are junior officers. Would there be any objection to removing these posts from those reserved for the Civil Service?—I think it would be better if you put that question to some of those who have had more experience of Under Secretaries than I have. I have never been a Secretary to Government nor a Member of Government, and therefore my experience of Under Secretaries is limited to my own case and a few of my fellow Under Secretaries.

213. What would be your opinion about Assistant Magistrates of the Provinces, Class 5?—I do not think there is any objection to removing a particular appointment of the Assistant Magistrates, but if you remove all the Assistant Magistrates, I do not know what is to become of the Indian Civil Service men when they first come out. They are appointed Assistant Magistrates when they first come out. I think a limited number might be removed from the schedule, but you must keep a sufficient number.

214. I do not mean that all the posts are to be taken away—Indian Civil Service men may still be appointed to those posts, but it is not necessary to reserve all of them for those men only?—I should suppose not, provided you still keep a sufficient number to maintain the administration.

215. Then additional and Assistant Judges, Class 2, might not all be reserved for the Indian Civil Service?—No, not necessarily. They are not at present so reserved.

216. In this Presidency they are not?—There are some of our Sub-Judges appointed as Assistant Sessions Judges.

217. In some Presidencies they often take the work of the Assistant Judge from him, but they call him a Subordinate Judge invested with Assistant Judge's powers?—Some of the Sub-Judges are invested with the powers of an

Assistant Sessions Judge and they take the less important sessions cases.

218. Would you be able to answer questions with reference to the posts in the Revenue Branch given in that Schedule?—No. I do not think it would be advisable to examine me on that, because my knowledge is not such as would probably carry weight.

219. I gather from your answers to the interrogatories that in your opinion it would not be possible to fix any proportion of places to be reserved for Civilians or kept open for Provincial Service men?—It would not be possible to fix a permanent or definite proportion; any permanent proportion I ought to have said.

220. When the one-sixth was fixed was there any principle adopted? At present the proportion is that it may be one-sixth of the appointments which may be filled by Indians in the Civil Service cadre?—Yes.

221. Would it not be possible to raise the one-sixth to one-fifth or one-fourth?—It would be quite possible of course, but I do not know whether it would be advantageous. I suppose that is really what you wish me to say.

222. It is a question of advantage. You say it would not be advantageous?—I do not think it would at present. I think we have been going fairly fast in that direction.

223. Would there be any objection to prescribing a different age for Indian candidates from the age prescribed for European candidates for the Indian Civil Service?—It seems to me it would give a great advantage to the men who were allowed to enter at the later age; they would have a longer period of preparation. I am assuming of course that they go up for the same examination.

224. I am assuming that candidates have to take the same examination in England. Supposing there were circumstances under which Indians at a lower age found it inconvenient or extremely unsuitable to study up to the standard, would there be any objection to having a larger limit in the case of candidates from India than the age prescribed for the candidates appearing from home?—I do not see how you could attempt to send up men for the same examination at different ages, provided they are young men who are still learning. Of course, if they were men of forty or fifty, a year or two might not make any difference, but when you are dealing with young men who are still adding largely to their knowledge I think even six months may make an important difference in a man's probability of success.

225. I do not think you follow my question. One of the witnesses before the Commission in answer to interrogatories states that sixteen is the age for Matriculation in India?—That is the minimum fixed, I think, by some Universities.

226. Then he takes four years to get his B.A. degree, which he gets at the age of twenty?—It may be so in some Universities.

227. In most of the Universities?—Perhaps so.

228. After twenty he has to go home and study for a special course for the Indian Civil Service. After getting his general culture up to the B.A. degree here, he thinks of going home, and it is only after he has reached twenty that he can go home and study. These considerations make a slightly higher age more convenient to Indian students than to students at home. If, for such considerations, it was proposed that for students from English Universities and English Schools the age should be twenty-one, and for Indians twenty-three or twenty-four, what would you think of that?—I think it would raise an inequality in the conditions of competition, which would be altogether out of proportion to the advantage you suggest it would give. If a candidate means to go up for the Indian Civil Service he should arrange his previous education so as not to prevent his doing so.

229. You have proposed that a higher value should be given to legal subjects in the curriculum: will you mention what higher value you desire for the study of Law in the University course?—I would hardly venture, without more consideration than I have given to the subject, to state exactly what it should be. My object is that Law should from the beginning and all through a man's course, if he is intended for public life in India, have a larger share in his education than it now has. Law meets him at every turn, throughout the whole of his work.

230. Would you have any objection to giving the same value to the study of Sanscrit and Arabic as is given to Greek and Latin, putting them on the same level in the curriculum of study?—I cannot say that that is a matter I have paid any special attention to. It is a very difficult matter to arrange, and I do not profess to have given it that attention which would justify me in speaking.

231. Referring to the question I put to you some time back about the system of recruitment for the judicial service, supposing the system I proposed were adopted, the reason given in one of your answers for having Civilian District Judges, on account of the Statute which says that not less than one-third of the High Court Judges must be Civilians, would not apply, because if the system were adopted there would be no objection to the repeal of that Statute. Let me make myself clear. One of the grounds given for maintaining a certain proportion of I.C.S. District and Sessions Judges is that the statute requires that not less than one-third of the Judges on the Bench must be Civilian Judges?—Yes.

232. Supposing the system I propose of manning the judicial service from trained Barristers with University distinctions and special training in administration in the country were adopted, would there be any objection to the repeal of the statute?—Under your scheme would there be any Indian Civil Service Judges left, or would all the Judges be appointed in the way you propose?

233. They would be all appointed under my scheme?—I do not see how any question could arise, because there would be no Civilian Judges left, and therefore the statute must become inoperative; whether it is repealed or not really does not matter except that it would be a peculiar state of things to have a Statute with nothing on which it could operate.

234. In your printed answers you refer to two Subordinate Judges, I think, employed as Assistant Judges to help to deal with the criminal work of this Province?—Yes.

235. May I ask whether you found the work of those Assistant Sessions Judges satisfactory?—I think it was as satisfactory as one could expect. It must be remembered that they had no

previous knowledge, or certainly no previous training or practice, of criminal cases, and therefore naturally they were not as good as men who had previous practice; but they had experience of judicial and civil work, and taking all that into account I think their work was reasonably satisfactory.

236. There are first-class sub-divisional Magistrates: have they any civil work in this Presidency?—No, except in some very exceptional cases like the Agency tracts, and I think there are two other wild tracts similar to them in the Coimbatore district, and one in another district. They are however quite exceptional. Broadly speaking they have no duties of that kind.

237. Referring to the tables you have given in your answer to question (25) do not you think that in any event the inferior magistrate and the other munsifs have been always filled by Indians more or less? The District Munsifs and what you might call the inferior Magistrates, have generally been Indians?—Yes, practically for a long time they have been. I cannot say what it was in very old days, but for many years past they have been.

238. With regard to question (88), as to the separation of the judicial and the executive branches, there are cases under the Forest and Revenue Acts which are disposed of by the inferior Magistrates, are there not?—I believe so.

239. Do you think that appeals in such cases should lie to the superior revenue officer, who is also an appellate Criminal Judge over him? In principle is it fair that offences under these special Acts which are disposed of by inferior Magistrates should lie to an officer who happens to be invested with criminal appellate powers, but who is the direct Revenue superior of the Magistrates themselves?—In principle it might be better if there was not that connection, but in practice I do not think any harm results from it.

240. Would you have any objection to a separation as regards this specific point I mention, that appeals in these cases should lie to the District and Sessions Judge and not to the District Magistrate?—I am not speaking of a complete separation. The great objection to it would be throwing on the District and Sessions Judge, who is a high officer, a large number of appeals in very petty matters. The fines and punishments inflicted for breaches of those special laws are usually very small. There are a considerable number of cases and if all the appeals went to the Sessions Judge it would clog his more important work very much.

241. Then you could go to the Assistant Judge if Assistant Judges are appointed?—Where there are such, but there are only two in the Presidency out of twenty-two districts.

242. (*Mr. Gokhale.*) You say in reply to question (3), that the present system is equally suitable for the admission of Natives of India; will you kindly tell us what you mean by "equally suitable"?—I mean that it is a test of the qualities which are required for the service.

243. Do you think it is fair to the people of India to have an examination at such a long distance from this country?—I quite realise that they suffer from a disadvantage in having to go so far. It adds to the expense. Also a young man going to England is perhaps exposed to temptation away from home. I quite realise all that.

244. It is also possible that our best young men are not able to go?—I suppose that may be so.

245. Are you aware that since 1853, when the system was instituted, over 2,700 men have entered the Civil Service, out of whom only three per cent. are Natives of India?—I have not gone into the figures.

246. Are you aware that so far back as 1859 the Secretary of State appointed a Committee of his Council consisting of five distinguished retired officials to study this question, and they unanimously recommended that the only fair arrangement was to hold simultaneous examinations in England and India?—It may be so.

247. Are you also aware that Lord Lytton, in a confidential Minute which he wrote in 1879, spoke of the present system in these terms: "We had to choose between prohibiting the Natives of India and cheating them, and we have chosen the least straightforward course"? I only want to point out to you the condemnation of the system, which you regard as suitable to Indians, by responsible persons?—I have no knowledge whether your quotations are correct or not, but I assume that they are.

248. You say that the present proportion of the listed appointments is satisfactory: you are in favour of the existing arrangement?—Yes, I think so.

249. I suppose you are aware that the rules of 1879, which have since been superseded, promised the people of India one-sixth of the total recruitment for the Indian Civil Service; that one man was to be appointed here for every five who entered there?—Yes.

250. There are at present about thirteen hundred Civilians in this country?—It may be so.

251. One-sixth of that would be over two hundred. The present listed appointments—those that are absorbed in the Provincial Service and also those that are kept apart—are about 103?—You are asking me now about figures for the whole of India generally. I may state at once that I have not gone into the question from the point of view of the figures of India generally, and therefore I do not think anything can be gained by asking me about them. I have not gone into the figures and can neither say yes nor no to anything you say.

252. The proportion for Madras is very nearly the same. You say that the present arrangement is satisfactory and that the proportion of one-sixth which was promised in 1869 cannot be increased just now?—If you look at my answers I think you will find that I commenced by stating that my replies were with regard to the Judicial Department in connection with all these matters, except when it otherwise appeared to the contrary.

253. In reply to question (24) you speak of a minimum of Europeans being maintained in the country, and in answer to a question by Sir Theodore Morison you said the proportion could not be diminished at present?—I said I do not think it would be to the advantage of the country to diminish it.

254. My point is that we have not even worked up to the figure which was thought reasonable in 1879?—We have so far as the Judicial Department in this Presidency is concerned.

255. Excuse me: the answer to question (24) is about the European element in the service of the whole country, and is not confined to the Judicial Service?—I have laid down there what I think are the two principles that should guide us.

256. I am coming to that. You are speaking there of the total number of Europeans in the service in this country, and I want to point out that we have not yet worked up even to the one-sixth which was thought to be reasonable by Government in 1879?—It may be so; I do not know.

257. Education has advanced since 1879, and you think that proportion would be satisfactory to-day?—I do not think it is purely a question of education. It depends on many other considerations besides the number of B.A.'s that pass each year, or the number of those who attend school. No doubt generally the progress of education ought to tend, and I hope does tend, in that direction.

258. You speak of the present number being necessary for the stability of British rule. Do not you think that the contentment of the educated classes is an important element in this stability?—I think it is.

259. Do you think that if you do not advance in admitting more and more Indians to higher places in the public service this contentment will remain?—I do not think we ought to look at it from the point of view of having more or less Indians in the public service. The object ought to be to appoint the best men we have for the various appointments.

260. You yourself go against that by saying that a certain proportion of Europeans must be maintained?—I think you misunderstand me. If you refer to my answer you will see what I said.

261. In reply to question (24) you insist on a certain minimum, and in reply to a question by Sir Theodore Morison . . . . ?—I think you will find I do not insist on any minimum beyond laying down the conditions which should decide the number from time to time.

262. If I am wrong I do not want to press the point—I think your question suggests that my answer is different from what it is.

263. I take also the answer you gave to Sir Theodore Morison, that you think the present proportion is satisfactory, and that the present number of Europeans should not be diminished?—That is my own opinion.

264. My question arises out of that. If the present number is not to be reduced, how are more Indians to be appointed to higher places?—Let them go up for the examinations. With the spread of education, I should hope a larger number would be able to pass by the open door.

265. They would not be Europeans. Do you mean by Europeans those who have passed the English examination, or do you mean that the present number of Europeans cannot be reduced?—For present purposes I think the Indians who have undergone the education and entered the Civil Service in the prescribed way by open competition may be treated as Europeans from the aspect I speak of here. It is true I used the word European, but I am content to substitute the words "Indian Civil Servant."

266. The Provincial Service is looked upon as an inferior Service, is it not?—I suppose you may call it inferior; it is not so highly paid and has not such high responsibilities.

267. The appointments made to the listed posts open to the Provincial Service are individual appointments, made to each individual post separately, are they not? All the posts do not hang together as a service, but an Indian appointed to any particular post is appointed to that post only and he is not a member of any special service?—That is so; I believe they are not classed as Members of the Indian Civil Service, which of course they are not, nor do they continue to be members of the Provincial Civil Service. They are selected from the Provincial Service to fill these listed appointments. I suppose they may be regarded as in a class by themselves.

268. In answer to question (24) you say that a certain proportion of European officers is necessary to maintain the purity of the public service. You know of course that when the salaries paid to Europeans were low, the standard of purity was also low, in the days of Clive and in fact up to the days of Cornwallis?—I believe there was a good deal left to be desired at that time.

269. In answer to question (5) you say the work has greatly increased and the amenities of life in many of the smaller stations have been greatly reduced by the diminution of the European element. Are you aware that in 1904 a Return was laid on the table of the Viceroy's Council by Lord Curzon's Government pointing out the number of Europeans in the public service from time to time, from 1867 up to that time, and that that Return shows that the number of Europeans in the public service has actually increased? I will give you the figures and you will see?—What is the use of giving me the figures? I cannot tell whether they are correct or not.

270. You say that the European element has diminished?—I say it has in this Presidency.

271. In this Presidency in 1867 there were 420 European officers; in 1903 there were 543. That does not show a diminution?—If those figures are correct it does not. It is merely a matter of arithmetic.

272. The Return is here. If the number of European officers in the Public Service has increased owing to the creation of many new appointments. . . . ?—The new appointments may be in connection with the control of the Presidency station, or in certain large stations. For instance some stations have increased. I should say the Coimbatore district will have quite a number of additional establishments, the Forest College, the College of Agriculture, and various other headquarters. There are district stations where to my own knowledge there are very many less Europeans than formerly, and it is in those stations that I say the amenities of life from the European point of view have diminished.

273. I quite see that you are giving that impression, but I want to put it to you that statistically that impression may not be capable of being established?—I am not convinced. In your figures you assume they would be distributed over all the stations equally. A great deal depends on that. I think the tendency is rather to have possibly a larger number in the central points of control.

274. I am taking the Presidency as a whole?—I am speaking of individual stations up-country, district headquarters.

275. You speak of the withdrawal of European medical aid. Do European officers object to Indian Medical Service men?—I think European ladies object to them very much for themselves and their children—that is my experience.

276. Coming now to the question of Indian District Judges, some questions were put to you about the capacity of the five Indian Civilian Judges. Would you say that the average among the European Civilian Judges would be higher than that of the five to whom reference was made?—I mentioned one of them as very good, and I mentioned two of them as about the average, and I mentioned one of them I think as a failure.

277. Do you think that the average among the European Judges would be very different?—Yes, I think it is better.

278. It is better?—Distinctly better.

279. I do not know much about this Presidency, but some years ago the Bombay Government had to pass over twelve District Judges before they thought they could take a man for the High Court . . . .?—I do not know what they did in Bombay twelve years ago.

280. You of course think well of the Provincial Service District Judges here?—Yes, I do think well of them, more especially as Civil Judicial Officers.

281. You say that the Indian District Judges in their administrative capacity do not stand comparison with the European District Judges?—That is so.

282. Is there anything in the records of the High Court to show that the High Court has had to find fault with the capacity of the Indian District Judges?—There may be, but I cannot just for the moment answer that.

283. If the High Court has had to find fault it must be on the records?—It is one thing to find fault and another thing to have one's opinion in respect to capacity.

284. Would it be possible to get a Return from the High Court of cases of finding fault with the respective administrative capacity of the Indian Judges and the European Judges?—I suppose it would be possible to get it.

285. I would like to move that a Return be obtained. Have there been cases where European District Judges have not been able to detect embezzlement and things of that kind, and the Indian Judges have succeeded, to your knowledge?—No.

286. Are you aware that at Vizagapatam some time ago certain things were going on for three years which the European Judge could not detect, and the Indian Judge who succeeded the European Judge discovered the frauds?—I have some recollection of it. A thing may be discovered at any time, or it may be concealed for a long time.

287. You say that Indian District Judges are less satisfactory towards the end of their career?—Yes, that is my experience.

288. Is it a fact that the High Court often recommends extensions?—Yes, we do.

289. Why is that done?—Because we think they are worthy of it in the cases in which we do make recommendation.

290. So that you cannot say as a rule that the Indian District Judges are less satisfactory towards the close of their careers?—Less satisfactory than at the earlier part of their careers. If they are not less satisfactory we go on giving them extensions for a long time. When they gradually become less satisfactory we refuse to give them extension.

291. With regard to the criminal work of Indians and Europeans, I suppose it would be possible to get from the High Court a Return showing the number of applications for transfer from first-class Indian Magistrates and first-class European Magistrates?—I think it could be obtained. The High Court would not have it; it would have to come from the districts.

292. It would be also possible to obtain a Return showing in how many cases the decisions of first-class Indian Magistrates have been reversed on appeal, and in how many cases the decisions of European first-class Magistrates have been reversed?—No doubt it could be obtained.

293. One of the grounds upon which you are in favour of the existing system is that it is economical. You say the present system is all right and amongst other things you mention that it is economical. Have you ever calculated what the cost would be in this Presidency for separating the Judicial and Executive functions?—No, I have not.

294. You are in favour of an increased scale of salaries for the members of the Indian Civil Service?—Slightly for the juniors during the first few years.

295. That will lead to increased cost, will it not?—Yes, it will.

296. You have no objection to that?—No, not for the purpose for which it is asked.

297. (*Mr. Sly.*) What is your opinion of the system under which successful candidates, immediately after the open competitive examination, should be required to elect, or be selected for certain Judicial and Executive Branches, and undergo a separate course of probation and training for?—Do you mean as to the age when they should be, or whether they should be required at all to do it?

298. That immediately after the open competitive examination they should be required to?—I think it is too soon to ask them to determine. I think they are in a much better position to give a reasoned choice, and one that is likely to remain and represent their inclination, if they make the selection after a few years' experience of life in India. They know more what the conditions are, and they are in a better position to make a choice which will be well reasoned at the time, and likely to be lasting.

299. Could suitable Law Lecturers be found in this Presidency from amongst the members of the Bar or the Professors of the Law College to give instruction to successful candidates of the Indian Civil Service in the general principles of Law, a course similar to that you recommend for probationers to undergo, if probationers were brought out immediately to this country after passing the open competitive examination at home?—They have great difficulty in getting suitable Lecturers for the Law College. I suppose it is very much a matter of pounds, shillings, and pence, the attractions that you offer, as to the class of man you get. But in the Law College here we find it difficult to obtain suitable men: it interferes with private practice. The best men are already fully occupied with private practice which is probably more lucrative and more agreeable to them than lecturing to a class.

300. Does the existing Provincial Judicial Civil Service attract the best men with the best qualifications that are available for open recruitment?—It attracts a very good class. I do not say that it always attracts the very best men—probably it does not—but it does attract on the whole quite a good class.

301. If a higher Judicial Service were created in India, would there be any superior class of Local Barristers or other members of the local Bar who could be recruited for such a service?—Are you speaking now of a service in which you would wish to recruit young men as soon as they were qualified and fit to be selected, or are you speaking of a service where you would recruit older men for higher appointments?

302. A service which would be recruited from comparatively young men in substitution of the existing Judicial Branch of the Indian Civil Service?—No. I think we should have to choose from the same class that we now choose our Provincial Service from, that is to say, men who have taken their B.A. and B.L. and become, for the most part, High Court Vakils, and otherwise. That is the class of men we get. It would, of course, depend on what conditions were offered to them, but I take it it would be from that class of men that we should have to recruit.

303. Do you consider that a large number of acting appointments in your Provincial Judicial Service detract from the attractions of that service, and that any difficulty is experienced in securing good men to act for those short periods?—No: we have no difficulty in securing good men. We always have a very large list of well-qualified candidates. Our real difficulty is to make a selection amongst so many who are apparently nearly equal. They are always ready to act in a short vacancy, because they know, if they do reasonably well, it will lead to a permanent appointment. We go on the system that once we appoint a man to act we put him in from time to time when vacancies occur, and finally he is appointed and his appointment is eventually confirmed.

304. And similarly does a large accumulation of officers in the lowest grade have any effect on the recruitment?—There is not a very large accumulation in the lowest grade of Munsifs. It is in the lowest grade of the Sub-Judges that there is at present what I may call an abnormal accumulation due to the circumstances I mentioned. Among the Munsifs there are only about five or six temporary appointments out of a regular cadre of 131. The lowest grade is not larger than any other grade.

305. In that case it is in your opinion unnecessary to give leave?—We have not found it necessary hitherto. They do not take leave very much, and we have no difficulty in filling up the leave vacancies.

306. (*Mr. Macdonald.*) With reference to questions (45) and (46) in your proof, with regard to Universities, you propose that the successful candidates should be allowed only to go to certain Universities which you describe as residential Universities. As a matter of fact, does not that mean that they can only go to Oxford, Cambridge and Dublin?—I do not know whether there are others. I said "other residential Universities" in order that they might have the opportunity of going to any where there are facilities for residence. I do not know whether there are any Universities of that kind.

307. You know that it would exclude London?—I believe it would.

308. And that it would be excluding four of the Scotch Universities?—I suppose it would.

309. And it would exclude Universities like Birmingham?—Yes, I suppose so.

310. Do you really mean to say that residence means "culture and knowledge," in the words of your answer to question (46)?—I think that men who reside at the residential Universities would have opportunities for culture and knowledge which men at non-residential Universities have not got.

311. There are various other things besides culture and knowledge at residential Universities, are there not?—Yes.

312. And would you mix them up all together; you would take the drawbacks with the benefits?—I do not know that there are great drawbacks. There are certain distractions. Perhaps they are a little too much given to games and so on, but after all, I consider games have rather a beneficial effect.

313. Let us take a specific case. Are you aware of the political science course that is being run now in connection with the London University?—No.

314. In connection with the School of Economics?—No.

315. Do you know about the Economic course connected with Birmingham University?—No. I have no recent knowledge of the Universities at all.

316. You have answered question (46) really on imperfect information?—On such information as I have.

317. Supposing we were to limit it to residential Universities, is it your suggestion to the Commission that a man who has not been at these Universities before he passed his examination, or who has not been at a public school before he passed his examination, is going to derive great benefit by a residence of two years after he has passed his examination at these Universities?—I think that he would derive benefit.

318. Benefit so great that the other Universities might be excluded?—If he has to choose from different Universities, I think those that he can reside in have advantages over those where he cannot. It is a case of choice.

319. Irrespective of the curriculum?—I think the curriculum should be satisfactory in all.

320. In your proof you give us a very interesting scheme of training, and I might ask you a question or two with regard to it so that my mind might be clear. It is based upon the assumption that you cannot recruit, as we do in England, the whole of your Judicial Service from men who have been practising at the Bar?—Yes.

321. And amongst other reasons—you will correct me if I am wrong—I think perhaps one of the chief reasons you give is that your lower Judicial appointments carry such an exceedingly small remuneration that you cannot get good Barristers to accept them?—Are you speaking now of the appointments in the Provincial Service, the Munsifs, and Sub-Judges.

322. I include them?—Yes, I think it would be quite impossible to get Barristers to accept those posts.

323. Therefore they have to be recruited either from a class of Lawyer whose income at the Bar is very small, or that part of the Judicial function has to be performed by men who are trained for a wider field of activity, the ordinary Civil Service?—The Provincial appointments are not held by the Indian Civil Service.

324. The magisterial appointments?—Are you speaking of the Indian Civil Service appointments? I was under the impression that you understood Munsifs and Sub-Judges have no magisterial powers.

325. I am trying to shorten my questions, and by shortening them I am taking the whole Judicial system. Your Judicial system, as I understand it, is based partly on Indian Civil Service appointments, the magisterial section?—Yes.

326. Partly upon Munsifs and Judges who are Provincial?—No, that is a mistake. The Munsifs have no magisterial work.

327. I say partly of Munsifs and other Judicial appointments.—You mean taking the whole Judicial system, Civil and Criminal altogether?

328. Yes?—Yes, there are two lines, the Civil line, the lower appointments of which are held by Munsifs and Sub-Judges, and the higher appointments by the District Judges who are mainly drawn from the Indian Civil Service and partly from the Provincial Service.

329. And you have a double reason, as I understand, why all your judiciary cannot be gained upon a practice at the Bar. First of all, that your Provincial Judicial Service carries such a low salary at the bottom that you cannot get a good Barrister to take it?—Certainly.

330. Secondly, that your Indian Civil Service magisterial functions are essential to the proper fulfilment of Indian Civil Service general functions?—Yes.

331. And that if you try to create a separate judiciary right from the bottom up to the High Court you would be met by those two obstacles at the very beginning?—Yes.

332. I do not see how you are to get Barristers to take up the lower appointments unless you altogether change the scale. My conception of your fundamental point from which you start is so far accurate?—So far as I understand it, yes.

333. In order to meet the difficulty, you propose a special system of training?—Yes.

334. Now may I read through your proposals so that I may see if I rightly understand them. I am going to deal with the Indian Civil Service section alone. It really covers the whole memorandum. Dismiss from your mind the question of the Provincial Service as I am dealing with the Indian Civil Service side. You get your candidate, who has passed his examination to begin with. Then, at any rate very substantially, at the expense of the Government you propose to give him two years' probation in England?—Yes, in common with all the Indian Civil Servants.

335. I am dealing with the Indian Civil Service. Two years' probation in England largely at the expense of the Government, and you are going to give them substantial grants to enable them to carry on their studies?—Yes.

336. Then they come to India and do eight years' work?—Yes.

337. You accept the eight-year period?—That fits in with the conditions of this Presidency.

338. And also fits in with the furlough—you make a point of that. Then they go home and they get one year in Chambers if they are going into the Judicial line, largely if not exclusively at the expense of the Government?—That was the proposal, that part of the expense at all events should be paid.

339. Then in addition to that they take a year's furlough, again at the expense of the Government?—Of course under the existing rule they are entitled to two years' at the end of the first eight.

340. An average of three months a year?—Yes.

341. We will knock out the furlough and assume that they did not take it. They come back and then they have another two years' training—one year, according to your scheme, if I read it aright, exclusively training, and the second year you suggest that if a man is a good man he may be worth his money, but still you put down two years' training. That means from the time a man passes his examination until the time that he becomes a Judge, after his training is over, a period of thirteen years elapse, and five of these thirteen years are taken up in training the man for his business, and eight years are taken up in doing his ordinary work for which he is having his full pay?—That is including the two years' probation before coming to India.

342. It is including the two years' probation in England, one year in Chambers, and two years after he comes back. You give a man eight years' civil work and five years' training?—It comes to that.

343. (*Mr. Madge.*) You have said in your answer to question (3), which I wish to consider in connection with your answer to question (6), that you consider the present system of competitive examinations satisfactory?—Yes, as satisfactory as conditions will admit of. I think it is as good as we can devise.

344. It does not in any way approach or test a considerable proportion of the qualities that make an Englishman a good officer in India?—No, that is quite true.

345. That is to say, that although under present conditions you think it can be accepted, it is not a satisfactory system?—It is not, as I say, altogether satisfactory in principle, but in practice I think it secures a very good class of man. As I said in my answer, if some means of giving weight to character could be found it would be even more satisfactory.

346. Taking that in connection with your answer to question (6), although you have five different sub-heads, the question of character is not determined by any practical suggestions put forward, and yet it is one of the most important qualifications for the Service?—It is exceedingly difficult to give character its due weight in any system. I have not yet seen any system in which it is given due weight. It is difficult to ascertain, or to estimate, or to allow for.

347. May I suggest to you in the light of your own past experience that questions of this sort ought to be considered in the light of the interest of the great masses in this country and their welfare rather than that of any particular class,

educated or otherwise?—I entirely subscribe to that suggestion.

348. Secondly, if the Government were in a position to ascertain the real feeling of the masses in the country, it would be quite right to be guided by their knowledge of those feelings and their desires, at least, to a certain extent?—Their feelings and desires may not always be what we may think best for them.

349. It is the duty of the Government to consider the real interests of the masses in preference to those of any other class?—I quite accept that.

350. Then you have told us you consider the experience of a District officer very valuable as part of his qualification as a Judge?—Yes.

351. You have first stated that the period might be fixed at eight years, and in your later answers you told us that it might be extended to 12 or 14, leaving us to understand, as a general rule, the longer the period was the better it would be?—The greater the experience and the knowledge the man has the better, but I am not prepared to say that what is commonly called bifurcation—that is selection of either Revenue or Judicial as the permanent line—would not be better at an earlier date. I suggested eight years as the time because it fitted in with the administration here, but I also added that I have no objection to the Government introducing a scheme which makes the selection earlier.

352. Cases have doubtless come within your knowledge in which, owing to local considerations, the Government have transferred officers from Judicial to Executive office, on grounds that they considered right. Take Burma for instance; there in recent years transfers have taken place from the Executive to the Judicial at a much later period?—I believe it is so; I have heard of cases.

353. In view of facts of that kind—although they may be exceptional they are of considerable importance—do you think it would be wiser, instead of having a hard and fast rule, to allow the Government a discretion in the matter?—I think they must always be allowed a discretion. In speaking of anything like a system I rather regard it as the normal condition, but always subject to special exceptions. For instance, there are cases in which a man's health prevents him from following the very active life which a District Magistrate ought to pursue in order to do his work well. Such a man may make an excellent Judge, although he is unable to do the constant travelling which falls to the lot of a District Magistrate. In those cases the Government might have the power of utilising his services in a way he is most suitable for.

354. The tendency of recent public discussions and public opinion being towards the fixing of a rule, would not a hard and fast rule of that kind operate against the public interests in certain very important instances?—If it were rigidly carried out and without regard to special circumstances I think it would, but speaking broadly as a normal course of action I do not think that it would. It would be a rule laid down for guidance rather than for absolute adherence.

355. If your answers are accepted as proposing or agreeing to a scheme of bifurcation, do you not think it would improve it to have a clause vesting the Government with discretion in such matters?—I think so, certainly.

356. Not making it hard and fast?—I think there ought to be discretion.

357. As regards the presence of medical officers at certain stations—I do not speak with reference to English or Indian ladies—do not you think it a reasonable thing for a lady of any race to prefer a medical attendant of her own race?—It seems to me reasonable.

358. In that case do you not think that the Government, considering the number of families scattered throughout this country, ought to take that point into consideration in any future rules it might make on the subject?—I think it would be very desirable they should do so. I have no doubt that they would do so.

359. I do not know to what scheme you have referred, but in Bengal the proposal to bifurcate I think was at nine years: it was said it would probably cost fifteen lakhs of rupees to carry out the scheme with a limit of nine years' service, that there would be a waste of power and it would be necessary to appoint a second officer in many districts for one branch of duty?—It would depend on what the conditions were. Probably Bengal officers would give more information than I can.

360. Could you tell us what it would cost in this Presidency if a scheme of bifurcation were to be carried out fully?—I have not made any calculation; I do not quite see why it should cost anything; I do not see where the cost comes in except of course for the period referred to by Mr. Macdonald, the period of training. There would be of course expense during that period, but I think you get value for your money if you train in that way.

361. I am not sufficiently familiar with the details of administration to say why it should have cost a certain sum anywhere, but it was because there would be a loss of power in the employment of separate officers who have now to perform combined functions. Would there be no such loss here?—I do not think so not according to our scheme. I do not see where the loss comes in.

362. (*Mr. Abdur Rahim.*) I understand from your answers that you consider the present condition of the Provincial Service quite satisfactory, that District Munsifs and Subordinate Judges are good Judges generally speaking?—Yes, I think on the whole they are a very satisfactory service.

363. Are you prepared to suggest any change in the matter of selection of those officers?—No, we take all the precautions we can in making the selections, and if any suggestions for improving it were made, we should be only too pleased to follow them.

364. Suppose it was suggested that competitive examinations should be introduced for selecting District Munsifs to start with, or Subordinate Judges, proceeding on the results of the examinations by marks?—Straight off into the Judicial Service?

365. Yes, and then give them training as Judges: would you consider that a better method of selection?—No; I do not think it would be as satisfactory as our present methods.

366. Under the present system I think—you can correct me if I am wrong—most of the District Munsifs are High Court Vakils?—At present about one-half are.

367. And they are graduates of the Universities ?—Yes, the great majority of them.

368. The tendency is to confine the posts to graduates as far as possible ?—That is so.

369. They are graduates in Arts as well as in Law ?—Yes.

370. I believe you have been Vice-Chancellor of the University and Member of the Senate for a very long time ?—That is so.

371. In your experience is the standard pretty high both in Arts and Law ?—Yes.

372. I take it that the age at which they pass the B.L. Examinations would be about 23 or 22 ?—I think the age is rather higher, but I know that some men do succeed in passing very young. They may enter the University at 16.

373. Will the average age be 23 to 24 for the B.L. ?—They are not allowed to join the Law College until they have passed the B.A., I think. Then men may not enter for the university until they are about 18 or something like that, or possibly later, and they take four years to get their degree.

374. Is it three or four years here ?—I think it is four years; the F.A. at the end of two years and the B.A. at the end of four.

375. (*Mr. Subrahmanyam Pantulu.*) It is the same now ?—I think so.

376. (*Mr. Abdur Rahim.*) Then after taking their Degree in Arts they have to spend four years in passing the examination for B.L. ?—For the B.L. I think three years is the ordinary course.

377. If they are successful in the examination, in order to be enrolled as a vakil of the High Court, they have to be apprenticed to some senior practitioner ?—Yes, I think for a period of a year.

378. During that year they have to take notes of cases ?—Yes.

379. And report cases ?—Yes.

380. And do junior's work ?—That is so.

381. When they are enrolled as vakils of the High Court they have to produce certificates of character ?—Yes.

382. As a rule nowadays, I take it, the District Munsifs do not get their first acting appointment until they are about 35 years old ?—Thirty-five is the limit. No one can be appointed after 35, but they may get their acting appointments at any time. I should say they get their first acting appointments generally at about 32, but possibly 33.

383. Between 33 and 35 is the usual age ?—It varies a good deal. When we get an exceedingly brilliant man we put him in at once. Sometimes men are put in as young as 27 or something like that.

384. I am speaking of the general practice ?—It would be after 30 at all events.

385. Between 30 and 35 ?—Yes.

386. By that time they have had experience of the profession for about 8 or 10 years ?—Hardly so much according to my calculation, but it might be.

387. Nobody would expect that they would have had any large practice ?—Men who see their way to a very large practice would probably not apply at that time.

388. The High Court makes the selection ? All the Judges meet together and make a list of candidates who in their opinion are fit to be appointed ?—Yes.

389. I suppose some Judge or other knows pretty well about the man whom he recommends; he has either appeared before him or he knows him personally ?—Very often the individual Judges know the candidates, but we rely very largely on the reports of the District Judges, because selections are made not only from the High Court Bar, but very largely from the District Bars, and in regard to those selections we rely on the recommendations largely of District Judges and Sub-Judges. Anybody who has practised before them can get certificates as to how they have done their work and as to character.

390. With regard to those practising in the High Court, some of the Judges, or perhaps more than one, know the man they are going to recommend ?—It is so sometimes.

391. They know for instance from the cases they have been conducting before them whether they have a sound knowledge of law, whether they can express themselves properly, whether they are honourable, frank, and straightforward towards their opponents. All these things are taken into consideration by the Judges who take the responsibility of recommending them ?—No doubt.

392. And they have means of judging the merits of these particular candidates ?—Yes, very often.

393. I think you will recollect cases in which a candidate who had a very fair knowledge of law, an intelligent man, has not been selected because of certain infirmities of temper or some such reason ?—That is so.

394. Persons so selected first get acting appointments, the general period of which is about one or two years ?—I think the average period is between six months and a year; it seldom goes beyond a year, and I do not think it is less than six months.

395. Then they are appointed as probationers ?—Probationers for two years unless they have been in Government service previously, and in that case there is no probation.

396. And cases have occurred in which men who have been on probation have been found to be unfit ?—That is so.

397. And they have been rejected ?—Yes.

398. The District Munsifs are generally appointed Subordinate Judges ?—The Subordinate Judges are selected from the District Munsifs almost exclusively.

399. And the general rule is that the District Munsifs are not to expect that they will be appointed Subordinate Judges simply by seniority ?—No, they do not expect it by seniority. It is altogether by selection, but seniority is given due weight naturally as it includes experience.

400. The High Court in recommending the appointment of Munsifs as Subordinate Judges have to take into consideration not only seniority but also their work as District Munsifs. Then when Subordinate Judges are appointed District or Sessions Judges a further sifting goes on, I take it ?—I take it it is so. That is also by selection, very careful selection.

401. Having regard to the course of training and the method of selection, you will agree, I think, that it is really a very safe method of selection ?—Yes, I think it is.

402. Compared with this method, would not a competitive test be a very defective method for selecting Judges ?—It would be a very much less satisfactory method, I think.

403. You said it would be difficult to get barristers—but I will use the word "pleaders" as including both barristers and vakils—for the higher Judicial appointments from the Bar: you would expect higher qualifications than those required for District Munsifs ?—What appointments are you now speaking of ?

404. District and Sessions Judges ?—Naturally I should expect higher qualifications.

405. Qualifications which make for a good Judge ?—Yes.

406. May I take it that your experience of the legal profession in India is not very intimate; it is confined to what you have observed from the Bench ?—Yes, I was never a practising barrister.

407. I take it you would not be in a position to say what class of men would be available supposing there was a proposal to appoint direct from the Bar to District Judge ?—You never know what a man will take until you offer it to him. I have not an inside knowledge.

408. Take the Madras Bar, do not you think there are at least four or five men, Englishmen as well as Indians, who have considerable experience of the profession, who might accept the appointment of District Judges ?—I think there are pleaders at most Bars who would be prepared to take a Judgeship on the terms we give.

409. There are some Barristers who would not accept even a High Court Judgeship—not perhaps in Madras, but in India generally ?—I have heard of cases of men who were unwilling to accept a High Court Judgeship.

410. There would be at least four or five very good men, men who have qualified in the profession, who would accept a Judgeship ?—They would be qualified as Barristers, but whether they would be the men best qualified for the appointments I cannot say.

411. Let me tell you from my own experience what the training of a Barrister ordinarily is. We have already seen what is the training a Munsif undergoes, a man who is willing to accept 200 rupees a month and forego all prospects. Now take the qualifications of an English Barrister. A great many of them are University men, some of whom have taken very good degrees. They have passed an examination for the Bar, which is now more difficult than it used to be, then they read in the Chambers of practising Barristers for perhaps two or three years, and then act as "devils" to men in practice. They attend Courts and go on circuit and for a long time they are not entrusted with any responsible briefs. They generally work with their seniors and watch how cases are conducted. After some time they begin to briefs. During all this period the men with whom they have been working would know all about them, and the Judges before whom they had to conduct cases would know, just as the Judges of the High Court here know about the men who are appointed Munsifs. Would you not say that this is a very good training for a Judge ?—Yes, I think it is a very good training.

412. Even for a District Judge in India ?—You were referring to the training a Barrister gets at home and if that were supplemented by some Indian experience it would be a very good training.

413. I put it to you that a Barrister here also goes through pretty nearly the same experience, at any rate in large centres ?—Yes.

414. Your difficulty in appointing English Barristers would be the want of Indian experience, but supposing he is willing to come out as an Assistant Judge, would you have any objection to that ?—He would take up his duties as an Assistant Sessions Judge without any previous knowledge of either the language of the country or the customs of the people or their institutions. Unless he made a special study he could not have that knowledge of their ways of thought and ways of life which a man acquires by residence amongst them here.

415. I admit there would be a certain value in local experience, but Judicial work consists in deciding upon the evidence ?—Yes, as regards the purely Judicial work, but to appreciate the evidence you want a good deal of experience.

416. You want a great deal of knowledge of human nature to be a good Judge, but that I take it can be acquired in England as well as in India ?—No doubt the motives that actuate men throughout the world are very similar.

417. You will also concede that a man doing Judicial work, either criminal or civil, examining witnesses or seeing witnesses examined, gets a considerable inside knowledge of human nature ?—I think they do.

418. Do you agree with me that that is a better method of getting inside knowledge of human nature ?—I am not so sure. The ways of witnesses, as you know, are not always the ways of men outside the Court.

419. May I put it to you like this. In cross-examining a witness the most successful cross-examiner is the man who knows human nature best ?—Provided he has a good deal of intelligence it is a very high qualification.

420. Taking a Barrister with the training I have mentioned, do not you think he ought to be, generally speaking, quite competent to appreciate evidence ?—I think it would depend very much on the kind of man he was examining. If he were examining one of his own race, with whose ways of thought and method of life and habits he was familiar, he would gain a great deal, but when he comes to examine men whose habits and ways of thought, social relations, customs and religion, and everything, are different from his own, I think he might often find himself in difficulties.

421. In testing the truthfulness of a witness would you suggest that your knowledge of the customs of the country would help you in deciding a case ? You cannot go outside the evidence before you; you cannot act upon the general notions of the truthfulness or otherwise of any class of witnesses. My suggestion is that it is possible to exaggerate the importance of the knowledge of a particular class of people because the Judges by Law are confined to the records of evidence as given ?—They are not obliged to believe what the witness states; they

467. As a vernacular test for the Provincial Civil Service, Urdu is not one of the languages?—Not in this Presidency.

468. But is not there a very large section of Muhammadans who speak or understand Urdu?—I am told that if one spoke pure Urdu a great many Muhammadans would not understand it. They would understand Tamil and Malayalam. The Moplahs of Malabar, I do not suppose, could speak Urdu at all. They are a section of Muhammadans. I doubt if the Marakayars in the South would know very much about what you and educated men would call Urdu. Of course they use a certain number of Hindustani words, but their ordinary language is Tamil.

469. The Muhammadans have to know Urdu for religious purposes and also Arabic. If in addition to that they are required to study two vernacular languages, do not you think it rather hampers them?—No doubt it is an additional burden upon them.

470. For Europeans and Eurasians I think only one vernacular is required?—If you are now speaking of tests for the Provincial Civil Service, I believe that is so.

471. (*Sir Valentine Chirol.*) There is one point I should like to clear up, as some misunderstanding might arise out of the answers to questions put by Mr. Gokhale with regard to the amenities of life for European members of the Civil Service. You stated that it is within your experience that in a certain number of stations in this Province the number of Europeans has diminished, and Mr. Gokhale quoted against you statistics referring to the increase of Europeans employed in the whole Province?—That is so.

472. I take it that you are referring to individual stations?—Yes.

473. And that therefore the increase in the whole number of Europeans employed which has chiefly arisen, I understand, from the creation of separate departments mostly posted to two or three different centres in this Province, chiefly to Madras, does not in the least affect your statement with regard to the decrease of Europeans in individual stations?—Yes, that is the point I tried to explain to Mr. Gokhale.

474. I only wanted to get that point out further. With regard to the diminution of the popularity of the Indian Civil Service amongst Europeans, the rates of the salaries of the Civil Servants have not been raised for many years past, have they? And the conditions of service from that point of view remain very much what they were in past years?—That is so, but about two years ago there was an improvement in the grading of the Judicial Department, and a slight increase was made in their pecuniary prospects with a view to placing that branch of the service on a par with the general pecuniary attractiveness of the Revenue line.

475. That was rather to balance the advantages of the Judicial and Executive branches of the service?—That is so.

476. Is it a fact that within your experience the cost of living has increased very considerably during your period of service, or, say, during the last ten years of your service?—I think it is notorious that it has.

477. I do not want to go into that question, as we shall take the information which will be given to us as the result of an enquiry into the general rise in prices. I only wanted to ask you whether it was within your experience that the cost of living has increased very considerably whereas the salaries of the Civil Service have dropped?—The cost of living has largely increased.

478. You have given us a statement showing the number of European and Indian Judges in the Province; can you give us any statement as to the respective castes and communities from which the Indian officers of the Judicial service are drawn?—I could by taking the list and going through it. As far as I understand, your question refers to those who are numbered in my statement (question 25, *p.* 5). I could not give you any figures without making calculations.

479. I suppose the High Court or some authority here could give us a statement of the castes and communities?—There would be no difficulty at all. I could do it myself but it would mean going through the names.

480. I desire to ask for a return in that connection?—I have information with regard to the Munsifs and Sub-Judges, but I do not think it includes the District Judges. I could get you information upon that point. I obtained it from the High Court office in connection with one of the later questions. I find that there are 18 Sub-Judges, permanent. Fifteen of them are Brahmans. There are no Muhammadans, and no Europeans, but there are three non-Brahman Hindus. Among the temporary Sub-Judges seven are Brahmans and six are non-Brahmans. I need not take into account a couple of men who are acting. Among the District Munsifs 91 of the permanent ones are Brahmans; two are Muhammadans; one is a European, or, at least, I believe him to be a European, but it is not quite certain whether he is a European or a native, that is to say, born and domiciled in India, but he is down in the list as a European; and there are 34 non-Brahmans. Among the acting District Munsifs, there are 17 Brahmans and 10 non-Brahmans. That is how they stand at present.

481. To your knowledge is there any marked difference in the general intellectual attainments of Indians who go into the Provincial Judicial Service, and Indians who get into the Civil Service by going to England and passing the competitive examination there: though they may not belong to different classes of the community, is there any marked difference in their intellectual equipment?—The numbers are very small to draw anything like a generalisation from. The number of Indian Civil Service men in the Judicial service is only four or five, and of the Provincial Civil Service there are only four at present. It is a very small number to draw a generalisation from. I do not think it would be safe for me to do so on such a small number.

482. (*Sir Murray Hammick.*) With reference to what Mr. Ramsay Macdonald asked you about Universities when you spoke of a residential University, I suppose you meant a University at which the undergraduates are under some kind of discipline?—Yes.

483. In objecting to Universities which do not provide for the residence of their undergraduates, you mean that the undergraduates at such Universities are liable to the temptations which are always to be found in town life in England, and without the discipline they would have at such Universities as Oxford, Cambridge and Dublin?—Yes, that is one of the points.

484. Mr. Macdonald appeared to come to the conclusion, or at any rate inferred, that five years, I think it was, out of 13 years of an Indian Civil Service man's service who was being trained for the Judicial, would be spent practically under Government salary without doing any work for Government; but I understand under your recommendation there are two years' training in England,—one year would be spent in study leave, and two years afterwards would be spent in India in doing the work of an additional Assistant District Judge or Sub-Judge?—Yes, that is so.

485. Therefore during those two years out of that five years the officer would be giving Government a considerable amount of service for the money he received?—I expressly stated in my memorandum that during the first year he is not to be expected to turn out a full tale of work as he would be largely engaged in study. In the second year of course he might very well turn out a full tale of work.

486. (*Mr. Oldfield.*) You told us that it was not always possible to post men in accordance with their knowledge of a language on administrative grounds, and that it would not always be possible to post them in the country in which the one language they had learnt is spoken. The two chief languages are Tamil and Telugu. There is also Uriya and Malayalam and Canarese in South Canara?—Yes.

487. In the Telugu country there is a considerable extent of feverish tracts—in the Agency tracts?—Yes.

488. The climate of Malabar often does not suit the officers?—That is so.

489. It would therefore be that from administrative reasons the officers who learn the languages of some of those tracts cannot continue working in them?—Quite so.

490. With reference to the confusion with regard to the executive functions as separate from the executive and judicial functions, I think there is a certain amount of confusion, and that some of the members of the Commission are not aware of our system here. Firstly, does the District Magistrate in Madras frequently try cases himself?—Very rarely does he try cases himself. It is only when there are special circumstances which render it desirable that he should do so. His work is almost entirely administrative and appellate, and supervising.

491. He has been referred to as the head of the police in a sense. Is the District Magistrate the head of the police in Madras?—In each district there is a Superintendent and other superior officers of the police who do practically all the police work. They consult the District Magistrate on important questions connected with cases, but he has very little direct control over the actions of the police. In special cases he may be asked to advise about cases that are difficult. The police report their proceedings to the Divisional Magistrate, if they are of any importance, and he keeps an eye upon all that they are doing.

492. Is it a fact that the police officers' and superintendents' diaries go to the Inspector-General through the District Magistrates?—I am not quite sure what the procedure is, but it may be so.

493. A question was put to you regarding the position of the Magistrate who tries forest offences and charges under special laws, revenue and excise; it was suggested to you that the subordinate Magistrates are in an uncomfortable position because these prosecutions are instituted under the supervision of the District Magistrate who is also the head of the revenue district. Forest offences, and offences under special laws, are, I think, almost entirely dealt with by second and third class Magistrates?—I think so, unless for some reason they are of unusual importance.

494. To whom do the appeals from the second and third class Magistrates lie?—According to the Code they lie to the District Magistrate. In practice they are all tried by the Sub-divisional Magistrate. The District Magistrate hardly ever hears an appeal himself. He has power to transfer them either individually or by classes.

495. Except in special cases a District Magistrate never hears an appeal other than from a European second or third class Magistrate. He takes their appeal?—I cannot say that I know that: I can only speak broadly. He tries hardly any cases of appeals from second and third class Magistrates.

496. Has the Divisional Magistrate in his revenue capacity any concern with forest administration?—No, I believe not. The Forest officer perhaps is regarded as an Assistant of the Collector, who is the District Magistrate, not the Divisional Magistrate. I doubt whether the Divisional Officer has anything to do with it unless matters are referred to him specially. He may have in that case.

497. The remainder of the class of cases we are dealing with are the cases under the Excise law—cases of Salt and Abkāri. Has the Divisional Magistrate anything to do with their institution?—I do not think so. There is a special department that deals with them. If the Divisional Magistrate got an information he would be bound to make enquiries. If information was given to him he would have to do so; but in the ordinary case there is a special department charged with dealing with these matters, and they would be the ordinary persons to institute complaints.

498. Then except in very special cases the persons who appeal have nothing to do with the institution of the cases?—I should say little or nothing: in most cases nothing.

499. I think you told us that these Divisional Magistrates had no civil judicial work to do, but you corrected that statement afterwards. I want to make it quite plain. He disposes of a great deal of rent litigation where there is rent litigation to be disposed of?—Yes.

500. And he disposes of a great deal of the litigation with regard to hereditary offices in some districts?—Yes, among the village servants and others.

501. With regard to the directly judicial part of this enquiry and with regard to administrative work, you have laid stress upon it: I want to add this, the administrative work includes, I think, supervision of all the appointments in the district. Every appointment in the district, that is, every appointment to every court in the

district, has to be approved by the District Judge?—Yes. It is all subject to his approval or to his veto, as the case may be.

502. In this country the courts execute their own decrees; there is nothing corresponding with a sheriff?—Not up-country. There is in Madras of course.

503. That is in the town of Madras; I am speaking of the mufassal?—Yes.

504. There is a large establishment, I believe, for that purpose?—Yes, a very large establishment under the Nasir and Deputy Nasir.

505. Low-paid persons?—Yes, amins and process-servers.

506. In the ordinary District Court it runs to about 100, I have taken these figures from the High Court?—Yes, I dare say that may be so, if it is one of the large District Courts with other Courts attached.

507. And in the ordinary Munsif Courts it runs to over 40?—That would be about it.

508. All these persons are under the supervision of the District Judges?—Yes.

509. And it is necessary that their work should be supervised carefully?—Yes.

510. It is a fact, is it not, that they have great opportunities for malpractice?—That is so. It is necessary that a very tight hand should be kept over them.

511. The District Judge is also responsible, is he not, for advising the High Court on a number of administrative questions?—Yes.

512. Then as regards criminal work—I shall put only two points to you. The young civilian, as you have told us, does work of a great many descriptions: the Government of this country covers a good deal of distance, and he is in control of the land: he is the revenue officer, and he has the disposal of the land of the country?—Yes.

513. And water?—There are irrigation engineers, but he has a good deal to say with regard to the arrangement for distribution.

514. And arrangements for local self-government?—There are the Local and Municipal Councils. He has something to say with regard to their work.

515. Education?—There is a special department for that. As a matter of fact he is generally consulted on all important matters.

516. Medical relief?—He has more to do with sanitation.

517. He has also, as you told us, to do with rent litigation?—Yes.

518. His outlook in life is very wide?—No doubt.

519. He gets a considerable acquaintance with public law; the law relating to all these State services?—Yes, considerable acquaintance.

520. As regards the other point, the necessity for police experience in dealing with Sessions work; as the Divisional Magistrate tours the country, is it one of his duties to inspect the police stations?—It used to be in my time, but I do not know that it is now.

521. It is necessary that the Divisional Magistrate should keep in touch with the police of his division?—Yes.

522. Do you find it difficult in the trial of Sessions cases to understand the working of the police in their investigations?—Speaking for myself, I do not; but I can quite understand that men who are unfamiliar with the system might do so.

523. Perhaps I have not made myself clear. Do you think that a knowledge of the system is necessary?—Yes; it is a distinct assistance to anyone dealing with Sessions cases.

524. You think it is desirable that the Judge should have a knowledge of the system and of the way the police deviate from it in the interests both of the prosecution and of the accused?—Yes.

525. The alternative to the European Judge which has been suggested is the promotion of the subordinate Judge. The subordinate Judge becomes a Munsif at about the age of 30 to 35. Has he usually had much criminal practice before that date?—I should say not, usually. Their practice is considerably more on the civil than on the criminal side; at least I should think so, but individuals may have some criminal practice.

526. I do not know that there are not some exceptions, but the vast majority?—The majority, I should say, practise almost entirely on the civil side.

527. His practice also keeps him in the town?—I suppose so, unless he gets attractive fees to go out.

528. With regard to the Indian Bar, do you consider that the relations between the Indian Bar and the Indian Judge are more harmonious than between the Indian Bar and the European Judge as a rule?—I should not think so. I think, as a rule, European Judges are on excellent terms with the Bar. That is my experience of it. I myself was a District Judge for eight years, and I always received the greatest possible assistance from the Bar. I was on most friendly terms with them.

529. Can you say that the Indian Bar is characterised as possessing any particular qualities which differ from those of the European?—I think it may be generally stated that the Oriental mind, including the Indian, is more subtle than the European mind. That I think is a general statement which may be made.

530. A great proportion of the litigation now relates to statutory law?—Yes.

531. Does that affect the tendency you have mentioned?—Do you mean in the construction of the exact words of a Statute?

532. I will take, as an instance the Civil Procedure Code?—Yes, it may do so to some extent.

533. Do you consider such a tendency a good tendency in the legal profession of the country?—I think it can be carried too far. It is good up to a certain point, but it is liable to be carried too far, I think.

534. With reference to one question that was put to you as to the recruitment of the Bench from the Bar, can you tell me whether that system is followed outside the United Kingdom in Europe?—I believe that in the chief Continental nations appointments to Judicial office direct from the Bar are not the practice. I find that in Germany they have a system which is not very unlike that which we have suggested for adoption in connection with the training of junior civilians. I believe the practice in Germany is to enter the service by competitive examination after about three years at a University. Roughly, that would more or less correspond with the period of probation which

we have here, or rather which we propose to have, of two years, and allowing something for the preliminary study of law for the open competition, after they are selected at the competitive examination. I should say that they are studying law at the time they are at the University. Then they are appointed to various other offices—not Judicial offices—for a period of four years. That I take it, corresponds somewhat with our period of employment in the ordinary revenue line as Magistrates, Assistant Collectors and Head Assistants. At the end of that time there is another examination. They are then made Judges. That is the system in Germany. I believe the system in France is similar. To put it shortly the system in Germany is somewhat similar to our system.

535. In several of the questions about the uncovenanted service there is a good deal of reference to the appointment of District Munsifs at the age of 35. I think that began in 1904?—I think that is the correct date. It is mentioned in one of my answers. It was raised from 30 to 35.

536. That was by the High Court after due consideration?—Yes, it was; but we are now doubtful whether it is very satisfactory. We are inclined to think that the age of 35 in practice is too old.

537. You do not desire to make any particular statement as to the reasons in connection with the matter?—No, I do not think so. It is a matter to be judged very largely by experience.

538. You have given us, I see an opinion as to the work of the Indian officers recruited in Europe; was that an opinion as to their Judical work which had come before you alone, or was it as to their character as officers. Did your opinion deal with them in their strictly Judical work, or did it deal with them as officers generally?—Their Judical work. I had no opportunities of judging otherwise.

539. (*Mr. Ramachandra Rao.*) In reply to question (25) you enumerate the responsible duties of a Collector, and then you say that under the present conditions such appointments should be limited in number. If the local Government considers that some persons may be appointed from the Provincial Service, you have no objection?—If they are prepared to list a larger number of posts.

540. I presume the local Government is the best judge?—Yes, I have said so in my answer. They are the only authority that can judge with a full knowledge of all the circumstances both for and against.

541. You became a District Judge in 1888 and have not worked in the executive line since?—That is so.

542. So that you have had no opportunity of judging the competency of Collectors for the last 25 years?—I cannot say that I have as regards their general work. Their criminal work occasionally comes before me.

543. And so far as their executive work is concerned?—I have had no opportunities of judging as to that, except general notions on the subject.

544. (*Mr. Subrahmanyam Pantulu.*) In answer to question (5) you state that work has greatly increased, and the amenities of life in many of the smaller stations have been greatly reduced by the diminution of the European element and notably by the withdrawal of European medical aid. Do you think that amenities have increased by improved facilities of travel so as to enable officers to go to stations where there are Europeans?—There has been some extension of the railway communication.

545. Therefore the amenities have increased a little?—As far as that goes.

546. Are you aware that in many stations now there is a European element which is different from the official element in some stations, such as missionaries?—In some stations no doubt.

547. So that in that way the amenities have increased?—Yes, that may be in some stations, but not in others.

548. As regards the withdrawal of European medical aid, although you may not have European medical aid from English officers, I suppose in every station where a European is employed you would have English medical treatment, though it may be administered by an Indian?—I think in most stations there would be some inferior officers—I do not mean in the headquarters station, where he would be a duly qualified man. In the smaller stations there would be what we call a hospital assistant. I believe lately their name has been changed to "Sub-Assistant Surgeon." In most stations where there is a European there would be an officer who has undergone European training.

549. There are hardly any stations in the Presidency where Europeans are employed where there is only a hospital assistant; either there must be an assistant surgeon, or what we call an apothecary—an officer higher than a mere hospital assistant; it must be so, must it not?—I am not prepared to say that, but there are some very out-of-the-way places where Europeans are employed. As you might gather from my answer to Mr. Chaubal, I was not referring to very small stations.

550. The stations where Civil Servants are employed are stations where they are employed either as Assistant Collectors or Sub-Collectors?—They generally are.

551. The stations where an Assistant Collector or a Sub-Collector is employed are generally supplied with a high officer?—That I do not say.

552. In answer to question (9) you say "I do not see on what principle any proportion could be fixed, nor do I think that admission to the Indian Civil Service by examination in India would be at all a satisfactory method of recruitment." May I call your attention to the fact that when the resolution of Parliament to hold simultaneous examinations in England and in India was referred to the local Governments for their opinion, the Madras Government said that the European element might be restricted to two-thirds of the appointments?—They may have done so—I believe they did.

553. Do you now say that you are satisfied with the present state of things?—I ought to say that according to my recollection there was dissent upon that subject.

554. As regards the subjects in which the competitive examination is held in England would you like any of the Indian vernaculars or Indian law to be prescribed, so as to give an option to candidates to take up those subjects? We have got English law and classical languages and

the English language. If so disposed would you allow Indian students to take up any vernacular of India or Indian law as one of the subjects for competitive examination in order that they may make use of that language, if they fail, according to the principle laid down by Lord Macaulay?—I think I would prefer to leave that matter to the Civil Service Commissioners, who have more information upon the subjects of examination than I have. I think it would be well to give more weight to Law generally.

555. In answer to question (25) you say that the administrative duties of a District Judge are less than those of a District Magistrate?—Yes.

556. The Civil Courts Act lays down that the appointments in the Munsif's Court and Sub-Court should be made by the officer who presides over the Court and the District Judge is not able to make such appointments?—No, he has power of veto.

557. The appointments are made by each officer who presides over the particular Court?—Yes.

558. The only high appointments in the District Courts are three—the translator, the head-writer and the Sheristadar whose pay is Rs. 75, Rs. 100, and Rs. 150 respectively?—I am not quite sure what the scale of payments at present is. It may be correct but I cannot say. I am not quite sure what the range of the salaries is.

559. In the case of a man who has risen to the position of District Judge from the position of a District Munsif, the officer would have a better knowledge of the working of the District Munsif Courts and Sub-Courts than the Sub-Collector who is at once made a District Judge direct?—Yes, he probably would.

560. And so an Indian Judge will be able to do inspection as efficiently as an English Judge?—He would start with more knowledge of the details.

561. Mr. Oldfield has referred to the work the District Judge does in controlling the process establishment. There is also the same process establishment in the Munsif Courts and the Sub-Courts more or less, though not so much as that entertained by the District Court?—In some cases, but not in all.

562. So that a man who has risen from the position of Munsif would be able to control the establishment much better than a man who has gone to the post of District Judge at once?—That would largely depend upon his personal equation.

563. That is a different matter. An Indian might be as capable as an Englishman. The same applies to the Copyists' Department. The Munsif has a Copyist Department of the same nature that the District Court has got?—Yes.

564. You have said in reply to Mr. Gokhale that you cannot now state that an Indian Judge who has been appointed to these appointments after this system has come into force has failed in his duties. You cannot quote an instance from your memory now?—No.

565. Are you aware of an Indian District Judge finding out irregularities after taking charge of the Court?—There are plenty of cases in which District Judges have found irregularities within a longer or shorter period.

566. May I remind you of the case of Mr. Fernandez. Embezzlement of batta was going on for a number of years, and he got the man convicted immediately after he took charge of the Court?—There is such a case.

567. I suppose you are aware of cases of embezzlement committed in Courts presided over by European Judges, but not detected by them for a number of years? I would remind you of Salem and Mayaveram?—Yes, I know about the Salem case. It is quite a recent case. It was detected by the present District Judge, Mr. Harding.

568. You give credit to the Indian Judges for doing the Civil work creditably, because they have experience? Supposing they are also given training by investing most of them with the powers of Assistant Sessions Judges they would be capable District and Sessions Judges when they come to that Court?—No doubt it would improve their knowledge of criminal law.

569. Some civilians are found wanting in knowledge of civil law from want of experience: How would you like a system of dividing civil and criminal work between District Courts and Sub-Courts, and thus giving opportunities to European Judges to gain experience in civil law, as well as Indian Judges to gain experience in criminal law before they rise to such places?—I have not quite followed the scheme you propose.

570. I propose that wherever there is a Sub-Court and District Court the Sub-Judge should be invested with Assistant Sessions Judge's powers, and thus given an opportunity to learn his work before he becomes a District Judge?—Only a fraction of Sub-Judges become District and Sessions Judges; and unless they become Sessions Judges they have no occasion to do Criminal work. For those Sub-Judges who are not eventually to become District Judges, their time in learning criminal work would be thrown away: they would learn their work at the expense of people they were trying, which is not a desirable result.

571. Is it not desirable in such districts to invest Sub-Judges with a Sessions Judge's power, and so relieve the Sessions Judges of a proportion of their Sessions work?—It is a matter of administration with regard to each district. I would not like to give a general answer upon that subject.

572. You say in your statement "naturally only a limited percentage of the District and Sessions Judges shew the capacity and qualities essential in a Judge of the High Court, and if the field from which the selection has to be made is greatly narrowed it must re-act unfavourably on the standard of the High Court which it is essential to maintain": but if they are trained specially so many places need not be reserved to them?—No doubt the better the training is of the individuals in the field, the less necessity for a wide field. That, I think, is what you want.

573. You further say, "In this connection I think it is not always realised that *by far the greater part* of the work is in the hands of Indians, and the proportion in their hands is steadily and rapidly increasing under the existing system." At present the sub-magistrates do more or less all the lower class of criminal work, do they not?—Yes.

574. The Sessions Judges do exclusively criminal work without any revenue work combined with it?—Yes.

575. The only officers who are combining revenue and judicial work are the District Magistrates, Sub-Divisional Magistrates, the Tahsildars and Deputy Tahsildars, and the District Magistrates hardly ever try a case themselves?—That is so.

576. Mr. Cardew in his written replies has stated that the lower sub-magistrates are as a class corrupt?—We get a good many allegations of corruption against all classes of officers out here, but we do not always believe them. I should not like it to be taken that I regard that class of Magistrates as generally corrupt.

577. How would their position be improved if their salary was raised, and if they were included in the Munsifs' cadre?—I think high pay generally gets value in some form or other, and I think that you may get it with regard to honesty as well as other things.

578. By including them in the higher Provincial Service I suppose you can relieve the Divisional officers of magisterial duties and make them only Executive administrative officers, separating the Judicial from the Revenue side?—No; I think that would be a very bad arrangement.

579. In the next paragraph of your statement you say that there are 22 District and Sessions Judges and that of these 6 are Indians and 16 are Europeans: I believe that in that six you include the two who are civilians also?—The two Indian Civil Service men are included in that six. That is classification by race.

580. In answer to question (24) you say: "I do most strongly hold that it is essential that the European element in the civil administration should be sufficiently strong both in point of numbers and position to guarantee the present high standard of purity and efficiency not only in the every-day administration of public affairs, but also in those times of special stress that from time to time arise owing to widespread calamity, such as famine and plague, when exceptional energy and administrative capacity are required." After the present system has come into force has any case come to your notice where their honesty and purity could be doubted?—It is only about two months ago that we had to dismiss a District Munsif for corruption. Just recently another District Munsif has been tried by a Special Commissioner for corruption; and there are charges pending against a third District Munsif which have been made by the District Judge and which are in process of being enquired into. That is just at the present time.

581. I am speaking of the District Judges' appointments—men who have been appointed District Judges from the Sub-Judge's Court?—What is your question?

582. Since the time of the system of promoting Sub-Judges as District Judges—since 1904, the Madras Government has thrown open four Judicial places, and promotion has been made to those places from Sub-Judges' places. Do you know of any case of a Sub-Judge, so promoted to one of those district appointments, having misbehaved and given you reason to suspect his honesty?—No, certainly not; but about that time a certain Sub-Judge was dismissed for corruption.

583. Is it your opinion that Sub-Judges and Indian District Judges begin well and that subsequently their work deteriorates; whereas the work of Civilians improves as they advance in age?—That is generally the effect of my answer.

584. Do you think that the tone of the Provincial listed appointments has considerably improved since you have graciously allowed one of the District Judges to get to the High Court?—The time is too short. I do not expect any improvement in such a short time. It is only a few months since that appointment was made. I have no doubt, however, that it will have a most encouraging effect

585. I suppose you have noticed a deterioration of work among Civilians when they have no hopes of getting raised to the High Court; and also that the work of younger men deteriorates when they have no hopes of being raised to the High Court?—No. There are several District Judges who have been passed over for promotion to the High Court, and I cannot say that their work has deteriorated: on the contrary, I think it has rather improved.

586. Do you not think that a Munsif Sub-Judge who has exercised limited jurisdiction and passed judgments which are appealable would make a better District Judge than a barrister or a pleader without any experience of looking at two sides impartially?—You mean that the man who is made a Judge, having been an Advocate, is likely to suffer from advocating the claims of one side or the other rather strongly instead of acting in a perfectly impartial judicial manner?

587. That is what I mean.—I think it would depend very largely upon temperament. I do not think it would be safe to lay down any very general principle upon that point.

588. With regard to the present practice by which District Munsifs are appointed, have you any objection to embody the practice in the rules framed for the recruitment of the service instead of its being at the discretion of the High Court?—Personally I do not think it is desirable to embody such a practice in formal Rules, since these require the sanction of Government, and could not be departed from, even though special circumstances may make it desirable to depart from them in particular cases as often happens.

589. But if another Chief Justice comes the present practice may be deviated from?—The practice is the practice sanctioned by the High Court, not the Chief Justice?

590. (*Mr. Chaubal.*) In order to illustrate a point I should like to ask one or two questions with regard to magisterial work. Supposing a second or third-class Magistrate acquits an accused, the District Magistrate has got to recommend an appeal to the Government, he has to write to Government for sanctioning an appeal against an acquittal?—Yes, appeals against acquittals can only be made by Government, and no doubt Government acts upon the advice of the District Magistrate.

591. Therefore in asking the District Magistrate to write to Government for sanctioning an appeal, the District Superintendent of Police, or the officer concerned in whose department the offence is committed, represents the case to the District Magistrate, and upon that the District Magistrate writes to the Government?—I suppose that probably would be the procedure if the Superintendent of Police thought the acquittal was

wrong. Anybody may move the District Magistrate to recommend the Government to appeal.

592. But often it is the department itself which moves the District Magistrate to apply?—In grave cases no doubt it would be.

593. And in recommending the Government to allow an appeal against an acquittal, is it within your knowledge that the District Magistrate himself goes into the evidence or takes the opinion of the officer representing the department?—That is a very general question; but I have not yet met a District Magistrate who, I believe, would act in the way you suggest.

594. And that is?—That he would leave to a subordinate a most important duty which the law casts upon him.

595. I am not speaking of leaving to a subordinate. What I want to know is this. Supposing a District Superintendent of Police sends his report upon the whole case, and the reason why he considers acquittal to be wrong, is it within your knowledge that the District Magistrate acts upon the report and himself goes into the evidence and tries to come to a conclusion as to what he would have done if he had had that evidence before him?—I should say that the District Magistrate considers the case most carefully before he recommends an appeal against an acquittal. Appeals against acquittals are not favoured by the High Court, and Government is very chary about making them except in strong cases.

596. It is, I suppose, within your knowledge that several recommendations of Collectors and District Magistrates, for appeals against acquittals have to be negatived by Government?—I have no knowledge of what Government does in the matter. It is only when the matter comes before the Court that we get any knowledge of it.

(The witness withdrew.)

Maharaja Sir Velugoti Sri RAJAGOPALA KRISHNA YACHENDRULAVARU Bahadur, K.C.I.E., Panchahazari Mansabdar of Venkatagiri.

Written answers relating to the Indian Civil Service.

597 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment by open competitive examination in England for the Indian Civil Service is satisfactory in principle as far as those who can compete at that examination are concerned.

598 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is also suitable for the admission of such of the Natives of India who can go to England and compete at the competitive examination held there. For those, however, who are not able to do so on account of certain practical difficulties such as religious and caste scruples, I think that some other provision should be made. Under the present system, certain classes of His Majesty's Indian subjects, which include some which have the largest stake in the country and have therefore the best claims for a fair share in its administration, are shut out. The system that I would propose in order to remedy this defect is the recruitment of a fixed portion of the vacancies of the Indian Civil Service cadre by means of a separate examination held in India which should be as high in its standard as the examination held in England. That examination should not be a competitive one but should merely qualify students for entering the Civil Service. A certain number of posts in the Civil Service should be reserved for those who pass the examination in India and the Government should fill the vacancies caused in them from among the candidates who have qualified themselves by passing that examination. The examination should be held in a number of important centres in India including the capital towns of all provinces in order to enable students from all parts of India to appear for the same with more or less equal convenience. The reason why I suggest a non-competitive examination is that a recruitment to the Civil Service by competition would still shut out the members of certain classes in the interest of which, among others, I recommend a separate examination in India, such as the aristocratic class to which no other service would be so suitable as the Civil Service. Unless some relaxation is made in the method of recruitment to the service by the Natives of India, there would not be a sufficient inducement for the members of those classes to come forward and make an attempt to qualify themselves for the service, because they would at the outset despair of success in a competitive examination for which an unduly and unwholesomely excessive amount of hard work and a great deal of useless cram would be necessary, and keep back altogether for fear of certain failure. Considering the present stagnant condition of those classes, I submit that it would be desirable to make it possible for them to enter the service by merely qualifying themselves by passing the examination. By this I do not mean that the claims of those who occupy the higher places and are thus found to be markedly superior in general capacity to others should be disregarded. But what I say is that *after the selection of such brilliant students*, much importance need not be attached to the difference of a few marks gained by the other students provided all of them secure a pass in the examination. For, when we come to mediocrities, there would be no injustice in taking into consideration other principles in choosing between them, such as representation of important classes and respectable families in India. But it may be said that some members of the classes and families referred to above, if found competent, may be appointed to the Civil Service by Government by the exercise of its power of nomination. But I am not at all in favour of this course. I think that every one seeking admission into the Civil Service should pass the examination prescribed as a common test for that service. If any persons who have not so passed are nominated by Government they are sure to prove utter failures in the discharge of their duties, or at any rate would be far less efficient than their brethren in the service. In this connection I may add that the introduction to the Civil Service of members of aristocratic and respectable families in India would greatly enhance the prestige of the Civil Service and command a high respect for the service from the people. Even in the case of the members of the Civil Service recruited in England, there has been in certain quarters an idea that those recruited under the present system are not so sympathetic as those that used to be recruited formerly from among the members of selected families in England. Whether there is truth in this or not, there is in my opinion no doubt that members belonging to respectable families in India are likely to prove more sympathetic than those belonging to insignificant families.

599 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I think that a separate non-competitive examination held in India would be more desirable for the reasons stated in my answer to question (3).

600 (7). What would be your opinion with regard to filling a fixed a proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—As submitted in my answer to question (3) I am in favour of filling a fixed portion of the vacancies in the Indian Civil Service cadre by Natives of India recruited by means of a separate examination in India. That examination should, in my opinion, be the same for the whole of India though it should be simultaneously held in one or more centres in each province. A third of the Civil Service posts in the executive branch should be reserved to be filled up by those passing this examination.

601 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I think it desirable that due consideration may be had to the representation of some important classes and communities when making the selection to the Civil Service from among the candidates passing the examination in India as far as that is possible to be done with due regard to the fitness of the candidates selected.

602 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—Officers of the Provincial Civil Service who are found to possess distinguished merit and ability and who are eminently fitted for admission into the ranks of the Indian Civil Service may still be promoted to listed posts as at present.

603 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose.—There need be no separate method of recruitment for the judicial branch of the Indian Civil Service, the present system being quite sufficient; nor need the separate examination held in India be taken as qualifying for the judicial branch, because the present system of appointing vakils of the High Court and the District Courts is working very well and needs no supplementing. All the posts of the District Judges reserved for Indians may therefore be filled partly by promotion from the subordinate judicial service and partly by selection from among the experienced High Court vakils. As regards the appointments to the judicial branch from among those coming out successful in the Civil Service examination in England, I would make the following suggestion, namely:—

From among the candidates who come out successful in the Civil Service examination held in England some of them should be appointed, even before the commencement of the period of their probation, to the judicial branch, the others being appointed to the executive. Those appointed for the judicial branch should have a separate course of instruction to be undergone during the period of their probation and should also be made to undergo training under District Judges for some time after their arrival in India and before they begin actual service. Further, the line of the official career of those appointed for the judicial branch should be entirely different from that of those selected for the executive branch. That is to say, those selected for the judicial branch should, after their training under District Judges is over, be, in the first instance, appointed to some suitable posts in the subordinate judicial service and thence in due course promoted to District Judgeship, as those selected for the Executive branch are in the first instance appointed as Assistant Collectors and thence promoted to higher posts. If, on the other hand, all persons coming out successful in the Civil Service Examination are appointed in the Executive branch and kept in that branch until after they become Sub-Collectors or Collectors, and then all on a sudden appointed as District Judges, they, or at any rate many of them, will find themselves unable to cope with their duties of trying important original civil suits and disposing of important appeals against the decisions of the subordinate judicial officers who are far more learned in the Civil law and far more experienced in the administration of civil justice than themselves. The system proposed above would be strictly in accordance with the present theory regarding the conditions of service in the Indian Civil Service, viz., "that the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones."

604 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons.—The age limits for candidates at the competitive examination in England may be fixed at 22 to 24.

605 (14). What in your opinion is the most suitable age at which junior civilians recruited in

England should commence their official duties in India? If the suggestion made in answer to question (13) be adopted, the age at which junior civilians recruited in England would have to commence their official duties in India would be about 24 to 25.

606 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—No differentiation need be made if the age limits are fixed as above suggested in answer to questions (13) and (14).

607 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I do not think that the old system of appointment of "Statutory Civilians" worked well and hence I would not recommend the revival of that system now.

608 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes. They should undergo a period of probation before being admitted to the service.

609 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The period of probation may be one or two years. I am not of course competent to suggest a course of study for the probationers' course, but I would only say that the course of study prescribed for those appointed to the Judicial branch should be different from that prescribed for those appointed to the Executive branch, the former including Criminal and Revenue Law of India and the latter Civil and Criminal Law of India.

610 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary.

611 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—So far as the candidates at the examinations in England are concerned, the probationers' course of instruction may be undergone in England. But those recruited in India should not be required to go to England to spend the period of their probation. Facilities should be provided for their probation in all the provinces of India, so that students appointed in any province may undergo the probationers' course of instruction in that province alone.

612 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes.

613 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Those appointed to the Judicial branch of the Indian Civil Service should be trained under District Judges and those appointed to the Executive branch should be trained under Collectors.

614 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch.—As already stated the course of instruction prescribed respectively for those appointed to the Executive and Judicial Branches should be such as would give them a good knowledge of law necessary for each of those branches. Then, they must also be respectively trained by Collectors and District Judges.

615 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial Branch?—Yes. Please refer to my answer to question (30).

616 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial Branch? If so, please give details.—Yes. Please refer to my answer to question (11).

617 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—No differentiation is necessary.

MAHARAJA OF VENKATAGIRI, called and examined.

618. (*Chairman.*) You are the President of the Madras Landholders' Association?—Yes, I am.

619. What is your caste?—My caste is Velama sub-division of the Kshatriya.

620. In your public capacity of President of the Madras Landholders' Association, and in your personal capacity, you have had a considerable experience of the Indian and Provincial Civil Services?—Yes.

621. At the end of your evidence which you are about to give us I will ask you to put in your statement?—I will do so.

622. I see you say in your answers to the questions that the present system of open competition is satisfactory as far as it goes?—Yes.

623. But that in view of the practical difficulties which so many Indians must find in going to England to take the examination, provision should be made for the recruitment of a fixed proportion of the vacancies in India?—Yes.

624. What you advocate for India is a non-competitive qualifying examination, held in the various Presidencies and Provinces?—Yes.

625. You also recommend the continuance of the listed-post system as supplementary to the scheme you propose for recruitment in India?—Yes.

626. And you recommend that one-third of the posts in the Executive Branch of the Indian Civil Service should be recruited by means of examination in India?—Yes.

627. What you contemplate is that candidates in England should be eligible for both branches of the Indian Civil Service but that those recruited in India should be eligible only for the Executive Branch?—Yes.

628. Therefore, I take it, you consider that although the listed-post system sufficiently meets requirements in the case of the judicial branch it would not do so in the case of the executive branch?—I should think so.

629. (*Mr. Abdur Rahim.*) Would you think of introducing competitive examinations in selecting officers for your estate? That is to say, when you wish to employ persons for managing your zamindari, would you in selecting officers introduce a competitive test?—I do not introduce a competitive test.

630. As regards Judges who are appointed from the Bar or from the subordinate Judicial Service, are you satisfied with the present number?—I am not satisfied. Half of the District Judges should be natives.

631. (*Mr. Sly.*) Do you recommend recruitment by separate examination in India to be held at different centres, but to be the same examination for the whole of India?—Yes, the same.

632. You consider that candidates who pass that examination would be suitable for employment in any part of India?—I should think so.

633. Do you consider that a Madrasi would be suitable for employment in Northern India?—Yes, if it was the same examination.

634. And you consider that a Pathan would be suitable for employment down in Madras?—Yes, I should think so.

635. (*Mr. Chaubal.*) Can you specifically mention any of the classes you referred to in whose interests you say that a separate examination here is wanted?—Zamindars here in Madras, and important families members of which have been serving the Government in high posts, or served under the Native States as Diwans. Their children can command the respect of the people.

636. Does your scheme mean that it is only the sons of those people who are capable of appearing at that examination, or do you think it should be open to all?—It should be open to all. The Government may select from the persons who pass it.

637. The examination is to be one for the aristocratic classes as well as for others?—It should be one for all.

638. (*Sir Theodore Morison.*) In the administration of your own zamindari what classes of persons do you employ in the administrative posts?—There is a good deal of difference between zamindari affairs and those of the Government. We have got limited powers: in fact no powers at all. We employ a Diwan.

639. What class is the Diwan?—Any class. We employ Brahmins, Sudras, Vaisyas, all sorts of people, even Muhammadans.

640. Do you employ Sudras?—Sudras too, sometimes.

641. (*Lord Ronaldshay.*) How many members has your Association?—More than 100. I cannot, however, give you the exact number, but if you want it I will get it for you.

642. Generally speaking you are able to represent their views?—Yes, but in this case my view is a different one from that of the body. The case of the majority of the members is different, this is only my individual opinion. The opinion of the body has been given separately to the Commission.

643. You do not speak for the majority of the members?—What I have said in my statement is my own opinion.

644. (*Mr. Oldfield.*) Is your objection to examinations being held in England based upon religious scruples of crossing the sea?—Yes, religious scruples also under the present arrangements of conveyance, etc.

645. The religious scruples are still elements in the question?—Yes.

646. That is so far as candidates of your own class and caste are concerned?—Not only my own caste; there are Brahmins, and other people.

647. You think it is the sea difficulty?—Some of the zamindari families do not allow their sons to go to England.

648. Is the religious scruple still in existence?—Yes.

649. Do those scruples exist among the Brahmins or among the Sudras?—They exist among everybody in Madras.

650. You yourself would feel scruples about going across the sea?—Yes, I should feel scruples about doing so.

651. (*Mr. Ramachandra Rao.*) You have one of the biggest zamindaris in the Presidency?—Yes, it is one of the biggest.

652. And you are President of the Madras Landholders' Association?—Yes.

653. You came into charge of the zamindari many years ago?—Yes, more than thirty years ago.

654. And you have considerable experience of several Indian and European officers?—Yes.

655. How do you compare Indian officers with Europeans in the matter of efficiency? Do you think that Indian officers whose work you have seen is quite as efficient as European officers whose work you have seen?—The work of the Indian officers is still new to me. The recruitment of Europeans is greater.

656. But what about the work of the Indian officers you have seen?—Some of them are efficient.

657. Are they as sympathetic as European officers?—Some of them are sympathetic and some of them are not, just as European officers.

658. You have seen the behaviour of Indian officers in the case of riots and you think they are competent to manage them as far as your experience goes?—Yes.

659. In your answers you have spoken of a separate examination?—Yes.

660. That is if that examination be sanctioned: but afterwards those people are not put into the Civil Service List. Are you in favour of such an examination?—They must be put upon the same level.

661. But if they are put on the inferior list you do not want it?—No, I do not want it.

662. (*Mr. Subrahmanyam Puntulu.*) I believe you come from a district where Indian Judges have presided over the District Court for a long time?—Yes.

663. Off and on Europeans have presided over the District?—Yes.

664. What is your opinion of the work done by the Indians as compared with the Europeans: is it inferior, or does it come up to the average, or what?—Of late years there have only been Indian Judges. For a long time Europeans sat upon the bench. There are able people in both classes.

665. Some of the cases which have arisen in your estate have been decided by the Indian magistrates as well as European magistrates, have they not?—Yes.

666. What is your opinion with regard to their work?—I have had but little experience of magisterial work.

(The witness withdrew.)

M.R.Ry. Diwan Bahadur M. ADINARAYANA AIYA Garu, Tondiarpet, Madras.

Written answers relating to the Indian Civil Service.

667 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—It is satisfactory in principle as an adequate test of high general culture.

668 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—As a test for qualification to the Judiciary, it is defective. The remedy for this should be provided in the probationary stage.

669 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system does not give equal opportunity to "Natives of India." The alteration I suggest to remedy this defect is to hold simultaneous competitive examinations in England and India.

670 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons.—I think there is no harm in the combination. On the other hand, it appears to be an advantage in maintaining a high and uniform standard of culture.

671 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose.—I consider recruitment by an open competitive examination is the most satisfactory in principle.

672 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I advocate a system of simultaneous examination in India and in England open in both cases to all natural-born subjects of His Majesty.

673 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I do not favour separate examination for Natives of India by provinces or for the whole of India, nor do I accept the principle of fixing a definite proportion of the appointments to be filled by Natives of India.

674 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am in favour of simultaneous examinations, but I also recognise the desirability that all classes and communities should as far as practicable be represented in the Indian Civil Service and to this end I would use the powers given by the Indian Civil Services Act of 1861 (24 and 25 Vict., c. 54), and the Government of India Act of 1870 (33 Vict., c. 3), by instituting a system of combined nomination and examination, and by promotion from local services, for superior merit and ability.

675 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—The main entrance to the Indian Civil Service should be through simultaneous examinations and Natives of India should be eligible for appointment in England, though under the Acts of 1861 and 1870, some may still be recruited in India as indicated in my answer to the previous question.

676 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I do not advocate any system of selection in India for the Natives of India to take the place of recruitment by simultaneous examinations. The present system of Provincial Civil Service will remain as supplementary to recruitment through simultaneous examinations. But one modification I recommend in the conditions governing the Provincial Civil Service is that of the listed appointments transferred to that service, those from the grades of Collectors of districts and District Judges upwards should carry the same pay when held by Provincial Service men as when held by men who have entered through simultaneous examinations.

677 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—Recruitment for the Judicial branch of the Indian Civil Service would be satisfactory if it could be made from the English and Indian Bar, removing the whole of the judicial branch from the purview of open competitive examination as now conducted. Failing this I would suggest that the men selected at the open competitive examination should be immediately called upon to decide whether they elect the Judicial or Revenue branch of the service, and the studies in the probationary period should, as regards those who elect for the Judicial branch, be so directed as to secure for them the necessary equipment of legal knowledge. They should also, after their arrival in India, be trained in subordinate judicial appointments, so that they may learn their work thoroughly.

678 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any "person born and domiciled within the Dominions "of His Majesty in India, of parents habitually "resident in India, and not established there for "temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present statutory definition of the term "Natives of India" as given in section 6 of the Government of India Act, 1870 (33 Vict., c. 3).

679 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I propose no change in the present age limits 22 to 24, either for the present examination in England or for the simultaneous examinations in England and India that I recommend. The present age limits ensure high cultural attainment.

680 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—My opinion is 25 or 26 years would be the proper age to commence official duties for junior civilians.

681 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—I do not recommend any differentiation in age limits for Natives of India and other natural-born subjects of His Majesty. Please see my answer to question (13) above.

682 (16). What alterations, if any, do you recommend in the authorized syllabus of subjects and marks prescribed for the open competitive examination?—I would introduce Persian also into the authorized syllabus of subjects, and equalize the marks allotted for Sanskrit, Arabic and Persian with those allotted for Latin and Greek.

683 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons.—I do not recommend any differentiation.

684 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—In the schedule to the Civil Service Act of 1861 (24 and 25 Vic., c. 54) the posts now reserved are enumerated. If the suggestion to recruit the judicial branch from the English and Indian Bar be accepted, all the appointments under the head "Judicial" in that schedule may be removed from reservation, and only Revenue offices reserved for the Indian Civil Service. If, however, this be impracticable, the present schedule may remain, omitting therefrom Junior Secretaries, Under Secretaries to Government, Accountant-General and Comptroller-General.

Some reservation is necessary to ensure adequate life careers and field of promotion, so that men of high education and character may be attracted to the service both in England and in India.

685 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I do not accept the necessity for a minimum proportion of European subjects of His Majesty in the higher posts of the Civil administration as an absolute proposition. This question proceeds on the assumption that for the maintenance of the English character of the administration, a minimum proportion of European element is necessary, and that if there were no such restriction the service would be swamped by Natives of India. Under the method of simultaneous examination advocated by me, there need be no fear that Natives of India would swamp the service. I therefore think no minimum proportion of European element need now be discussed.

686 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—My answer to this question is yes, with the qualification that the competitive examination should be held simultaneously in England and India.

687 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I do not think that the old system of statutory civilians should be revived.

688 (22). If the system of recruiting Military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—I do not advocate the system of recruiting Military officers for the Indian Civil Service. Such a system has long since ceased in this Presidency.

689 (23). Do you consider that such a system should be restricted to the recruitment of Military officers, or extended to the recruitment of selected officers from other Indian services?—I do not advocate recruitment of Military officers. But

selected officers from what is called the Provincial Service may be taken in under the Government of India Act of 1870 (33 Vic., c. 3).

690 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—My opinion as regards the system of listed appointments is that it affords a channel for securing the representation of the various communities of the land in the higher appointments on a basis of tried capacity and merit.

691 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed posts?—The present rule may stand to admit of recruitment by a combined system of nomination and competition from the various communities in the land.

692 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

693 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

694 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—The probation period may extend to two years. During this period, those who elect for the judicial branch should be required to pass the Barrister's degree or otherwise qualify for a legal career. Natives of India who pass at a simultaneous examination in India and are selected should be required to proceed to England and pass the final examination there, taking also one of the modern European languages such as French, German or Italian. And the Europeans who pass the competitive examinations and are selected, and who elect for the judicial branch should further be required during the probationary period to pass in one of the vernacular languages of the Presidency in which they elect to serve. In other respects, the present course of studies for probationers may continue.

695 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Please see my reply to the previous question.

696 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—I think the probationers' course of instruction could best be spent in England both for Natives of India and of other natural-born subjects of His Majesty.

697 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No. I do not think such a college in India necessary.

698 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I am for the probationary period being spent in England for all. I therefore do not think it necessary for each province to make its own arrangements.

699 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The training as regards those who take up the judicial branch of the service will have to be clearly defined. In other respects the present arrangements for training answer well enough. Please also see answer to question (37) below.

700 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—In the majority of cases, the knowledge of Indian languages on the part of European members of the Indian Civil Service has gone down and is not adequate. This is due to the more or less universal adoption of English in all correspondence both in offices and by the public. I cannot think of any special measures necessary for remedying the defect. It depends on the personal interest of the officers concerned.

701 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch?—Those who elect for the judicial branch of the service, should during the period of their probation be required to go through a course in the Inns of Court, and graduate as Barristers and they should also on arrival in India be trained in the offices of District Munsif and Magistrate, and gradually passed through the stages of Sub-Judges and Joint Magistrates before being made District Judges.

For others the present course of instruction in the probationary period and training given after arrival in India will be enough.

702 (38). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—No.

703 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the judicial branch? If so, please give details?—Please see answer to question (37).

704 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

705 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited.—The officers recruited in India will be those taken under the Act of 1870 (33 Vict., c. 3). In the case of those who get in through their tried merit and capacity in service, no training is necessary. In the case of the few who may be taken by direct recruitment to the Provincial Service, that service in the lower grades will furnish the necessary opportunity for qualifying for the work, and in their case also no special system of training or probation is called for.

So also in the case of direct recruitment from the Bar in India, for judicial branch, practice at the Bar will have ensured adequate training in the case of the men so recruited.

706 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

707 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—The exchange compensation allowance should be abolished, and the same notified so that future entrants may know the conditions under which they enter the service. The abolition should be restricted to future entrants.

708 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—As regards listed appointments held by Statutory Civilians and officers of the Provincial Civil Service, I am of opinion that for the appointments below the grade of District Collectors and Judges, merged in the Provincial Service or held by Statutory Civilians, the rates of pay as now obtaining on the basis of two-thirds of the pay drawn in similar posts by members of the Indian Civil Service may stand; but as regards the posts of District Collectors and District Judges and higher appointments, the Statutory Civilians and officers of the Provincial Service, when once they reach them, they should be given the same pay as that of the members of the Indian Civil Service. In the appointments so excepted, I would include also the listed offices of one Under Secretary to Government, and one Secretary to the Board of Revenue.

709 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Service holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—No remarks to offer, except that furlough leave may be allowed to be taken generally at shorter intervals than 10 and 8 years in regard to Statutory Civilians and members of the Provincial Civil Services holding listed appointments from the grade of District Collectors, District Judges and upwards.

710 (50). Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave and pension in the Indian Civil Service?—No remarks to offer except that power to compel retirement on gratuity where officers do not turn out well, shall be reserved.

Written answers relating to the Provincial Service.

711 (51). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I think the conditions are suitable, except that for direct recruitment, a combined system of nomination and examination should be insisted on.

712 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

713 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Yes. All communities are represented. The present arrangements are enough for the purpose.

714 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—Present arrangements are enough—please see also reply to question (41).

715 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—No remarks to offer. In view of the increase in district and divisional charges recently made, some increase in the number of Deputy Collectors may be desirable.

716 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—All magisterial functions now attached to the executive branch may be transferred to the judicial branch.

717 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—The term Uncovenanted service may be revived in place of Provincial Service or the term Madras Civil Service may be adopted. The same service in other provinces may be designated by the name of the province concerned being added.

718 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes, generally; except that as regards the listed offices of one Under Secretary to Government, one Secretary to Board of Revenue, of District Collectors and Judges, and appointments higher than them,

the salaries should be equal to those given to members of the Indian Civil Service.

719 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes, generally; but I suggest that the highest grades of Deputy Collectors and Sub-Judges should be paid Rs. 1,000 instead of Rs. 800 as at present and the grading of the cadre may be adjusted with reference to this maximum—District Munsifs in the judicial branch also may start with Rs. 250 instead of Rs. 200.

720 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Please see answers to questions (59) and (60).

721 (63). Are you satisfied with the present system of superannuation pensions for officers of the Provincial Civil Service? If not, please say what modifications you would suggest, and on what ground?—I think the present maximum pension of Rs. 5,000 per annum may be raised to Rs. 6,000. When one reaches the highest grade in service he is generally old, and the pension should be adequate to maintain him in a fairly good position relatively to that he held while in service.

Mr. M. Adinarayana Aiya called and examined.

722. (*Chairman.*) What is your occupation?—I am a Government pensioner.

723. What public posts have you filled?—I was Deputy Commissioner, Revenue Settlement, when I retired. I have also been for a short time an Additional Member of the Legislative Council.

724. What is your caste?—I am a Brahmin.

725. In the answers which you have given to the questions, you accept as satisfactory the principle of selection to the Indian Civil Service by open competition?—Yes.

726. Would you like to have simultaneous examinations in England and in India?—Yes.

727. And, in addition, you consider that Indians should from time to time be appointed to posts in the Indian Civil Service cadre, under the Statutes of 1861 and 1870?—Yes.

728. You say you do not accept the necessity for fixing a minimum proportion of Europeans?—No, I do not accept it.

729. You have no fear of Indian candidates clearing the board?—No, not for a considerable time.

730. Therefore you do not feel that there is any necessity to fix a minimum proportion of Europeans at the present time?—That is so.

731. Supposing that there was a possibility of Indian candidates sweeping the board in the near future, would you still say that it was unnecessary to fix a minimum proportion of Europeans?—My own opinion is that the present system of examination is a handicap even if the examination be held in India,—that very few Indians can hope to pass. Such as do pass will be eminently desirable acquisitions to the service.

732. You are in favour of continuing the system of listed posts as a means of securing the representation of various communities?—Yes.

733. You regard as important the representation of the various communities?—Yes, that is, in the Provincial Service. Recruitment under the Act of 1870 will be a lower plane of service. There you can use a combined system of nomination and examination and use it as a preparatory ground for the representation of all communities in the land; but so far as the higher Civil Service is concerned a simultaneous examination held in England and in India would be by itself a sufficient guarantee to restrict the field in such a way as to render inoperative any fear either of swamping, or of the ingress of undesirable men.

734. You think that the choice between the judicial and the executive branch should be made immediately after appointment to the Indian Civil Service?—I think so.

735. Would the scheme which you propose involve the transfer from the Provincial Civil Service to the Indian Civil Service of a certain number of posts in the judicial branch?—I have not considered that point, but I should utilise the Provincial Service lower appointments—District Munsifs and Sub-Judges—for the training of men who will be grafted into the Civil Service through the competitive examination.

736. I notice you say that listed-post officers of the rank of District officers should be given the same rate of pay as Indian Civil Service officers in similar employ instead of as at present approximately two-thirds?—Yes.

737. Will you explain to us why you suggest the granting of a uniform rate of pay at this stage?—It is not like the other minor Provincial Service appointments, which are on a lower level and form a class by themselves. When an officer rises in the Provincial Civil Service to the position of a District Collector or District Judge he represents in a manner the highest development of indigenous talent, and I do not see why from him should be held back the emoluments which go to the Civil Service in its proper course, and I think it would be invidious to make a distinction between officers discharging the same class of duties with the same responsibilities and after a life-long trial of a man's capacity and ability.

738. (*Lord Ronaldshay.*) You advocate simultaneous examinations because of the difficulties which lie in the way of Indians going to England for their examinations?—Yes.

739. What would you say are the chief difficulties which lie in the way?—It is simply a chance whether a man will be able to pass through the examination. This is one thing. The next thing is that the brightest man may not have the means to be able to go, and I do not see why we should shut the door against the best man or any man who wants to obtain entrance through that difficult test.

740. Are there great difficulties on account of caste and religion in the way of Indians going to England?—There is still a lingering feeling about it; but I will not put it altogether on the ground of religion. I put it rather as a question

of justice to the people. It is the Indian Civil Service, and I do not see why Indians should not have the chance in their own country.

741. You want to have the examination simultaneously in this country, and in England?—Yes.

742. I understand that in addition to that you still want to reserve the system of listed posts?—Yes, and for this reason, because I do not anticipate that for a considerable time to come there will be any perceptible addition to the number of men who will obtain entrance into the Civil Service. When that question arises it will be time to consider it.

743. (*Sir Theodore Morison.*) On what ground do you make the statement that you think there will not be a perceptible rise in the number of Indians who will get in?—First of all the examination is all in English; it is a foreign language to us. It is as heavy a handicap to the Indian as we can think of in the first place. Further, our people will be pitted against the best intellects of England—people who have the greatest conceivable advantages in the matter of education in their own country. The standard of the examination will be essentially English; and therefore considering the stage of advance in educational facilities in our country, I consider that for a considerable time, if our people make any head-way, it must be through sheer intellectual and moral superiority on their part rather than because of any particular advantage in the matter of education.

744. The handicap to which you refer is the handicap of the examination being in the English language?—Yes; it is all of an English character, the whole thing.

745. Is that a handicap which you would like to remove?—I do not wish to remove it, because the source of inspiration in all these matters with regard to standards that we set up for ourselves comes to us through that language and through the traditions of England.

746. I see you suggest that Persian should be added?—Yes.

747. Do you propose that the marks allotted to Persian should be the same as for English?—Yes. Persian is a classical language in which a large community in this country is much interested.

748. You put it upon a par, in the matter of difficulty, with Latin, Greek and Sanskrit—the same difficulty?—I think so. I must, however, own that I do not know Persian myself.

749. You are aware, are you not, that many Indians speak it as their mother tongue?—Yes, in the North. Persian has a classic literature of its own.

750. (*Mr. Chaubal.*) The difficulties with regard to going to England are gradually becoming less and less, are they not?—Yes, so far as the religious ground is concerned.

751. You have looked through the appendix which gives the curriculum of the studies for the Civil Service Examination?—Yes.

752. Do you think that there are educational institutions at present in the country which will be capable of giving the instruction required for that curriculum?—No, I do not think there are.

753. If a simultaneous examination were introduced here do you think that the number of people who now go to England and take advantage of the educational systems there and who study there is likely to get less?—I do not know. I cannot say anything about that point. The men may not have the facilities for examination here, and I cannot say what those facilities may be, but there may be conceivable cases in which people will try to prepare themselves here for the examination.

754. You do not follow my question. Supposing that there is the same examination held in India as is now held in England: then when there is this simultaneous examination do you or do you not expect that most of the Indians will appear for the examination which is held in India, and that the number of people who now go to England and appear for their examination there will gradually be less?—I cannot speak as to the proportion who may stop away from the examination in England, but there will be some.

755. Supposing there were a simultaneous examination, is there no fear that a larger number belonging to another community is likely to be successful in such an examination?—I think the ground for that apprehension is now diminishing. With the general spread of education all communities are trying to come up to a uniform level.

756. Please answer my question. Do you expect that result or not? If an examination is held here do you, or do you not, expect that most of the candidates who come out successful are likely to belong to a particular community?—I do not think so. I do not know what particular community you may have in view, but I do not think it will be exclusively confined to one individual community.

757. With regard to your own Presidency, supposing there were examinations in India, from what community would you expect the greater number of candidates would come?—The greater number would probably come from amongst the Brahmins in the present stage.

758. Have you any fear that those who get through their examinations in the future will also be Brahmins?—No, I have not.

759. But you yourself have admitted that if an examination was held here, at least until proper educational institutions are started in the country, the number of unsuccessful candidates is likely to be very large so far as the Indian examination is concerned?—Yes, if they were so foolish as to go up without preparation; but I have no reason to suppose that.

760. In answer to Sir Theodore Morison I understood you to say that you wanted the listed posts to continue because you do not expect that many people will get in through this door?—That is so.

761. If you do not expect many people to get in through this door, you naturally think that there will be a large number of failures at these Indian examinations?—I do not know that that necessarily follows.

762. Assume for a moment that a large number fail, do you not expect that there will be considerable discontent at the examination in this country and with its results?—I do not think so. Failure in the examination will not by itself be any cause for discontent.

763. You have suggested that recruitment for the Judicial Service should be from practising

lawyers and gentlemen at the Bar?—Yes, from both the English and the Indian Bar.

764. As far as your opinion goes, you do not expect any loss of efficiency in the administration of justice by recruiting the Judicial Branch from the Bar?—No.

765. With regard to the question of Persian, do you not think that so long as a candidate has an option of selecting any number of subjects he likes, the introduction of Persian will be quite harmless, assuming it to be an easy language, and you allot the proper number of marks to the subjects?—I agree.

766. But there is no reason why it should be excluded. If it is optional some candidates may take it up and others not?—Yes, that is so.

767. What you want is the recognition of it as a subject in the curriculum?—Yes. I may perhaps say this, that what Latin and Greek are to European civilization, Persian, Sanskrit and Arabic are to us—so far as the sources of civilization are concerned—the higher ideals.

768. My attention has been drawn to the point in your answers. You are not satisfied merely with the introduction of Persian, but you want the same number of marks to be allotted to that subject as to other languages?—Yes, that is so.

769. In this curriculum, where the candidates have the option of choosing any subjects they like, what is your opinion about the introduction of the Indian vernaculars as among the spoken languages in the curriculum?—Amongst the vernaculars of the Presidency in which they elect to serve their own mother tongue will probably be one. I would ask them to learn one of the modern European languages. That is what I have stated in my answer.

770. You may have a restriction as to a candidate for the Indian Civil Service not taking up his own vernacular, but my question to you now is this: are you or are you not in favour of the introduction into the Indian Civil Service curriculum of some of the vernacular languages of this country just as you have spoken of the languages of Europe in that curriculum?—I think the vernacular comes into the probationary period course of study. I would be content with that.

771. You would not introduce it?—No.

772. Of course you have been, as you say, a Government pensioner and a Deputy Commissioner. You know, therefore, the multifarious duties which a Collector of a district has to perform. Do you think that all these duties can be satisfactorily performed if you take away all magisterial powers from the Collector?—I have never been a Collector or anything like that; but from my own independent observation I should think that the Collector would have no difficulty in performing those duties without the magisterial powers.

773. Take, for instance, the Collector who is a District Magistrate and who is responsible for the peace of his district. Supposing there is a riot, you think that the officer who is at the head of the district and who is in charge and responsible for the peace of the district, can do without having any criminal powers?—I do not understand you to mean that the Collector must be the only officer responsible for the peace of the district.

774. I do not care what officer you call him if you transfer those duties to some one else?—Those who have the exercise of magisterial functions may be held responsible, in conjunction with the police, for the peace of the district.

775. Is it your scheme that when there is a separation between the Judicial and the Executive the person who is given Judicial powers should be made responsible for the peace of the district?—I think so. In whomsoever you repose the magisterial functions, he will be responsible, with the aid of the police.

776. Would you also give him the other duties?—Which other duties.

777. There are so many duties. Take, for instance, the case of troops moving from one place to another. The Collector wants to make arrangements for their easy removal from one district to another. Do you think the Collector will be able to manage that unless he has magisterial powers?—Yes, I should think he would be able to do so.

778. Do you think anybody would listen to his orders?—Why not? We are not in non-regulation provinces now. It is all definitely laid down.

779. I am not speaking of the mere collection of revenue. Of course the payment of assessments is a thing which the ryot has known for centuries past?—As a matter of fact I believe the Collector-Magistrate does not exercise his magisterial functions.

780. In your answer to question (8) you say, "I am in favour of simultaneous examinations, but I also recognize the desirability that all classes and communities should as far as practicable be represented in the Indian Civil Service, and to this end I would use the powers given by the Indian Civil Services Act of 1861, and the Government of India Act of 1870, by instituting a system of combined nomination and examination, and by promotion from local services for superior merit and ability." What services would you class those posts under?—You might call it a local service.

781. Would you keep it separate from the Indian Civil Service, or amalgamate it with it?—I say that it must be supplementary.

782. And you would call it a separate service?—Yes.

783. (*Mr. Gokhale.*) Though there may be no educational facilities now for the training of Indian Civil Service men, do you not think that in course of time such facilities will grow in this country?—Under the promised expansion of education facilities they may come.

784. If a simultaneous examination is instituted, numbers of backward Indians will gradually be able to avail themselves of it?—Yes.

785. Do you think that the institution of a simultaneous examination will have the effect of stimulating higher education in the country?—Yes.

786. I believe you know some members of the Indian Civil Service?—Yes.

787. Do you think they are swayed by caste feelings?—No.

788. Do you think that as a rule there would be any difference in this matter if examinations were held in India?—I want to supplement that answer with a reference to the qualification that I introduced—that men who pass in India should be required to go to England.

789. Supposing that the fear of some is realised, that in the first few years Brahmins and members of other advanced communities get in in large numbers, do you think that would affect the character of the public service?—I think not.

790. Do you not think that in course of time the members of other communities will come up and have their share?—They are sure to come up, they are coming up now.

791. So that the disadvantage will be temporary, supposing there is any, and it is inevitable because advanced communities will always have such advantages for a time?—Yes, in the same way as a man who is born rich will have temporary advantages.

792. With regard to the exclusion of vernaculars from the Indian Civil Service curriculum, do you not think that their exclusion places the Indian students at a disadvantage so far as the main competitive examination is concerned?—It does; but I am not afraid of having as much handicapping as you like, because I want them to get the highest attainments.

793. Quite true; but if this handicap were removed, would there be any harm? If Indian vernaculars were added to the curriculum and the present disadvantage so far as Indian students are concerned was removed, would there be any harm?—It will make the examination easier.

794. But do you think the examination will become unreasonably easy? Why should you place an Indian student at a special disadvantage when he is ready to pass the examination in a foreign language, as you yourself have pointed out?—I do not want to make that departure, because I should like them to have a thorough English education and be on the same level as their European compeers.

795. You would concede that point to the other side, really?—Yes.

796. With regard to the cases of riots, would not those cases be met if the Collectors had emergency powers?—Those are matters of detail. Those things can be devised.

797. For meeting the requirements of exceptional situations you do not think it is necessary to keep up the present combination of Executive and Judicial?—No, I do not think so.

798. (*Mr. Sly.*) You have stated that if there were a simultaneous examination there would at first be a majority of Brahmins exclusively?—When the question was put to me it was with reference to my province. As far as my knowledge of my province goes Brahmins might get the upper hand here in the present circumstances; but, compared with other provinces, as far as I have been able to observe, Brahmins are nowhere, and therefore I do not think you need apprehend anything from Brahmins so far as the examinations for the whole of India are concerned.

799. If an outcast happened to be successful, do you think he could be efficiently and suitably employed in the Government service?—Certainly. I think we are getting past that stage of exclusiveness now.

800. You think you could employ an outcast as a Magistrate or Collector, or in any other capacity?—Yes, I think so.

801. In your answer to question (11) as to the recruitment for the Judicial Branch you say "recruitment for the Judicial Branch of the Indian Civil Service would be satisfactory if it could be made from the English and Indian Bar." By "the English Bar" do you mean Englishmen at the Bar in India?—I will not restrict it to India alone; but you may take it that is what I meant.

802. You would include barristers appointed in England?—Yes. My idea was to make the conditions as far as possible equal, and not to make them in any way especially favourable.

803. Do you consider that the present prospects in the Provincial Civil Service are sufficiently attractive to secure the best talent in the country or not?—I should say, in the absence of any other outlet, all talent has to go through the Provincial Service now.

804. Does it get the best talent, or does it go into other professions or directions?—It goes into other professions. I think there is a perceptible falling off in the quality of recruits to the Provincial Service now, because it does not get as good prizes as it could get outside.

805. The question is not quite one of prizes. Does it get the best talent available in the country or not?—I say that the best talent is diverted to some extent.

806. (*Mr. Macdonald.*) You have answered question (3) in such a way as to give what in your opinion would be an equal opportunity for the natives of India?—Yes, if the examination is held in India also.

807. As I understand your subsequent evidence, you do not think that simultaneous examinations alone would do that. You want an alteration in the character of the examination itself?—I do not want it now.

808. Did you not say that the whole scheme of the examination was an English scheme?—Yes; and I want our people to go through that ordeal.

809. And you do not regard that as a handicap?—It is a necessary qualification, I should take it.

810. In order to have that equality of opportunity, would you press for a change in the syllabus as well?—The only change which occurs to me is to introduce Persian into the examination.

811. I understand in your answer to question (8) that when you say you are willing to agree to special nomination, you do not mean for vacancies in the Indian Civil Service, but only for vacancies in the Provincial Service?—Nominations combined with examination. It is not pure nomination that I suggest.

812. But that is only for the Provincial Service?—Yes.

813. Turning to question (19), which deals with the proposal to establish a European minimum in the service, you are opposed to that?—Yes.

814. Are you opposed to that on principle?—Yes, because my idea is that when once people are able to enter through that examination they will have reached a development which will render differentiation in their case unnecessary.

815. You do not agree with the doctrine that the administration of India is only certain if there is a European minimum?—I do not discuss the possibility of that position just now. I do not think that question arises as a matter of practical urgency.

816. Supposing I say it does, and that I want you to give evidence about it. Supposing I say to you that I do think it is a matter that has to be considered at present—that the Service might be swamped by Indians—are you opposed to the minimum of Europeans on principle or only as a matter of expediency?—On principle I am opposed to that differentiation.

817. You say, as a matter of fact, that the question will not arise?—It will not arise. The question is not now to consider what you will do if the Service were swamped by Indians. I ask you why you should raise that question. If they are examined in India, how does that alter the position at all?

818. If you contemplated that 100 per cent. of the vacancies in the Indian Civil Service were to be filled by Indian candidates next year, provided you had a simultaneous examination, you would still say that you would be opposed to the European minimum?—I should say so, because I should have such strong faith in the men who had passed through this ordeal. That is all I can say. But I should at the same time add, that the case you put is so very hypothetical that I do not think it is a matter for serious discussion.

819. You do not seem to have answered question [21(*b*)], which is as follows: "In your experience have the natives of India recruited by means of open competition in England proved on the average as efficient as members of the Indian Civil Service of the same standard recruited in the same manner?" According to your description of yourself you have been a Deputy Commissioner and have been connected with the Revenue Settlement?—Yes.

820. In the course of that experience have you met Europeans on the one hand and Indians on the other both recruited in England by the Civil Service examination?—I must tell you that I have not seen any England-recruited people as Collectors or anything like that. I have not come across any such.

821. Have you come across any men who have been raised from the Provincial Service to listed-posts?—I have.

822. In your experience of those men have they been quite as good as Europeans?—I think so.

823. You say you have had experience which would enable you to answer that question?—Yes, I think so.

824. (*Mr. Madge.*) Are you of opinion that British tone, which on all hands it is admitted to be desirable to attain in the administration, depends upon the scientific machinery, or only the personality of the officers who carry it out?—It depends upon the training and the education and the general culture and equipment of the officers. That is what I mean.

825. I asked whether it depends upon the personality of the officers or on the machinery of the system?—Upon the machinery of the system.

826. Then as regards the number of officers to be employed, considering that the heads of most of our Governments are English statesmen brought up in public life and imported into this country, not specially pledged in favour of the Civil Service, do you think they are the best judges as responsible men of the number of any particular class of officers who should be employed in the Civil Service, or practically irresponsible persons however respectable and honest they may be?—I cannot judge about that, I can only speak for myself. They must have their own ideas.

827. You have no distinct opinion on the alterntives?—No.

828. How do you propose to co-ordinate or equalise the results of examinations in this country and those at a great distance from here?—It is the same examination simultaneously held.

829. Is any part of it *viva voce*?—You may make it also *viva voce* here.

830. In the allotment of marks no two judges have the same assessment of particular results. Do you propose to bring about justice between two classes of people?—You might postpone the *viva voce* examination to a later date and ask these people who have passed out here in India to go to England if it is necessary. There is no harm in doing that.

831. And then suppose they failed there, what would be the result?—They would take their chance.

832. Then what becomes of the hardship of the handicap?—I do not believe that the *viva voce* examination takes up such a large portion of the examination. That is a contingency which would also apply to the probationary period, which I say must be spent in England.

833. If any portion of the probationary period involves a visit to England then comes in the question of hardship which you have laid stress on, and upon which others have also laid stress?—To a very large extent the holding of the simultaneous examination in India will have cleared the ground. In the subsequent stages the *viva voce* examination or the probationary period will come up. I think it must be part of their training that they must go to England.

834. You are of opinion that no particular class in this country predominates in the service of the Government, and if there is a contrary opinion you think that that is mistaken? I understand you to say that Brahmins do not predominate?—Yes.

835. Some one has asked you a question about the question of outcasts, and I think you said you had passed that stage?—I think so.

836. Do you mean that public opinion among the Hindu gentlemen throughout the Madras Presidency has passed that stage?—It has lately improved, and I do not think that there would be anywhere any objection. I have known instances of one or two of lower castes not in the Civil Service, but in offices entailing more intimate contact with people—I cannot mention any names—in which no objection has been taken to such a superior position being assigned.

837. Are you speaking of Government officials or gentlemen generally?—Government officials and private gentlemen also.

838. Then are those stories which trickle down to the North of India, about touching wells and so forth, fictions of the past?—Not in that sense. You were asking me about persons being placed in high positions. There is no objection to persons placed in high positions doing their duty. There would be no hindrance or obstacle thrown upon it.

839. (*Mr. Abdur Rahim.*) May I take it that you are not satisfied with the present number of Indians in the higher appointments?—I am not.

840. And that you desire to have more Indians?—Yes, according to their ability, as they are able to prove their fitness.

841. I did not suggest unqualified Indians. You desire to see more qualified Indians?—Yes.

842. You have stated your opinion that if a simultaneous examination was held there would be no increase in the number of Indians?—Not much.

843. Would you be satisfied with that result, would it be an improvement upon the present state of things?—Yes, I think there would be an improvement; some few more may get in.

844. Is that your reason for advocating simultaneous examinations?—It is not in the interest of the few that may get in, but in the interest of the equal treatment of our Nation that I make the proposition, and it may also prove the growing worth of the people as time progresses.

845. I am asking you to suppose for argument's sake that important provinces like the Punjab and the United Provinces, and important communities like the non-Brahmins of the Madras Presidency, are not successful to any appreciable extent in competing at the Civil Service examination if held in India, would you contemplate such a result with equanimity?—Yes, because when the people have gone through that ordeal of examination, and have reached that high culture, I do not apprehend any injury to the Service or the people from such a cause.

846. Do you think the provinces and the communities that are left out will equally contemplate the result with satisfaction?—Yes, because I provide that through the Provincial Service openings may be found for them as a supplementary arrangement.

847. Without consideration of the merits of individuals?—No, through nomination and combined examination and tried service and capacity.

848. As regards your supplementary scheme, I put it to you that members of the Provincial Service found most fitted to hold the higher appointments will be promoted to those higher appointments?—Yes.

849. And you will not pass over the more meritorious men simply because of a desire to secure class representation?—I do not quite follow you.

850. Try and understand my question. You say that inequality of class representation could be rectified by listed posts being left open as they are now. But in making appointments to listed posts in the Provincial Service I take it that the primary consideration which would weigh most with the Government would be the individual merits of the officers?—Certainly.

851. Then I do not see how by that means you will be able to secure representation of communities?—I do not believe anybody advocates that incompetent people should simply by reason of their communal qualifications be advanced to higher posts.

852. As regards class representation, you provide for that according to your scheme of listed posts?—Without having to pass through a very stiff examination, such as a competitive examination, these men might qualify by their ability in the practical work of administration, and can pave their way to the higher positions. That is all I mean.

853. The Provincial Service is practically confined to Natives of India as defined by the Statute, is not that so?—Yes.

854. In that case how will the English people be provided for?—There is a rule saying that if Europeans are to be appointed, the sanction of the Governor-General must be taken, but I believe there is no embargo against their appointment if there is any special need for such appointments. If there is any special need for such appointments there is nothing to prohibit them being made.

855. You know that listed appointments are very few to satisfy the necessities of representation?—We cannot help that.

856. Under your scheme it is illusory to say that there would be any representation?—According to their general qualifications and capacities people can rise up, and in the Provincial Service there are about 300 appointments, both Judicial and Revenue together.

857. What would you think of a scheme which combined competitive examination as well as selection?—With regard to the supreme competitive test I should like nothing to be kept back. The numbers should be published. Failure was suggested as a cause of dissatisfaction. Holding back numbers would be a most serious cause of discontent.

858. I suppose you know that there are Universities which have lists of successful candidates not arranged according to marks?—That is for the last grade I believe, and not for the higher grades. Your proposal would involve the abrogating of the higher examinations also.

859. Will you tell me your chief reason in support of competitive examination?—The highest talent must be available for the Service of the country.

860. That is to say the matter of a few marks are decisive; say 20 marks out of 2,000?—I do not say that it is an infallible test. I say it is the best test you can devise.

861. You do not suggest any such test with respect to Judicial appointments?—With respect to Judicial appointments, I say it is the practising men at the Bar who have established their capacity that you should take.

862. That is not a competitive test, or competitive examination?—I have not committed myself to one channel of selection for the Judicial. You will find, perhaps, that that would be the best way of doing it. If you are not willing to adopt that, you might adopt the alternative course I suggest.

863. Do I understand then that even for recruitment to the Provincial Judicial Service you would prefer a competitive test to the present mode of selection?—Competition with nomination, I say.

864. As regards the combination of Judicial and Executive functions, do you know that the chief objection to such combination is that the District Magistrate as the head of the police is responsible for the peace of the district, and also has control over the magistrates trying cases: do you consider that right?—I would prefer the magisterial functions being made part of the duties of a separate judiciary. That is what I said in my answer.

865. (*Sir Valentine Chirol.*) I should like to elucidate one point. I think I am right in saying that it is chiefly a sentimental value which you attach to a simultaneous examination in both countries, is not that so?—No, it is not merely sentimental.

866. I said chiefly?—Because of the possibilities of the future. Though the benefit immediately may be small it will knock out that sense of prohibition. It will open the door to posts with high emoluments on the part of the Indian population, and qualify them for the higher spheres of life. It is not merely, therefore, the sentimental point of view I am talking of. What I meant was that the number who might get in immediately may be small. It would not be altogether sentimental.

867. You attach so much value to that future result, partly at least sentimental, that you are indifferent to what the purely practical results would be, and whether no increase in the number of Indians occurs, or whether the whole of the English element is swept out is a matter of indifference to you?—I firmly believe that the contingency will not arise.

868. But if it does arise you would not mind?—No, I can consider the position when it arises, but I would not anticipate the point now.

869. (*Sir Murray Hammick.*) I understood you to say in answer to Mr. Ramsay Macdonald that if English recruitment to the Civil Service ceased in the next few years owing to your scheme of simultaneous examinations it would make no difference to you, and that you would not object because you consider the high standard at which boys would arrive in passing the examination in this country would make up for any deficiency of Europeans in the Service. Is that what you said?—Did I say so? I meant to say that it was an extremely hypothetical case; but if Indians did develop to that degree and they swept the board completely, I am bound to say that I would give much consideration to that position.

870. The point I wish to put to you is this. Your proposal is, first of all to have simultaneous examinations, and secondly, to make a considerable number of Judicial appointments from the barristers out here?—The English Bar and the Indian Bar.

871. And thirdly it is to enlarge the number of listed posts?—I have not committed myself to an opinion with regard to enlargement.

872. You would retain the existing listed posts?—Yes.

873. Then you may take it that the number of appointments left for Europeans in England would be considerably smaller than it is now?—That is on the assumption that the Judicial Service is to be taken out of the purview.

874. Yes?—It will to that extent.

875. You may have heard already that there is a growing disinclination on the part of the youth in England to go up for the Indian Civil Service examination in England. Perhaps you have heard that?—Yes.

876. Is it not likely that the effect of this proposal of yours will be to so much further render unpopular the Indian career at Home that English competition for that Service will very much deteriorate in quality, and that boys who go up for examination in England will be by no means of the same character as they are now? Is not that likely to happen?—It proceeds on the assumption that you are going to remove the Judicial service from the purview of recruitment.

877. You propose it?—I propose it; but even so, I do not think you recruit more than 4 per cent. of the cadre at present.

878. You do not think that would have an effect upon the quality of the candidates who go up for examination in England?—If you could get equally good men in India I do not see any harm.

879. Supposing the quality of the candidates in England deteriorated, is it not probable that the standard of the examination will itself deteriorate, and that the quality of the admitted candidate in your simultaneous examination in India will deteriorate in India also?—If you want a larger number of appointments to be kept open for competitive examination you might not adopt the alternative suggestion made by me, but proceed to the proper training of the people who are elected to a Judicial career.

880. I am not asking what I want. I want to know what you want. Owing to the growing unpopularity in England, which will be so much emphasised by the scheme you propose, by taking away the Judicial appointments and having a simultaneous examination, is it not likely that the quality of the boy who goes up for the Indian Civil Service in England will deteriorate, and that in consequence the quality of those who appear and succeed in India at your simultaneous examination will deteriorate also?—I do not know why you should lower the qualification. You will have Indians also competing for the examination, and you might maintain it at the same high level.

881. If you instituted a simultaneous examination, do you not think that Brahmans will get in very largely in this Presidency during the next few years?—That will last only a very short time. If the educational facilities are going to be extended as they are proposed to be done people will all come more or less on the same level as regards education.

882. You think that will happen in the next few years?—At any rate in another generation.

883. That would be 25 years?—Yes.

884. And meanwhile the Brahmans will swamp the Service for the next 25 years?—I do not apprehend any harm from that, because they will have gone through an ordeal and equipment which will render them perfectly innocuous so far as caste or other predilections are concerned.

885. You think that Brahmans by passing the examination will have lost all caste prejudices?—Yes, because I insist that they should go to England also.

886. Are you not aware that at the present moment in certain districts the Brahman has made exceedingly little progress towards advancing in the direction which you intimate in the way of giving up his caste or admitting other people to his immediate presence and associating with him?—I may say that there is a great slackening of that caste exclusiveness, and I can speak to it from some personal knowledge.

887. Has it not been necessary, or has it not been established in the south of India for some time, that missionaries have to organise the digging of wells in villages, for instance in Tinnevelly, because Pariahs are not allowed to use the village wells?—I do not say that on sanitary grounds such separate location of wells in the present condition is undesirable; but as a matter of religious exclusiveness, so far as administrative questions are concerned, I think the difficulty is vanishing.

888. Is it not a fact that in schools up-country the presence of Pariah children is not allowed?—That is so in some cases.

889. Not in some cases: is it not a general fact throughout the Presidency?—In some of the outlying places there is some kind of difficulty.

890. As a third point, is it not your experience as Survey Officer up-country that you find serious difficulty in making Brahmans go into Pariah quarters?—So far as I am personally concerned when I was a Collector I experienced that difficulty; my Brahman Revenue Inspector stayed outside.

891. Has not that occurred to you as Survey Officer?—I have not hesitated to go; and perhaps my subordinates did not care to lag behind.

892. Is it not a fact that you have said that in Malabar, and all down the West Coast, the Pariah who passed the Civil Service would have no difficulty in surveying anywhere; but is it not a fact that in Malabar the Pariah is not allowed to approach the Brahman?—Even in Malabar a man of a certain status is treated well.

893. You said that there would be no reason to suppose that there would be any discontent from a large number of failures in this examination. Is it not a fact that disappointments and heart burnings caused by the large number of failures in the Matriculation examination in Madras a few years ago caused the Senate to relax the rules and allow a certain number of failures to pass?—The two are not parallel at all.

894. But that was a fact, was it not?—That was a fact, but the two are not parallel at all.

895. You say that this examination will stimulate education. Do you not think it possible that it may stimulate education in the wrong direction, and that it may stimulate cramming?—I think the Civil Service examination is an examination which does not encourage cram.

896. (*Mr. Oldfield.*) Are you a graduate?—No.

897. Have you paid any special attention to educational matters?—No, except that I passed through the school.

898. Simply as an ordinary member of the public?—Yes.

899. How long is it since you were a Magistrate?—I never was a Magistrate.

900. As regards Divisional matters, it is simply as an ordinary member of the public?—Yes.

901. With regard to the competitive examinations and the hardship of their being held in English—a foreign language—are the University examinations here held in English?—Yes.

902. Has there ever been a suggestion that they should be held in Tamil or a vernacular?—No, they cannot possibly be held in those languages.

(The witness withdrew.)

At Fort St. George, Madras.

Thursday, 9th January 1913.

SECOND DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. OLDFIELD, Esq., Acting Judge of the High Court of Judicature, Madras.
M.R.Ry. Diwan Bahadur R. RAMACHANDRA RAO Avargal, Collector, Nellore.
M.R.Ry. V. SUBRAHMANYAM PANTULU Garu, District Judge, Cuddapah.

M. S. D. BUTLER, Esq., C.V.O., C.I.E.
R. R. SCOTT, Esq. } (*Joint Secretaries.*)

M.R.Ry. Rao Bahadur C. KRISHNASWAMI RAO Avargal, Subordinate Judge.

Written answers relating to the Indian Civil Service.

903 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I can only lay claim to the experience I have gained from my contact with members of the Indian Civil Service during the last twenty years; firstly, in my capacity as a Pleader in a mufassal district centre, and

secondly, as an officer of the Judicial branch of the Provincial Civil Service.

I accept as generally satisfactory the principle involved in recruitment by open competitive examination—a principle which was first laid down by the 36th and the 37th sections of the India Act of 1853 (Statutes 16 and 17 Vic., c. 95) and which has ever since been followed with unqualified success. The competitive principle is by far superior to any other principle that can possibly be suggested.

A competitive examination is, no doubt, intended primarily to test the intellectual qualifications of candidates, but is also a fairly accurate means of testing their character, for in a large majority of cases men of attainments are also men of character.

904 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system of holding the competitive examination in England is not suitable for the free admission of Natives of India to the Civil Service. Difficulties pertaining to proper supervision over young Indian students in England and considerations of expense and risk of loss for what may be regarded as a speculative adventure deter many native youths from proceeding to England, especially as the chances of success are usually regarded to be very small in the case of such candidates.

It has been repeatedly declared that Natives of India should be admitted to places of trust and responsibility as freely and extensively as the exigencies of the administration will permit and that fitness should be the only criterion of eligibility. If the test of fitness and merit is to be based upon the results of an open competition—and undoubtedly it is the best test—it stands to reason that facilities should be afforded to native youths for competing at such examinations. It would be manifestly unjust to impose obstacles in their way by compelling them in their early years of life to proceed to a distant foreign country for the purpose of competing at the examination at considerable expense on the bare off-chance of success.

An examination in the literary and scientific subjects is as good a test of character in the case of Natives of India as it has been found to be in the case of British youths. In this connection it is important to bear in mind that the Public Service Commission of 1886–87 found themselves unable to proceed on the general assumption that Natives are unfit for district and other executive charges, but were able to testify to the great intelligence and ability of the Native Covenanted Civilians who had entered the service through the channel of the English competition.

If the fitness of such Covenanted Native Civilians is in any measure attributable to their having gone to England to appear at the English competition, the same result can be attained by compelling the successful candidates at the simultaneous examination in India to spend their period of probation and to undergo their probation in England.

Whatever may have been the state of education in India at the time of the last Public Service Commission, the reformation in the universities and the consequent introduction of a higher standard of education in India is a sufficient guarantee that Indian youths, who appear at the competitive examination, will have received a sufficiently liberal culture to fit them for positions of trust and responsibility. There is no reason, therefore, why the Indian youths should be denied equality of opportunities with the British youths to compete for the Civil Service of the country of their birth.

The representation of the different classes of the Indian community is a matter on which emphasis is laid in the consideration of this question. It is not clear how the interests of the different classes of the community are better served by holding the competition in England. But assuming that the holding of a simultaneous examination in India will prejudicially affect the interests of what are called backward communities, the solution is, in my opinion, to afford educational and other facilities to members of such backward communities to acquire the required standard of intellectual merit. And furthermore, if once we depart from the simple rule of taking the best men without distinction of race, creed, or colour, there is no knowing where to stop; there can be no logical halting point.

A very great advantage will result from the holding of a simultaneous examination in India in that it will give a great impetus to higher education and will act as a strong incentive to the backward classes to strive for and reap the benefits of such higher education. Any system of recruitment based on mere considerations of race or religion without regard to intellectual fitness must stand self-condemned, not only because of deterioration in the service which it must necessarily lead to, but it would operate as a set-back to the cause of education.

I would, therefore, recommend the holding of a simultaneous examination in India so as to permit of the free admission of the Natives of India to a fair share of the higher appointments in the Covenanted Civil Service.

The adoption of such an examination in India for the Indian Civil Service will necessarily raise the question of fixing the relative proportions of the European and Indian members of the service so as to preserve the essentially British character of the administration. This seems to be the real crux of the matter and it is better to face this question boldly instead of raising side issues which have no real relevancy. It is certainly an indispensable condition that such proportions should be fixed. But it is a matter for consideration whether the proportion should be fixed now or some time after the new system has been tried and its results have been ascertained. There does not appear to me to be any probability of any undue proportion of Indians succeeding for many years to come. If it is, however, necessary to fix it now, I would fix it at one-third for Indians. This proportion has a reference only to the appointments to be reserved for the Indian Civil Service. I would further add that the said proportion should be adjusted, not on the results of each year which must necessarily vary, but periodically on the expiry of a definite period, say, of five or ten years.

905. (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—My answer is in the negative.

906 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Yes. The present system is best calculated to secure the best candidates available for the examination. If separate examinations are held, the best candidates might not appear for the Indian Civil Service Examination. It would also give the Government a wider choice of selection so as to provide the Indian Service with the best material available and thereby to prevent any risk of deterioration in the service.

907 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:— (*a*) Selection by headmasters of schools approved or otherwise. (*b*) Selection by authorities in Universities approved or otherwise. (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State. (*d*) Combined nomination and examination. (*e*) Any other method?—In view of my answers to questions (1) and (3) this question does not arise. I may add that I am opposed to any method of recruitment based on selection or nomination by any authority. Such a system would have a tendency to develop nepotism.

908 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—As the simultaneous examination is intended for the benefit of the Indian youths in recognition of their natural claims to preferment in the land of their birth, there is no need to hold this examination in any other place outside India.

909 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—In view of my answer to question (3) this does not arise. But I would recommend a separate examination in each province in India for the recruitment to appointments not falling within the cadre of the Indian Civil Service but pertaining to the service now known as the Provincial Civil Service. This is, however, a matter which can more appropriately be dealt with under the heading 'Provincial Civil Service.'

910 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I would impose no such restriction on Natives of India.

911 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—The system of selection by means of a simultaneous examination in India will not supersede but will be supplementary to the present system of promoting to listed posts officers of the Provincial Civil Service.

In the first place, until the proportion of one-third mentioned in my answer to question (3) is reached, the necessity for such promotion will not cease.

Secondly, members of the Executive branch of the Provincial Civil Service should have a few chances of rising to higher appointments as an incentive to good and efficient work. From paragraph 2 of my answer to question (23) it will be seen that the Judicial branch of the Provincial Civil Service is treated on a different footing.

Thirdly, Government should have in reserve a few appointments, for the exercise of their patronage in exceptional cases.

912 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I would not recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service. The method of recruitment being retained as it is, such training as may be required by officers of the Indian Civil Service who elect the Judicial branch may be otherwise provided for—*vide* my answer to question (66).

913 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His "Majesty in India, of parents habitually resident "in India, and not established there for temporary "purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I would propose the omission of that portion of the definition which prescribes that the person should have been born within the Dominions of His Majesty in India. In other respects the definition may stand as it is.

914 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I consider that the age limits should be fixed so as to attract candidates who have completed a University course. It would even seem to be desirable to insist on the completion of a University course as a qualifying condition for admission to the examination. This system would secure for the service a body of really able and superior men.

In India the prescribed minimum age for completing the School Final Course is 15 and the average age for completing it is 16. The B.A. (Honours) course requires a period of five years,

and allowing one year for preparation, the average age at which an Indian student can, under present conditions, proceed to England will be 22. To allow him sufficient time to prepare himself for the examination and to give him two chances of appearing for the examination the maximum age limit should be raised to 25. I would therefore propose the age limits might be raised to 23-25.

915 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—In answering question (15), I have answered the first part of this question as well. I would make no differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty. If the maximum age of twenty-five be considered too high, I would fix that limit at least for the Indian student for the reasons given in my answer to question (15). The raising of the age limit would conduce to greater maturity of judgment and more thorough education on the part of the candidates selected.

916 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature "that no candidate who may fail shall, to what-"ever calling he may devote himself, have any "reason to regret the time and labour which he "had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—Yes.

917 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—The marks assigned to Sanskrit and Arabic should be equalised with those assigned to Greek and Latin. It is said that in papers on Roman and Greek History quotations from Latin and Greek are put, with the result that Indian candidates are precluded from taking up these subjects unless they know Latin and Greek. This hardship if it really exists, might be avoided.

918 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—I do not think any differentiation in the subjects for the examination is desirable between candidates who are Natives of India and other candidates, especially as there are a large number of subjects to choose from.

919 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions]?—It is in my opinion necessary to define the interest of officers recruited by open competition in England, and their interests can be best defined by express reservation by Statute of the posts open to them. In answering question (3) a reduction in the cadre of the Indian Civil Service has been suggested by me as one of the remedies for removing the disabilities under which Indians at present labour in the attainment of their just aspirations for high and responsible appointments. The curtailment of the recruitment in England and the substitution of indigenous agency being both just and expedient, I think some of the appointments may be removed from the schedule of the Indian Civil Service Act of 1861.

Confining myself to the Judicial branch of the Civil Service, I would suggest the exclusion from the schedule, of one half of District and Sessions Judges or chief Judicial officers of the districts. It may be mentioned in this connection that the Public Service Commission of 1886-1887 recommended the exclusion from the schedule of one-third of such appointments but effect was not given in full to their recommendation. Conditions have changed materially since then, with the result that indigenous agency to fill these posts is available in sufficient numbers and with sufficient qualifications to justify their appointments. And furthermore, the European Civilian officer does not take kindly to this branch of the service and is generally an unwilling servant marking his time for retirement from the service. There are, of course, some who show a liking and even a preference for the Judicial service, and to such officers the remaining fifty per cent. of the appointments will serve as a sufficiently ample field for the exercise of their talents and for acquiring the training necessary to fill the Indian Civil Service section of the High Court Bench.

920 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—So far as the Judicial branch of the Service is concerned, to which I confine myself, my answer to this question is covered by my answer to question (23).

921 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—In addition to the open competitive examination in England and the simultaneous examination in India, the special arrangement referred to in the question may be retained, as it is desirable that the Government should retain power in very special cases and under prescribed conditions to

make direct appointments to offices in the higher grades.

922 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—There is no reason to suppose that "Natives of India" recruited by means of open competition in England are less efficient than the European members of the Indian Civil Service of the same standing. But it is possible that the former lack that lightness of heart and fearlessness of mind which, in the case of the latter, are the necessary concomitants of the sympathetic support of the service, which rarely fails them in emergencies. In this Presidency the tendency seems to be to employ native members of the Indian Civil Service more largely in the Judicial branch than in the Executive. I am unable to explain the reason.

923 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—My answer is in the negative.

924 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—The figures concerning the Judicial branch of the Provincial Civil Service are correct for this province. I do not, of course, deal with the listed posts not connected with the Judicial branch.

The number of posts of District Judges listed for this Presidency is four out of a total of twenty-two appointments.

925 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorized list, and explain the reasons?—The four posts referred to in my answer to question (33) are ordinarily and regularly held by Natives of India.

926 (35). To what extent also during the last five years have these listed posts been filled—

(*a*) by members of the Provincial Civil Service;

(*b*) by other "Natives of India"?

Please give the names and positions of the latter, if any?—My recollection is that until recently two out of these four appointments were held by members of the Provincial Civil Service, one by a member of the Statutory Civil Service who has since retired, and the remaining appointment was held by an officer who would fall under the heading of "other Natives of India." At present, three appointments are held by members of the Provincial Civil Service and the remaining appointment is held by "M.R.Ry. Diwan Bahadur C. V. Kumaraswami Sastriar Avargal, District Judge, Ganjām". At the time of his appointment as District and Sessions Judge, he was not a member of the Provincial Civil Service but was a Judge of the City Civil Court which is not included in the cadre of the Provincial Civil Service.

927 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—My answer to the first part of this question is in the affirmative (*vide* my answer to the previous question). In a very recent instance the proportion of one-fourth fixed in rule No. 2 was exceeded. Reference is made to this fact in my answer to question (2) under the heading of Provincial Civil Service.

928 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—So far as the Judicial branch is concerned District Judgeships form the only class of listed posts. Additional or temporary Sessions Judgeships might also be thrown open to the Provincial Civil Service.

929 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration?—Officers of the Provincial Civil Service selected to fill Sessions Judgeships lack, in the generality of cases, training in criminal work just as members of the Indian Civil Service appointed to the District Judgeships lack training in civil work. The remedy has to be sought for both these cases and may be considered in dealing with questions under the heading of "Training".

930 (40). Please now turn to the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled?—This question presumably refers to special appointments of persons who are not covenanted Civil Servants under the provisions of section 3 of the Indian Civil Service Act of 1861. I am not aware of any such appointment having been made in this province during the last five years.

931 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I have no personal experience of the results of the existing systems of probation in England. Such probation ought to be beneficial and must be continued.

932 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—I would recommend probation for a period of two years.

933 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—I am of opinion that the general education of candidates should be completed before the competitive examination. The raising of the age limit would dispense with the necessity of making any special provision for a post-university training as suggested in the question. And furthermore, I have suggested in my answer to question (15) that it would be desirable to insist on the completion of a University course as a qualification for admission to the open competitive examination. The object of the probation is to enable the successful candidates to enter upon the special studies designed to fit them for duty in India, and consequently the period of probation must be utilised to give them the necessary training to fit them for such duties.

934 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—I consider that probationers should receive allowances during their period of probation. The scale of allowances should be fixed according to their pecuniary requirements. The conditions must be such as would ensure satisfactory progress in their training and the maintenance of good character.

935 (48). If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?—The course of study that I would recommend will be on the lines of the syllabus which was in force in 1891 when the period of probation was two years and which is now printed in column I of Appendix VI.

936 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—I would answer this question in the negative.

937 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—My answer to question (45) applies to this question as well. I would answer the latter part of this question in the affirmative.

938 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—I would prefer the syllabus of 1891. But Political Economy which is included in the curriculum of the open competitive examination may be excluded from the curriculum of the final examination.

939 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at law Courts in England and reporting of cases: (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—The syllabus of 1891 provides for compulsory attendance at Law Courts in England and reporting of cases, and provides also for the study of the law of India, the History and Geography of India and vernacular language. The syllabus may accordingly be adopted in its entirety with the exception of Political Economy for the reason stated in my answer to question (51). It may be mentioned in this connection that even for those who are to fill the higher executive appointments a judicial training is becoming a matter of necessity. The Revenue Department is becoming a quasi-judicial service. Questions in Forest and Revenue Law have frequently to be decided by Revenue officers; they have also to judge of the expediency or otherwise of instituting or defending suits, and mistakes in this respect should be avoided as far as possible.

940 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—The course of instruction may be best spent in England for the reasons mentioned in question (56).

941 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—In view of my answer to question (53), I would answer this question and the following question in the negative.

942 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—*Vide* answer to question (54).

943 (56). In the report of the Treasury Committee appointed to consider the organisation or Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I would answer that the preliminary training may best take place in England for the reasons suggested in this question.

944 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—I have recommended a system of direct recruitment in India for the Indian Civil Service by means of a simultaneous examination in India. But, for the reasons stated in my answer to question (3), I consider that the system of probation should be on the same lines and conditions as are laid down for probationers recruited in England and the period of probation must be spent in England.

945 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—*Vide* answer to question (57).

946 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I am not for any differentiation being made.

947 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—The present arrangements for the training of the junior members of the Indian Civil Service after they have taken up their appointments in India are intended only to train them for executive work. I do not propose to discuss the sufficiency of the present arrangements for such training. Some change will have to be introduced for giving training in judicial work, but that would be after some service, when the officers concerned might be called upon to elect the service they would like to serve in.

948 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—I am unable to institute any comparison between the past and present in regard to the knowledge of the Indian languages possessed by members of the Indian Civil Service. But it must be acknowledged that their linguistic qualifications are very poor and of little or no practical use. It is possible that the spread of the knowledge of English among Indians, the transactions of all official correspondence in the English language and the constant transfer of officers from one language area to another militate against the attainment of an adequate proficiency in the study of the Indian languages. But these reasons cannot furnish a satisfactory explanation for the present state of things. Notwithstanding the spread of knowledge of English among Indians and notwithstanding the transaction of official correspondence in the English language, the percentage of people ignorant of the English language is still very large and it is with such people that officers of the Indian Civil Service have constantly to come into contact. As observed in paragraph 666 of the Report of the Royal Commission upon Decentralisation in India "it is still however most requisite that he (a European officer) should have such knowledge, since an officer who cannot speak freely to the people of his charge in their own language and understand vernacular petitions handed in to him must necessarily be largely in the hands of his subordinates." The remedy lies in awarding rewards to officers who attain to proficiency in Indian languages and by inflicting punishments on those who fail to do so. There is very little that I can usefully add to the recommendations made in paragraph 667 of the said report. Whatever rules may be framed on the subject, a great deal depends upon the officers themselves, upon their willingness and earnestness to acquire proficiency in the Indian languages. Unless they make it a point to speak the vernacular language to their own domestic servants and to all other persons ignorant of the English language with whom they come into contact on official business or in the course of social duties, real proficiency cannot be attained.

949 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and, if so, what changes?—I do not think that any change in the present rules would improve matters, but real improvement must be sought in the stringency with which the rules are enforced and the candidates are passed. The examiners must be such as have themselves attained a high degree of proficiency.

950 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—As regards the knowledge of law of members of Indian Civil Service in general, I think that the suggested syllabus for the final examination is sufficient. As regards officers selected for the judicial branch, I do not think that the system of study leave to Europe would give them sufficient training for their work in India as Judicial officers, but would recommend a course of preliminary training in judicial work on the lines indicated in my answer to question (66).

951 (65). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—No.

952 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details.—I would recommend that the officers selected for the Judicial branch should receive training in subordinate judicial posts under the supervision and control of a District Judge. In the first place each officer should be attached for a time to the court of a District Munsif, then to the court of a Subordinate Judge and finally to the court of a District Judge. The period to be spent at each court need not be long: it may be even a month. Secondly, after the preliminary training is over, the officer should be made to serve as a District Munsif and then as a Subordinate Judge, drawing all the while his pay according to his rank in the Indian Civil Service. Thirdly, I would reserve for this purpose a few appointments of District Munsifs and Subordinate Judgeships to be filled by such officers of the Indian Civil Service.

I would also insist that when a Civilian officer is appointed to the post of a District Judge, he should be given exclusive original civil jurisdiction over a portion of his district, and ability shown in the disposal of such original civil work should be made a condition precedent to the selection of such an officer to the High Court Bench. This

arrangement would also facilitate the training of Subordinate Judges in criminal work by relieving them of a portion of their original civil work [*vide* my answer to question (19) under the heading of "Provincial Civil Service"].

953 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—I would encourage higher study of law by instituting rewards.

954 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—I would make no differentiation.

955 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—*Vide* my answer to question (57).

956 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—I would answer this in the negative.

Written answers relating to the Provincial Civil Service.

957 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I would suggest the conditions of recruitment for the Provincial Civil Service be embodied in an enactment, either local or imperial, rather than left to be governed by rules framed either by the Government of India or the Local Government. An enactment of such a nature will not only place the interests of officers of the Provincial Civil Service on a firm basis but will prevent amendments or alterations without wide publicity and effectual discussion.

958 (2). Please supply a copy of the rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—Here again I would suggest that the rules be defined by an enactment with a schedule attached thereto, showing the appointments reserved (not merely thrown open to) for members of the Provincial Civil Service.

There is a great discontent amongst the members of the Judicial branch of the Provincial Civil Service of this Presidency in regard to the manner in which some appointments were made to the higher grades of the service during the course of the last four years. In one case a gentleman who, according to the rules of the Local Government, was not even qualified for the post of a last grade Subordinate Judge was appointed all at once as a permanent Subordinate Judge of the highest grade. The justification for the violation was that the rules of the Local Government had not the force of a statutory obligation. In another case the proportion of one-fourth fixed in rule 2 of the Notification of the Government of India, No. 1128, printed as Appendix IV was exceeded; and the probable explanation is that the listed appointments are only *open* to members of the Provincial Civil Service and not *reserved* for them. In the interests of the service there ought to be no room for disappointment or discontent. It is therefore proposed that the regulations governing the service should be clearly defined by a legislative enactment.

In regard to other matters covered by the rules of the Local Government I shall deal with them in answering questions which deal with details. At present I have confined myself to a consideration of certain general principles underlying the constitution of the Judicial branch of the Provincial Civil Service.

In regard to the Executive branch of the Provincial Civil Service, a separate examination for each Presidency may be held every year as was being done until some time recently. It is, however, a matter into which I do not propose to enter, as members of that branch of the service will be more competent to deal with it in regard to the details of such system.

959 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your province. If not, what alterations are required?—The information in regard to the Judicial branch is correct. It does not, however, include a number of Subordinate Judges' courts established temporarily. On the 1st of October 1912 there were no less than ten such courts. A large number of these may have to be made permanent and the question is under the investigation of an officer specially deputed for the purpose. The temporary appointments so created are all of the last grade. The result is that there are now four Subordinate Judges on a pay of Rs. 800, five on Rs. 650 and nineteen on Rs. 500. The number of District Munsifs in the last grade is at present 31 and not 29.

960 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation?—So far as the Judicial branch of the Provincial Civil Service is concerned, recruitment to the grade of District Munsifs has now, for nearly thirty years, been made according to the conditions embodied in rule No. 4 of the rules framed by the Madras Government, printed at page 74 of the "Abstract of the rules relating to the Public Service examinations in the Madras Presidency."

Barristers, Advocates, High Court Vakils and District Munsifs are eligible for the post of Subordinate Judges. But in practice Subordinate Judges are recruited almost entirely by selection from the ranks of District Munsifs. During the last thirty years there were only three or four instances of direct recruitment from the Bar to the post of a Subordinate Judge.

As District Munsifs are recruited mainly from the members of the legal profession and as several of them, by reason of their experience and ability, become better fitted for the post of a Subordinate Judge than one who has continued to remain at the Bar with more or less indifferent success, no real necessity has perhaps been felt for direct recruitment from the Bar to the post of a Subordinate Judge.

The number recruited every year fluctuates according to the number of vacancies.

961 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—So far as the Judicial branch of the Provincial Civil Service is concerned the recruitment cannot, for obvious reasons, be by open competitive examination. The field of recruitment must be confined to those who are in active practice of the legal profession.

In regard to the recruitment of District Munsifs I would, in view of the large number of graduates in law in this presidency, limit the field of recruitment to those who would fall within clauses 1, 2 and 5 of rule IV of the rules of the Local Government. Persons falling within clauses 3 and 4 of the said rule are but very rarely appointed as District Munsifs and there is no need, therefore, to retain these two clauses.

As regards the recruitment of Subordinate Judges I have in answering question (4) observed as follows: As District Munsifs are recruited mainly from the members of the legal profession and as several of them, by reason of their experience and ability, become better fitted for the post of Subordinate Judge than one who has continued to remain at the Bar with more or less indifferent success, no real necessity has perhaps been felt for direct recruitment from the Bar to the post of a Subordinate Judge.

But an influential section in Madras is of opinion that there ought to be a large percentage of direct recruitment from the Bar for the higher grades of the Judicial service, that is, to the posts of Subordinate Judges and District Judges. This theory is based on the assumption that the knowledge and experience gained by an officer as a District Munsif, instead of rendering him better fitted for the duties of a higher Judicial office, produces quite the contrary effect and disables him from being selected for the higher appointments. Similarly according to the theory of this influential section of the public, a member of the Bar who by direct recruitment is appointed to the post of a Subordinate Judge would, after a few years' experience in that capacity, become less fit for the appointment of a District Judge than one who still continues to remain at the Bar in eager expectation of an opportunity for his advancement. I am not sure how this theory, if pushed to its logical conclusion, would apply to the promotion of an officer from the position of a District Judge to that of a High Court Judge.

I doubt how this theory would work if applied to the Executive branch of the service; but even in regard to the Judicial branch of the service I cannot bring myself to subscribe to it. If a member of the Bar while yet young in years joins the Judicial service as a District Munsif, he must, in my opinion, as years roll on and as he gains experience and acquires knowledge, become, in the natural course of things, better fitted for the more arduous duties of a higher Judicial appointment. At any rate, he cannot be in a worse position than one who, in spite of his longer standing at the Bar, is unable to make sufficient headway in the profession but is willing to accept, when fairly advanced in years, an appointment on Rs. 500.

The same observation applies to direct recruitment from the Bar to the appointment of a District Judge. It would be unjust to the service and detrimental to the interests of the public to select men of inferior calibre from the Bar for direct appointment either as a District Judge or as a Subordinate Judge. It is not likely that a man who has a considerable practice at the Bar would forego that practice and the chance of extended practice and take up either of these appointments, and furthermore such direct recruitment to the higher ranks of the Judicial service would, by impairing the prospects of District Munsifs and Subordinate Judges, inevitably result in a deterioration of the lower ranks of the Judicial service. It must be mentioned in this connection that District Munsifs as a body have repeatedly earned high praise from the Honourable the Judges of the High Court and from the Local Government for ability and efficiency and it would be, in my opinion, a misfortune if this able and hardworked class of officers, who have been able to earn such high praise, is treated with scant consideration and is deprived of the prize appointments.

One of the arguments upon which their disqualification to higher appointments is based is that they become too old and effete when the time comes for their promotion to the higher ranks of the service. I shall deal with this aspect of the matter in answering question No. (47).

In my opinion, the higher appointments in the Judicial service should ordinarily be filled from the most meritorious of the senior men of the Judicial branch of the Provincial Civil Service. I say ordinarily for I am not altogether opposed to the principle of direct recruitment to the higher grades of the service; but cases of such recruitment must be proportionately small and patronage must be exercised under exceptional circumstances. The proportion must be fixed as low as possible and ought not, in my opinion, to exceed 20 per cent.

I would, therefore, recommend that in regard to the recruitment of the Subordinate Judges not less than 80 per cent. of the appointments be reserved for District Munsifs, and similarly in regard to the appointments of District and Sessions Judges transferred to the Provincial Civil Service I would suggest that not less than 80 per cent. of such appointments be reserved for Subordinate Judges.

To meet these two conditions, a suitable rule will have to be framed under the Madras Civil Courts Act and rule 2 of the Notification of the Government of India No. 1128, printed as Appendix IV, will have to be amended by substituting "$\frac{1}{3}$" for "$\frac{1}{4}$".

These exceptional appointments ought not to be made as a mere matter of course but should be governed solely by the exigencies of the public service; for the public have a higher claim to

efficient service than any member of the Bar can have for his personal advancement. And furthermore in making these special appointments the Local Government may, other qualifications being equal among the candidates, be legitimately guided by considerations of birth and respectability of the candidates and also by considerations of a fair and proper representation of the different sections of the Bar and of the different classes of the community.

In the case of direct recruitment as aforesaid for the higher ranks of the Judicial service I would insist as a necessary condition that the person chosen should be a successful practitioner with considerable practice on the original side, either in the presidency town or in the mufassal. In my opinion, training in purely appellate work is not a sufficient qualification for the proper exercise of the duties of a Judge in the mufassal. This remark will also apply to the recruitment of District Munsif from the Bar—a principle which, I am afraid, is not always kept in view.

962 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—In regard to the first part of the question I have no information. I would answer the latter part of the question in the affirmative.

963. (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—The selection being made from among the members of the legal profession, the representation of the different classes of the community is a matter which ought to be left to the discretion and judgment of the authority in whom the power of appointment vests. I have made a similar observation in regard to special appointments made by direct recruitment to the higher branches of the Judicial service. There is, therefore, no need for any separate rules being enacted in this behalf. Undue prominence given to class representation in public appointments would have, in my opinion, an unfortunate tendency to accentuate and perpetuate class differences. The encouragement of such a tendency is of questionable expediency.

964 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—At present there is no system of training in vogue for officers recruited for the Judicial service except such training as they get prior to their appointment as District Munsifs, either in the exercise of the legal profession or in the discharge of ministerial duties on the establishment of the High Court or of a District Court.

I would suggest that an officer selected for the post of a District Munsif be attached to a District Court or to a Subordinate Judge's Court as personal assistant to the presiding officer of such court so that he may receive practical training for a period of not less than three months and not exceeding six months. He may then be placed in charge of an independent court on probation for a period of one year.

No such training or probation will be required in the case of special appointments by direct recruitment from the Bar to the higher rank of the Judicial service. Officers selected under this system are expected to be men of conspicuous ability and would not stand in need of any special training or probation.

965 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—In regard to the Judicial branch of the service I would suggest that it be made up of—

(1) Not less than one High Court Judge (*vide* note below).

(2) Fifty per cent. of District and Sessions Judges—*vide* my answer to Question (23) under the heading of the "Indian Civil Service."

(3) The City Civil Judge.

(4) Two Puisne Judges of the Presidency Small Cause Court.

(5) Subordinate Judges.

(6) District Munsifs.

(7) Registrar, Presidency Small Cause Court.

(8) Deputy Registrar, Appellate Side, High Court.

(9) One junior Professorship and one Assistant Professorship of the Law College.

Note.—Section 2 of the Statute 24 and 25 Vic., c. 104, provides that not less than one-third of the Judges of the High Court including the Chief Justice shall be Barristers and not less than one-third shall be members of the Covenanted Civil Service. The members of the Public Service Commission (1886–87) noticed the absence of any provision fixing a proportion of such appointments for Judicial officers of the Uncovenanted Civil Service and observed that the time had come for appointing to High Court Judgeships a larger proportion of persons who have held judicial offices or who are advocates or pleaders of the High Court. The Commissioners left it to the Government to decide the number of Judges to be selected from the Judicial branch, the Provincial Service or from advocates or pleaders of the High Court. In concluding their observations in regard to this matter they made the following important pronouncement:—"One important effect of this recommendation would be to throw open more fully than at present to members of the Provincial Service, if established, the highest judicial offices of the country, for which it might be anticipated that natives, of whom the Provincial Service will mainly consist, will become qualified in increasing numbers if the higher judicial offices are rendered more accessible to them in the manner proposed."

But as a matter of fact ever since 1895 there has not been a single representative of the Provincial Service on the Local High Court Bench, but in the early part of this year a member of the Provincial Service was appointed to one of the two temporary appointments recently created for the clearing of arrears. The time has now come when the declaration of the Public Service Commission of 1886–87 might receive greater consideration by according to the claims of the Provincial Civil Service a sure and solid foundation by a suitable amendment in the Statute. I would roughly fix the proportion at one-sixth, but it would even be sufficient if at least one permanent seat on the High Court Bench is reserved by Statute for the Provincial Service.

966 (12). What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—In the case of the Judicial branch the number of appointments is fixed with reference to the amount of work that has to be turned out by the Courts. I would add a dozen appointments for the purpose of training in the manner suggested in my answer to question (9).

967 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—The field of recruitment in the case of the Judicial branch being confined to members of the legal profession, there is no need for the provision of "leave reserve."

968 (14). Is there any reserve for officers under training and is it adequate?—There is no reserve for training in the Judicial branch—*vide* my answer to question (12).

969 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—The annual rate of recruitment depends upon the vacancies happening and it is a fluctuating factor.

970 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Rule 11 of the rules framed by the Madras Government lays down, "Government reserve to themselves the right to make promotions to the superior grades of Provincial Civil Service carrying a salary of Rs. 500 a month and above without regard to seniority, and seniority alone shall not give a claim to appointment to the grade of Rs. 500 a month or to a higher grade. Every such promotion will be based wholly upon fitness and merit, seniority being regarded only when the claims of two or more officers who are equally fit come into competition."

In regard to the Judicial branch of the Provincial Civil Service this rule can come into operation when a District Munsif has to be selected for the appointment of a Subordinate Judge and when a Subordinate Judge has to be selected for promotion as a District and Sessions Judge. A strict enforcement of this rule will certainly tend to greater efficiency in the higher grades of the Judicial Service. In practice, however, it seems to me that in making the selection for the higher appointments in question the test that is applied is of a negative, rather than of a positive, character. Whether an officer has disqualified himself for promotion or, in other words, whether there is any reason for superseding a particular officer is the question upon the answer to which the selection is generally based. On the other hand the proper guiding principle of selection ought to be whether an officer has by his past work shown himself to be a man of marked merit and ability so as to be worthy of selection for promotion to the higher ranks of the service. This, I believe, is the real spirit of the rule in question and it is not in my opinion as strictly enforced as it ought to be.

971 (17). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The interests of individual officers and of the administration can best be advanced by a due recognition of meritorious work and by affording facilities for speedy advancement to meritorious officers. This can be achieved by a strict enforcement of rule No. 11 quoted in my answer to the previous question and by the adoption of a similar principle in the regulation of promotion in the lower grades as well in exceptional cases.

In the interests of efficiency of the administration a power should be reserved to the Government to compulsorily retire from service officers whose continuance in service is found to be undesirable on account of their incapacity or inefficiency. But the power should be exercised in very exceptional cases and on the clearest evidence of such incapacity and upon the unanimous recommendation of the High Court.

The fixing of 21 years as the period of service qualifying for voluntary retirement, as suggested by me in my answer to question (44), will facilitate the retirement of inefficient officers.

972 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?—Instead of the posts being listed as at present, I would suggest that the posts so listed might either be amalgamated with the Provincial Civil Service as suggested in my answer to question (11) or that the persons appointed to such offices might be admitted as members of the Indian Civil Service.

At present 75 per cent. of the listed posts of District and Sessions Judges is recruited from the ranks of Subordinate Judges and the remaining 25 per cent. is recruited from outside the Provincial Civil Service. I would alter the percentages into 80 and 20 respectively—*vide* my answer to question (6).

Subordinate Judges appointed as District and Sessions Judges lack training and experience in criminal work. In fact none of the four Indian District Judges now in service has had any experience in criminal work before appointment as Sessions Judge. I would suggest that every permanent Subordinate Judge presiding over a permanent Subordinate Judge's Court should be *ex-officio* an Assistant Sessions Judge. If this is not feasible a sufficiently large number of Subordinate Judges might be invested with the powers of an Assistant Sessions Judge. This system will on the one hand have the advantage of relieving the District and Sessions Judge of a portion of his criminal work and of relieving the Subordinate Judge of a portion of his civil work. Both the District Judge and the Subordinate Judge will thereby have an almost equal share of civil as well as of criminal work.

973 (21). Are you satisfied with the present designation "the Provincial Civil Service?" If not, what would you suggest?—The word "Provincial" is objected to on the ground that it is used in a derogatory sense.

I would suggest the following designation:—

MADRAS CIVIL SERVICE.

(*A*) *Class No.* 1—	(*B*) *Class No.* 2—
(1) Executive.	(1) Executive.
(2) Judicial.	(2) Judicial.

The two classes being differentiated according to the method of recruitment.

Note.—This suggestion will involve the abolition of the present designation "Indian Civil Service."

974 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle

enunciated above seems to be sound so far as it goes, but I would add that there ought to be some relation between the grades of pay in the Provincial Civil Service and the grades of pay in the Indian Civil Service. Any disparity in the pay of members of the two services holding identical appointments and discharging identical functions would materially affect the prestige of the officers of the Provincial Civil Service. In paragraph 85 of the report of Public Service Commission of 1886-87 it is observed :—

"In one case only would the Commission depart from the principle of regulating the pay, leave and pension rules according to the place of recruitment, namely, in regard to those high appointments which are made directly by Her Majesty. For such appointments, which are very few in number and stand upon a footing of their own, the Commission considers that an exception to the general principle might well be made. The Commission accordingly recommends that for appointments made by Her Majesty the pay and the rules governing leave and pension should be the same for all incumbents whether belonging to the Imperial or the Provincial Service or appointed from outside the service of Government."

I would extend the application of this principle to all officers who are either heads of districts or heads of departments. In regard to other appointments the salary of every office might be fixed at a certain amount and an extra personal allowance might be granted in the case of a covenanted civilian appointed to such office.

975 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—In the consideration of the question it would not be inappropriate to bear in mind the analogy of the theory underlying the condition of service in the Indian Civil Service, namely, that each officer should find himself officiating with practical permanency in an appointment carrying over Rs. 1,000 per mensem after the completion of eight years' service. I do not, of course, mean to say that the conditions of service in the Indian Civil Service are on all fours with the conditions of service in the Provincial Civil Service, but the theory mentioned above would materially help us in coming to a conclusion upon the present question.

The lowest pay of a District Munsif should, in my opinion, be fixed at Rs. 250 per mensem. A memorial by the District Munsifs of this Presidency to that effect has, I believe, received the sympathetic and favourable consideration of the Honourable Judges of the High Court. Now starting with an initial pay of Rs. 250 per mensem, it ought to be possible for this class of officers to rise during the course of ten years to a salary of Rs. 500. This would work out an annual increment of Rs. 25. I would therefore suggest that the pay of District Munsifs be fixed at Rupees 250—25—500, the increment being annual.

As regards Subordinate Judges I would fix the salary at Rs. 600—80—1,000, the increment being annual.

The promotion of an officer from the District Munsif's grade to that of a Subordinate Judge will be made only on the happening of vacancies in the latter grade; and allowing some time for an opportunity for such promotion, a member of the Judicial Branch of the Provincial Civil Service would attain to a grade of Rs. 1,000 after the completion of a service of nearly seventeen or eighteen years—a period within which a member of the Indian Civil Service will find himself with practical certainty in an appointment carrying a salary of over Rs. 2,000 per mensem.

The increase in the emoluments claimed for these two classes of officers is not only justified by the analogy of the theory quoted above, but also by the circumstance that the cost of living has increased enormously and the purchasing power of the rupee has considerably diminished. A memorial by the Subordinate Judges of this Presidency for the increase of pay is pending before the Local Government.

In regard to District and Sessions Judges' appointments held by the Provincial Civil Service members, the existing lowest grade is Rs. 1,200. It does not seem to be quite fair or equitable that a District Judge of the Provincial Civil Service should draw the same pay as a first-grade Sub-Collector of the Indian Civil Service. If a difference should be made between the pay of District Judge of the Provincial Service and that of a District Judge of the Indian Civil Service, I think that, in order to maintain the prestige of an Indian District Judge of the Provincial Service, his pay ought to be fixed at Rs. 1,500 rising to Rs. 2,000 with an annual increment of Rs. 100.

If the time-scale of salary suggested above is not accepted, I would suggest the following system of grading :—

A.—District Munsifs.

1. First grade	...	Rs. 500—15	per cent. of the total number of appointments.
2. Second ,,	...	,, 400—30	do.
3. Third ,,	...	,, 300—30	do.
4. Fourth ,,	...	,, 250—25	do.

B.—Subordinate Judges.

1. First grade	...	Rs. 1,000—15	per cent. of the total number of appointments.
2. Second ,,	...	,, 800—30	do.
3. Third ,,	...	,, 700—30	do.
4. Fourth ,,	...	,, 600—25	do.

C.—District Judges.

1. First grade	...	Rs. 2,000—20	per cent. of the total number of appointments.
2. Second ,,	...	,, 1,800—30	do.
3. Third ,,	...	,, 1,500—50	do.

976 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—If the existing graded system of promotion is maintained, officiating promotions ought to be allowed. Such promotions are now allowed in the case of District Munsifs and District Judges. There is absolutely no reason why the privilege should be denied to Subordinate Judges.

977 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—My answer to question (24) covers this question as well. I would have a separate time-scale for each main class of appointments in the Judicial Branch of the Provincial Service.

978 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—*Vide* my answer to question (24) and question (26).

979 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different?—I have discussed this question in full in my answer to question (24). In regard to the latter part of this question I would suggest that each branch of the Provincial Service and each main class of appointments in each branch should have a separate time-scale.

980 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—*Vide* paragraph 2 of my answer to question (22). *Vide* also the answer to question (24).

981 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—One of the reasons which prevent members of the Judicial Branch of the Provincial Civil Service from taking privilege leave is that they are not entitled to such leave on full pay (*vide* article 271 of the Civil Service Regulations); but an exception is made in favour of District Judges to whom privilege leave is granted under the ordinary rules on full pay (*vide* article 278 *ibid*). District Judges may also combine privilege leave with the annual vacation. The grades of District Munsifs and Subordinate Judges are manned exclusively by Natives of India, whereas a large percentage of District Judgeships is manned by Europeans. In this as in some other matters the rules are more favourable in the case of that branch which is essentially European than the branch of the service which is essentially Indian.

It is respectfully submitted that privilege leave on full pay with liberty to combine it with the vacation may be allowed alike to all members of the Judicial branch of the Provincial Service whether they be District Munsifs, Subordinate Judges or District Judges.

If this cannot be granted, District Munsifs and Subordinate Judges pray that they may be allowed the option of earning fifteen days' privilege leave on full pay instead of one month's privilege leave on half pay for every period of uninterrupted service of eleven months. Their memorial to Government contains a prayer to this effect.

982 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—The total amount of long leave which a member of the Provincial Civil Service can take is two years in addition to three years' leave on medical certificate. The total period of long leave open to such an officer comes to five years in all. This period may be retained as it is.

But the inconveniences which result from some of the conditions laid down in the Civil Service Regulations and which prevent the officers from availing themselves of the privileges of long leave may be removed.

As the rules stand at present, an officer of the Provincial Service cannot take furlough until he has put in a service of not less than ten years. If he takes leave on private affairs, he cannot take furlough until ten years afterwards. If once he takes furlough, for however short a time, he cannot have furlough again until eight years afterwards. For all practical purposes he forfeits the furlough which he has earned but has not availed of. He cannot take furlough by instalments. Nor can he take furlough for more than one year unless he has put in an uninterrupted service of not less than eighteen years.

It would be obvious from what I have stated above that the rules entail several hardships on the officers both in regard to the amount of leave that may be taken at a time and the interval of time that must elapse between two periods of long leave.

While dealing with these hardships I may mention a few more restrictions which may also be removed. For instance, under article 260 of the Civil Service Regulations there should be an interval of six calendar months between two periods of privilege leave. Article 338 (*b*) (iii) lays down that there ought to be an interval of not less than eighteen months between the last return from privilege leave of over six weeks' duration and the commencement of long leave. And again article 233 requires that combined leave should not be for less than six months.

It appears to me that these restrictions serve no useful purpose and are altogether out of date. There is no foundation whatever for the apprehension that the relaxation of the leave rules might lead to unnecessary and extravagant applications for leave at inconveniently short intervals. The allowances granted during the period of long leave to officers of the Provincial Service generally fall short of one-half of their current pay and it is not likely that the officers would forego a greater portion of their pay merely for the purpose of enjoying the luxury of long leave. The increased cost of living renders such a contingency almost impossible.

And furthermore the granting of any kind of leave is always in the discretion of the superior authorities. There is no reason to suppose that they will not exercise their discretion with proper care and judgment. In fact, the restrictive clauses of the Civil Service Regulations referred to above imply a want of confidence in the authorities in whom the power of granting leave is vested.

I would suggest therefore—

1. That the distinction between private affairs leave and furlough be abolished.

2. That there be two kinds of leave—

(*a*) Privilege leave.

(*b*) Long leave with or without medical certificate.

3. That privilege leave be computed at the rate of one calendar month for eleven complete calendar months of duty and one day for every eleven days of the balance, and at half the said rate for members of the Provincial Judicial Service at their option—*vide* answer to question (32).

4. That privilege leave may be accumulated to the extent of four months and may be combined with the vacation.

5. That long leave be computed at the rate of one-fifth of an officer's active service.

6. That long leave due to an officer be granted to him in instalments and without restrictions as to period or to interval of time between one leave and another at the discretion of the granting authority.

7. That the recommendations of the Decentralisation Commission be adopted—

(*a*) that a leave ledger account be opened in the name of each officer, that the leave earned by him under the general rules be credited in his favour in the said account and that the officer be allowed to draw upon such credit with due regard to administrative convenience;

(*b*) that the periods of furlough leave on half pay be commutable to shorter leave of absence on higher remuneration.

8. That in the case of leave on medical certificate to gazetted officers, a certificate from any officer of the Indian Medical Service be accepted as sufficient.

983 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—An officer on furlough is, under the present rules, entitled to half his average salary. Average salary is defined as the average of the salary which an officer has earned during so much of the three years preceding the day on which he gives up office as he has passed on duty or on privilege leave. I would suggest that the furlough allowance be fixed at half the pay of the appointment held by the officer at the commencement of his leave. If this cannot be granted I would suggest that a minimum be fixed for each main class of appointment at half the pay of the lowest grade of the said class of appointments. I would suggest also that the provision in article 341 (*c*) of the Civil Service Regulations be applied to gazetted officers as well.

984 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—The minimum may be fixed as suggested in my answer to the previous question. The maximum should not be less than half the "average salary." The minimum or the maximum should not be a fixed amount but should be left to vary in the case of each officer.

985 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—I have dealt with the question fully in my answer to questions (32) to (35).

986 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration, and, if so, what; and what remedy do you suggest?—I am not aware of any such inconvenience. On the other hand the present leave rules cause inconvenience to the officers as pointed out in my answer to questions (32) and (33).

987 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—My answer is in the negative.

988 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—*Vide* my answer to questions (32) and (33). If my suggestions made therein be adopted the amalgamation of the two sets of rules for the European and Indian Services is not a matter of any consequence.

989 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The age fixed in articles (458) and (459) of the Civil Service Regulations for superannuation pension may be retained as it is.

990 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and, if so, what and for what reasons?—Article 408 of the Civil Service Regulations lays down that one year's leave with allowance in India will count as service towards pension if the total service of the officer is not less than 15 years, and that two years' leave in India will count as service towards pension if the total service of the officer is not less than 30 years. The latter rule seems to be of no practical value so far as the members of the Judicial branch of the Provincial Civil Service are concerned. Article 51 of the said Regulations fixes the ordinary limit of age for entrance into the public service at 35 years in the case of a person appointed to a judicial office in the Provincial Service in Madras, directly from the Bar. In order to enable him to count two years' furlough towards pensionable service he will have to reach an age of about 65 years, an impossible contingency. It is, therefore, respectfully submitted that, in the case of these officers, a period of two years' long leave with allowance should count as service towards pension for a total service of 20 years.

Another circumstance to be mentioned in connection with this class of officers is that they have to remain in the active practice of the legal profession for generally a period of five years before they are selected for judicial appointments. Under article 403 of the said Regulations when a Barrister, Advocate, Solicitor or Vakil is appointed on account of his professional qualification as a Presidency Magistrate or as a Judge of the Presidency Small Cause Court at an age exceeding 25, he shall be entitled to reckon as service qualifying for superannuation pension the number of completed years by which his age may, at the time of appointment, have exceeded 25 years; subject to the proviso that five years shall be the maximum period which can be so added. As members of the legal profession are appointed on account of their professional qualification to judicial offices at an age always in excess of 25, the principle enunciated in article 403 may be made applicable to all Judicial officers who are recruited from the Bar.

991 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I approve of the principle referred to in the question but the pension may be fixed according to the scale fixed for invalid pension.

992 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I would suggest that the pension in the case of such officers be fixed at the same rate as may be allowed to the officers specially enumerated in article 475 of the Civil Service Regulations.

993 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—Considering that a person appointed to a judicial office in the Provincial Service is generally of an age ranging between 30 and 35 I would fix a period of 21 years' service for voluntary retirement in the case of members of such service. Subordinate Judges in this Presidency have submitted memorials to Government praying that a period of 21 years' service be fixed for voluntary retirement.

As regards compulsory retirement I think the rules ought to be more strictly enforced than they are at present. Extensions are generally granted more on personal considerations affecting the officer concerned than on considerations of the exigencies of the service. First year's extension is almost invariably granted as a matter of courtesy on the application of the superannuated officer. Second year's extension is usually granted as a matter of grace, and third year's extension is granted sometimes as a matter of special favour. This principle of granting extensions to Judicial officers upon their applications, for reasons peculiarly personal to themselves, produces demoralising effects.

If the pensionable age is low the remedy is to raise it; but once it is fixed at a particular figure there ought to be no inducement offered to judicial officers—whatever considerations might obtain with regard to other departments—to look up to Government for grace or favour in the matter of obtaining extensions of service.

It is not, of course, intended by this that Government should not have a power in reserve to ask superannuated officers to continue in service on account of the exigencies of the service. But the system of allowing applications for extension to be made by superannuated officers or of calling for such applications from them should be stopped. The suggestion made in paragraph 1 as regards the period of service for voluntary retirement will have the advantage of facilitating the retirement of inefficient officers.

994 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—The existing organization of the Judicial branch of the Provincial Civil Service may be maintained subject to the modifications suggested in my previous answers. I have no alternative organization to suggest.

995 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—I would suggest that the Madras Civil Courts Act of 1873 be amended so as to give effect to the suggestions made herein for a statutory constitution of the Judicial branch of the Provincial Service.

Opportunity may also be taken to amend section 23 of the said Act which vests all ministerial appointments of subordinate courts under the dual control of the presiding officers of such courts and of the District Judge of the district in which such courts are situate. This system is found in practice to lead to a good deal of friction and it would be expedient if the High Court be empowered to frame rules for the guidance of the subordinate courts in the matter of regulating the said appointments.

I would also suggest that the power to transfer the ministerial officers of District Courts, especially the Chief Ministerial Officers of District Courts, be vested in the High Court instead of with the local Government as the former is more competent to deal with the matter by virtue of its position as the Head of the Judicial Department.

I would further suggest that the mufassal courts, including District Courts, be periodically inspected by one of the Honourable Judges of the High Court.

Another matter to which I would make reference is that the presiding officers of the mufassal courts have no time to check the accounts relating to suitors' money and that a system of auditing the accounts annually might be arranged through the Accountant-General.

Before concluding, I would make a few observations regarding the Judicial branch of the Provincial Service so as to enhance its efficiency and prestige.

In the course of my answer to question (6) I made reference to one of the arguments upon which District Munsifs are supposed to become disqualified for higher appointments, namely, that they become too old and effete when the time comes for their promotion to the higher ranks of the service. One of the reasons for this state of things is that in recent years the age of admission into public service for this department was raised to 35 on the ground that men of mature judgment would be available for the service. As a matter of fact, however, the members of the Bar who are selected at such comparatively advanced age, for appointments carrying so low a salary as Rs. 200 are in the generality of cases failures at the Bar. Formerly the practice was to select young men of promise for such appointments so as to render it possible for them to rise to higher appointments before they are far advanced in age. The present temporary Judge of the High Court, who is a member of the Provincial Service, was recruited under the old system. Another reason which tends to

inefficiency in the service is that all officers good, bad and indifferent are treated alike in the matter of promotion with the result that really capable and brilliant men are not allowed sufficient opportunities of rising to posts of distinction; and the consciousness of this fact damps the ardour of many a capable officer and a dead level of mediocrity is produced in the whole service. Extensions of service rather readily granted to superannuated men, a fact to which reference has already been made, is another factor which blocks the promotion of those in the lower ranks and retards their advancement. The importation of persons outside the service into the higher ranks of the Judicial service has been the cause of much discontent in the service. The inferiority of a Munsif Court Bar and the absence of a suitable Law Library are other difficulties which they have to contend with. In spite of these disadvantages it must be said to the credit of District Munsifs as a body that they have been able to discharge their duties satisfactorily and to earn repeated praise from the higher authorities.

If the recruitment is confined to young men of promise, if the age of admission is reduced to 30, if the time-scale system of salary is introduced or if promotions are more carefully made so as to give special encouragement to the most meritorious of the officers, if extensions of service are not granted to superannuated men except in very special cases, if a little more encouragement is shown to the really capable and deserving officers by speedy advancement, if a suitable library be supplied to all the mufassal courts and if the officers, instead of being kept in a water-tight compartment, are made to serve as a Deputy Registrar in the High Court or as a Professor of Law in the Law College or as an Examiner in Law in some of the Law examinations and are thereby enabled to be in close touch with the latest developments of Law, there can be no doubt that the tone of the service will improve as a whole and that capable and efficient men, while yet in the prime of life will be available to fill with honour and credit, the higher posts of the Judical service.

Mr. C. KRISHNASWAMI RAO, called and examined.

996. (*Chairman.*) You are a second grade Subordinate Judge, are you not?—I am

997. What is your caste?—I am a Mahratta Brahman.

998. How long have you been in the service?—A little over eighteen years.

999. What has been your previous experience?—I was a District Munsif and before that a Vakil, in the district centre of Kurnool. I was a pleader and then I became a District Munsif, and was afterwards appointed a Subordinate Judge.

1000. I see that your written evidence relates both to the Indian Civil Service and the Provincial Civil Service, and primarily to the Judicial branch of the service?—Yes.

1001. You are strongly in favour of open competition?—I am.

1002. You desire to see open competitive examination for the Indian Civil Service held simultaneously in England and in India?—Yes, subject to the two conditions I lay down as to proportion and probation.

1003. You consider it essential to preserve the British character of the administration?—I do.

1004. You think it is an indispensable condition of a system of simultaneous examinations that the proportion of Indians to Europeans should be fixed?—Yes.

1005. Do you apprehend that, if simultaneous examinations were held subject to this condition, grievances might arise?—I say it is a matter for consideration whether the proportion should be fixed now or some time after the new system has been tried and the results seen I do not entertain any apprehensions at present.

1006. Do you think it might possibly become necessary to select candidates out of their proper order of merit in order to maintain the fixed proportions of Europeans and Indians?—It comes to that.

1007. Do you apprehend any difficulty in that direction?—I do not, if you fix the proportion.

1008. You think that if a proportion is fixed it should be one-third Natives of India and two-thirds Europeans?—For the Executive Branch, yes.

1009. Would this one-third proportion include officers appointed to listed posts?—I deal with that in my answer to question (12) where I say, "In the first place, until the proportion of one-third mentioned in my answer to question (3) is reached, the necessity for such promotion will not cease."

1010. You recommend the listing of 50 per cent. of the posts of District and Sessions Judge, and also that the additional and temporary Sessions Judgeships should be thrown open to the Provincial Civil Service?—Yes.

1011. You make the age limits for the open competition 23 to 25?—I answered those questions on the footing that there is to be one competitive examination, and that held in London. My answer with regard to the age limits will not apply if there is to be a simultaneous examination.

1012. After that period you would suggest a probation of two years?—Yes.

1013. You do not apprehend that the age of the candidate would in this case be rather high on his arrival in India?—I gave my reasons for that. In answer to question (15) I say: "In India the prescribed minimum age for completing the School final course is 15 and the average age for completing it is 16. The B.A. (Honours) course requires a period of five years, and allowing one year for preparation, the average age at which an Indian student can, under present conditions, proceed will be 22."

1014. An age limit up to 25 and a two years' probation would mean that a candidate would reach India at the age of 27?—That would be the maximum.

1015. You do not consider that is too old?—No.

1016. You would give statutory force to the rules governing recruitment to the Provincial Civil Service?—Yes, I would place it on the lines of the Indian Civil Service Act. It might be done by an amendment to the Madras Civil Courts Act as far as this Presidency is concerned.

1017. You are in favour of retaining generally the present system of recruiting Munsifs by nomination?—By nomination by the Judges of the High Court.

1018. You would reserve at least 80 per cent. of the Subordinate Judgeships for officers who had been Munsifs?—Yes.

1019. You consider that only residents in the Presidency or Province should be entitled to appointment in the Provincial Civil Service?—I think so.

1020. You suggest that instead of posts being listed as at present they should either be amalgamated with the Provincial Civil Service or the persons appointed to them should be admitted as members of the Indian Civil Service?—That is what I say.

1021. As regards salary you would pay the same rate of salary to all officers of the rank of District and Sessions Judges and upwards, irrespective of whether they were holding listed posts or were members of the Indian Civil Service?—That is my proposal.

1022. (*Sir Murray Hammick.*) You say in your answer to question (3): "The solution is, in my opinion, to afford educational and other facilities to members of such backward communities to acquire the required standard of intellectual merit. And furthermore, if once we depart from the simple rule of taking the best men without distinction of race, creed or colour, there is no knowing where to stop; there can be no logical halting point." I should like to know what you mean by "no logical halting point." Surely the halting point would come when all caste restrictions are done away with and all creeds in this country agree to live on equal social terms with each other? I would ask you to refer to your reply to question (6) in your written answers, where you say, as regards the Provincial Service: "The Local Government may, other qualifications being equal among the candidates, be legitimately guided by considerations of birth and respectability of the candidates, and also by consideration of a fair and proper representation of the different sections of the Bar and of the different classes of the community." When you speak of the simultaneous examinations for the Indian Civil Service why are you so strongly against making any distinction of race, creed or colour, and when you come to the recruitment for the Provincial Service are prepared to allow Government to introduce those factors into the selection?—In the first case I was dealing with the open competition, and I thought distinctions of race and creed would be out of place in connection with that test. In the latter case there is the power of nomination, and in exercising that power the Government certainly have the discretion to make those reservations.

1023. In answer to the same question (3), you say: "It is a matter of consideration whether the proportion should be fixed now or some time after the new system has been tried and its results have been ascertained." Will it not be very difficult, and politically very dangerous, to wait until the elimination of all or most of the European officers renders it necessary to set back the clock? Would it not be safer to arrange that such a crisis should not arise by at once making some arrangement under which the European element will definitely continue either in its present representation or with a reduced representation?—I put that down merely because I am rather diffident as to whether the Indians would really succeed in a simultaneous examination to any large extent, as is apprehended in some quarters.

1024. Do not you think it would be somewhat dangerous if the simultaneous examinations did result in a large elimination of the European element? It might be very dangerous some years hence for Government to have to withdraw privileges they had already given?—If it is necessary to fix it now I will fix it.

1025. Do not you think it better to fix it now than to leave it to chance in future years?—I am not very keen on that. It may be done.

1026. In your answer to question (23) you make general representation, and you say; "Furthermore, the European Civilian officer does not take kindly to this branch of the service and is generally an unwilling servant marking his time for retirement from the service." That is not my opinion. I would ask you whether you have any facts on which you base that opinion?—I do not wish to mention names; it is from my personal experience.

1027. Are not there several cases of Indian Civil Service officers in the Judicial Service now who have long passed their period for retirement and are still holding on to Judgeships, much to the disgust of their juniors?—There are of course some who show a preference for the Judicial Service. I refer to that in the very next sentence.

1028. In answer to question (27), you say: "I am unable to explain the reason," the reason why the tendency of Government is to employ Native Members in the Indian Civil Service more largely in the Judicial Branch than in the Executive. Is not the answer to be found in the first paragraph of your answer in which you say: "It is possible that the former"—the Natives—"lack that lightness of heart and fearlessness of mind which in the case of the latter"—the Europeans—"are the necessary concomitants of the sympathetic support of the Service, which rarely fails them in emergencies." That seems to be the reason which has actuated Government in placing Indian officers mostly in the Judicial Department?—It is quite possible. You know more about it than I do.

1029. I understand you intend the selected candidates to go to England?—Yes.

1030. As regards the Provincial Civil Service, you are generally against the appointment of men outside the Service directly to be Sub-Judges?—Yes, generally.

1031. You prefer the system of promoting Munsifs?—In that respect I represent the views of the Service.

1032. With regard to the details of the improvements which you require as regards leave and pension, in suggestion No. 4 to question (33) you say: "That privilege leave may be accumulated to the extent of four months and may be combined with the vacation." Have you realised that that means that every year a Sub-Judge would get two months' holiday, as he gets now, and that every four years he will get six months on full pay. Is not that rather an extravagant concession to make?—Four months is perhaps long. Three months would be all right and put them on a par with the District Judges, who get three months' privilege leave and also a combined vacation.

1033. (*Sir Valentine Chirol.*) In answer to question (3), you allude to the reformation in the

Universities, which you contend has improved the conditions of education. What is the particular reformation in the Universities that you have in mind?—The reformation introduced by Lord Curzon.

1034. You consider there has been, within the last twenty years, since the date of the last Public Services Commission, a considerable improvement in Western education in India?—I think so.

1035. Do you think there has been an improvement in quality? We all know there has been a very great expansion in quantity, but do you think there has been a notable improvement in quality?—The latest tendency is towards specialisation.

1036. Within quite recent years?—Yes, and that means an improvement in the quality.

1037. Do you think that Western education produces better men all round in India today than it did twenty or twenty-five years ago?—I do not see why it should not.

1038. You make in answer to question (47) two practical suggestions. You say: "I would further suggest that the mufassal courts, including district courts, be periodically inspected by one of the Honourable Judges of the High Court." What is the benefit that will be achieved by that recommendation?—All the subordinate courts are inspected periodically, but the district courts are not inspected by anybody.

1039. Then you say: "Another matter to which I would make reference is that the presiding officers of the mufassal courts have no time to check the accounts relating to suitors' money and that a system of auditing the accounts annually might be arranged through the Accountant-General." What are the drawbacks of the present system you have in mind?—There is hardly any time to attend to the checking of the various accounts in his office; in fact hardly any time is spent over the checking of their accounts. I can speak from my personal experience. Instances of embezzlement and defalcation occur through want of proper supervision. Sometimes the presiding officer is held responsible for a state of things which he cannot possibly supervise.

1040. (*Mr. Abdur Rahim.*) You complain of appointments made direct from the Bar: do you say there have been too many such appointments?—During the last four years I believe there have been three appointments in rather quick succession.

1041. And during the previous ten years?—There were none so far as I remember. The hardship was that one gentleman was not even qualified for the appointment.

1042. You refer in your answer to an appointment made by the Local Government?—Yes. Under the rules framed by the Local Government he was not qualified.

1043. As regards appointments to Sub-Judgeships, do you know that the principle is that District Munsifs are not to be promoted as a matter of right simply on the ground of seniority?—I know that that is the principle.

1044. Supposing a more suitable candidate is available from the Bar, ought not he to be appointed in preference to a District Munsif who is not so suitable?—If the premises are right the conclusion follows. If you find a more suitable candidate than any you can find in the Service the result of course follows, but I do not admit the premises.

1045. If in any case it does happen you would not object to such an appointment?—That is all the answer I can give.

1046. As regards the selection of District Munsifs, do you think it is satisfactorily done?—The raising of the age-limit, I think, is bad.

1047. It is too high?—Yes, and the tendency has been to raise the age. People bordering on 35 were selected merely to complete their 35, and sometimes confirmed before the man who had acted previously.

1048. Is there any general feeling that the selection of the District Munsifs is influenced by any favouritism or nepotism?—I do not hear of any such complaint.

1049. Suppose there was a Selection Board for the Provincial Service, Executive Branch, or for the Indian Civil Service, would it not be possible to eliminate this factor? You know the District Munsifs are selected by the High Court. If there was a Board of Selection, similarly constituted, of responsible persons to nominate qualified candidates for posts in the Provincial Civil Service, Executive Branch, would that be objectionable? Is it not possible by that means to get over any doubt as to whether the discretion would be rightly exercised?—I am not sure if there is any analogy between the judicial branch and the Executive Branch. In the judicial branch you have the practice of the Vakil to go upon, but I do not know what considerations would obtain in selecting men for the executive branch.

1050. Academic qualifications?—You mean passing a certain minimum test?

1051. You can have the qualifications as high as you like?—That comes to a competitive examination in another form.

1052. (*Mr. Madge.*) Is your preference for officers in the department in any measure owing to your belief that it is not safe to accept mere theoretical legal qualifications in the absence of practical official responsibility and experience?—That is one reason. Another reason is that the lower branches of the services should have something to look forward to. The hope of advancement is the best incentive to efficient work, and if you remove that, service will deteriorate.

1053. It is in a large measure an element of efficiency, but it ought not to be a primary consideration?—It leads to efficiency.

1054. We have had the statement made here that a legal education is in itself ample guarantee for efficiency, and I want your opinion, as an experienced officer, as to whether you think that view a right one or not?—I would put it, legal education *plus* experience, not merely legal education.

1055. Do you think it a necessary element in the efficiency of a public officer, whether judicial or executive, that he should either initiate or lend himself to movements for the social and moral improvement of his own countrymen of all classes around his official position?—I do not see how that is to be a qualification for efficient public service.

1056. You do not think it is an element in it?—I do not see it.

1057. (*Mr. Macdonald.*) In your answer to question (3) you refer to difficulties appertaining to the proper supervision of young Indian students in England; are you beginning to feel the effect of those difficulties in India now?—That is generally felt.

1058. Do the young men who come back from England complain more of their treatment in England now than they used to?—I have known parents of such boys complain about the boys that come back.

1059. Have you any opinion as to whether it is becoming more dangerous to send young Indians to England now than it used to be?—I cannot institute any comparison.

1060. Is this evidence merely your own personal evidence or are you authorised in any way to speak for your colleagues in the service?—With regard to the Provincial branch of the judicial service I speak for the whole service; in fact I have had opportunities of consulting the officers.

1061. May we take the answers you have given to the questions relating to the Provincial Service as expressing an opinion outside yourself?—Yes. They have submitted memorials and a reference to those memorials will show that our views tally.

1062. Sir Murray Hammick has pointed out a discrepancy between your recommendations regarding recruitment for the Indian Civil Service and your recommendations regarding recruitment for the Provincial Service?—The Provincial.

1063. Judicial only?—Yes. For the Provincial Executive I suggest another competitive examination.

1064. Would you recruit the whole of the Provincial Executive by competitive examination?—I say that I refrain from going into that question because it does not concern my branch.

1065. You only deal with the Judicial?—Yes.

1066. But in any event would not you say that the position of the two services, the Indian Civil on the one hand, and the Provincial Executive and Judiciary, are on a somewhat different footing? In other words, do you take the view that the Indian Civil is a *corps d'élite*?—Yes.

1067. Which might quite properly be recruited from the very best men that England and India can provide?—Yes.

1068. Whereas in the somewhat subordinate—to begin with at any rate—field of the Provincial Service it is quite legitimate to take into consideration things that are not legitimate to be taken into consideration with reference to the more general service?—I agree with you there, but I do not know that I should go into those matters. I would rather not go into questions affecting the Provincial Executive branches.

1069. Still you think if a proposal was made emphasising that distinction it would not be against the spirit of your evidence?—I understand your point and I quite agree. Considerations which would apply to the higher service would not apply to the subordinate services.

1070 Turning to question (27) your second sentence says: "It is possible that the former (Indians) lack that lightness of heart,"—what exactly do you mean by that?—I can only say what I have heard from some of the covenanted Indian Civilians, that they feel they do not receive the same amount of sympathy and support that the European Civilians would receive.

1071. That there is not the same *esprit de corps*?—This is what I mean by that sentence.

1072. Has that *esprit de corps* been strengthened in Indians who have gone to England?—They are very few in number in this Presidency.

1073. Have they any reputation, such as they are in numbers, for a greater *esprit de corps* than the Indians who are trained in India and who have done service in India? That is to say have the Indian section of the Indian Civil Service a reputation for having more *esprit de corps* than the men who have not gone to England?—I think so.

1074. Do you think that is part of the gain of an English education?—Yes.

1075. Is that why you suggest that even with simultaneous examinations the successful Indian candidate should be sent to England?—That is so.

1076. Have you ever heard it suggested that that *esprit de corps* does not come from a University but comes from the Public School?—I do not know.

1077. (*Mr. Sly.*) You suggest that the successful candidates in the simultaneous examination should go to England?—Yes.

1078. Do you consider that religious difficulties might prejudicially affect this proposal in some cases?—Those difficulties are dying out. I should not do anything that would arrest that progressive tendency.

1079. In answer to question (3) you say that if it is necessary to fix a minimum you would fix it now at one-third for Indians, and you say that this proportion has reference only to the appointments to be reserved for the Indian Civil Service?—I include 50 per cent. of District Judges appointments.

1080. If an Indian was successful in the open competitive examination you would exclude him from the minimum proportion?—Yes, it does mean that.

1081. In answer to another question, you have said the Munsifs at present are recruited too old?—That is the impression.

1082. At what age do you think they should be recruited?—I should say between 25 and 30.

1083. How many years' practical experience at the Bar would they get?—I think three or four years would suffice.

1084. Does the Provincial Judicial Service attract the best talent available?—At present they are selecting old men, men who have remained at the Bar without any success for nearly nine or ten years.

1085. Are the candidates for the Provincial Civil Service Judicial branch recruited from the Bar as being the best talent available in the country?—There is material enough available for selection, but I am only speaking about the way in which the selection is made.

1086. The candidates for the Provincial Civil Service Judicial branch at the present time are about the best material available from the junior Bar?—I cannot say yes or no to such a question.

1087. What I want to know is whether the best material available is attracted towards the Provincial Civil Service Judicial branch or not?—I think it is. You are alluding to the Munsif grade?

1088. Yes. In answer to question (6) you have said that competition is unsuitable for

the recruitment of the Judicial Branch. Can you give us shortly your reasons for saying that?—The actual experience of the Vakils at the Bar is a greater test of efficiency than any competitive test for them.

1089. In reply to question (42) you have recommended that pensions for the compulsory retirement of inefficient officers should be equal to the invalid pension. Do you consider it reasonable that an officer who is compelled to retire for inefficiency should get a pension equivalent to that of an officer who has to retire through the misfortune of ill-health?—I do not see there is anything wrong in that.

1090. You consider he should get an equal pension with the officer who has to retire on account of ill-health?—If the inefficiency is due to causes over which he has no control.

1091. If it is not?—If it is not that is a different matter

1092. (*Mr. Chaubal.*) When you say that the best material for the Provincial Judicial Service is available from the Bar, is it your experience that persons who do well at the Bar accept posts in the Judicial Service?—The question was put in such a form that I was not able to answer it properly. There is no doubt good material available, but a great deal depends on the way the selection is made.

1093. I am not referring to any selection. For what you call District Munsifs in this Presidency and we call Subordinate Judges in Bombay, the persons who are selected for posts in the sub-judicial service are persons who have not had much experience at the Bar, because it is generally within three or four years of their first practice that they have to be selected?—Certainly they are not leading practitioners or men with extensive practice.

1094. Is it not your experience that if a person is doing well at the Bar he will not accept?—He will not accept.

1095. So that to that extent the best material is excluded from the sub-judicial service. If the best material is to be judged with reference to the extensiveness of practice it would be so. Sometimes there are good men without extensive practice and they do well in the service.

1096. Sometimes a man with commonsense, without any education, would do that, but we are not concerned with them. My question is if in your experience the best men who are thriving at the Bar do not accept the sub-judicial posts, is that not a ground for supposing that the best material is not available for sub-judicial service so far as that best material can be judged of by successful practice at the Bar?—It is so generally, but some people do accept service, even among them, in the hope of rising to higher posts.

1097. Supposing such persons who are doing well at the Bar have not accepted subordinate judges, in the lower grade, if they acquire larger experience at the Bar for ten or fifteen years, is it thought there would be any harm in posting them to the higher appointments in the sub-judicial service?—The same argument applies. Their practice has proportionately increased by that time and they do not care to accept the post of subordinate judge.

1098. Do you think the experience obtained at the Bar is the same sort of experience as a person has when acting as a subordinate judge, so far as judging the character of witnesses is concerned, and efficiency in disposing of cases?—It is not an identical experience.

1099. With regard to your answer to question (3) with reference to candidates who appear for the competitive examination in London, have you heard that those students who do not succeed there come back disappointed persons, disappointed in this sense, that having had experience of English life for a period of years they are discontented with their lot in this country?—Yes, it will be so.

1100. You have heard that as a general complaint?—Yes, it is so.

1101. Would that discontent be materially lessened if only the successful candidates in a simultaneous examination went to England?—Certainly.

1102. Is it not generally the Indian feeling, speaking about this question of simultaneous examination, that they regard it simply from the point of view that as the Indian Civil Service Examination is practically an examination qualifying for service at Home and in the Colonies and in India, instead of having one centre for such examination there should be two, with absolutely the same standard and the same curriculum? We used to have the Matriculation examination only in the Presidency town, and complaints arose, and different centres were chosen. Is it not the Indian feeling that instead of having for His Majesty's Dominions only one place where the examinations could be held, it might be held here under the same conditions?—It is not merely more than one centre; I should say a centre in India for the benefit of the Indians. If you make it more than one centre it might be held outside India.

1103. Where it may be is not the question at present. I am only asking whether this is not part of the feeling in India on the question of simultaneous examination?—If you mean there is a feeling that the examination should be held in India, I say yes.

1104. Are Indian students who pass the Indian Civil Service eligible for Colonial Service?—I think so. I believe they are allowed to elect before they come to India.

1105. (*Sir Theodore Morison.*) With reference to the answer you have just given, would you recommend that the centre for examination should be held only in India and not in England?—As I understand, it is primarily intended for the benefit of Indians and should be in India.

1106. But would you like to have a single examination and that held in India and no examination in London?—No. I mean identical examinations in London and in India.

1107. I thought your arguments pointed in the direction of having an examination in India. I did not know whether you think there are any arguments for having a centre in England at the same time or whether you would prefer to have the examination held in India alone, which of course is the most logical of all?—You mean a separate examination.

1108. No, transferred from London to India?—I do not say that.

1109. I wanted to know whether you approved of such a thing?—No. If I had approved of it I should have said it.

1110. You suggest that if simultaneous examinations are introduced the proportion of Indians should be fixed at one-third?—Yes.

1111. Is that an upper limit, or is it to be a constant proportion?—It is difficult to speak for all futurity.

1112. Do you mean to say that one-third are always to be Indians or that one-third is to be the limit beyond which Indians are not to go?—That is the limit. If they do not pass up to the proportion we are not going to supply them with appointments, but that is the maximum.

1113. It is a little unfair, is it not? It is "heads I win tails you lose," and open to great criticism?—No doubt it is, but I cannot think of a better solution.

1114. Did I understand you to say that the limits of age are 23 to 25 under the present system, but that they would not be the same if you had simultaneous examinations?—That is what I mean. I answered those questions on the footing that there was to be one competitive examination in London. If you are going to have another examination here you might retain the present age limits.

1115. If you had a simultaneous examination?—Yes.

1116. What limits would you have the age?—I believe it is now 22-24.

1117. Over 22 and under 24?—Yes.

1118. You would be satisfied with that?—Quite so.

1119. (*Lord Ronaldshay.*) In your answer to question (3) you say that one of the obstacles in the way of Indians going to England is that it is regarded as a speculative adventure, and the chances of success are usually regarded as being very small. Have you any personal knowledge of Indian candidates who have been up for the examination in England and failed?—I have.

1120. Does your experience suggest that those men find a difficulty in obtaining employment in India afterwards?—Generally they come out to the Bar.

1121. Do the candidates who fail for the Civil Service prove successful at the Bar?—Perhaps it is an easier test, but sometimes they do come out as Barristers.

1122. With regard to simltaneous examinations, you say that a very great advantage will result from holding them in India, because it will give a great impetus to higher education, and I suppose your view is that it will generally advance the cause of education in India? That is my opinion.

1123. Are you familiar with the conclusions of the Commission of 1886 on that point?—Yes, I have read their report.

1124. Are you aware that the conclusions which they formed were that the result would be of an opposite kind?—Yes, they came to a contrary conclusion.

1125. You entirely disagree with them?—Yes.

1126. Do not you think it probable that a large number of cramming establishments would grow up in India for the purpose of passing candidates through this examination?—I suppose to the same extent that you have them in England.

1127. You would not regard that as likely to advance the cause of education generally in India, would you?—I do not think it has affected education in England.

1128. I only want your opinion on that point?—My opinion is that it will not for that reason.

1129. Have you any knowledge of the proportion of candidates who matriculate at the present time in Universities and subsequently obtain their degrees?—If you are speaking of the Madras Presidency it is of course a small proportion. About 8,000 or 9,000 candidates appear every year for Matriculation and the number of graduates turned out, I believe, is about 500.

1130. Does not that mean that there is a very large number of students who fail to obtain their degrees and consequently are thrown on the market, disappointed men, unable perhaps to obtain employment?—It is not all who matriculate who prosecute their studies for the Intermediate and B.A.; only a very small number take up the University course. The failures in the University are thrown back no doubt.

1131. If you had simultaneous examinations in this country, would it not result in that very large number of disappointed students being enormously increased?—The examination appears to me to be a very stiff examination and it is not everybody that can appear for it.

1132. With regard to your answer to question (60), you are not altogether satisfied with the training which officers who are to take up judicial work receive under the present system, and you would like some alteration made in the training which they get, but you say that this new form of training which you desire to see instituted would be after those officers had had some service on the revenue side?—Yes. It is not altogether new.

1133. In your opinion it is an advantage to these men to pass some years of training on the revenue side before they become Judicial officers?—Yes.

1134. About how many years' service do you think they should have before they are asked to select?—I believe they are now made to elect after eight years of service, and I would keep that period.

1135. You think about eight years is about right?—Yes.

1136. (*Mr. Oldfield.*) With regard to question (21), this complaint of yours that in papers on Roman and Greek history quotations from Latin and Greek are put, are such quotations not used in the University examinations here?—Only such expressions as appear in the text-books I believe. I really do not know much about it, and I say: "This hardship, if it really exists."

1137. You cannot give an expert opinion?—No.

1138. With regard to the supply of men for the Judicial Department from the Bar, you yourself were practising in Kurnool, were you not?—Yes, for these years.

1139. It is not a district where there is much lucrative practice?—There were few vakils there, and it was lucrative enough because the number was limited.

1140. When you left the Bar you were a Government pleader?—I was Acting Public Prosecutor for some time.

1141. And had as good a practice as any one?—I had Rs. 500 a month when I left the Bar.

1142. As lucrative as any body at that Bar?—Much more lucrative than I got as a Munsif.

1143. You are an instance of the best talent from that district being obtained? In many cases men prefer the certainty of a Judicial career to the chances of ordinary practice?—They do.

1144. Men who are capable of making money in an ordinary practice?—They look forward to rising high in the service and they take up the service

1145. And there is the pension?—Yes, and leave, and everything.

1146. You were in Kurnool in 1891?—Yes, I was there for three years.

1147. Do you remember the grain riots?—I was there at the time.

1148. With regard to the training for judicial work, in answer to question (39), you say that the officers of the Provincial Service lack criminal experience as the officers of the Indian Civil Service lack civil experience?—Yes.

1149. Have most of those who are selected for the Provincial Civil Service had much experience of criminal practice?—Those who are selected from the Mufassal Bar generally have experience of criminal work, but those selected from the Presidency town I do not think have any experience of criminal work.

1150. I do not think you would describe the young man at the Mufassal Bar as usually appearing in the Magistrate's Court?—They get more cases there than in the Civil Courts. I had plenty of criminal practice when I was selected, and I know a great many others who had criminal practice when they were selected.

1151. I am speaking of the majority, the general rule?—It is very difficult to say. I would draw a line like this: mufassal candidates generally have criminal experience, but the Presidency town candidates have not, especially those who confine their practice to the Civil appellate side.

1152. In Tanjore, for instance, do you think they have much?—Some of them have. They do appear before the Sub-Magistrate and sometimes in sessions cases.

1153. You had some experience in public matters as Public Prosecutor?—Yes.

1154. Few of the subordinate judges would have that advantage, would they?—It all depends on how they were recruited.

1155. Very few would have been public prosecutors?—But they would have had experience otherwise.

1156. Do you think that such experience would be an advantage in sessions work?—It all depends on the time that would elapse between that experience and the time he gets to exercise his powers.

1157. I am assuming that the experience was still in the officer's line?—In that case it would be.

1158. Do you think the training in criminal work would be essential to a Sessions Judge?—Certainly I do.

1159. How would you provide it?—I suggest in my answers that subordinate judges might be invested with powers of an Assistant Sessions Judge?

1160. Do you think that training in court will be sufficient without moving among the people and without attention being paid to Police work, and so on?—I think a Sessions Judge will have to decide on the evidence before him and not on any pre-conceived notions as to his Police work.

1161. With regard to the administrative capacity of District Judges, do you think that the administrative work is sufficiently important to make it necessary to look to that?—My own opinion is that the administration work of a District Judge is very petty and miscellaneous. Most of the appointments he deals with carry a pay of Rs. 20 and downwards. I think much of the time of the District Judges is wasted in the matter of appointments about peons and sweepers.

1162. With regard to supervision over the execution department and such like?—I believe the presiding officers of the Civil Courts look after it, and I do not know that a District Judge is able to control it with a few hours' inspection every year.

1163. Is it a fact that the Judges of the High Court have more than once recorded that they are unable to find time to depute a Judge for the inspection of courts?—Yes, they have.

1164. The remedy for that would be an increased High Court?—To enable the High Court to depute a Judge by whatever means is possible.

1165. (*Mr. Ramachandra Rao.*) You are an instance of an Indian member of the service on whom an honour has been conferred?—It was unusual until they conferred the title upon me, but there have been other instances since.

1166. You have been given special promotion on your good work?—I was specially promoted in 1907, over 17 seniors.

1167. Would not you consider yourself as one of the successful men in the service?—Perhaps that is to be inferred from the promotion given to me.

1168. Your duties are very heavy?—Yes.

1169. Do you consider your duties are quite as responsible as those of a Revenue Divisional officer for instance?—It is difficult to make a comparison. Our responsibilities are certainly great.

1170. Do not you feel that in public estimation the Provincial Civil Service is held in lower estimation than the Indian Civil Service?—For that matter, Indian Civil Service officers have a higher position.

1171. Would you not welcome any proposal tending to elevate the prestige of the Service according to the duties it performed?—Yes.

1172. And anything that would do away with the numerous little pin-pricks that are now inflicted on the service as an inferior service?—Anything that tends to elevate us would certainly be welcome, but I should like to know what is suggested.

1173. (*Mr. Subrahmanyam Pantulu.*) Do you think that Indian Judges deteriorate in their work in the latter part of their service?—Yes, because extensions are rather readily granted to superannuated men.

1174. Do you think their work will be improved if they were given chances of rising to the High Court Bench?—Certainly. I make that proposal in my answers.

1175. The pension a District Judge gets is the same as that a first-class Sub-Judge gets, is it not?—Yes.

1176. You deal with the question of pensions in your written statement?—Yes, I say in answer to question (43): "I would suggest that the pension in the case of such officers (Provincial Civil Service officers holding listed posts) be fixed at the same rate as may be allowed to officers specially enumerated in article 475 of the Civil Service Regulations."

1177. Are the Indian Judicial officers taking as much leave as they could use now?—No, for two reasons. Firstly, the allowance is low, and secondly, once you take furlough you cannot take it again for another eight years.

1178. Do you propose any alteration in the leave rules and allowance, and if so, what?—I say that the recommendations of the Decentralisation Commission should be adopted in regard to leave. I have dealt with the question of leave in my proof.

(The witness withdrew.)

A. G. CARDEW, Esq., C.S.I., I.C.S., Acting Chief Secretary to the Government of Madras.

Written answers relating to the Indian Civil Service.

1179 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment for the Indian Civil Service has usually secured a class of recruit superior on the average to that obtained by other services such as the Forest Service, Public Works Department, and Police, and though the system is neither ideally perfect nor free from defect in detail, it is, in my opinion, the best working method and should be retained.

1180 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—These matters are dealt with in replies to other questions. Speaking generally I think that the lateness of the age at which competition takes place unduly limits the field from which candidates are drawn and that the period of probation at home is of little use under present regulations and should be lengthened and the curriculum of study thoroughly revised.

1181 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I do not recommend any alteration.

1182 (4). Further, is any differentiation desirable between other classes of natural-born subject of His Majesty? If so, what do you propose?—No.

1183 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Even if it were a fact, which it is not, that the men who pass highest in the combined examination invariably elect for the Home Civil Service, I do not think that the combination is to the disadvantage of India. It brings in candidates who would probably not compete at all if it were not for the possibility of getting a Home appointment and who come to India when they fail in achieving that possibility. The separation of the examination would almost certainly deprive the Indian Service of some candidates who now enter and who are probably above the average. If, on the other hand, the fact of the examinations being combined necessitates the maintenance of the present late age for competition, I should regard that as to the disadvantage of Indian interests.

1184. (7) What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—The institution of an open competitive examination in India for the Indian Civil Service to be held simultaneously with the open competition held in London would, in my opinion, be undoubtedly objectionable for the following reasons:—

i. It would at once produce an immense increase in the number of Indian candidates. The larger population of India (300 millions against 40 millions), the greater attraction to Indians than to Englishmen of service in India, the absence of great competing careers (such as Army, Navy, Commerce, etc.) would all combine to attract an immense number of candidates. In England, the total number of candidates for Home and Indian and Colonial Services combined is under 250. What proportion of these is Indian is not known. Perhaps 25 or 10 per cent. Under a system of simultaneous examinations, this number would be enormously increased.

ii. Increase in the number of candidates would be followed by an increase in the number of successful Indian candidates. How great the *immediate* increase would be can be only matter of conjecture, but it would certainly be a *progressive* increase, as educational facilities for the vast population of India develop, and it would be, *ex hypothesi*, an *unlimited* increase. The institution of simultaneous examinations would lead to the establishment in India of special coaching houses where the worst features of Wren's would be reproduced in an aggravated form.

iii. Hence at once, or in a few years, the contingency might arise of 100 per cent. of the successful candidates being Indians. No system should be adopted which might result in the elimination of the European element from the Indian Civil Service.

iv. As an expedient to meet this difficulty, it has been suggested that on the introduction of simultaneous examinations in India for the Indian Civil Service a maximum number of appointments for Indians or a minimum number for British candidates should be laid down. Then it would follow that if on a given occasion there were 100 appointments and the first 100 candidates were Indians, and if half the posts were reserved for British candidates, 50 beaten British candidates would have to be appointed in place of 50 successful Indian candidates. Such a result must speedily lead to the abandonment of the system of open competition altogether, because it would be childish to set out to select by means of open competition and then to decline to abide by the result. Hence the simultaneous examination system would be liable to break down.

v. The system of open competition is moreover unworkable in India, at any rate in Southern India, for another reason, viz., the astonishing intellectual superiority of a small, rigidly exclusive, caste, the Brahman. Out of a population of 41½ millions, the number of Brahmans (all ages and sexes) is 1½ million, or about 3 per cent., while out of the total number of

Graduates of the University, 8,821 or 72 per cent. are Brahmans In the competitive examinations for the Provincial Civil Service which were held between 1892 and 1904, out of 16 successful candidates, 15 were Brahmans and only one was a non-Brahman, giving a ratio of 94 per cent. of Brahman success. In the Mysore State, where open competitions for the Mysore Civil Service have been held for the last 20 years, Brahmans have secured 85 per cent. of the vacancies. In the competition for the appointment of Assistant Engineer, Public Works Department, the number of successful candidates in the last 20 years has been 17 Brahmans and 4 non-Brahmans, a ratio of 81 per cent. I believe the competitive examinations for the Accounts Department show similar results so far as South Indians are concerned. Hence open competition in India for the Indian Civil Service would mean an almost complete monopoly for the Brahman caste and the exclusion of all non-Brahman classes, *i.e.*, the great bulk of the Hindu community, the Muhammadan and the Native Christian. Nor is there any prospect that within any visible period of time these conditions will change. The Brahman has maintained his lead for 30 years and shows no sign of losing it, and inasmuch as his intellectual superiority is a racial characteristic, it is unlikely that it will be shaken except after an indefinite lapse of time. It is impossible, therefore, to apply a system of open competition to the recruitment of the Civil Service in India unless a monopoly is to be accorded to the Brahman.

vi. Another aspect of the same difficulty would be in the apportionment of successful candidates to Provinces. If the Madras Brahman, the Bengali, and the Mahratta Brahman secured a great majority of the appointments, they would have to be employed in the Punjab and the United Provinces, and the races of those Provinces would object.

vii. A minor objection to the plan of simultaneous examinations is the impossibility of providing a *vivâ voce* test uniform with that in England.

1185 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

1186 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—It will be evident from the considerations noticed in my answer to question (7) that no system of *open* competition, would in my opinion, be suitable for adoption in India, as it must necessarily result, at any rate in this Presidency, in the exclusion from office of large and important sections of the population and in a virtual monopoly of success by Brahmans. If it is desired to recruit any proportion of the vacancies in the Indian Civil Service by examination in India, it should be done by some form of *limited* competition. This might be arranged in the following manner. The vacancies would be divided among the communities in a fixed proportion, which would be subject to revision at the end of every ten years. For the present, 50 per cent. of the vacancies should be allotted to Brahmans, 25 per cent. to non-Brahman Hindus, 10 per cent. to Mussalmans, and 15 per cent. to Eurasians and Europeans and Indian Christians. Within each of these compartments there would be free competition, but no class would be allowed to compete for a vacancy reserved for another class. In order to avoid emphasizing the fact that in entirely open competition the Brahman would sweep the board. I would hold two separate examinations in January and July, one for the 50 per cent. vacancies reserved for competition among Brahmans and the other for the 50 per cent. vacancies reserved for competition among other classes. By this method of qualified competition or competition by compartments, the chief objection to selection by competition for service within the province would be met. It would, however, evidently have to be a strictly provincial examination. Candidates would have to be natives of the Province, for it would never do to have the Bengali swamping the native candidates in the Punjab. Moreover the native of South India could not successfully be employed in Northern India. Thus both examination and service would have to be limited to the Province, and being thus essentially provincial, the recruitment thus carried out should, I think, be for the Provincial Service. If, as I have proposed in my answer to question (6) of the Provincial Service Questions, half the vacancies in that service are filled by limited competition on the compartment system sketched above, the men so selected will rise to listed posts at a suitable age, and there will be no need for any other examination in India for the Indian Civil Service.

1187 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—No.

1188 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—No. I should prefer to provide special training for officers electing for judicial work, not a separate method of recruitment.

1189 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His Majesty in India, of parents habitually resident "in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—The Eurasian, and the European who, though of unmixed blood, is born and domiciled and permanently resident in India, have no home other than India and have therefore as much claim to political privileges in India as any other Native of India. They ought, therefore, to be given an equal chance with the Hindu, the Muhammadan, and the Indian Christian of securing a share in the administration of the country and in the appointments in Government service, and the definition of "Native of India" should be framed so as to include them. If the definition could be so amended as to exclude certain classes of Europeans such as the children of planters permanently settled on the hills, it would be better, but this is a matter of sentiment mainly and I am unable to suggest any wording that would effect it.

1190 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I recommend that the age limits for the competition in England should be fixed at 18 to 20. The advantages of the higher age (22 to 24) now in force are (i) that men reach India older, more mature, and more fit for early employment in responsible posts; (ii) that men so selected have usually finished their University course and completed their general education before they are chosen; (iii) that they have been exposed to a longer period of trial under conditions of greater freedom than at school and have therefore been proved to possess qualities of self-control and steadiness of purpose. Against these considerable advantages has to be set the fact that by selecting candidates between the ages of 22 and 24 a very large number of men whose means do not enable them to wait for the uncertain issue of a competitive examination are effectively excluded. The later age practically limits the competition to those who can afford a University course and thus greatly narrows the field from which candidates are drawn, whereas if the examination came at the end of school life, great numbers who are now shut out would be given a chance of competing. The number of candidates (230 to 250) who appear for the combined Home, Indian and Colonial Service Examination is now so limited that some steps are, I think, necessary to increase the field of selection, and with this object I would lower the age to 18—20. In order to meet the objection that such a change would bring men out to India too young, I would extend the period of probation to three years and require that this period should be spent at a University where the candidate should either read for Honours in Law or Political Science or should undergo a special course of study in which those subjects should be compulsory.

1191 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17–19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21–23 or 22–24 years, followed by one year's probation)?—I hesitate to generalize as to the relative merits of the candidates selected under the varying age limits, but I think that those selected under the lowest age limits compare not unfavourably with the others.

1192 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I have not in all cases been favourably impressed, and I am inclined to think that many of the men coming out show signs of having suffered from the prolonged strain to which the late age of selection subjects them.

1193 (18). What is the most suitable age at which junior civilians should arrive in India?—I think 22 to 24 would be a suitable age.

1194 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India" and for other natural-born subjects of His Majesty?—(i) The later the age limit the better for Indians competing in England. (ii) If the age limits are reduced to 18 to 20, as I recommend, the prospects of success of Indians competing in England would certainly be diminished, but I do not regard that as an objection. I would provide increased opportunities for Indians by extension of the listed posts. I am also not convinced that the sending of Indian boys to compete in England is wholesome for them or the service.

1195 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature "that no candidate who may fail shall, to what-"ever calling he may devote himself, have any "reason to regret the time and labour which he "had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I accept the principle cited.

1196 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—See answer to next question. The *statutory* limitation is not in itself necessary, provided that other safeguards are supplied to maintain the European element in the Indian Civil Service.

1197 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—The maintenance of the European element in the Indian Civil Service being, it seems to me, a necessity of British rule in India, the minimum proportion of Europeans should be maintained irrespective either of statutory rules or of the competitive system, and if the increase of Indian successes in the examinations should seriously reduce the European element it would,

in my opinion, be necessary to limit the number of Indians so admitted or to change the system of recruitment. I am not prepared to offer an opinion as to what proportion of posts, taking the Indian Civil Service cadre as a whole, might be held by Natives of India. The subject should, I think, be considered more in detail. I think that half the district judgeships might be held by Natives of India. If the Native of India continues to prove an indifferent Criminal Judge and if the effect of the increase in Indian Sessions Judges were seriously to relax the efficiency of the criminal law, it might be desirable to separate the criminal from the civil work and to appoint European Judges of assize who would move from district to district for disposal of criminal work. On the executive side I should not be prepared for the present to throw open so large a proportion of posts of Collector and District Magistrates to Natives of India. Our experience of Natives of India holding these posts is still very limited. On the whole I consider that the officers appointed to listed posts have done well as Collectors and District Magistrates. On the other hand experience in this Presidency of the Natives of India selected by open competition in England has been on the whole unfavourable and there have been some distressing instances of failure. The facts available at present certainly suggest the need for caution in entrusting an increased number of district charges to Natives of India, and there is a good deal of evidence that in this Presidency the average officer of this class will be found to fail in serious emergencies such as riots. A considerable number of cases have occurred in which Indian officers have shown marked failure of nerve and courage in dealing with the outbreaks of disorder. We require longer experience of Indians in executive employment before it would be safe to extend such employment largely.

1198 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I accept the present system as generally satisfactory in principle.

1199 (26). Give a list of the "Natives of India" now serving in your province who were recruited to the Indian Civil Service by means of open competition in England, stating in what year they were admitted, in which posts they are now serving, and their present rate of salary?—

Ans.—

			Rs.
A. C. Dutt	1889	District and Sessions Judge.	2,500
V. Venugopal Chetti	1890	Do.	2,500
A. R. Banerji	1895	On Foreign Service as Diwan of Cochin.	2,000 *
J. N. Roy	1899	Sub-Collector and Acting Collector.	Substantive 900; Actual (with acting allowance) 1,500
P. C. Dutt	1899	Sub-Collector	Substantive 900; Actual 1,140
R. Narayana Aiyar	1900	Do.	Substantive 700; Actual 1,033-5-4
H. G. Gharpurey	1901	Do.	Do.
J. W. Bhore	1902	Do.	Do.
V. Pandurang Rao	1904	Do.	Do.
J. R. Krishnamma	1908	Assistant Collector and Acting Sub-Collector.	Substantive 500; Actual 766-10-8
S. V. Ramamurti	1912	Assistant Collector	400

* Would be a Sub-Collector, First Grade (Rs. 1,200), in the regular line and receiving a salary of Rs. 1,783 as Acting District Judge or Rs. 1,900 as Acting Collector.

1200 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—I think the proportion for failures has been larger among the Indians recruited by open competition in England than among the Europeans.

1201 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No.

1202 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (*a*) military officers and (*b*) others; and give details of the latter?—There have been no such officers recruited in recent years in this Presidency.

1203 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent should it be adopted?—The answer is in the negative.

1204 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as

Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—The figures are correct. It may be mentioned however that the classification of the listed Secretaryship to the Board as "inferior" is somewhat misleading. The post of the Settlement Secretary has always been held by a non-covenanted officer and the pay was accordingly fixed at Rs. 1,000 instead of at the rate of Rs. 1,500—1,800 allowed for other Secretaries to the Board. When the post was definitely listed in 1892, Rs. 1,000 was regarded as sufficient pay for a Provincial Civil Service officer holding it; but there can be little doubt that if it had not been listed, but were held by an officer of the Indian Civil Service, the pay would have been above Rs. 1,000 and the post would have been shown as superior. This view is supported by the terms of paragraph 2 of the notification of the Government of India at page 627 of the collection of papers relating to the Indian Civil Service.

It may be mentioned also that at least for purposes of comparison with other provinces the office of Registrar of Co-operative Credit Societies which has been declared open to the Provincial Civil Service should be entered in the Appendix V as a "listed" post. This post has been graded among Collectorships, and though it is not certain that this grading strictly speaking brings it within the Schedule to the Statute, it certainly ought to be so regarded for comparative purposes, as there are posts in other provinces (*e.g.*, Talukdari Settlement Officer in Bombay and Assistant Director of Land Records in the United Provinces) which do not, strictly speaking, come under the Schedule to the Indian Civil Service Act, 1861, but are nevertheless shown as "listed" because they are open to the Provincial Civil Service. If the Registrarship is similarly entered, the number of posts listed will rise to 16, of which 9 will be shown as superior and one more (the Secretaryship to the Board) will be really superior, though for purposes of calculating recruitment it is shown in the inferior grade. The classification into superior and inferior is purely arbitrary and instituted merely for purposes of calculating recruitment. Unless this is kept in view, the statement in Appendix V is likely as it stands to convey a wrong impression.

1205 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—All the posts, except that of Under Secretary to Government, have been regularly filled by Natives of India during the last five years.

The post of Under Secretary to Government has only been regularly filled by a Native of India since October 1st, 1910. Prior to that date a Provincial Service officer held for six months in 1909 the post of Assistant Secretary, which was then in effect and has since been recognized as an Under Secretaryship. The reason why the Under Secretaryship was not filled by a Native of India prior to 1910 was that the ordinary members of the Provincial Service, though Revenue officers of experience, are not usually fit to take up Secretariat work in which they have had no training.

1206 (35). To what extent also during the last five years have these listed posts been filled (*a*) by members of the Provincial Civil Service; (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any?—Two "Natives of India" who were not members of the Provincial Civil Service have held "listed" posts during the last five years, viz., M. O. Parthasarathi Aiyangar and C. V. Kumaraswami Sastri, both District Judges. The former has now retired. All the other occupants of the listed posts have been members of the Provincial Service.

1207 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilized and in what directions?—The answer to the first question is in the negative. The answer to the second question is that it is not obligatory to appoint Natives of India outside the Provincial Service and if suitable men are found in that service it is undesirable to do so, as such appointments disappoint and dishearten the men in the service. I would retain the power to appoint from outside in suitable cases but I would not make it obligatory to make such appointments.

1208 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction (*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—I do not think that the merging of these appointments in the Deputy Collector's list is a satisfactory arrangement. It conceals the fact that these posts have been transferred from the Indian Civil Service to the Provincial Service and it renders it impossible to say what individual is holding any one of the listed posts. I would separate these appointments from the Deputy Collectors' list, and though this might deprive the holders of prospects of promotion in the Deputy Collectors' service, I think it would generally be regarded as a more satisfactory arrangement.

1209 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—It has not been found easy in the past to obtain suitable men for the post of Under Secretary from among members of the Provincial Service, but this is probably due to the fact that so large a proportion of the Deputy Collector service is at present recruited by promotion from the ranks of the subordinate executive and therefore does not present many men trained for Secretariat posts. If my proposal to select 50 *per cent.* of the Provincial Service by a form of limited competition were adopted, we should doubtless obtain a sufficient number of men qualified for Secretariat work, and I do not therefore suggest any change.

1210 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—Owing to the merging of the "inferior" listed posts on the executive side in the Deputy Collectors' cadre, it is impossible to make the comparison here suggested except in regard to the "superior" posts. Among these posts the Collectors have, I think, been up to the average, the Judges probably above the average, and the holders of Secretariat posts below the average. In reply to the last part of the question, few, if any, of the Judicial officers would have been fit for employment in the Executive branch of the Administration.

1211 (40). Please now turn to the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), which will be found in Appendix II to these questions, and say how many "Natives of India" have been appointed permanently to posts in your province under its provisions during the last five years, giving names and the nature of the posts so filled?—None.

1212 (41). Are there any other ways in which "Natives of India" are appointed to your province to Civil Service posts? If so, please give details of the same?—No.

1213 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The existing system of probation appears to be in many respects faulty and should be amended as shown in the answers to following questions.

1214 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—(*a*) As I do not recommend the continuance of the present age limits for the open competition, it is hardly necessary to offer an opinion as to the duration of the probationary course under those limits, but in any case I would advocate a probationary period of not less than two years, as giving more time for the assimilation of the special subjects of study. (*b*) In my answer to question (15) I have advocated the age limits being fixed at 18 to 20. If this is adopted, a three-year period of probation would be desirable.

1215 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

1216 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—The present "approved" Universities are, I think, suitable.

1217 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—The cost of an average student, who has a home to go to during the vacations, cannot be placed at less than £200 a year at Oxford. A Rhodes scholar receives, I believe, £300 a year. I advocate at least £200 a year, to be contingent on good conduct.

1218 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No, it would be undesirable, as cutting off selected candidates from the general current of thought among the young men of their generation and confining their intercourse to the small body of selected candidates.

1219 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—If "general education" means the ordinary school curriculum and if "such studies as have a special tendency to fit them for their calling" include Political Science, Political Economy, Jurisprudence, and Law (other than adjectival Codes), I should accept the principle referred to.

1220 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—In my opinion the study of Code of Criminal Procedure and any other adjective law should be postponed until the candidate reaches India and can carry it on *pari passu* with practical work. On the other hand the compulsory attendance at Law Courts in England was, in my experience, a very valuable item in the training and I would certainly recommend its re-introduction. I am also strongly in favour of General Jurisprudence and Political Economy being made compulsory subjects of training, whatever the age limits may be. A man who passes the open competition on mathematics or science and modern languages may now arrive in India wholly ignorant of the principles either of law or political economy.

Under my recommendation, the age for selection would be 18 to 20 and the period of probation three years. I would then devote the first two years to the following subjects: (*a*) Jurisprudence and Political Economy; (*b*) the Indian Codes on Law of Evidence, Contract, Transfer of Property and Specific Relief and the Indian Penal Code; (*c*) Hindu and Muhammadan Law; (*d*) Indian History and Geography; and (*e*) one classical language of India. During the third year I would add a vernacular language. It might be noted, in regard to Madras, that half the candidates should learn Tamil and half Telugu, and not all the same vernacular language.

1221 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England.

1222 (54). What is your opinion of a proposal to start at some suitable place *in India* a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—If selected candidates have undergone a sufficient period of probation and training in England, no college in India is needed. The best training for men who are fit for work is to put them to work.

1223 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—For the reason given in reply to question (54) I am not in favour of this proposal.

1224 (56). In the report of the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—Except the vernacular, and possibly the classical language, all the special subjects which the selected candidate should study during probation are best studied in Europe. Moreover no further reduction in the age of arrival in India beyond that involved in the recommendations I have already made is desirable.

1225 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—I have not recommended it.

1226 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—Please see my answer to the preceding question.

1227 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

1228 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Yes.

1229 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—The Local Government is now considering some modifications in the details of the standard examinations and I have stated my opinion in that connection. My main recommendation is that at the standard examinations an officer of the Indian Civil Service should, in this Presidency, be required to pass in one vernacular only, and not two vernaculars, as at present.

1230 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—There seems no evidence of deterioration, but many officers do not attain to an adequate proficiency in the vernacular in this Presidency, the reason being that the South Indian vernaculars are extremely difficult (far more difficult for instance than Urdu) so that it takes several years to master one. The remedies I suggest are (i) the cancellation of the rule which at present makes it obligatory on an Indian Civil Service officer to attempt to learn two vernaculars at the beginning of his service, (ii) the retention of officers as much as possible in the same language area and the recognition of the fact that few men can learn two South Indian vernaculars really well.

1231 (63). Do you recommend any changes in the rules for the encouragement of the study of oriental languages, and if so, what changes?—This matter has been under correspondence with the Government of India. The views of the Governor in Council are expressed in that correspondence.

1232 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—In the first place I would, as already stated in answer to questions (51)–(52), include general jurisprudence and the chief Indian Codes (other than adjective law) in the studies to be pursued during the period of probation. Secondly, I would require men who elect for the Judicial branch of the service to undergo a course of legal study at home at about the eighth to tenth year of their service and I would grant them study leave for the purpose. Thirdly, I would appoint them to the charge of Sub-Judge's work for a year or two. During the course of legal study, I would advocate both entry at one of the Inns of Court with a view to a call to the Bar and a course of reading in a barrister's chambers.

1233 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Not beyond that already noticed.

1234 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—Please see reply to question (64).

1235 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of oriental languages?—In 1904 the Governor in Council recommended the introduction of such a system, but as will be seen from paragraph 6 of Judicial Department letter No. 1200, dated the 27th June 1912, he will not press that recommendation if rewards are given, as is now proposed, for success in the Bar Final Examination.

1236 (72). The present theory underlying the conditions of service in the Indian Civil Service is that (*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. (i) Do you accept this system? (ii) If so, do you consider that the period of eight years is suitable, or do you recommend any change? (iii) What alteration (if any) would be necessary if the age of recruitment were lowered?—(i) Yes. (ii) No. (iii) If the age is lowered as I propose, I would extend the period of service in the inferior posts from eight years to nine years.

1237 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. (i) Do you accept this as a suitable arrangement? (ii) If not, what alteration would you suggest, and for what reasons?—(1) Yes.

1238 (74). Please show in a tabular statement for the last five years, quarter by quarter, with footnotes, giving the names, the total nett number of officers who have failed to obtain promotion in accordance with the principles set out in the preceding questions, and say whether any inconvenience, and, if so, what has been caused thereby to the Administration?—The tabular statement is annexed. The figures in Part I show that in 1911 and 1912 no officer of two years' service who was qualified for promotion by having passed his examinations failed to obtain promotion. There were four cases of such failure in 1910, two in 1909 and six in 1908: but these all occurred in the first quarter of the year and there has been no instance of an officer remaining unpromoted during the other three quarters.

Part II shows that up to 1910 there were several cases of men of eight years' service and over who did not obtain superior posts. In 1911, however, the failure only extended to the first quarter of the year and in 1912 there has been no such failure.

PART I.—List of Indian Civil Service officers of more than two years' but not more than eight years' service, who failed to obtain appointments above the lowest grade.

Names of officers.	Length of service.	Salary in First quarter.	Second quarter.	Third quarter.	Fourth quarter.
1908.	YRS.	RS.	RS.	RS.	RS.
Mr. R. Narayana Aiyar (*a*)	7	560	..	..	..
,, S. H. Slater ..	3	560	..	..	..
,, H. R. Pate ..	3	560 + 100 S.A.	..	..	..
,, J. C. Stodart ..	3	385	..	..	..
,, C. F. Brackenbury ..	2	560	..	..	..
,, G. T. Gwynn ..	2	560	..	..	..
,, J. F. Hall	2	560	..	..	..
,, C. A. Henderson ..	2	385	..	..	..
,, A. M. K. Tampoe ..	2	560	560	560	560
9	..	9	1	1	1
1909.					
Mr. A. M. K. Tampoe ..	3	560	..	..	..
,, L. J. P. Jolly ..	2	560	..	..	..
,, J. Gray	2	385	..	..	..
,, J. W. Glasson ..	2	385	385	385	..
,, R. F. B. L. Guppy ..	2	385	385	..	..
5	..	5	2	1	..
1910.					
Mr. A. C. Duff	2	560	..	..	..
,, C. G. Austin	2	560	..	..	..
,, D. R. Matheson ..	2	560	..	..	..
,, J. I. Smith	2	560	..	..	..
,, P. Macqueen	2	385	385	450	..
5	..	5	1	1	..
1911.					
Mr. H. A. Watson ..	2	450	..	..	..
,, G. T. Boag	2	450	..	..	..
,, H. S. Shield	2	450	450	450	450
,, J. R. Krishnamma ..	2	450	450	450	..
4	..	4	2	2	1
1912.					
Mr. H. S. Shield	3	450	450	450	..
,, E. Graham	2	450	..	..	..
,, F. W. Stewart ..	2	400	450	450	450
,, H. M. Hood	2	400	450	450	450
,, A. G. Leach	2	450	..	..	..
5	..	5	3	3	2

(*a*) This officer was reduced to the grade of Assistant Collector.

Notes.—(1) Rs. 385 (or Rs. 400 or Rs. 450 after the reorganization) represents the salary of an unpassed Assistant Collector.

(2) Rs. 560 (or Rs. 500 after the reorganisation) represents the salary of a passed Assistant Collector.

(3) "S.A." means "Settlement allowance."

(4) Rs. 560 (the salary of a passed assistant) is the lowest grade, and officers between two and eight years' service, who failed to get promotion to a higher grade than this are shown in the above statement No. I.

PART II.—List of Indian Civil Service officers of more than eight years' service who failed to obtain "superior posts."

Names of officers.	Length of service.	Salary in First quarter.	Second quarter.	Third quarter.	Fourth quarter.
1908.	YRS.	RS.	RS.	RS.	RS.
Mr. E. W. Legh	10	768⅓	..	..	..
,, T. E. Moir	9	760 +150 S.A.	..	..	..
,, C. W. E. Cotton ..	9	760	..	..	..
,, G. H. B. Jackson ..	8	760	..	..	..
,, J. N. Roy	8	760	760	760	760
,, A. J. Curgenven ..	8	760 + 100 L.A.	..	..	..
,, J. R. Huggins ..	8	760	760	760	760
,, E. A. Davis	8	760	..	..	..
,, P. C. Dutt	8	760	760	760	760
,, E. P. Walsh	8	760	760	760	760
,, A. Fotheringham ..	8	760	760	760	760
11	..	11	5	5	5
1909.					
Mr. J. N. Roy	9	760	..	..	..
,, J. R. Huggins ..	9	760	..	..	..
,, P. C. Dutt	9	760	..	..	..
,, E. P. Walsh	9	760	760	760	760
,, A. Fotheringham ..	9	760	760	760	760
,, W. A. Doig	8	760	760	760	760
,, R. Narayana Aiyar ..	8	760	760	760	760
,, H. H. Burkitt ..	8	760	760	..	..
,, F. W. R. Robertson ..	8	760	760	760	760
,, R. W. Davies	8	760 + 100 S.A.	760 + 100 S.A.	760 + 100 S.A.	..
,, D. T. Chadwick ..	8	760 + 100 S.A.	760 + 150 S.A.	760 + 150 S.A.	..
,, A. Galletti	8	1,050	1,050	1,050	..
12	..	12	9	8	5
1910.					
Mr. E. P. Walsh	10	760	..	..	..
,, A. Fotheringham ..	10	760	..	..	..
,, W. A. Doig	9	760	..	..	..
,, R. Narayana Aiyar ..	9	760	..	..	..
,, F. W. R. Robertson ..	9	760	..	..	..
,, C. A. Souter ..	8	1,000	..	..	..
,, C. G. Mackay ..	8	760	760	766⅔	766⅔
,, H. G. Gharpurey ..	8	760	760	766⅔	766⅔
,, H. T. Reilly ..	8	760	760	766⅔	766⅔
,, W. G. McFarland ..	8	760 +100 S.A.	760 + 100 S.A.	766⅔ +150 S.A.	766⅔ +150 S.A.
,, J. K. Lancashire. ..	8	760 +100 S.A.	760 + 100 S.A.	766⅔ +100 S.A.	766⅔ +100 S.A.
11	..	11	5	5	5
1911.					
Mr. C. G. Mackay ..	9	900	..	..	..
,, H. G. Gharpurey ..	9	900	..	..	..
,, H. T. Reilly ..	9	900	..	..	..
,, W. G. McFarland. ..	9	900 +150 S.A.	..	..	..
,, J. K. Lancashire ..	9	900 +150 S.A.	..	..	..
,, J. W. Bhore ..	8	900	..	..	..
,, F. Noyce	8	1,000	..	..	..
,, A. R. Cox	8	900	..	..	..
,, G. A. D. Stuart ..	8	900 +150 S.A.	..	..	..
9	..	9	..	..	..

PART II.—List of Indian Civil Service officers of more than eight years' service who failed to obtain "superior posts"—*cont.*

Names of officers.	Length of service.	Salary in First quarter.	Second quarter.	Third quarter.	Fourth quarter.

1912—*Nil.*

Notes.—(1) Appointments of Sub-Collectors and of higher grades are classed as "superior." Officers above eight years' service who failed to reach a "superior" post are shown in the above statement (No. II).

(2) Rs. 760 represents the salary of a passed Assistant Collector, acting as Head Assistant Collector (before the reorganization).

(3) Rs. 768⅓ represents the salary of a permanent Head Assistant Collector (before the reorganization).

(4) Rs. 766⅔ represents the salary of a passed Assistant Collector acting as Sub-Collector, 2nd grade (after the reorganization).

(5) Rs. 900 represents the salary of a permanent Sub-Collector, 2nd grade, or of a Sub-Collector, 3rd grade, acting in 2nd grade (after the reorganization).

(6) Rs. 1,050 and 1,000 represent the salary of Under Secretary to Government.

(7) "S.A." means "Settlement allowance" and "L.A." means "Local allowance."

1239 (75). Please now see the statement marked AA and the list marked *Madras* = *A*, which have been reproduced in Appendix VII to these questions, and say whether they are correct for your Province. If not, please state what amendments are necessary?—The entries relating to Madras are open to this correction that one of the three Under Secretaryships included in line (7) is listed as open to the Provincial Service and should therefore be excluded from calculation in arriving at the cadre of the Indian Civil Service, an equivalent addition being made to the number of inferior posts of "Joint Magistrates." These should be described in List A as "Sub-Collectors and Joint Magistrates, Second and Third Grade" and not as "Joint Magistrates."

1240 (76). (i) Is any difficulty experienced by the administration in working with the number of superior posts shown in the list for your Province? (ii) Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? (iii) If not, what changes, if any, do you suggest?—(i) Yes; see answers to subsequent questions. (ii) Yes. (iii) No, as the list includes the posts listed as open to the Provincial Service as well as the post of Registrar of Co-operative Credit Societies which is classed among Collectorates but has in practice not been held by an officer of the Indian Civil Service.

1241 (77). Does the number of superior posts shown as held directly under the Government of India correspond with the actual experience of the last five years? If not, please give particulars of the discrepancies, and say whether you consider any change of practice in this respect to be desirable. Attention is invited in this connexion to List J in Appendix VII to these questions?—The number of officers serving in superior posts under the Government of India (whether acting or permanent) on the 1st of October of each of the

last five years has been as follows:—1908—12; 1909—12; 1910—9; 1911—11; 1912—10. The average number—10·8—is slightly in excess of the number, viz., 8, which is allowed for in the Indian Civil Service cadre, but the excess is hardly sufficient to call for any change in practice.

1242 (78). Does the number of superior posts allowed for temporary appointments and deputations correspond with the actual experience of (say) the last five years? If not, please give particulars of the discrepancies and say whether you consider any change of practice in this respect to be desirable?—The number of superior posts allowed for temporary appointments and deputations, including foreign service, is three. At present six officers are in regular foreign service (Messrs. Campbell, Banerji, P. L. Moore, Wallace, Fowler and Bracken) and this more than exhausts the whole provision and leaves no men for temporary work under this Government. A statement showing the officers of superior rank (*i.e.*, of such standing that they act, or if on duty would act, in posts of over Rs. 1,000) who were on deputation on the first day of each quarter during the last five years is attached. It will be seen that the number so appointed was never less than four and once rose to 13. Even allowing for the fact that the officers deputed were not in all cases absent from the regular line for the whole quarter, it is evident that the allowance of three posts for this purpose is insufficient. There is nothing to show how the Government of India arrived at the figure 4 per cent. of the superior posts as a suitable provision for deputations, when in paragraph 13 of their letter, dated 8th September 1896, they adopted this figure. While no change in the method of providing for deputations seems necessary, the experience of the last five years shows clearly that the 4 per cent. allowance is insufficient and I consider that it should be raised to, say, 6 per cent. This would give us five men instead of three. The provision would still be insufficient to meet present demands, but it is not safe to make too great an addition to the superior cadre list, as, if deputations fall off, the current of promotion in the lower ranks would be affected.

LIST of Indian Civil Service officers of "Superior" rank holding temporary appointments, on deputation, or in foreign service, on the first day of each quarter of the last five years.

Quarter.	1908. Names of officers.	1909. Names of officers.	1910. Names of officers.	1911. Names of officers.	1912. Names of officers.
First quarter ..	A. C. Dutt. F. B. Evans. E. S. Lloyd. A. R. Banerji.	A. Butterworth. J. G. Burn. R. F. Austin. E. S. Lloyd. A. R. Banerji.	S. G. Roberts. J. J. Cotton. R. F. Austin. E. S. Lloyd. R. H. Campbell. F. B. Evans. A. R. Banerji.	J. Andrew. A. R. Banerji. R. H. Campbell. J. C. Molony. H. H. Burkitt. C. A. Innes. T. E. Moir. P. L. Moore.	R. C. C. Carr. A. R. Knapp. P. L. Moore. A. R. Banerji. R. H. Campbell. J. C. Molony. H. H. Burkitt. T. E. Moir. C. W. E. Cotton. G. T. H. Bracken. J. C. Fowler.
Total ..	4	5	7	8	11
Second quarter ..	L. Davidson. A. C. Dutt. J. C. Molony. E. S. Lloyd. A. R. Banerji.	J. G. Burn. R. F. Austin. E. S. Lloyd. A. R. Banerji. R. H. Campbell.	S. G. Roberts. J. J. Cotton. R. F. Austin. E. S. Lloyd. R. H. Campbell. J. F. Bryant. C. G. Mackay. F. B. Evans. E. H. Wallace. A. R. Banerji.	J. Andrew. A. R. Banerji. R. H. Campbell. J. C. Molony. H. H. Burkitt. G. F. Paddison. T. E. Moir. P. L. Moore.	R. C. C. Carr. P. L. Moore. A. R. Banerji. R. H. Campbell. J. C. Molony. H. H. Burkitt. C. W. E. Cotton. G. T. H. Bracken. J. C. Fowler.
Total ..	5	5	10	8	9
Third quarter ..	A. C. Dutt. A. R. Cumming. J. C. Molony. E. S. Lloyd. A. R. Banerji.	M. J. Murphy. J. J. Cotton. J. M. Tering. E. S. Lloyd. A. R. Banerji. R. H. Campbell.	J. J. Cotton. E. S. Lloyd. A. R. Banerji. R. H. Campbell. J. C. Molony. A. Galletti.	A. R. Banerji. R. H. Campbell. J. C. Molony. H. H. Burkitt. P. L. Moore. G. T. H. Bracken. J. C. Fowler.	R. C. C. Carr. G. F. Paddison. P. L. Moore. A. R. Banerji. R. H. Campbell. T. E. Moir. C. W. E. Cotton. E. P. Walsh. G. T. H. Bracken. J. C. Fowler.
Total ..	5	6	6	7	10
Fourth quarter ..	J. G. Burn. J. C. Molony. E. S. Lloyd. A. R. Banerji.	M. J. Murphy. J. J. Cotton. E. H. Wallace. J. M. Turing. J. G. Burn. E. S. Lloyd. A. R. Banerji. R. H. Campbell.	J. J. Cotton. E. S. Lloyd. A. R. Banerji. R. H. Campbell. J. C. Molony.	A. R. Knapp. A. R. Banerji. R. H. Campbell. J. C. Molony. H. H. Burkitt. C. W. E. Cotton. T. E. Moir. P. L. Moore. G. T. H. Bracken. J. C. Fowler.	G. F. Paddison. W. W. Phillips. P. L. Moore. A. R. Banerji. R. H. Campbell. E. H. Wallace. A. R. Knapp. T. E. Moir. A. J. Curgenven. E. P. Walsh. J. W. Glasson. G. T. H. Bracken. J. C. Fowler.
Total ..	4	8	5	10	13

1243 (79). Does the arrangement by which officers, recruited against temporary superior posts, are shown in the lowest grade work satisfactorily? If not, what change of practice appears to you to be necessary?—It works satisfactorily.

1244 (80). Does the allowance of 39 per cent. on the number of superior posts give the right number of junior officers for the work of the administration of your province? If not, please state what excess or deficiency in your opinion exists, giving your reasons in detail?—The number of Indian Civil Service officers available for charge of divisions is insufficient and the deficiency has to be made up by placing Deputy Collectors in charge of divisions intended to be held by officers of the Indian Civil Service. The number of Indian Civil Service divisions in charge of Deputy Collectors was 10 on 1st January 1912 and 12 on the 1st of July 1912. The deficiency in Indian Civil Service officers is partly due to the excessive number of officers serving under the Government of India, as noticed in the reply to question (77), partly to the insufficiency of the provision for deputations, as noticed in the reply to question (78), and partly to the fact that no provision has been made in the cadre for the officers employed on settlement work. These officers have not been included in the list of officers on deputation shown in the statement annexed to the reply to question (78), and during the last five years they have averaged 3 in number. An addition of three should therefore be made to the superior posts in the regular line of the service. This would give a corresponding addition below the line. The allowance of 39 per cent. for inferior posts may remain.

1245 (81). Junior officers are considered to be under training during the first two years of their service. Does this approximate to the actual conditions? If not, what alteration is necessary in the percentage of 15·5 allowed for training?—Of the 29 officers who entered the service since 1905 and have passed the Higher Standard, 2 passed that standard after one year, 15 after 1½ years and 8 after two years, while 4 took over two years. In the last year or two, Assistants on passing their examinations have been at once promoted to act as Sub-Collector: the normal period of training has thus been considerably below two years. But the experience of two years of the present grading is not sufficient to justify any present alteration in the percentage allowed for training.

1246 (82). Does the leave allowance of 32·7 per cent. for superior posts, 6·7 per cent. for inferior posts, and ·6 per cent. for training posts, approximate to the actual conditions? If not, please state what alteration is desirable?—The leave allowance is on the whole sufficient.

1247 (83). Does the annual decremental rate of 4·17 per cent. on the total strength of the Service correspond with the actual experience of the last 20 years? If not, please give the actual facts for this period and suggest a suitable figure, with reasons in support of the same?—A list of casualties for each year since 1893 is given below.

Year.	Actual strength on January 1st.	Casualties in the year.	Percentage.
1893	149	7	4·69
1894	149	4	2·64
1895	154	8	5·19
1896	154	5	3·24
1897	155	5	3·22
1898	157	7	4·45
1899	158	3	1·89
1900	166	5	3·01
1901	170	1	·58
1902	176	4	2·27
1903	174	7	4·02
1904	172	3	1·74
1905	174	2	1·15
1906	178	9	5·05
1907	173	1	·57
1908	176	8	4·54
1909	174	5	2·87
1910	174	5	2·87
1911	174	5	2·87
1912	177	7	3·95
Average percentage..	..	..	3·04

This method of arriving at the average decrement is not very scientific, but it is sufficient to show that the calculated decrement rate is higher than our average annual decrement. But the decrement rate is calculated for the whole of India on far more complete data than we possess; any variations from the normal are corrected in our annual indent by an addition to, or deduction from, our standard figure or recruitment; and nothing would be gained by an attempt to work out a separate decrement rate for Madras even if sufficient data were forthcoming.

1248 (84). Does the theoretical strength of the Service correspond ordinarily with its actual strength? If not, please state the facts and, in particular, offer any remarks which may suggest themselves with regard to the existing discrepancy shown in the statement marked BB which is included in Appendix VII to these questions?—The present recruitment tables were only introduced in 1906. The theoretical strength in 1907 and succeeding years, and the actual strength on January 1st and July 1st on each year has been as follows:—

Year.	Theoretical strength.	Actual strength on January 1st and July 1st.	
1907	165	173	173
1908	165	176	173
1909	165	174	171
1910	175	174	174
1911	175	174	172
1912	175	177	173

During the last three years the actual strength has approximated very closely to the theoretical strength. The deficiency of two in July last does not call for any special remark.

1249 (85). Do you consider that the present system of a quinquennial examination of the conditions of service is adequate to regulate the rate of recruitment and flow of promotion? If not, what alterations do you recommend?—There is nothing on record to suggest that more frequent examinations are needed.

1250 (86). State the principles on which the annual indent for recruitment to the Indian Civil Service is regulated. Do you consider that

accurate results are attained thereby? If not, what alterations do you recommend?—The number of men indented for represents 4·17 of the total strength (in our case seven men per annum): but this is modified with reference to the probable actual strength in the year when the selected candidates are to arrive in India. For the purpose of avoiding excessive disturbance of the normal rate, the Government of India limit to 30 per cent the addition to, or deduction from, the normal recruitment which may be made in any one year for the purpose of correcting actual excesses or deficiencies in the strength.

1251 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—A more stringent exercise of the power of selection for higher appointments and a much greater readiness to retire compulsorily inefficient officers are, I think, called for in this Presidency.

1252 (88). (i) To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? (ii) Is any change desirable and, if so, in what directions?—(i) The answer to the first part of this question will depend on what is meant by the terms "executive" and "judicial." As a general rule, the executive branch of the service in this Presidency does not exercise the functions of a Civil or Criminal Judge, but there are some unimportant exceptions in certain local areas, viz., the Collectors and some of the Sub-Collectors in Ganjām, Vizagapatam and Gōdāvari exercise powers both as Civil and Criminal Judge in respect of the tracts scheduled under Act XIV of 1874, and the Collector of Nilgiris exercises jurisdiction as an additional Sessions Judge in respect of his district. Under the Estates Land Act, 1908, Collectors also exercise certain judicial powers in regard to civil matters arising under that Act. Using the word "Judicial" in a wider sense, all District Magistrates and Joint Magistrates exercise judicial functions in their magisterial capacity. (ii) The popular cry for separation of executive and judicial functions, by which is usually meant the separation of magisterial functions from the posts of Collector and Sub-Collector, is not, I think, entitled to much weight so far as it applies to officers of the Indian Civil Service, though it may be better justified in reference to officers in subordinate services. On the other hand, there would be no objection to such a separation of function except the expense involved in duplicating the officers concerned. As Indian Civil Service officers using executive authority do not depend on their magisterial powers for the maintenance of that authority, the separation of the magisterial powers and their transfer to a separate set of officers would not weaken their authority in my opinion.

1253 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service Cadre and the grading of each class of post for the different provinces, and say whether they are correct for your province?—The rates of pay are correct, but there are now three judgeships of the High Court which must, under the Statute, be filled by officers of the Indian Civil Service and which are so filled, while there are only two Under Secretaryships on Rs. 1,000 held by members of the Indian Civil Service and not three as shown in the statement.

1254 (91). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the service authorised on the 1st April of each of the following years: 1860, 1870, 1880, 1890, 1900 and 1912?—A statement is attached which contains the desired information.

Enclosure to question (91).—Madras.

Nature of posts.	1860. Number.	1860. Pay.	1870. Number.	1870. Pay.	1880. Number.	1880. Pay.	1890. Number.	1890. Pay.	1900. Number.	1900. Pay.	1912. Number.	1912. Pay.
		Rs.		Rs.		Rs.		Rs.		Rs.		Rs.
Members of Council ..	2	5,333⅓	2	5,333⅓	2	5,333⅓	2	5,120	2	5,333⅓	2	5,333⅓
Judges of High Court..	3	4,083⅓	3	3,750	2	4,000	2	3,750	2	4,000	2	4,000
					(1)	3,750		3,750	(1)	3,750	(1)	3,750
Members of the Board of Revenue.	3	4,083⅓	3	3,475	(1)	3,500	4	3,500	(1)	3,500	(1)	3,500
		3,016⅔			(1)	3,000		3,000	(2)	3,000	(2)	3,000
					(1)	3,750			(1)	3,750	(1)	3,750
Secretaries to Government ..	2	4,166⅔	2	4,166⅔	(1)	3,125	3	3,750	(1)	3,125	(1)	3,125
		3,333⅓		3,333⅓	(1)	2,500		3,125	(1)	2,500	(1)	2,500
Secretaries to Board of Revenue.	2	2,000	2	2,000		1,500—1,800	2	2,500	2	1,500—1,800	2	1,500—1,800
		1,600		1,600								
District and Sessions Judges..	22	2,333⅓	21	2,333⅓	21	2,333⅓	19	2,333⅓	18	3,333⅓	18	3,000
							(1)	1,800	(1)	1,800	(6)	2,500
											(6)	2,250
											(7)	2,000
Collectors of districts ..	20	2,420	20	2,850	22	2,500	21	2,500	25	2,500	(3)	2,500
				2,333⅓		2,333⅓		2,333⅓		2,333⅓	(7)	2,250
				2,000		2,000		2,000		2,000	(12)	2,000
						1,800		1,800		1,800	(6)	1,800
Political officers ..	1	1,600	1	2,800	1	2,200	1	2,800	1	2,800	1	2,800
		700		1,600								
Miscellaneous posts ..	(b) 16	(1) 2,000	(g) 10	1,400	(c) 4	2,333⅓	(b) 4	2,500	(f) 4	2,500	(a) 4	2,500—3,000
		(9) 1,400		2,500		1,600		1,500		1,500		1,800—2,000
				3,400		1,400		1,400		1,200—1,400		1,600—1,800
				3,104							(1)	1,500
				2,687½								
Under Secretaries to Government.	2	1,050	2	1,050	3	1,050	3	1,050	2	1,050	2	1,000
		1,000		1,000		1,000		1,000		1,000		
Sub-Collector and Joint Magistrate, 1st grade.	(d) 16	1,264	(d) 16	1,166⅔	(d) 15	1,166⅔	(d) 15	1,166⅔	(d) 15	1,166⅔	18	1,200
Sub-Collector and Joint Magistrate, 2nd grade.	(e) 21	810⅔	(e) 20	768⅓	(d) 25	768⅓	(e) 25	768⅓	(e) 20	768⅓	16	900
Sub-Collector and Joint Magistrate, 3rd grade.	..	..	..	..	..	..	..	..	..	..	16	700
Assistant Collectors ..	(i) 20	427	(j) 35	385—560	(i) 32	385—560	49	385—560	56	385—560	53	400—500
Total ..	129		187		131		162		152		166	

(a) Inspector-General of Police, Commissioner of Coorg, Registrar, High Court, and Private Secretary to His Excellency the Governor.
(b) Inspector-General of Police, Private Secretary to His Excellency the Governor, Registrar, High Court, and Deputy Commissioner of Salt and Abkari Revenue, Central Division.
(c) Director of Public Instruction, Private Secretary to His Excellency the Governor, Registrar, High Court, and Deputy Commissioner of Salt and Abkari Revenue, Southern Division.
(d) Principal Assistants and Sub-Collectors and Joint Magistrates.
(e) Special Assistants, Senior Assistants and Head Assistants.
(f) Collector of Sea Customs, Commissioner of Salt Revenue, Registrar, High Court and Deputy Commissioner of Salt and Abkari Revenue.
(g) Collector of Sea Customs, Commissioner of Salt Revenue, Registrar, High Court, five Small Causes Court Judges, Collector of Sea Customs, Private Secretary to His Excellency the Governor and two Officers of Survey and Settlement.
(h) Registrar, High Court, Deputy Registrar, High Court, ten Subordinate Judges, Inspector-General of Police, Collector of Sea Customs, Director of Revenue Settlement and Inam Commissioner.
(i) On 1st January.
(j) On 1st February.

Note.—The statement excludes all listed and transferred posts.

1255 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—I think they are suitable.

1256 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—Under our present grading, an Assistant Collector acting in the Divisional Officer's grade (Sub-Collector) receives the full pay of a last grade Sub-Collector. A Sub-Collector acting as Collector or Judge gets considerably less than the pay of the appointment which he occupies, thus—

When acting as third-grade Collector (Rs. 1,800) or as fourth-grade Judge (Rs. 2,000), a Sub-Collector receives—

	Rs.	
If first grade (Rs. 1,200)	1,600	as Collector.
	1,733⅓	as Judge.
If second grade (Rs. 900)	1,500	as Collector.
	1,633⅓	as Judge.
If third grade (Rs. 700)	1,433	as Collector.
	1,566⅔	as Judge.

In the case of certain offices, article 97 and appendix 4 of the Civil Service Regulations prescribe a minimum salary to be drawn by the incumbent, whether officiating or substantive. For example as Accountant-General, Bengal, Madras, or Bombay, cannot receive less than Rs. 1,500. A Deputy Conservator of Forests acting as Conservator is allowed a salary equal to the pay of the lowest grade of Conservator (Madras Manual of Appointments, page 24). I think that the pay of an officiating Collector might be fixed at a minimum of Rs. 1,500 per mensem.

1257 (98). How is the system of officiating grade promotions, where there is no change of duties, actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?—Besides pay and exchange compensation allowance an officer holding a Civil Service post also draws an acting allowance in addition to his substantive pay, when he is appointed to officiate in another appointment, or in a higher grade. This amounts to one-fifth of the pay of the appointment or grade officiated in, but must not be less than two-thirds of the difference between the pay of the appointment or grade officiated in and the substantive pay of the officiating officer or Rs. 200 a month. In this way an Assistant Collector whose substantive pay is Rs. 500, Rs. 700 or Rs. 900, as the case may be, when officiating in a Collectorship, the lowest grade pay of which is Rs. 1,000 would draw Rs. 1,166⅔, Rs. 1,233⅓ or Rs. 1,300 respectively, whilst a Collector whose substantive pay was Rs. 1,500 would, when officiating in the Rs. 1,800 grade of Collectorships, draw the full Rs. 1,800. This latter system of officiating grade promotion, without any change of work, is peculiar to the Indian Civil Service cadre. It arose out of the old custom in accordance with which an officer lost his lien on a post when he went on long leave, thus throwing open a chain of permanent or substantive *pro tempore* promotions. When this was altered in 1868, the system of officiating grade promotions was introduced to compensate the service generally for the advantages, which they would otherwise have lost.

1258 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I am not in favour of a time-scale which, I think, tends to reduce the incentives to exertion by giving mechanical advances of salary without adequate regard to the quality of the work done.

1259 (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

1260 (101). What is your experience of the practical working of time-scales of pay in other Indian services?—Time-scales have been introduced in the Forest and Public Works Departments, but too recently to enable any valuable experience of their working to be gained, as it is evident that the effect of a time-scale on the *moral* of a service would only gradually become apparent and would not be fully developed for many years.

1261 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—Yes. One reason for the extended employment of Natives of India is that they are cheaper, and therefore to give equal salary with Europeans would deprive the employment of Indians of this recommendation. Moreover, the scale of pay fixed for Europeans has regard to the fact that the European officer in India is a foreigner who has to send his children at great expense to Europe for education and who himself needs to proceed to Europe for recruitment of health. He also brings with him from Europe a more expensive standard of living than has hitherto been prevalent in India. To pay the Native of India the same salary as is paid to the European officer would thus clearly be extravagant. The two-thirds rate laid down at present seems fairly satisfactory.

1262 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—There is reason to suppose that officers of the Indian Civil Service now avail themselves more fully than formerly of the amount of *privilege* leave earned because privilege leave can now be combined with long leave. In consequence it is much less often forfeited or allowed to lapse than formerly.

Furlough—seems also to be taken more freely than formerly, especially by men of 23 years' service and upwards.

On the other hand *leave on Medical certificate*, especially as taken by men of longer service, shows a marked tendency to diminish, presumably because combined leave has taken its place and has enabled officers to go to Europe oftener.

Taking all classes of leave together, the average amount of leave taken by officers of the Indian Civil Service has varied extremely little in the last 20 years and shows no tendency to increase.

1263 (107). (i) Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? (ii) Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—(i) See answer to the last question. Under the combined leave system, most of the privilege leave earned is taken, and lapses are rarer than of old. (ii) I consider the present amount is suitable.

1264 (108). (i) Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? (ii) Is it necessary to allow for as much furlough as is permissible by the present rules? (iii) If not, what change do you suggest?—(i) The answer is in the negative, but it should be pointed out that the distinction drawn in the question between furlough and other forms of long leave is liable to produce a misleading effect. Taking all forms of long leave together, the average amounts taken are approximately as follows:—

	Service. YEARS.	Long leave. YEARS.
Officers below	8 and 12	1
Do. do.	12 and 19	2
Do. do.	19 and 23	3¼
Do. do.	23 and 30	3½
Do. above	30	4¼

(ii) Judged by these figures the amount of long leave admissible might be reduced from one-fifth to one-sixth of total service.

1265 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I think the rates are generally suitable so far as they are fixed in sterling and subject to the remarks in my answer to question (111), but I would revise the alternative rupee rates so as to make them the equivalent of the sterling rates at the current rate of exchange (1*s.* 4*d.*).

1266 (110). Do you recommend any change in the concession, granted in 1893, under which leave allowances expressed in rupees, other than privilege leave allowances, issued at the Home Treasury, or in a colony with a gold standard of currency, are issued in sterling at the privilege rate of exchange of 1*s.* 6*d. the* rupee? If so, what change?—It is fairly certain that in the case of European Services other than the Indian Civil Service, the concessional rate of 1*s.* 6*d.* could not be withdrawn without undue hardship, and it should therefore be maintained for the Indian Civil Service.

1267 (111). (i) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? (ii) Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so what change?—(i) I consider the minimum furlough allowance (£500 a year) is excessive, as it may be equal to or in excess of the salary which the officer would draw when on duty in India. No furlough allowances should be so fixed as to make it equally or more profitable for a man to be on leave than on active service, and I would reduce the minimum furlough allowance to £300 a year. On the other hand, I think that the maximum furlough allowance is unduly low and should be raised to £1,200 a year, so as to prevent too wide a discrepancy between the half pay and the furlough allowances of officers coming under the limitation imposed by the maximum. (ii) The alternative rupee rates should be revised so as to make them the equivalent at the present ratio (1*s.* 4*d.*) of the sterling rates of leave allowance.

1268 (112). Have you any recommendation to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No.

1269 (114). In particular are they a contributory cause of excessive transfers of officers of the Indian Civil Service, and if so, how can this difficulty be met?—I think the answer to the question must be in the affirmative. The fact that a man is allowed to accumulate privilege leave for 3 months and not more results, I think, in frequent changes in personnel and consequent transfers. As shown in answer to question (106), now that privilege leave can be combined with other leave, practically no privilege leave is lost, and the fact that privilege leave cannot be accumulated for more than 3 months and then begins to waste, tends to make men take leave at regular intervals of 3 years, thus seriously interfering with the continuity of administration. Some change is necessary to remedy this evil and I recommend the solution suggested in my answer to question (117).

1270 (115). Do any of the present leave rules press hardly in any way on officers of the Indian Civil Service themselves and, if so, in what respects? What is, in your opinion, the appropriate remedy?—The rule (article 260, Civil Service Regulations) which requires an interval of six months before a second period of privilege leave is taken often causes hardship and inconvenience. If a man who has earned two months' privilege leave takes one month, and a month after his return falls ill, it seems a distinct hardship that he should be debarred from taking his second month of privilege leave. Any tendency to abuse the privilege leave rules by taking repeated small periods of leave at short intervals could and should be dealt with by the head of the administrative department concerned without the aid of a hard-and-fast rule.

The rules [article 233 (ii) and (iv), Civil Service Regulations] which require combined privilege and special leave to be always neither more nor less than six months are a vexatious restriction, which often causes hardship and which seems unnecessary in the public interests.

1271 (116). (i) Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration, or press hardly on the officers themselves, and in what respects? (ii) In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—(i) Please see the answer to the last question. (ii) It would, I think, be altogether a mistake to bring the officers of the Statutory Service or of the Provincial Civil Service under the same leave rules as those which apply to the Indian Civil Service. In my answer to question (33) of the Provincial Service series I. have shown that Indian officers do not take the amount of leave which is admissible to them even under existing rules, and I have suggested some reasons for this. The needs of the European in the matter of leave differ so materially from those of the native of India that different rules are desirable for the two classes.

1272 (117). Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?—It would, I think, be advantageous both to the Government and the Service if the maximum period of leave on full pay were raised.

This period is at present limited to three months and should, I think, be raised to six months. I consider that this change would be beneficial to the administration by reducing the number of occasions on which men go on leave and so the number of transfers and changes in personnel. If six months' leave on full pay were permissible, officers would probably take leave less often than they do at present and would serve on until they had accumulated six months' privilege leave, thus necessitating an interval of over five years between each leave period. The effect of the three months' limit is to induce officers to take combined leave at shorter intervals because after 2 years and 9 months' privilege leave ceases to accumulate and is wasted. The above proposal should be carefully distinguished from a proposal to allow furlough to be commuted into periods of leave on full pay. Such a plan, however advantageous to the officers in the service, would not have much to recommend it from the point of view of Government.

1273 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—I hardly think that it is accepted as satisfactory. On the one hand it puts a premium on perfunctory performance of duty and early retirement. A man who can just avoid reduction until he has completed 21 years' active service is able to retire when still under 50 on the same pension as is earned by another man who serves ten years longer, rises to high office, and has a much reduced life expectation when he retires. In the interests of Government the system of equal annuities can therefore hardly be a sound one. Nor can it be accepted as satisfactory, I think, by the members of the Indian Civil Service other than the indifferent and lazy, because it offers no incentive to exertion and no reward for success.

1274 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—I am in favour of the change proposed.

1275 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—If the annuity system is maintained, I consider that the 4 *per cent.* deduction should cease after 25 years' completed service. It seems clearly indefensible that a man who serves on beyond the minimum period required for pension should not only receive no increase in pension in consequence of his extended service and reduced life expectation but should also actually receive a diminished pension, the pension being reduced by the amount of his own contributions during the period of extended service.

1276 (121). In particular, what is your opinion of the arrangement by which members of the Indian Civil Service, who are appointed Judges of High Courts, obtain special pensions of 1,200*l.* a year after 11½ years actual service as Judges? Do you recommend any change in the present conditions?—I would treat the case of Judges of the High Court on the same lines as that of the officers referred to in question (122).

1277 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—I consider that if the system of fixed equal annuities is retained, special additional pensions should, on the analogy of the usage followed in other departments (*vide* articles 475, 642 and 643, Civil Service Regulations), be attached to certain posts. I would give an extra pension of £200 a year to any officer of the Indian Civil Service who had served for five years in any one of the following posts, namely, Lieutenant-Governor or Chief Commissioner, Judge of a High Court or Chief Court, Member of Council, Chief Secretary, Member of the Board of Revenue, or any post carrying pay in excess of Rs. 3,000 per mensem.

1278 (123). Assuming the substitution of a non-contributory system of superannuation pensions varying in amount with the amount of salary drawn at the time of retirement, please describe the system that you recommend?—I would introduce a system of non-contributory superannuation pensions on the lines laid down in the Civil Service Regulations for officers generally and subject to a maximum of £1,200 a year. The effect of this would be that an officer retiring from the grade of first-grade Collector or second-grade Judge would be entitled to a pension of Rs. 1,250 *per mensem*, which without the concessional rate of exchange of 1*s.* 9*d.* the rupee, would be equal to £1,000 a year, as at present. An officer electing to retire before he had reached the above grade or failing to reach it, would get less, while an officer rising to higher pay would get more. Such a system would, I think, be more satisfactory both to Government and to the service than the present one.

1279 (124). (i) Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? (ii) If so, what do you suggest?—(i) Yes. (ii) I think the scale of pensions to be allowed to officers removed on the ground of inefficiency should be something *less* than the scale allowed to officers compulsorily retired on the ground of ill-health. Possibly it might be subject to a maximum of three-fourths of the amount which would be admissible if the officer were retired on medical grounds with power to the Secretary of State to reduce the pension below this maximum when he was satisfied that the inefficiency was due to causes not beyond the officer's control, such as intemperance in alcohol or drugs.

1280 (125). Do you consider the existing pension rules suitable in the interests both of the Government and of the members of the Indian Civil Service? In particular, what is your opinion of the present rules regulating voluntary and compulsory retirement?—If the age limits for entering the service are reduced as I have suggested, I think the minimum period of active service required for full pension might be raised from 21 to 23 years. As noticed in answers to questions (87) and (124) I would increase the power of Government to retire compulsorily inefficient officers.

1281 (126). Do you approve of the present system regulating the pensions of military officers holding Indian Civil Service posts? If not, what do you suggest?—There are no such officers serving in this presidency.

1282 (127). Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—There is only one Statutory Civilian now in service and the rules need not be altered.

1283 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—The system seems suitable and I have no suggestions to make.

1284 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—I consider that the system of continuing subscriptions to the Indian Civil Service Family Pension Fund during leave and after retirement should be abandoned, the rates of subscription payable during active service being enhanced so as to make good the loss thus caused. Enhanced deductions would be much less felt if taken from pay during active service than they are if taken from leave allowances and pension. An officer going on leave or retiring on pension has, in any case, to submit to a reduction in his income by one-half or more, and the subscriptions deducted on account of the Indian Civil Service Family Pension Fund constitute a serious further diminution which can be ill-borne, especially in view of the high level of income-tax in Great Britain. The substitution of enhanced deductions during active service would be in effect a form of compulsory saving and would tend to reduce the unavoidable difference between income on active service and income on leave and pension.

1285 (130). In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—There would be a difficulty about admitting to the Indian Civil Service Family Pension Fund natives of India whose personal law allows them to have more than one wife. But I would admit any native of India whose personal law enforced monogamy.

1286 (131). Do you recommend that such admission should be optional or compulsory?—Compulsory.

1287 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—The number of Indian Civil Service officers who are Natives of India and who would not, under the proposal made in my answer to question (130), be admitted to the Indian Civil Service Family Pension Fund would not be large, and I therefore do not recommend the formation of a separate Family Pension Fund for them, but would leave them to subscribe to the general Provident Fund like members of the Provincial Civil Service.

1288 (134). Have you any criticisms to make on the facilities at present offered (*a*) to statutory civilians; (*b*) to members of the Provincial Civil Services holding listed posts; for providing for their families against their decease?—No.

1289 (137). Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above questions? If so, please explain them?—In order to reduce transfers I should like a general instruction laid down that when an officer is posted to a district, he shall, if possible, be retained in it for at least three years.

Transfers of officers from one language area to another should be prohibited as a general rule.

The travelling allowances granted to officers of the Indian Civil Service on transfer are quite inadequate and ought to be substantially increased so as to cover actual expenses. Transfer at present usually imposes a heavy loss on the officer transferred.

The working of article 1000, Civil Service Regulations, on the subject of the payment of the cost of moving tents and horses is most unsatisfactory and causes constant and widespread discontent. The Government of India has been pleased to lay down that the cost of conveyance of horses, tents, etc., by railway or steamer may only be recovered when it is shown that the horses, tents, etc., were required in the public interests immediately on arrival at destination. Hence an officer, whether transferred from one district to another or proceeding on tour, cannot recover the cost of moving his horses, tents, etc., unless he can show that he had to go into camp directly on arrival. In practice horses, tents, etc., cannot be marched by roads for hundreds of miles without serious risk and expenditure, and officers are obliged to move them at their own cost by rail.

The provision for officers of Government of suitable houses at reasonable rent is a growing necessity in many parts of the country. The advance in wealth and the rise in the standard of comfort among Indians is leading them more and more to occupy bungalows which were originally built with a view to European occupation, while many old houses go out of repair, and private enterprise in this part of India at least fails to supply fresh accommodation for the Europeans who are thus ousted.

Written answers relating to the Provincial Civil Service.

1290 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I have no recommendations to make.

1291 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—A copy of the rules is appended as an annexure to these answers. My recommendations as to alterations in the rules will appear from the answers to subsequent questions. I think, however, that the period of probation should be at least three years.

1292 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—The information is correct as regards the executive branch.

In regard to the judicial branch, the number of District Munsifs in the last grade is 31, making a total strength of 130, and there are also

219134

six temporary Munsifs on Rs. 200. The number of Sub-Judges is correct, but there are also 11 temporary Sub-Judges, all in the Rs. 500 grade.

1293 (4). Please state the different systems of recruitment that have been adopted for the Provincial Civil Service, the periods for which they were in force, and the number of officers recruited year by year in your province under each system since its formation.—I. Executive Branch.—The Provincial Civil Service was formed in 1893 as the result of the recommendations of the Public Service Commission of 1886–87. The system of recruitment adopted in 1893 was to fill vacancies in the grade of Deputy Collectors mainly by selection from the subordinate service and from persons, whether in the service of Government or not, of proved merit and ability, who had passed the prescribed examinations. From that year up to 1905 a certain proportion of the vacancies were thrown open to competition and filled by recruits who were successful at the competitive examinations. The following statement shows the number of officers selected from the subordinate service, those recruited directly by competitive examination, and those recruited directly otherwise than by competition, during the years 1893 to 1905:—

Year.	Number selected from the subordinate service (Revenue and other departments).	Number recruited by competition.	Number recruited otherwise.
1893	7	2	1
1894	3	3	..
1895	7	2	..
1896	7	..	2
1897	2	1	..
1898	5	1	1
1899	7	1	..
1900	8	1	..
1901	10	1	..
1902	9	1	..
1903	7	1	..
1904	11	1	..
1905	1	1	..

Competitive examinations were abolished in 1905 and the rule thereafter was that "vacancies in the list of Deputy Collectors shall be "filled as heretofore mainly by selection from "the subordinate service of persons who have "passed the examinations prescribed for those "posts and from persons, whether in the service "of Government or not, of proved merit and "ability." The following statement shows the number of Deputy Collectors appointed by selection from the subordinate service and those recruited direct from 1906 to 1911:—

Year.	Number selected from the subordinate service (Revenue and other departments).	Number recruited direct.
1906	2	...
1907	6	...
1908	6	...
1909	4	...
1910	15	...
1911	56	...

The number of men promoted in the last two years is exceptionally large as the cadre was reorganised and increased to 135. Most of them are not new appointments but merely confirmations of men already acting in temporary arrangements.

Judicial Branch.—Sub-Judges are appointed by Government either by selection from among Barristers, Advocates, High Court Vakils and Attorneys of the High Court, or by the promotion of District Munsifs. The appointments are made in consultation with the High Court.

District Munsifs are appointed by the High Court under statutory powers vested in that Court by the Civil Courts Act III of 1873. By rules made in 1885 under section 7 of this Act, the High Court's selection was limited to—

(1) Advocates, Vakils and Attorneys of the High Court and persons duly qualified for admission as such.

(2) Bachelors of Laws of the Universities of Madras, Calcutta and Bombay.

(3) Persons who have passed the first-grade pleadership examination.

(4) Persons who had passed before 1888 the Special Tests prescribed for District Munsifs.

(5) Persons in the service of Government who passed those tests before 1890.

Persons appointed as District Munsifs were required ordinarily to be under 30 years of age.

These rules are still in force with slight amendments. The degree of B.L. of the Allahabad University has been added to the qualifying degrees, but Bachelors of Law of the Madras University who have taken their degree since 1899 are not eligible unless they have also passed the examination provided for Vakils of the High Court. In 1904 the maximum age for appointment was raised to 35.

The accompanying statement shows the number of Sub-Judges and District Munsifs appointed permanently since 1893, distinguishing between those selected from the bar and those promoted from a lower post in Government service—

—	Sub-Judges.			District Munsifs.		
	Total.	By direct recruitment.	By promotion.	Total.	By direct recruitment.	By promotion.
1893 ..	2	..	2	10	5	5
1894 ..	1	..	1	3	3	..
1895 ..	..	..	..	8	7	1
1896 ..	..	..	..	7	4	3
1897 ..	..	..	..	4	4	..
1898 ..	..	..	..	6	3	3
1899 ..	10	..	10	7	6	1
1900 ..	..	..	..	16	13	3
1901 ..	..	..	..	2	2	..
1902 ..	..	..	..	10	8	2
1903 ..	5	..	5	13	12	1
1904 ..	5	..	5	4	3	1
1905 ..	2	..	2	10	9	1
1906 ..	4	..	4	9	5	4
1907 ..	3	..	3	9	8	1
1908 ..	4	1	3	10	10	..
1909 ..	3	..	3	7	6	1
1910 ..	1	..	1	4	2	2
1911 ..	4	..	4	11	8	3
1912 ..	3	1	2	6	4	2

1294 (5). Please state the number of natural-born subjects of His Majesty other than "Natives of India" recruited in your Province in each year?—*Ans.*—

Executive Branch. { 1895. 1 (Mr. J. G. Wood). 1896. 1 (Mr. A. C. Woodhouse). 1898. 1 (Mr. Bird). 1904. 1 (Mr. M. G. K. Waite).

Judicial Branch. } *Nil* since 1893.

1295 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—Executive Branch.—As shown in the answer to question (4), officers of the Executive branch of the Provincial Service have been recruited with a few unimportant exceptions in one of two ways, viz.—(i) by promotion from the subordinate service, (ii) by open competitive examination. Among the sixteen men who have been recruited by competitive examination there has been a considerable number of failures as administrative officers, the failures being due to defects of temperament. On the other hand the general reputation for honesty of the officers so selected has been good, while there is no doubt that their ranks contain some of the ablest men in the service.

The method of recruitment by promotion from the subordinate service has several evident advantages. It ensures the selection of men of ripe experience and tried merit; it avoids the risk of entrusting important functions to young men who, though clever, may have no administrative capacity; on the whole it has produced a sound class of public servant. But the system has also several important disadvantages. First it insists that all (or nearly all) aspirants for the Provincial Service must enter Government service very low down and thence work their way up. The result is that there is no opening for those young men who are not content to begin at or near the bottom, and the Government service thus loses both the men who have shown marked superiority in their college career and those who are too well-off to be prepared to enter service on Rs. 35 or Rs. 40 per mensem. Secondly, it delays promotion to the Provincial Service until an age at which the Native of India, who ages earlier than the European, is already beginning to fail. The average age of first appointment to act as Deputy Collector is 41½, while the average age of confirmation as Deputy Collector is 43½. An Indian of 42 cannot be expected to show the same fitness for executive work as an Englishman of 26. Thirdly, as the number of Deputy Collectors is 135, and the annual decrement on that number will be 11, it takes the average man 12 years from date of confirmation before he has a chance of selection for the higher listed posts. He will then be 55½ years of age and is thus at a great disadvantage as compared with the European who gets a district at 36.

I think, therefore, that some change in the present system of recruitment is desirable, and I would recommend that in future only 50 per cent. of the vacancies should be filled by promotion from the subordinate ranks and that the remainder should be filled by competitive examination conducted on the compartment system as suggested in my answer to question (9) of the Indian Civil Service Questions. If, however, the system of competitive examination should be considered unsuited to Indian conditions, selection might be made from young men who have taken the B.A. degree in the first or second class by means of a selection board, who would interview the candidates, judge of their general intelligence, physique, manners and family history, and choose the most likely looking among the qualified applicants. This method has, it is believed, produced satisfactory results in other cases. The objection to it is that it is liable to result in undue weight being given to family history.

Judicial Branch.—As regards the Judicial branch of the Provincial Service, I am not in a position to offer an opinion as to which method of recruitment, promotion from lower appointments or selection from the ranks of the bar, has produced the best results. *Primâ facie*, however, it would appear that there would be a greater probability of obtaining talent by selecting men who have achieved success and distinction in the prolonged trial of a career at the bar than by promoting men who have gradually risen by seniority to the higher ranks of the subordinate judicial service.

1296 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Non-residents of the Province are not absolutely debarred from appointment to posts in the Provincial Civil Service, but under Rule VIII of the Madras Rules such appointment is usually confined to residents in the Presidency, and in practice very few non-residents apply for or obtain appointment. I believe that at present no one of the description referred to is employed in either branch of the Provincial Service.

1297 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—A. Executive Branch.—The following figures show the number and proportion of appointments among Deputy Collectors held by the various classes and communities:—

Number of each class.	—	Percentage to total male population at census of 1911.	Percentage of appointments held in 1896.	Percentage of appointments held now.
77	Brahmans	3·2	53	55
30	Non-Brahman (Hindus).	85·6	25	21½
15	Muhammadans	6·6	6½	10½
7	Indian Christians ..	2·7	4	5
11	Europeans and Eurasians.	0·1	11½	8
140				

The non-Brahman Hindus and the Europeans and Eurasians have lost ground in the last 16 years, the bulk of the gain going to the Brahman caste. It is of great importance to prevent any class from being ousted from the Provincial Service, and it is for this reason that I have proposed the compartment system if a competitive examination is resorted to as a method of selection, while if the method of selection by a Selection Board were decided on, it should be an instruction to the Board to observe a similar proportion in the choice of candidates.

B. Judicial Branch.—The following figures show the number and proportion of appointments among Sub-Judges and District Munsifs held by the various communities :—

Number of appointments held in 1912.	Classes.	Percentage to total male population of Presidency at census of 1911.	Percentage of appointments held in 1896.	Percentage of appointments held in 1912.
I.—Sub-Judges (Permanent).				
15	Brahmans	3·2	71·4	83·3
3	Non-Brahman (Hindus).	85·6	21·4	16·7
Nil.	Muhammadans ..	6·6	*Nil.*	*Nil.*
Nil.	Indian Christians ..	2·7	*Nil.*	*Nil.*
Nil.	Europeans and Eurasians.	0·1	7·2	*Nil.*
18				
II.—District Munsifs (Permanent).				
93	Brahmans	3·2	66·4	72·6
25	Non-Brahman (Hindus).	85·6	21·2	19·5
2	Muhammadans ..	6·6	·9	1·6
5	Indian Christians ..	2·7	11·5	3·9
3	Europeans and Eurasians.	0·1	*Nil.*	2·4
128				

1298 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—For men who enter the Executive branch of the Provincial Service by promotion from the subordinate service, no system of training is prescribed or necessary, and the period of probation enforced is merely a time of trial during which the probationary Deputy Collector's performance of his duties as Sub-divisional Magistrate and Divisional officer is watched and reported on. District Munsifs also undergo a period of probation. Officers who were selected by competitive examination were appointed on probation for two years, during which period they were expected to pass the prescribed examinations and were attached for training to the Collector of a district, who submitted half-yearly reports on their work and conduct.

1299 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—I have no changes to recommend which are not within the powers of the Local Government.

1300 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—On the whole I think the answer to this question should be in the negative. In Bombay the mamlatdar, who corresponds to the Tahsildar in Madras, has been included in the Provincial Service, and there would be some distinct advantages in adopting a similar course in this Presidency. It would be a good thing to give him improved status. But there are difficulties, which are probably insuperable, in the way. The Tahsildar is the backbone of the revenue administration and must be a man of experience, thoroughly trained in the details of district administration. He must, therefore, be recruited by promotion from the lower ranks, and no scheme of direct recruitment for the Tahsildar service would be practicable. Hence there would be grave objections to including Tahsildars in the Provincial Service if any part of that service should be obtained by direct recruitment, as I think it should. Again, because the Tahsildar must be recruited by promotion from the lower ranks, the selection should be made by the District Officer who has practical knowledge of the work of the men in those ranks, and should not be made by a central body, such as the Board of Revenue, at Madras. Hence, as the Tahsildar must be selected locally, he remains a local unit, and though his pay is now personal within the district in which he serves, he is not borne on a list common to the Presidency. His inclusion in the Provincial service would, therefore, be impossible without depriving the District Officer of control. I think that the line of division between the Provincial Service and the services below should continue to be drawn above the Tahsildar.

1301 (12). What is the system on which the strength of the Executive / Judicial branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—Executive Branch.—The strength of the Deputy Collector Service was revised in 1911 when it was fixed on the following basis, viz., to provide for the actual number of posts to be substantively filled *plus* a provision (14 per cent.) for leave vacancies and a provision based on actual requirements for the men employed on certain temporary duties and deputations (including Foreign Service and charge of Indian Civil Service divisions). Among the posts to be substantively filled were included (*a*) the seven listed posts of Sub-Collector, (*b*) the listed post of Under Secretary to Government. As the scale was introduced only with effect from 1st October 1911, it is too soon to pronounce definitely on its sufficiency, but it seems probable that it will prove satisfactory.

Judicial Branch.—There is no system on which the strength of this branch is fixed, and the number of Sub-Judges and of District Munsifs is regulated by the volume of litigation coming before these Courts, by the amount of this litigation which they are able to dispose of, and by the quantity of arrears. On the advice of the High Court the Government have laid down a standard which is supposed to represent the minimum amount of work of which each class of Court should be able to dispose annually, but any such standard must necessarily be only approximate, as outturn of work cannot be measured by statistics. The consequence is that the Government are without any satisfactory test as to how the strength of the Judicial branch of the Provincial Civil Service should be fixed. At the present time an officer is on special duty investigating the question whether the number of Courts is adequate or not and whether any revision of their location or jurisdiction is called for. Upon the receipt of his report and of the recommendations of the High Court thereon, the strength of the Judicial branch of the Provincial Civil Service will be thoroughly considered and a revision of the cadre will probably be found necessary. Meantime a large number of temporary Sub-Judges and District Munsifs exist.

1302 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—Executive Service.—The leave reserve for the Deputy Collector Service, viz., 14 per cent. on the sanctioned strength, was sanctioned and introduced only in 1911, and it is therefore too soon to say whether it will prove adequate, but as it was based on the actual leave vacancies in several years (1906 to 1909) it will probably suffice.

Judicial Service.—There is no leave reserve in the judicial branch of the Provincial Service, and none is required, as Sub-Judges are usually selected from the ranks of District Munsifs while leave vacancies among the latter are usually filled by selection from the bar or by promotion from the clerical staff.

1303 (14). Is there any reserve for officers under training and is it adequate?—There is no reserve for officers under training in either branch of the service.

1304 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—Executive Service.—No annual rate of recruitment has been fixed. The number of recruitments every year since 1893 has been as follows :—

Year.	Number recruited.	
1893	16	
1894	6	
1895	9	
1896	9	
1897	3	
1898	7	
1899	8	
1900	4	
1901	11	
1902	10	
1903	8	
1904	12	(Formation of the new Guntūr district).
1905	2	
1906	2	
1907	6	
1908	6	
1909	4	
1910	15	(Introduction of Sir W. Meyer's scheme).
1911	56	(Introduction of above and reorganisation of the service).

Excluding the years 1904, 1910 and 1912, when there was an increase on account of the constitution of additional districts and reorganisation of the service, the average rate of recruitment to fill vacancies due to retirement or death of officers has been 7 *per annum*. In consequence of the recent increase in the strength of the Deputy Collector service, the annual decrement and recruitment will be higher in future, viz., 11 *per annum*.

Judicial Service.—Please see the answer to question (12) from which it follows that no annual rate of recruitment is or can be fixed.

1305 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Executive and Judicial Service.—Under the existing rules "Government reserve to themselves the right to make "promotions to the superior grades of the Provincial Civil Service carrying a salary of "Rs. 500 a month and above without regard to "seniority, and seniority alone shall not give a "claim to appointment to the grade of Rs. 500 "a month or to higher grade. Every such promotion will be based wholly upon fitness and "merit, seniority being regarded only when the "claims of two or more officers who are equally "fit come into competition."

In the lower grades the general rule is to give grade promotion on the ground of seniority unless an officer has been definitely held to be unfit for promotion.

For the listed posts the most suitable officers are selected without much regard to seniority.

1306 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think the system is fairly satisfactory. Promotion *from grade to grade* should usually be by seniority unless an officer is altogether unfit for advancement; the exercise of selection in regard to grade promotion is apt to result in favouritism and in capricious supersession, and does more harm than good. Promotion to a *fresh class of appointment* carrying with it the performance of a different class of duties should, on the other hand, be by selection only moderately constrained by seniority.

In my opinion it is desirable to take power to retire compulsorily inefficient officers whose work is not bad enough to justify reduction. At the same time such power is especially liable to abuse, and I would keep it in the hands of Government and not delegate it to heads of departments, and I would also require that it should only be exercised after a statement of reasons, supported as far as possible by specific instances, had been drawn up and served upon the officer concerned and his defence considered. Officers retired under the provisions here suggested should receive such pension as may in each case be considered suitable, provided that no such pension should exceed three-fourths (or perhaps two-thirds) of the pension that would be available for retirement on grounds of health.

1307 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—It is understood that this question refers to the suggested separation of magisterial from revenue functions, a matter to which a somewhat

exaggerated importance has often been attached. At the same time instances of misuse of magisterial powers have occurred, and if it is true, as has been publicly stated in the Legislative Council by more than one non-official member, that a very large proportion (75 per cent.) of Indian subordinate magistrates are corrupt, it is evidently desirable that magisterial and executive revenue functions should not be combined in the case of this class of officer. Among officers of higher rank, and in particular among Deputy Collectors, it may confidently be hoped that the standard of honesty is higher and hence the need for separation of function is less. At present there is no separation, every divisional officer being charged both with revenue and magisterial functions. I do not see any reason against separation except the expense of duplicating the staff.

1308 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—On the whole I think the arrangements satisfactory.

1309 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—Please see my answer to question (37) of the questions relating to the Indian Civil Service.

1310 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—The term "Provincial Civil Service" draws attention to the fact that the officers composing it are selected for service within the province and is therefore not inappropriate, and I do not see how it would be practicable to merge the Provincial Civil Service in the Indian Civil Service and have only a single superior service. Such a plan, though frequently advocated, would present great practical difficulties in regard to recruitment, promotion and so on; and so far as I see, there must continue to be two services. There is, however, no particular virtue in the designation "Provincial Service," and if any other term would give more general satisfaction I do not see why it should not be adopted in lieu of the term "Provincial Service."

1311 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-1887, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept the principle.

1312 (23). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—Executive Branch.—The following statement gives the rates of pay and the number of posts in each of the main grades of the executive branch of the Provincial Civil Service on the 1st April 1890, 1900 and 1912:—

		Rates of pay.	Number of posts in each grade.
		1st April 1890.	
		Rs. 700 ...	1
		,, 600 ...	5
		,, 500 ...	11
* Treasury Deputy Collectors	21	,, 400 ...	22
General duty Deputy Collectors	44	,, 300 ...	16
Assistant Superintendent of Stamps	1	,, 250 ...	11
	66		66 *
		1st April 1900.	
		Rs. 700 ...	1
† As above	66	,, 600 ...	5
Listed posts	9	,, 500 ...	15
Deputy Collector of Tanjore .. .	1	,, 400 ...	22
Assistant Secretary to the Board of Revenue.	1	,, 300 ...	17
Presidency Magistrates.	2	,, 250 ...	19
	79		79 †
		1st April 1912.	
		Rs. 800 ...	3
		,, 700 ...	6
		,, 600 ...	8
		,, 500 ...	29
		,, 400 ...	32
		,, 300 ...	29
		,, 250 ...	30
			137

The increase from 66 to 79 was due to the transfer of certain "listed" posts to the Provincial Civil Service and the inclusion of certain special appointments in the Deputy Collectors' cadre. The increase from 79 to 137 was due to the creation of new divisions ‡ under Sir William Meyer's scheme of redistribution of districts, etc., the re-constitution of the Deputy Collectors' cadre on a self-contained basis § and other minor additions.

‡ Twelve divisions and three treasuries.

§ For temporary duties and leave reserve.

The last general revision was made in October 1911.

The improvements in prospects aimed at were:—to reduce the long period of acting service which an officer appointed to officiate as Deputy Collector had previously to undergo, and to prevent such officers from remaining for excessive periods without promotion beyond the pay of Rs. 250 *per mensem* which is the pay of a senior tahsildar.

Judicial Branch.—The statistics for the Judicial branch are as follows:—

Grade.	Number of posts.	Pay.
1st April 1890.		
Sub-Judges—		Rs.
First grade	3	800
Second ,, ...	5	650
Third ,, ...	6	500
	14	
District Munsifs—		
First grade	25	400
Second ,, ...	25	300
Third ,, ...	25	250
Fourth ,, ...	33	200
	108	
1st April 1900.		
Sub-Judges—The same as in 1890.		
District Munsifs—		
First grade	30	400
Second ,, ...	30	300
Third ,, ...	30	250
Fourth ,, ...	28	200
	118	
1st April 1912.		
Sub-Judges—		
First grade	4	800
Second ,, ...	5	650
Third ,, ...	9	500
	18	
District Munsifs—		
First grade	33	400
Second ,, ...	33	300
Third ,, ...	33	250
Fourth ,, ...	29	200
	128	

The scale of pay of Subordinate Judges as well as District Munsifs was laid down in 1884. That scale has remained unaltered till now though the number of Sub-Judges has increased from 14 in 1884 to 18 in 1912, and the number of District Munsifs from 106 in 1884 to 128 in 1912.

1313 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—In my opinion the answer to the above question, both in regard to the executive and to the judicial service, should be in the affirmative. I feel no doubt that if a competitive examination on the lines advocated in the answer to question (9) (Indian Civil Service series) were started, we should get the very best men of the year to compete in it. In recruiting for the Judicial branch from men who have already been at work for some years at the Bar, it cannot be expected that we should be able to attract the men in the first flight, but we get, as the High Court has borne witness, a good class of candidate and this suffices. It is notorious that even for Judgeships in the High Court it is impossible to secure the best men from the English Bar, and that even the Membership of the Viceroy's Council failed to retain a leader of the Calcutta Bar. We cannot expect to secure the best, but we do secure a sufficiently good class on the present rates of pay, and they do not require, I think, material change.

I am strengthened in this opinion by the example of other countries. Compared with most European countries the scale of salaries granted to the Provincial Service in India is liberal. In France judges of Tribunaux de Premiere Justance get from £144 to £800 a year, Presidents of the Cour d'Appel from £300 to £550, except the first President who gets from £600 to £1,000. In Italy, judges of lower civil courts get from £160 to £200 a year with £240 for Presidents; judges of Courts of Appeal get from £240 to £320; judges of Courts of Cassation from £320 to £480; the ten first Presidents of Courts of Cassation receive £600 a year. In Spain, civil judges outside Madrid get £350 to £400 a year and in Madrid £460 to £700; the judges in the Supreme Court receive £700 a year or £800 if they are Presidents of sections, while the Chief Judge receives £1,440. In Holland, the judges of district courts are paid from £200 to £250 a year and the President £330; the judges of the five superior courts receive £330 to £375 and the President £430; the 13 judges of the High Court receive £430 a year and the President £666. In Norway, the judges of district courts are paid from £250 to £330; the judges of town courts receive from £155 to £330; the judges of courts of appeal get from £255 to £333; and the judges of the Supreme Court from £400 to £533. In Sweden, the High Court judges receive £722 a year. In Denmark, the Chief Judge of the Supreme Court receives £555, judges of subordinate courts receiving from £177 to £400 a year. In Japan, the Judges and Procurators appointed by the Crown receive £300 to £600 a year; those appointed by the Prime Minister from £100 to £300. In India, the demand for increased salaries is stimulated by the higher pay given to Europeans, but that pay, as pointed out in my reply to question (104) (Indian Civil Service series), is the pay given to foreigners who serve in India under conditions quite different from those of the native of the country.

1314 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—I am inclined to think that when once the scale of salary has been fixed the fewer invidious differences that are made between the Indian Civil Service and the Provincial Service the better, any distinctions retained being based on the essential and irremovable difference between service in a foreign country and service in one's native country. In the matter of officiating promotions I would therefore assimilate the rules of the Provincial Service to those of the Indian Civil Service.

1315 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the Service, or

not ?—Please see Answer to question (99) in Indian Civil Service series.

1316 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale ? —No.

1317 (28). What is your experience of the practical working of time-scales of pay in other Indian Services ?—Please see answer to question (101) in Indian Civil Service series.

1318 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service ? If not, what rates do you suggest for the various appointments ?—Please see answer to question (104) in Indian Civil Service series.

1319 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago ? If so, to what is this due ?—The following statements show the amount of short leave and long leave taken by Deputy Collectors, Subordinate Judges and District Munsifs during the years 1892, 1897, 1902, 1907 and 1911 :—

Deputy Collectors.

Year.	Strength of the Deputy Collectors' cadre.	Number of Deputy Collectors on leave during the years specified.			
		Short leave.	Percentage.	Long leave.	Percentage.
1892	66	14	21	7	11
1897	68	20	29	2	3
1902	79	28	35	10	13
1907	83	26	31	8	10
1911	* 96	21	22	14	15

* The cadre has been taken as 96 for the whole year though it stood at 137 from October 1911.

Sub-Judges and District Munsifs.

Year.	Strength of the cadre (Subordinate Judges and District Munsifs).	Number of Subordinate Judges and District Munsifs on leave.			
		Short leave.	Percentage.	Long leave.	Percentage.
1892	122	12	10	5	4
1897	128	14	11	6	5
1902	132	12	9	1	1
1907	134	13	10	5	4
1911	145	18	12	2	1

The statement does not give separate figures for Subordinate Judges as a great portion of the service of these officers is spent in the District Munsif grade.

The figures do not show any definite tendency to increase or decrease the leave taken.

1320 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons ? Is the amount which can be earned in your opinion suitable ? If not, what alternative arrangement do you suggest.—Please see the answer to question (33) below. Under article 271, Civil Service Regulations, Sub-Judges and District Munsifs are not eligible for privilege leave on full pay.

1321 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service ? Is it necessary to allow for as much furlough as is permissible by the present rules ? If not, what change do you suggest ?—The following statements give full details as to the amount of leave which has actually been taken by members both of the Executive and Judicial branches of the service of over five years' standing. They show that out of 58 Deputy Collectors only four have taken the full amount of furlough admissible, while among Sub-Judges and District Munsifs none have taken the full amount of furlough admissible and only nine have taken any furlough at all. Similarly the full amount of privilege leave has hardly ever been taken. The fact that furlough means half pay deters all who are not forced by medical reasons to take leave, and even in the case of privilege leave the collected information proves that it is only scantily resorted to. It thus appears that officers of the Provincial Service do not want leave, except short periods, unless they are ill. Being employed in their own country, they do not need long periods of absence from duty, and if they do take leave they have nowhere to go and nothing to do. Foreign travel has not yet become fashionable, nor does the climate of the hills attract them. In their own village absence of occupation soon becomes wearisome. I do not think that officers of the Home Civil Service are entitled to long leave except on medical grounds, and the rules allowing such leave to members of the Indian Provincial Service are due to the influence of the rules for the Indian Civil Service, though the conditions of the officers are totally different. It is, therefore, unnecessary to grant as much leave as the rules now permit.

STATEMENTS.

A.—Executive Service.

Name of Deputy Collector.	Total service as permanent Deputy Collector.	Amount of privilege leave taken.	Amount of furlough taken.
	YEARS.		
T. Sundara Rao	23	5 months	*Nil.*
P. Krishna Rao	22	10 months 17 days	11 months 28 days.
C. Gahan	14	3 ,, 19 ,,	*Nil.*
S. Annaswami Aiyar	8	8 ,, 22 ,,	*Nil.*
C. J. M. Blake	11	2 ,, 1 day	*Nil.*
T. Raghavayya	19	11 ,, 20 days	*Nil.*
S. M. Vapuchi Maricayar Usman Sahib	19	3 ,,	*Nil.*
P. Sita Rao Pantulu	17	1 month	*Nil.*
J. Ramayya Pantulu	16	5 months 15 days	*Nil.*
T. Gopalan Nayar	24	7 ,, 19 ,,	1 year 9 months 12 days.
J. R. Coombes	16	2 ,,	1 ,, 7 ,, 19 ,,
V. Parthasarathy Chetti	14	5 ,, 27 days	*Nil.*
Muhammad Safdar Hussain Sahib	15	6 ,,	2 years
A. Ramacha Nedungadi	16	2 ,, 23 days	3 months 7 days.
K. Narasimha Rao Pantulu	14	7 ,, 15 ,,	1 year.
P. Sitaramayya	17	3 ,,	*Nil.*
K. V. Srinivasa Aiyangar	15	6 ,,	*Nil.*
J. Williams	13	3 ,,	*Nil.*
W. S. Marshall	12	3 ,,	*Nil.*
T. Vijiaraghavachariar	14	2 ,, 27 days	*Nil.*
G. T. Vurgese	12	3 ,, 23 ,,	*Nil.*
G. Gopalan Nayar	11	11 ,, 28 ,,	2 months 18 days.
Mahdi Husain Sahib	11	*Nil.*	*Nil.*
T. V. Gopalaswami Aiyar	11	2 months 6 days	1 year 3 months 14 days.
T. N. Sivagnanam Pillai	11	2 ,, 11 ,,	*Nil.*
P. Narayana Menon	11	2 ,, 15 ,,	*Nil.*
A. Upendra P'oi	13	7 ,, 6 ,,	*Nil.*
U. Rama Rao	12	9 ,, 5 ,,	*Nil.*
M. Arumukham Pillai	10	2 ,, 7 ,,	3 months 17 days.
M. S. Mascarenhas	10	4 ,, 5 ,,	*Nil.*
K. Vijiaraghavachariar	10	5 ,, 4 ,,	*Nil.*
P. Srikrishnulu Pantulu	10	4 ,, 22 ,,	*Nil.*
T. V. Srinivasa Aiyar	9	7 ,, 17 ,,	*Nil.*
P. Nagesa Rao Pantulu	9	1 month 27 ,,	*Nil.*
L. A. Cammiade	9	2 months 21 ,,	*Nil.*
A. Vedachala Aiyar	8	7 ,, 27 ,,	*Nil.*
T. Balaji Rao	8	2 ,, 15 ,,	*Nil.*
V. Ramaswami Aiyar	11	3 ,,	*Nil.*
V. Krishnama Charlu	6	3 ,, 15 days	*Nil.*
K. Raghavendra Rao	8	7 ,, 27 ,,	*Nil.*
J. L. Jacques	8	*Nil.*	*Nil.*
Muhammad Yakub Sahib	8	3 months	2 months 27 days.
E. Sitarama Rao Nayudu	8	*Nil.*	*Nil.*
P. Duraisami Aiyangar	18	3 months	*Nil.*
M. Srinivasa Aiyangar	8	2 ,, 12 days	*Nil.*
A. Rajabadar Mudaliyar	7	3 ,, 12 ,,	6 months 2 days.
Rafil-ul-mulk Sahib	14	4 ,, 17 ,,	*Nil.*
S. P. Rangachari	11	8 ,, 29 ,,	*Nil.*
Mir Sultan Muhi-ud-din	12	4 ,, 25 ,,	1 year 9 months.
C. S. Anantarama Aiyar	10	7 ,, 8 ,,	*Nil.*
V. T. Krishnamachari	9	5 ,, 13 ,,	*Nil.*
K. S. Srinivasachari	8	4 ,, 19 ,,	*Nil.*
N. Gopalaswami Aiyangar	7	6 ,, 11 ,,	*Nil.*
T. S. Chengalvaraya Aiyar	6	3 ,, 24 ,,	*Nil.*
Muhammad Sazlullah Sahib	5	1 ,, 5 ,,	*Nil.*
S. Vasudeva Rao	5	3 ,,	*Nil.*
K. Suryanarayana Rao Prasad	8	3 ,, 14 ,,	*Nil.*
K. Sitapati Rao	5	3 ,, 5 ,,	*Nil.*

B.—Judicial Service.

Name of Sub-Judge or District Munsif.	Total permanent service as Sub-Judge and District Munsif.	Amount of privilege leave taken.	Amount of furlough taken.
Sub-Judges.	YEARS.	MTHS. DAYS.	MTHS. DAYS.
J. C. Fernandez	20	*Nil.*	*Nil.*
V. Kelu Eradi	25	0 47	*Nil.*
T. V. Anantan Nayar	24	4 5	2 7
N. Lakshmana Rao Pantulu	25	1 0	*Nil.*
S. Ramaswami Aiyangar	24	3 0	*Nil.*
D. Venkoba Rao Pantulu	24	5 10	6 10
D. Raghavendra Rao Pantulu	24	6 13	*Nil.*
V. K. Desikachari	23	3 0	*Nil.*
A. Raghunatha Rao	22	1 15	*Nil.*
K. Imbichunni Nayar	21	1 0	*Nil.*
C. Krishnaswami Rao	18	2 22	*Nil.*
A. N. Anantharama Aiyar	23	*Nil.*	0 10 (leave on private affairs.)

B.—Judicial Service—cont.

Name of Sub-Judge or District Munsif.	Total permanent service as Sub-Judge and District Munsif.	Amount of privilege leave taken.	Amount of furlough taken.
Sub-Judges—cont.	YEARS.	MTHS. DAYS.	MTHS. DAYS.
V. Narayanaswami Aiyar	21	*Nil.*	*Nil.*
A. Sambamurthi Aiyar	20	0 21	*Nil.*
T. Varadarajulu Nayudu	20	2 15	*Nil.*
T. A. Ramakrishna Aiyar	20	1 25	*Nil.*
K. Krishnama Chariyar	19	*Nil.*	*Nil.*
District Munsifs.			
V. Ranga Rao Pantula	26	4 1	*Nil.*
G. Subbayya Sastri	19	3 0	3 0
T. Srinivasa Aiyangar	18	2 15	*Nil.*
T. S. Krishna Aiyar	24	5 17	17 0
T. V. Narayanan Nayar	12	*Nil.*	*Nil.*
M. R. Narayanaswami Aiyar	12	0 24	*Nil.*
K. V. Karunakara Menon	12	*Nil.*	*Nil.*
V. R. Kuppuswami Aiyar	12	2 0	*Nil.*
P. Subbayya Mudaliyar	12	5 7	*Nil.*
T. Rajaram Rao	11	*Nil.*	*Nil.*
V. S. Narayana Aiyar	10	*Nil.*	*Nil.*
G. G. Somayajulu Sastri	10	*Nil.*	*Nil.*
R. Krishnaswami Aiyar	10	4 24	*Nil.*
Muhamud Fuzluddin Sahib	10	0 6	*Nil.*
V. S. Krishna Aiyar	10	*Nil.*	*Nil.*
A. Venkataramayya	10	*Nil.*	*Nil.*
V. Dandapani Pillai	10	2 20	*Nil.*
S. Raghava Aiyangar	10	1 0	*Nil.*
C. D. J. Pinto	10	1 26	*Nil.*
N. S. Natesa Aiyar	10	*Nil.*	*Nil.*
A. Bhimeswara Rao Pantulu	9	1 18	*Nil*
K. C. Sundaram Chettiyar	10	*Nil.*	*Nil*
S. Venkatasubba Rao	10	3 0	*Nil.*
S. Anantanarayana Aiyangar	10	4 15	*Nil.*
A. Subramania Aiyar	10	3 0	*Nil.*
A. S. Krishnaswami Aiyar	10	1 5	*Nil.*
K. A. Kannan	10	*Nil.*	*Nil.*
P. V. Ramachandra Aiyar	9	2 29	*Nil.*
T. M. French	9	*Nil.*	*Nil.*
P. S Sitarama Aiyar	9	1 23	*Nil.*
S. C. Ramaswami Aiyar	9	1 12	*Nil.*
J. S Gnaniyar Nadar	17	3 0	*Nil.*
V. C. Mascarenhas	17	6 24	*Nil.*
G. Kodandaramanjulu Nayudu	17	3 21	*Nil.*
S. Mahadeva Sastri	17	1 9	*Nil.*
V. Venkatasiva Avadhanulu	17	2 7	*Nil.*
P. N. Sadagopa Nayudu	17	3 1	1 0
R. Annaswami Aiyar	17	1 19	*Nil.*
K. S. Kothandarama Aiyar	16	2 8	*Nil.*
P. Narayana Chariar	14	0 9	*Nil.*
M. G. Krishna Rao	15	*Nil.*	*Nil.*
B. Krishna Rao	13	3 20	*Nil.*
A. Narayanan Nambiyar	13	*Nil.*	*Nil.*
P. Audinarayana Aiya	20	1 12	*Nil.*
C. V. Visvanatha Sastri	14	3 5	*Nil.*
P. S. Sesha Aiyar	14	*Nil.*	*Nil.*
T. Krishnaswami Nayudu	14	*Nil.*	*Nil.*
K. Krishnama Chariyar	13	3 0	*Nil.*
T. Jivaji Rao	13	0 10	*Nil.*
F. J. de Rozario	13	1 0	*Nil.*
S. Ranganatha Mudaliyar	13	5 23	3 6
T. S. Thiagaraja Aiyar	13	4 28	*Nil.*
T. A. Narasimha Chariyar	16	*Nil.*	*Nil.*
J. M. Nallaswami Pillai	19	*Nil.*	*Nil.*
E. J. S. White	28	2 0	18 0
M. Deva Rao	18	*Nil.*	*Nil.*
P. Aiyaswami Mudaliyar	13	*Nil.*	*Nil.*
T. C. Thiruvenkata Chariyar	13	1 0	*Nil.*
R. Gopala Rao	12	1 6	*Nil.*
V. B. Ramaswami Aiyar	9	1 28	*Nil.*
C. Ranganayakulu Nayudu	9	*Nil.*	*Nil.*
A. Narayana Pantulu	9	1 0	*Nil.*
R. Narasimha Aiyangar	9	*Nil.*	*Nil.*
V. Bhashyam Aiyangar	8	*Nil.*	*Nil.*
T. R. Subba Aiyar	9	1 0	*Nil.*
K. S. Lakshminarasa Aiyar	8	*Nil.*	*Nil.*
K. Sambasiva Rao Nayudu	8	*Nil.*	*Nil.*
T. N. Ramachandra Aiyar	8	1 7	*Nil.*
N. Balaramadas	8	0 21	*Nil.*
P. Venkatarama Aiyar	7	*Nil.*	*Nil.*
N. Sundaram Aiyar	8	0 11	*Nil.*
S. Nilakantam Pantulu	7	*Nil.*	*Nil.*
M. Narasinga Rao	7	2 0	*Nil.*
S. Subbayya Sastri	7	2 18	*Nil.*
S. Ramaswami Aiyangar	7	2 24	*Nil.*
L. R. Ananthanaryana Aiyar	7	0 17	*Nil.*

B.—Judicial Service—cont.

Name of Sub-Judge or District Munsif.	Total permanent service as Sub-Judge and District Munsif.	Amount of privilege leave taken.	Amount of furlough taken.
District Munsifs—cont.	YEARS.	MTHS. DAYS.	MTHS. DAYS.
K. S. Vedachala Aiyar	7	1 3	*Nil.*
C. S. Mahadeva Aiyar	7	*Nil.*	*Nil.*
B. Rama Rao	7	*Nil.*	*Nil.*
K. Gopalan Nayar	6	*Nil.*	*Nil.*
S. Narasinga Rao Pantulu	6	4 8	*Nil.*
P. Narayana Rao Nayudu	6	*Nil.*	*Nil.*
M. J. Viraraghava Aiyar	6	3 0	*Nil.*
A. P. P. Saldanha	6	2 0	*Nil.*
K. V. Desika Chariyar	6	*Nil.*	*Nil.*
C. R. Venkatesvara Aiyar	6	*Nil.*	*Nil.*
M. S. Ananta Pattar	6	*Nil.*	*Nil.*
B. Subba Rao	5	*Nil.*	*Nil.*
K. Appaji Rao	5	4 0	3 4
B. Venkateswara Rao Pantulu	5	*Nil.*	*Nil.*
C. V. Krishnaswami Aiyar	5	*Nil.*	*Nil.*
P. Rama Rao Pantulu	5	*Nil.*	*Nil.*
C. S. Venkatramana Rao	5	*Nil.*	*Nil.*
U. Govindan Nayar	5	*Nil.*	*Nil.*
K. S. Ramaswami Sastri	5	*Nil.*	*Nil.*
C. V. Sampath Aiyangar	5	*Nil.*	*Nil.*
V. Kalyanarama Aiyar	5	*Nil.*	*Nil.*
K. S. Gopalaratnam Aiyar	5	*Nil.*	*Nil.*

1322 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—The rates are suitable.

1323 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes.

1324 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No.

1325 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—No.

1326 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—No.

1327 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The existing differences between the leave rules applicable to the European and Indian Civil Services in the main arise out of the fundamental differences in the conditions of the officers recruited in the two services and are, I think, thoroughly justifiable. It would be clearly inexpedient and wasteful to apply to services mostly composed of Natives of India leave rules necessary for a service mostly composed of foreigners. I do not think that any of the leave rules press hardly on the officers of the Provincial Civil Service. The members of the Judicial branch of the service represented recently that the provisions of article 271, Civil Service Regulations, which allows them privilege leave only on half pay, constitute a grievance and they requested that they might be allowed fifteen days' privilege leave on full pay after eleven months' actual service, as they contend that privilege leave, which can be taken when need occurs, is more valuable than vacation which can only be taken at a fixed period of the year. I think that the concession asked for is reasonable and might be granted. The statements supplied in the answer to question (33) above shows moreover that the concession would probably not be very largely utilized.

1328 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—The system is, I think, generally satisfactory. It has been suggested that in view of the comparatively late age at which officers in the Judicial branch enter the service from the Bar they should be given the benefit of the provisions of article 403, Civil Service Regulations, or that the period of service qualifying for pension should be reduced from twenty-five to twenty years. As the age up to which first appointment as District Munsif is permissible is 35, cases may arise in which service for pension would not be completed before the age of sixty and on this ground the extension of article 403, Civil Service Regulations, to this class of officer would seem reasonable.

1329 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes, please see my answer to question (17) above.

1330 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Yes.

1331 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—Yes.

1332 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit

of their families to the Government General Provident Fund, or to other official or officially-recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—A statement prepared by the Accountant-General is attached. It shows that rather more than half the Provincial Civil Service officers contribute to one or other of the recognised funds. Further facilities are not required.

Provincial Civil Service officers.	Subscribers to funds.				Non-subscribers	
Designation.	General Provident Fund.	Postal Life Insurance Fund.	General Family Pension Fund	Total.	Total.	Total scale.
	1	2	3	4	5	6
Collectors	1	2	..	3	..	3
District and Sessions Judges	2	..	..	2	..	4
Deputy Collectors	69	15	1	85	51	136
Sub-Judges	10	..	..	10	8	18
District Munsifs	57	7	..	64	66	130

1333 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so please explain them?—I think that article 1002, Civil Service Regulations, should be amended so as to make Deputy Collectors on Rs. 500 and less first-class officers for the purposes of the travelling allowance rules. This would remove one of the small distinctions which are pointed to as evidence that the Provincial Service is treated as an inferior service as compared with the Indian Civil Service.

ANNEXURE.

RULES FOR ADMISSION TO THE MADRAS PROVINCIAL CIVIL SERVICE.

Part I.

General Rules issued by the Government of India.

(Home Department Resolution Nos. 1046-1058, dated 19th August 1910.)

The Governor-General in Council has had under consideration the recommendation made by the Royal Commission on Decentralization at the end of paragraph 128 of their report on the subject of framing rules for the recruitment of provincial services. The majority of the Commission consider it unnecessary that rules for the recruitment of those services should, as is now the case, require the sanction of the Government of India, and they express the opinion that the functions of that Government should be limited to laying down a few general principles as to eligibility for appointment, etc., on which detailed provincial rules would be based.

2. In the present Resolution the Governor-General in Council proposes to deal only with the Provincial Civil Services (executive and judicial). The case of other provincial services will be separately considered.

3. The present system under which the previous sanction of the Government of India is required to making or altering the rules for the recruitment of the Provincial Civil Services was introduced in 1892 as the result of the report of the Public Service Commission. The Governor-General in Council has now decided to accept in substance the recommendation of the Decentralization Commission and is pleased accordingly to invest Local Governments with the power to make rules for the recruitment of the Provincial Civil Services without the previous sanction of the Government of India, but subject to their general control. The general conditions which should govern such recruitment have been already fully considered in connection with the inquiries made by the Public Service Commission, and the Governor-General in Council, upon a further consideration of the subject, sees no reason to modify the conclusions then arrived at. It will, however, be convenient to restate them in the present connection as follows:—

I.—The rules must be adapted on the one hand to obtain thoroughly difficult candidates and, on the other, to secure the due representation in the public service of the different classes of the community.

II.—Every candidate for appointment by recruitment must furnish satisfactory evidence—

(*a*) that he is not over 25 years of age, except in the case of Barristers, Advocates, or Pleaders appointed to the Judicial branch; these excepted cases will be governed by article 51 of the Civil Service Regulations;

(*b*) that he has attained a prescribed preliminary standard of general education to be fixed by Local Governments with reference to local conditions, the object being to secure men qualified by as high a standard of general education as the conditions and requirements of the local administration permit. In particular, qualification in one or more of the vernacular languages of the province in which he is to be employed is to be insisted on. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility;

(*c*) that he is of sound health, good physique, and active habits; and

(*d*) that he is of good character.

III.—Every person appointed to the Provincial Civil Service by direct recruitment shall be subject to a period of probation of training during which time his appointment will be probationary only, unless in special cases the local Government declares such probation or training to be unnecessary.

IV.—The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment, provided they are qualified in other respects.

V.—Admission to the Provincial Civil Service should usually be confined to persons who are natives of the province or have definitely settled in it; in the case of candidates who are not natives of the province recent residence of at least three years in the province, should, as a general rule, be an essential condition of admission. No Barrister, Advocate or Pleader should be appointed as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

VI.—Europeans who are not statutory natives of India shall be eligible for appointment, if qualified according to the above conditions, with the sanction of the Government of India.

VII.—The local Government should reserve to itself the right to make promotion to the superior grades of the Provincial Civil Service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades.

VIII.—The Government of India retain power in very special cases to make direct appointments to offices in the higher grades of the Provincial Civil Services, and whenever the Government of India exercise this power in the case of judicial officers, it will be confined to Barristers, Advocates, or Pleaders of the High Courts who have shown distinguished ability in the exercise of their profession for not less than ten years and have a thorough knowledge of the vernacular.

IX.—No member of the Provincial Civil Service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

4. The Governor-General in Council directs that any change made in the rules from time to time should be forthwith communicated to the Government of India in the Home Department, in order that they may be in a position to exercise effective general control. His Excellency in Council considers it desirable, moreover, that this Resolution should be published by the local Governments and Administrations as part of the respective provincial rules.

Part II.

Rules framed by the Madras Government.

The following appointments, to fill which members of the Civil Service of India have hitherto been recruited, are open to members of the Provincial Civil Service subject to the rules for the time being in force under 33 Vic., c. 3, s. 6:—

		Rs.
District and Sessions Judges (4).	1st Grade ...	2,000
	2nd ,,	1,600
	3rd ,, ...	1,500
	4th ,, ...	1,200
Collectors and Magistrates of Districts (2).	1st Grade ...	1,600
	2nd ,, ...	1,500
	3rd ,,	1,200
Secretary to the Board of Revenue (1) ...		1,000
Under Secretary to Government (1) ...	Grade pay as Deputy Collector *plus* a local allowance of Rs. 200 subject to a total emolument of Rs. 700.	

	Rs.
* Deputy Magistrates and Collectors, 2nd Grade [corresponding to Sub-Collector] (2).	700
* Deputy Magistrates and Collectors, 4th Grade [corresponding to Head Assistant Collector and Magistrate] (4).	500
* Deputy Magistrate and Collector, 6th Grade [corresponding to passed Assistant Collector] (1).	300

* *Note.*—These appointments are subject to the claims of officers in the Indian Civil Service appointed before 1880. If no fit and competent member of the Provincial Civil Service is available, or if the preponderant administrative needs of the Province require it, an Indian Civil Servant may be appointed to any of these appointments or to any of the 14 appointments of Deputy Magistrates and Deputy Collectors in Grade VIII.

The Provincial Civil Service shall consist of two branches—(1) Executive, (2) Judicial—and shall include the following appointments:—

[A = Executive. B = Judicial.]

I

	Rs.
A. Deputy Magistrates and Collectors (2)...	800
B. Subordinate Judges (3)	800

II

A. Deputy Magistrates and Collectors (5).	700

III

B. Subordinate Judges (5)	650

IV

A. Deputy Magistrates and Collectors (6).	600

V

A. Deputy Magistrates and Collectors (21)	500
B. Subordinate Judges (8)	500

VI

A. Deputy Magistrates and Collectors (22).	400
B. District Munsifs (31)	400

VII

A. Deputy Magistrates and Collectors (20).	300
B. District Munsifs (31)	300

VIII

A. Deputy Magistrates and Collectors (19).	250
B. District Munsifs (31)	250

IX

B. District Munsifs (30)	200

II. Vacancies in the list of Deputy Collectors shall be filled, as heretofore, mainly by selection from the subordinate service of persons who have passed the examinations prescribed for those posts and from persons, whether in the service of Government or not, of proved merit and ability.

III. The appointments of Sub-Judges shall be made entirely by selection, but only Barristers, Advocates, High Court Vakils, Attorneys of the High Court and District Munsifs shall be eligible for these posts.

IV. The appointment of District Munsifs lies, under Act III of 1873, in the hands of the High Court, the qualifications required being regulated by rules made by the Honourable the Judges subject to the approval of Government.

With effect from the 1st January 1911, the following persons only shall be eligible for appointment as District Munsifs outside the Scheduled districts and except when the appointment of District Munsif is held with an appointment in the Revenue department, viz. :—

(1) Advocates and Attorneys of the High Court and persons duly qualified for admission as Advocates or Attorneys of the High Court;

(2) persons who have obtained the degree of Bachelor of Laws at the University of Madras, Calcutta, Bombay or Allahabad, provided that no Bachelor of Laws of the University of Madras who passed the examination qualifying for that degree after the year 1899 shall be eligible under this paragraph unless he has also passed the examination in the Law of Practice and Procedure, Civil and Criminal, provided for in the rules for the qualification and admission of Vakils of the High Court;

(3) persons who have passed the Pleadership Examination in the first grade;

(4) persons already in the service of the Government in the Judicial department who passed at any of the Special Test Examinations held before or in the year 1889 the tests imposed by the rules, dated 29th July 1869, for appointment as a District Munsif;

(5) persons who, before the 1st January 1911, have acted as District Munsif of any Munsifi outside the Scheduled districts other than Anjengo, Gudalur, Kollegal and Tangasseri.

V. Every candidate for appointment who is not already in Government service must furnish satisfactory evidence—

(*a*) that he is not over 25 years, except in the case of persons appointed to the Judicial branch. In these excepted cases, article 51 of the Civil Service Regulations fixes the maximum age;

(*b*) that he fulfils the conditions prescribed in the rules for admission to the Public Service;

(*c*) that he is of sound health, good physique, and active habits;

(*d*) that he is of good character; and

(*e*) that he has passed the third-class vernacular test prescribed for European and Eurasian Civil officers other than members of the Indian Civil Service or has graduated in a vernacular.

VI. Every person appointed to the Provincial Civil Service who is not already in Government service shall be subject to probation for a period of two years, unless in special cases the Government declares such probation to be unnecessary. During this period he must complete the vernacular and other tests prescribed for the appointment which he may hold and his appointment shall be probationary only until he has done so. His confirmation shall be conditional on his passing the prescribed examinations and giving satisfaction in the performance of his duties during the term of probation.

VII. The subjects of Native Princes in alliance with His Majesty shall be eligible for appointment to the Provincial Civil Service provided they are qualified in other respects.

VIII. Admission to the Provincial Civil Service shall usually be confined to persons who are natives of the Madras Presidency or have definitely settled in it; in the case of the candidates who are not natives of the Presidency, recent residence of at least three years therein shall, as a general rule, be an essential condition of admission. No Barrister, Advocate, Vakil, Attorney or Pleader shall be appointed as such unless he has been at least three years actually practising his profession in India.

IX. Europeans, who are not Statutory Natives of India, shall, if qualified by the above conditions, be eligible with the sanction of the Government of India for appointment to posts in the Provincial Civil Service other than the listed appointments declared open to that service by notification, in regard to which the sanction of the Secretary of State will be required.

X. No member of the Provincial Civil Service shall be dismissed otherwise than on the result of a judicial or formal departmental inquiry.

XI. Government reserve to themselves the right to make promotions to the superior grades of the Provincial Civil Service carrying a salary of Rs. 500 a month and above without regard to seniority and seniority alone shall not give a claim to appointment to the grade of Rs. 500 a month or to higher grade. Every such promotion will be based wholly upon fitness and merit, seniority being regarded only when the claims of two or more officers who are equally fit come into competition.

XII. Candidates for the post of Deputy Collector are required to pass the following tests before appointment :—

(1) Revenue Higher.
(2) Criminal Higher.
(3) Account Test, Higher.
(4) Précis-writing Test.

Note.—Full particulars regarding tests (1), (2), (3) and (4) will be found on pages 359-366 of the *Fort St. George Gazette*, Part I-B, dated 26th July 1910.

(5) (*a*) *For Europeans and Eurasians.*—A language test corresponding to the examination of the Covenanted Civil Servants by the Higher Standard.

(*b*) *For others.*—The Compulsory Vernacular Test in two languages.

The following is the Compulsory Vernacular Test referred to under sub-head (*b*) :—

(i) Reading aloud fluently and construing with readiness and accuracy not less than an octavo page of the undermentioned works :—

In Tamil—

(1) Pratapa Mudaliyar Charitram by S. Vedanayagam Pillai.

(2) Nanriaryia Magan by C. R. Srinivasa Aiyangar.

In Telugu—

(1) The neglected Karnataka Kingdom (Krishnadevaroya Charitram) by Chilukuri Virabhadra Rao or Satyavati Charitram by Rao Bahadur K. Virasalingam Pantulu.

(2) 100 selected Vemana verses.

In Canarese—

(1) Panchatantram.

(2) Seemanthini by G. Venkat Rao.

In Malayalam—

(1) Induleka or Sarada by O. Chandu Menon.

(2) Kanakamalika by P. T. Kannan.

In Uriya—

(1) Chomono Attogonto by Pandit Fakir Mohan Senapati.

(2) Utkala Kahani by Gopal Chandra Probaraj.

The candidate will also be required to read aloud and construe passages from any current vernacular newspaper.

(ii) Translating in writing into English, with accuracy, a passage of modern vernacular prose from a book (not being a text-book) or a newspaper written in ordinary colloquial language.

(iii) Translating in writing, with a fair accuracy of idiom and grammar, an easy piece of English relating to Indian subjects and containing no words that have not familiar vernacular equivalents and bearing, as far as possible, upon questions connected with the department to which the candidate belongs.

(iv) Reading aloud fluently, and translating correctly and readily, two or three manuscripts written in the language in which the examination is held, in a plain running officehand.

(v) Conversing with the Examiners, or with natives of India, on such subjects proposed by them as are calculated to test colloquial facilities, both as regards scholarlike expression and knowledge of terms and phrases commonly used by the poorer and uneducated classes.

Note.—Graduates and Under-Graduates of the Madras University who have taken up one of the vernaculars specified as their optional language in the University examination have to pass in only one vernacular other than the optional language of their examination; but they will not be declared to have passed the test in the second vernacular unless they satisfy the examiner that they can read fluently and with facility manuscripts written in the vernacular in which they are exempted from passing.

The compulsory Vernacular Test examination is conducted by the Board of Examiners half-yearly at Madras in the months of January and July or at such other time as the Board of Examiners may direct.

(6) *Equitation Test.*—The test prescribed is ability to ride 8 miles in the hour along an ordinary country cart-tract without unduly distressing the rider himself or his horse. The test is conducted by the Equitation Board at Madras, half-yearly, in the months of January and July.

Note 1.—No officer may appear either for the compulsory vernacular test or for the equitation test (tests 5 and 6), unless (*a*) he has passed the Revenue Higher, Criminal Higher, Account Test Higher and Précis-writing tests (tests 1, 2, 3 and 4) and (*b*) holds a post, whether acting or substantive, carrying a salary of Rs. 150 *per mensem* or upwards.

Note 2.—Candidates of the class referred to in rule V need not necessarily have passed the tests above mentioned before appointment. They will however be expected to complete all the tests specified in this rule within the probationary period of two years alluded to in rule VI.

XIII. A reward of Rs. 500 will be granted to Deputy Collectors serving in the districts of Ganjām and Vizagapatam, who, having already passed the compulsory vernacular test in two languages other than Uriya, succeed in passing the second-class test in Uriya within two years from the date of their appointment to one of those districts.

XIV. Subordinate Judges and District Munsifs are required to pass the following tests before appointment :—

(1) Third-class Vernacular test.

Note.—Persons who have graduated in one of the vernaculars of the Presidency or who have passed the language branch of the B.A. Degree Examination of the Madras University with a vernacular as their optional language are exempt from this test.

(2) Précis-writing test.

Native Subordinate Judges permanently appointed after the issue of this rule are required to pass in two languages the vernacular test laid down in Rule XII (5) (*b*). The examination is conducted by the Board of Examiners and is held half-yearly at Madras in January and July, or at such time as the Board of Examiners may direct. Subordinate Judges are required to pass this test at or before the third (or, in the case of officers who have to pass in two languages, the fifth) half-yearly examination after their appointment. An officer failing to pass the examination within the prescribed time will be required to vacate his appointment in the grade unless the period is specially extended by Government. Native Subordinate Judges and Native District Munsifs will be permitted to appear for the compulsory vernacular test before confirmation.

European and Eurasian Subordinate Judges and District Munsifs are also required to pass in the language of the district in which they are employed, either before entering on their duties after appointment or within one year thereafter on pain of loss of promotion, or within two years thereafter on pain of loss of appointment, the second-class test prescribed for European and Eurasian Civil officers other than members of the Indian Civil Service. It is not, however, incumbent on an officer to pass in a second vernacular either on transfer from one district to another, or when two vernaculars are recognized as the language of a district. This test is the same as that laid down in Rule XII (5) (*b*). The examination is conducted by the Board of Examiners and is held twice a year in January and July.

Mr. A. G. CARDEW, called and examined.

(*Chairman.*) Before I commence your examination I should like on behalf of my colleagues to ask you to convey to your Government our best thanks for all the arrangements which they have made for our convenience—I shall be very pleased to do so.

1334. You are the acting Chief Secretary to the Government?—I am.

1335. Will you be good enough to give us shortly your past experience in the service?—I went through the first stages as an Assistant Collector, and then became an Under Secretary, which position I occupied for about four years. From that I became Inspector-General of Prisons, a post I held for about seven years. Then for another period of something under three years I was a Collector, and afterwards became a Secretary in the Education and Local and Municipal departments and subsequently Secretary in the Revenue department. At present I am acting as Chief Secretary.

1336. As the result of your long experience you have been able to give us a very comprehensive set of answers to the questions we issued to you, and for that we are very grateful. I shall not attempt to delay you or the Commission by going through all those questions again, but I will put a few general questions to you, and perhaps you will be good enough presently to put in the written answers on facts supplied by the Government?—Yes.

1337. I understand you consider that the present system of open competition should be retained, but you would lower the age-limits and lengthen the probationary period?—Yes, in England.

1338. You are opposed to any system of simultaneous examinations in England and in India?—Yes.

1339. If it is desired to introduce any system of separate examinations you say that it should take the form of limited competition in the various provinces?—Yes.

1340. A certain percentage of vacancies being allotted to each of the communities?—Yes.

1341. That is broadly your scheme?—Yes, that is broadly my position.

1342. You think, however, that as the examination would need to be a strictly provincial examination it would be better that recruitment should be to the Provincial and not the Indian Civil Service, the selected candidates rising in due course to listed posts in the Indian Civil Service?—Yes.

1343. And your subsequent recommendation is that 50 per cent. of the vacancies for the Provincial Civil Service should be filled as now by the promotion of Tahsildars?—For the present, yes.

1344. And that the other 50 per cent. should be filled either by competition or by nomination by a Selection Board?—Yes.

1345. And in either case on the basis of giving a definite proportion of vacancies to the different communities?—Yes. I regard that as quite an essential point.

1346. Which system would you prefer, competition by compartments or selection by nomination?—I am rather in favour of competition because I think it would command greater public confidence.

1347. As regards your proposal to hold competitive examinations by compartments, have you any apprehension that the system might be difficult to work in practice?—I think there would undoubtedly be difficulties in practice because the number of vacancies would be small and it would not be possible to have separate examinations for every compartment every year. It might be difficult, in fact, to divide the vacancies amongst the compartments, but I have no doubt that some working method of adjustment could be found.

1348. Can you suggest any working scheme which would get over the possible difficulty of a very eligible candidate in one of those communities being prevented from competing because there was not a vacancy in that particular year?—No. Of course that difficulty would always exist owing to there being a limited number of vacancies. It would be impossible to prevent a year occurring in which there might not be a competition for that class.

1349. You would run the risk of possibly missing a brilliant man?—Yes.

1350. You recognise that the lower age limit which you suggest for the open competition in England would decrease the prospects of success for Indian candidates, and the remedy you recommend is an increase in the number of listed posts?—Yes, that is my idea.

1351. Under your scheme, would the Provincial Civil Service officer who is promoted to be a Collector or a District Judge be regarded as eligible hereafter, equally with members of the Indian Civil Service, for promotion to still higher grades?—My idea would be to deal with that by some extension of listed posts. I had not contemplated that the Provincial Service officer should be eligible for promotion to any post, scheduled or otherwise, reserved for the Indian Civil Service. My idea was an expansion of the listed posts.

1352. You would increase the number?—I would increase the number of listed posts.

1353. You would not only increase the number but you would offer opportunities of advancement to higher posts?—Yes.

1354. Under your scheme the competition in England would be followed by a three years' probation?—Yes.

1355. And you would recommend that this period should be spent at a University where the candidate could either read for Honours in Law or political science or would undergo a special course of study in which these subjects would be compulsory. You offer those two alternatives and I should like to know which of them you would yourself prefer?—I should prefer the University School. Possibly that would fill up two years and the third year might be devoted to a special course in Indian subjects. I think two years would be probably as much as would be wanted for reading for a Law School for instance, and the third year might be given to the special Indian subjects which I mentioned, a classical language, and Indian codes other than criminal procedure codes.

1356. Do you apprehend there would be any difficulty in deciding the seniority of the candidates under these alternative schemes?—No, I do not think so. You would have the marks in the open competition and at the end of the third year you could hold a final examination and the two combined examinations would determine the standing.

1357. You would institute a particular examination for the candidates in question and aggregate the marks of the original and the final examination?—Yes, as is done now. It was not always done.

1358. So that there would be no difficulty in deciding seniority by the test of the aggregate marks?—None, I think.

1359. You do not apprehend that three years might be rather a long time to ensure a young man's keenness being maintained?—Then you weed out those who are not keen.

1360. You do not think three years is too long?—I do not see any objection to it except on the score of the expense.

1361. You are not prepared to say what proportion of posts in the Indian Civil Service should be held by Indians?—No, I would work from the bottom upwards. We have got one-sixth as a sort of rough ideal.

1362. You think Indians might be appointed to fifty per cent. of the District Judgeships?—Yes.

1363. And you think it is undesirable to go outside the Provincial Civil Service in filling vacancies in the listed posts, provided that suitable men can be found?—Other things being equal it is, but of course for the higher posts such as Judges of the High Court, you would get a higher level no doubt of ability on an average by taking men who were leaders at the Bar rather than men who had merely risen through the grades of the service.

1364. You do not lay it down as a very rigid prohibition?—No, I think I said that.

1365. As regards the officers holding superior listed posts, you say that the Collectors have been up to the general average, the Judges probably above the average, and the holders of secretariat posts below the average?—That is very rough, of course.

1366. Could you elaborate that view?—I have already explained it by pointing out that the class from whom we have drawn the men have largely been those who have been employed all their lives in out-door work, and who have naturally not had the training that fits them for secretariat duties.

1367. Therefore it is due largely to the training which they have had that they often seem below the average?—The training or the absence of it.

1368. You recommend the retention of officers so far as possible in the same language area so as to improve their knowledge of the vernaculars?—I think we should aim at that more than we have done.

1369. And you think that could be carried out fairly consistently without detriment to administrative efficiency?—Quite so, entirely without detriment to the administrative efficiency and probably with benefit to it. It may involve difficulties in transfers. A man may return from leave who is a Telugu man and the vacancy may be in the Tamil area.

1370. There might be local administrative difficulty but you do not think it would have a definite influence over the whole administration?—I should like to put it forward so that it should be kept in view in future. You cannot make a hard-and-fast rule that is never to be varied.

1371. You suggest that Indian Civil Service officers recruited to District and Sessions Judgeships should first of all be given study leave and some practical training as Sub-Judges. Would you put the training in point of time before the leave, or *vice versa*?—It would probably be better for the purposes of training that it should precede the leave, but in order to avoid denuding the service to an undue extent of officers, that is to say, taking away from the charge of divisions an excessive number of officers, it would probably be preferable to let the practical training as a Sub-Judge follow the leave, that is to say, be taken a little later in the service. Otherwise you would withdraw a considerable number of officers from divisional charge, unless the Secretary of State increased the strength of the service.

1372. You would say that that would be the best form of training also, apart from administrative convenience?—I do not think there is any very great balance of advantage between the one and the other.

1373. You say that the separation of magisterial and executive functions in the Indian Civil Service and the Provincial Civil Service would mean duplication?—I think it would.

1374. Can you explain precisely what you mean by that?—I think you would have to have in each district an officer who would be the District Magistrate, and who would be separate from the officer who would be the Collector, and therefore you would have two officers where you now have one. In fact, we have in this Presidency for a time actually done that in one district, and we have actually created certain appointments, so-called Headquarter Sub-Collectors, who are intended to be utilised as District Magistrates, relieving the Collector of magisterial work. Somewhat in the same way in divisions you would certainly have to have a Divisional Magistrate in addition to the Divisional Collector. I think it must involve duplication.

1375. You cannot conceive any re-adjustment of duties which would get over that difficulty?—I do not think so. The Madras district averages about 6,000 square miles and you could not put two districts under one man.

1376. You say you are not in favour of a time-scale in either service?—No, I am not.

1377. You consider that it would reduce the incentives to exertion?—Yes.

1378. You would say the same if a certificate of efficiency was demanded each year as is the case in the Home Service?—I do not think it would have any appreciable effect in meeting the objection. I think it would become rather a formality. Even now under the Civil Service Regulations you have always power to stop an increment on a time-scale.

1379. It is a question of how the power is exercised?—Yes.

1380. You are in favour of establishing a non-contributory system of superannuation pensions based on the amount of the salary at the time of retirement?—Yes.

1381. You think that the subscriptions to the Family Pension Fund should not be payable during leave and after retirement, and that in compensation the payments made during active service should be increased?—That would be a great advantage, I consider, to the service. Men could stand the increased subscription much better than they can stand the very heavy deduction from pension. My deduction would be nearly 10 per cent. of my pension; in fact it would be £90 in £1,000, which after taking off other deductions is more than 10 per cent.

1382. You think that the inconvenience of a higher contribution during service is less than the inconvenience of a deduction after service?—Much less. I am very strong on that point. I do not think it would be felt at all.

1383. You would not suggest any alteration in the total amount of contribution?—No.

1384. It is merely a question of paying at more convenient times?—Yes.

1385. Do you think that is generally the view of officers in India?—A good many men think as I do as they get nearer their pension. Whether they would think the same when they are quite young I am not so certain.

1386. Do you consider that the existing rates of pay and grading in the Provincial Civil Service are sufficient?—I think so.

1387. You suggest that the amount of furlough granted by the Regulations for the Provincial Civil

Service might safely be reduced ?—The facts seem to prove that very clearly.

1388. Without inconvenience to the officers ?—Quite clearly, apparently.

1389. As regards the provision for families in the Provincial Civil Service, are representations being made to any extent by officers of the Provincial Civil Service with the object of securing the establishment of a Family Pension Fund ? Would you say there is a prevalent desire for one to be established ?—I do not recall any representation, but I do not say there has been none. The General Provident Fund has gone a a good long way towards meeting such a wish I think. It is a recent thing.

1390. Does that meet the demand to the same extent that a new fund would ?—I suppose not to the same extent: it would depend on the terms of the fund that was established.

1391. You cannot give us any definite statement as to whether you think it is a fund which is wanted by the officers concerned ?—No, I do not feel able to speak on that point.

1392. (*Lord Ronaldshay.*) You say that the high age-limit at present in force for the competitive examination in England limits the field of selection owing to the fact that many of the men cannot afford to wait so long before they take up their business in life. Is that an inference which you have drawn from your general knowledge of the average means of your fellowmen, or are you acquainted with people who have refrained from competing for the examination on those grounds ?—I have been told of cases in which men have actually come to the end of their resources and had to give up. A man's father is ready to pay for him until he is 22, or whatever the age may be, but he says that he really cannot keep him doing nothing until he is 25.

1393. Then you say that a period of probation should be spent at a university in England. Do you think it should be spent at any particular university or at any university ?—I thought that the approved universities covered the field very adequately; in fact they mostly go to Oxford and Cambridge, although some go to Dublin. I think the approved list might be maintained. I would not specify any one university.

1394. Are all the universities on the approved list residential universities ?—No.

1395. You would not limit it to residential universities ?—I had not looked at it from that point of view. It might perhaps be better to limit it as suggested.

1396. With regard to sending Indians to England, you say that in your opinion it is not wholesome for the service out here. Could you tell us a little more definitely what you exactly mean by that ?—What I meant was that Indians sent to England under the present conditions are liable to get into bad habits. They do not mix with the best class of Englishman; they come back with wrong notions of English society; and altogether, instead of benefiting, they are liable to suffer by the period spent in England. The service only suffers because the individual suffers.

1397. In that connection have you had any personal experience of Indians who have gone to England as young boys and passed through a public school course in England before attending an English University ?—No. I tried to get a boy into an English public school once and, of the two schools I wrote to, one declined and the other was very unwilling.

1398. Did anything come of the one that was unwilling ?—No. The father sent him home to a private tutor and the opportunity was lost. They stipulated for attendance at chapel or something else of the sort.

1399. You are not in a position to say anything on that point ?—No.

1400. Are you of opinion that members of the Provincial Service who are promoted to listed positions make better executive officers than Indians who have joined the Indian Civil Service through the competitive examinations in England ?—I think the results of our very limited experience here are in that direction at present, but our experience, of course, is extremely limited.

1401. I asked that question because in your written evidence you say, in answer to question (39), that among those listed posts the Collectors have been up to the average. That means that the members of the Provincial Service who have become Collectors have been up to the average ?—Yes, of those holding similar posts.

1402. Then in answer to question (24) you say that experience in this Presidency of the Natives of India selected by open competition in England has been on the whole unfavourable and there have been distressing instances of failure. Am I right in assuming from those two answers that your experience is that the men who have been promoted from the Provincial Service have proved to be more satisfactory officers than the Indians who have got into the Indian Civil Service through the open competitive examination ?—I think my answer must be yes, qualified with the remark that we have only a very small number of instances to go upon. It may be an accident of course, one way or the other. We may have had bad luck in our Indian Civil Service men.

1403. With regard to the separation of executive and judicial functions, in answer to question (88) you say that in your opinion the only objection to the separation of the executive and judicial functions is that of expense, and you go on to say that the separation of the magisterial powers and their transfer to a separate set of officers would not weaken the authority of the Executive officers. You contemplate therefore a separate set of officers to exercise magisterial functions ?—Yes.

1404. Would those officers, generally speaking, be Indians or Europeans ?—That would depend on how you listed your posts. If you list so many posts as open to Natives of India those posts would go.

1405. But I should like to have your opinion on that point. If a separate class of officers was created, should it, in your opinion, be recruited mainly from Indians, as the Provincial Service is, or should it be recruited mainly from Europeans—I refer to the magisterial branch that you contemplate creating ?—It would be entirely preferable to recruit it from Europeans.

1406. That would largely increase the cadre of the Indian Civil Service ?—I think it must unless you made all the Collectors Natives of India.

1407. You would not recommend that ?—No, I do not think so. Of course nothing is final, but for the present I certainly would not.

1408. Then it would be a very serious expense ?—It would be a very large expense.

1409. (*Sir Theodore Morison*). In your answer to question (15), I think you gave as the reason for wishing to reduce the age limit that the number of candidates at present for the Indian Civil Service is so small. Do you remember whether the field was any larger when the age limits were lower ?—I do not think it was very much larger.

1410. I had an impression that it was smaller ?—In my year there were about 200 in and there were only 28 vacancies.

1411. Referring to your answer to question (24), you say the facts available at present suggest the need for caution in entrusting an increased number of district charges to Natives of India. I suppose you have here some districts which are known as difficult districts and others which are easy ?—Yes, heavy districts.

1412. What has been your experience of Indians in the heavy districts ?—I do not think any Indian has been entrusted with a heavy district.

1413. That is to say the officers always selected their best men ?—Yes.

1414. In the list which you give in your answer to question (26) would you tell me whether you think that the promotion which the Indians there have got is up to the normal which you would expect from men of that service ?—Yes, quite.

1415. I understand that your proposal of reducing the age would reduce the chances of natives getting into the Civil Service, and you would compensate for that by an increase in the listed posts ?—Yes.

1416. I am not misrepresenting you in that ?—No.

1417. Is that an equal compensation ? Is it possible for a man who gets a listed appointment from the Provincial Service to rise as high as if he got into the Indian Civil Service ?—Yes, at present, within the limits of course of the listed posts.

1418. I wanted to know why you laid stress upon that particular method. I think in answer to something the Chairman said you said that was the form in which you would like to give any facilities to Indians, listed posts. You would not admit them to what I would call the freedom of the Civil Service ?—I would not close the competition in England to them.

1419. I mean the men who were here. The thing is not quite the same if a man can only rise to be a Collector ?—It would not be the same of course. If he can only rise to be Collector he would be cut shorter in the lower stage than if he entered by the competitive door, and was able to rise to any appointment. That could be met by an extension of the listed posts.

1420. But there must necessarily be a great limitation. The conception of a listed post is that so far a man may rise and no further ?—It is not complete freedom of opportunity of course.

1421. You gave in your evidence the age at which a man rising from the Provincial Service can reach one of the listed posts ?—That is under the present conditions under which men are promoted. If you select by competitive examination at 24, the age would be totally different. If you select men for the listed posts by any system of competitive examination or of nomination by a selection of the Board at ages which would extend between 22 and 24, they would come straight into the listed posts.

1422. Your competition is still for the Provincial Service or for the listed posts ?—For those members of the Provincial Service who would be eligible for listed posts.

1423. I understood your competition was to be for Deputy Collectors ?—I would also have a competition for Deputy Collectors.

1424. And have another competition for listed posts ?—Yes, that is my idea.

1425. Then they would be exactly on the same footing in the matter of age ?—Yes.

1426. In answer to question (104) you approve of the maintenance of the two-thirds rule. To what extent do you think the dissatisfaction with the Provincial Service is due to the two-thirds rule ?—I do not think there is much dissatisfaction of that kind.

1427. I should have thought it marked it as an inferior service, but you are better capable of judging of that than I am. You make a suggestion that privilege leave should be accumulated up to six months. The result of that would be that a man would get no holiday, except perhaps ten days' casual leave, for 5½ years ?—If he elected so to do.

1428. I gather from your evidence that the tendency at the present day is for men not to take leave unless they can get it on full pay; they cannot afford it. Do you think it is safe in a climate like India that a man should go on working so long without a holiday ?—Of course there are drawbacks, but I think it ought to be possible. I think a man should be allowed, if he feels well, to go on. Some men of course could not. I would not force a monthly holiday on a man.

1429. With regard to your answer to question (130), with reference to the contribution of Indians to the Indian Civil Service Family Pension Fund, you suggest that you would open this fund to Indians whose personal law allows them to have more than one wife ?—Yes.

1430. That personal law I suppose represents much more latitude than is actually practised by the educated classes whom you would get ?—Yes.

1431. There are many Indians whose personal law technically allows them more than one wife, but among the educated classes it is not practised. You are going to restrict that branch in a way that does not correspond with the facts. Would you object to admit an Indian on condition that only the first wife was eligible for the Family Pension Fund; on condition practically that he married like an Englishman ?—No, I should not object.

1432. (*Mr Chaubal*) I understand you are of opinion that the lesser number of successful candidates that would take the examination in London, which is bound to be the result of lowering the age, may be compensated for by throwing open a larger number of posts in the Schedule attached to the Act of 1861 ?—Yes.

1433. Supposing Government have to do that, in settling the further posts which should be thrown open may I ask you roughly what principle you would adopt out of these two ? Would you employ an Englishman in a post because of special reasons which make his employment necessary or would you employ an Englishman

unless for special reasons a native is required?—I look upon it as a matter rather of political expediency as to what extent you are to give increased posts.

1434. But on what basis do you start in approaching the question generally? Would you consider that an Englishman should be appointed in this country because certain circumstances required that he should be appointed?—Yes, I think that would be it.

1435. Looking at the schedule of posts in that way, what is your opinion about the proportion of posts in that schedule which might be thrown open to the Indians, taking that standard which you have now admitted as one to start with, and supposing in order to carry out your idea you started examining the schedule to see what further posts should be allotted?—That really amounts to the question which is asked in the proof as to what proportion of posts should be thrown open to Indians, to which I replied in my answer to question (24).

1436. There is this difference between that question and the question I am putting to you. I ask you now to proceed on the basis which we have arrived at, not to take the schedule of posts as having any fixed stability but start the question afresh and proceed on the principle of appointing an Englishman to any of those posts because the duties of the post make it necessary. If you proceed upon that basis it is quite a different thing, I think, from proceeding on the basis of taking the schedule of posts as a close preserve hitherto maintained for the Indian Civil Service. I want you to tell me, if you proceed on that principle, what proportion you would think you would further throw open to the natives of the country?—The maintenance of the European element being a necessity, the minimum proportion of Europeans should be maintained, irrespective either of the statutory rules or the competitive system, and if an increase of Indian successes should seriously reduce the European element it would be necessary to limit it. In other words, on political grounds and for the benefit of the country and the efficiency of the services, you must keep up a certain proportion of Europeans, and I am not prepared to lay down any proportion of posts, taking the whole schedule together, which should be listed. I should like to take the schedule piece by piece and carefully consider the proportion under each. I said I thought half the District Judges might be—there would be about eleven. Probably we are a little at cross purposes. You thought I meant that no Englishmen should be appointed to a post unless he possessed some special fitness for it.

1437. I do not mean personal fitness; I said special reasons. The duties of the post may be such that it would be inadvisable to post an Indian to that place. Supposing for instance there is any post which makes it necessary for a man to judge between the conflicting interests of different communities in the country, I would rather have an absolute foreigner, who is likely to be unbiassed, appointed to such a place. Would it be possible to say how far you can extend the listed posts on that principle?—No, I do not think so.

1438. You admitted just now that it could be extended if half the District Judgeships were left open?—At this stage we cannot go into the number of districts in which special need for Europeans exists. My position is that Europeans are needed if possible in all districts on the ground that they are more efficient. That is the only basis why the European is employed or should be employed at all because on the average he is very much more efficient. As a matter of political expediency I quite see the necessity of making some concession to the aspirations of the educated people.

1439. May I take you through the schedule to the Act for a moment? In going through the schedule would there be objections to employing Indians as Junior Secretaries? I am of course assuming that in the previous service they have had opportunities of training for that?—No, I should not think so. I do not see why you should not have an Indian as a Junior Secretary.

1440. He may be?—Yes.

1441. Under Secretaries?—We have one.

1442. There would be no objection to employing Indians generally as Under Secretaries, would there?—I do not think they have done very well, but we have already admitted the principle of having one Under Secretary.

1443. Has there been sufficient experience of Indians being employed as Under Secretaries?—No.

1444. Have you got these posts A and B, Civil Auditor and Sub-Treasurer?—Yes. We have an Accountant-General. "A" is now called the Comptroller-General and the Sub-Treasurer is non-existent.

1445. I do not know much about what the Comptroller-General's duties are?—He is the superior officer of the Accountant-General.

1446. Do you not think that place might be filled by a capable Indian who has had experience in the Financial Department?—Of course it is a very high position. The Comptroller-General is the actual head of the Finance of India, subject to the control of the Government of India. I think at present it ought not to be listed, but I have no very strong view. The Accountant-General of course could be held, and has been held, by a native. But really I cannot give any opinion; it is quite outside the sphere of my information.

1447. Passing on the Judicial list, you have already stated that half the number of Civil and Sessional Judges or Chief Divisional Officers of the District may be Indian?—Yes.

1448. Then what do you say of Additional and Assistant Judges in the Provinces? You have not Assistant Judges as we have in Bombay, have you?—No.

1449 You know what the Assistant Judge's duties are?—I do not know. I suppose that the greater includes the less.

1450. An Assistant Judge would be your Sub-Judge of the first class with magisterial powers. I understand that these are the duties which Assistant Judges carry out. Would there be any objection to an Assistant Judge's post being generally held by an Indian?—No, some of them.

1451. Would you say the greater proportion of them may be held by Indians because they are purely assistant posts, the duties being carried on under the supervision and control of the District Judge? Can you say whether those posts may not be generally filled by Indians?—I do not quite understand their duties, but if they are principally employed on sessions work it would not be a class of post in which an Indian would do particularly well, because the Indian's weak point has been generally found to consist in his dealing with criminal work.

1452. With regard to that point of being wanting in criminal work, is not that due to the present practice of not giving him sufficient opportunity for training in criminal work?—It may be; I cannot tell of course.

1453. Then may not Joint-Magistrates' places be held by Indians?—They are, of course. We have got seven listed posts of that class.

1454. I do not follow the fifth heading "Assistant Magistrates or Assistants to Magistrates?"—They would be passed assistants, men who are in training for the post of Joint Magistrates, what are now called Sub-Collectors in this Presidency.

1455. You have no posts in the Provincial Service at present in that class?—Yes, we have seven of which one is an assistant post.

1456. I thought that so far as this Presidency is concerned they gave, judicially, only District Judgeships?—No. We gave seven posts of Sub-Collector, and two of those Sub-Collectors were of the first grade.

1457. They have also judicial duties?—Yes, magisterial duties. There are four lower Sub-Collectors and one passed assistant, which is what is referred to there.

1458. With those three it would be seven?—Yes.

1459. But speaking as a class the duties as Assistant Magistrates or Assistants to Magistrates can well be performed by Indians?—Yes.

1460. Take the Members of the Board of Revenue in the Presidencies of Bengal and Madras?—I would give one Membership of the Board.

1461. With respect to these higher posts, there is one question I wish to have your opinion about. Now that Membership of the Executive Council has been thrown open to Indians is it not necessary that, in all the immediately lower administrative posts, you should have some proportion of Natives employed in order to make your selection from?—It is not necessary of course, but it would improve the field of choice.

1462. But is it not desirable that when the higher administrative post is left open to an Indian there should be a chance of selecting people for the higher posts from officers holding posts immediately below? Take for instance the Commissionerships of Divisions, the senior Collectorships?—I think it is an added reason that did not exist before.

1463. I do not wish to take you through any list below that. Can you tell me if you have any definite opinion of whether, under the different curricula which have obtained for the Civil Service examination, there has been any difference of capacity or ability in the material which has come out successful?—I have answered that in reply to question (16).

1464. That is as regards the age limits?—My answer would be exactly the same as regards curriculum.

1465. My question is this; do you consider that under the system of option given by the present curriculum, under which it is open for a candidate to take any two or three subjects so long as they do not total up higher than 6,000, it is possible for a candidate to have that general education which Lord Macaulay's Committee spoke of?—I am rather inclined to doubt the expediency of leaving the thing so completely open. My proposal is to deal with that in the period of probation by modifications in the training during that period.

1466. Do you think that candidates who pass under the present curriculum necessarily obtain that general liberal education which Lord Macaulay's Committee contemplate?—I think so.

1467. And you think that it is open to the candidate to take only two or three subjects and pass the examination?—I think so.

1468. With regard to the separation of the Judicial and the Executive, even assuming there is not complete separation, is it not in your opinion desirable that District Magistrates and Collectors should have no voice in those cases coming under the Forest, Excise, and other Acts in connection with which the administration principally rests with the Collector himself?—I do not think there is anything in that at all.

1469. I will press the question further in this way. The District Magistrate, and the officers concerned in the different departments for the efficiency of the departments, desire convictions in most cases which they bring forward before the Magistrates, do they not?—Certainly not the District Magistrate.

1470. You think that the District Magistrate in the interest of the peace of the district is not desirous that cases which are put forward before Magistrates should end in convictions?—Of course not, not wrongly. He does not desire a conviction for the sake of conviction. He wants a man convicted if he is guilty, as the rest of the public do.

1471. Is the Collector's opinion likely to be affected when the Collector thinks that the Magistrate has wrongly convicted a certain person?—That is a different point.

1472. I will tell you clearly what is in my mind . . . ?—I think I know. I suppose if a Collector thought that a Sub-Magistrate was constantly acquitting cases which he was advised by departmental superiors were true cases his opinion of that Sub-Magistrate would be affected.

1473. I am not speaking of general complaints. Take even the first case he has?—No, not one isolated case.

1474. There would be a bias against the efficiency of the man in the Collector's opinion, and where would be the harm to the interests of administration if in such cases, where the direct interest of the head of the district is concerned in the efficiency of those departments, the appeals in such cases were transferred to Assistant Sessions Judges or Sessions Judges?—There is no real distinction between these particular classes, Forest, Excise, and cases like that, and the ordinary criminal case. If the Sub-Magistrate is found to show a distinct bias in the administration of his magisterial work it will of course influence the Collector, but it has not any special reference to departmental prosecutions. I think there is nothing in that at all. I do not think any weight need be attached to those special laws.

1475. (*Mr. Gokhale.*) You have stated your objections to simultaneous examinations under seven heads and we will take them one by one.

You say first that the institution of simultaneous examinations would at once produce an immense increase in the number of Indian candidates. Are you quite clear as to that?—Prophecy is the most gratuitous form of error, but I suppose there would be a large increase at once.

1476. Do you think the educational facilities exist at present in the country for training Indians for the Civil Service?—But this is a matter of candidates.

1477. The candidates will go up for examination even if they have not undergone the training?—I suppose the educational facilities out here are sufficient to produce a much larger number of candidates than now appear in England.

1478. Taking the curriculum prescribed for the Civil Service would you think so?—I should say so.

1479. Would you be surprised if you were told that educational experts think that not only not now but for many years to come these facilities could not be provided here?—I do not know what the opinion of educational experts is, but their opinion would be only a guess, as is mine.

1480. They are engaged in educational work and know what standards exist here and what standards are required for the Civil Service?—That they cannot tell.

1481. You also say that one of the reasons why you anticipate an immense increase is the larger population of India, three hundred millions against forty millions? Can you give me the number of those who are literate in India to-day? I suppose only that number would matter?—For the present, yes.

1482. Can you give me the number who are literate in English?—I think 10 per cent. is about the literate population, excluding English.

1483. No, it is less than that, but I mean those who read and write English?—I do not know that I can supply that information.

1484. Take it from me that there are about one and a half million people in this country who can read and write English; so that there are one and a half millions against an English population of 40 or 45 millions. Therefore the comparison is between a million and a half and 45 millions, not between three hundred millions and 45 millions for the present.—For the present, yes.

1485. If you will look at the list of subjects, I want to know your opinion as to how this examination compares with the higher examinations we have in this country. Supposing that this examination is at least twice as difficult as the M.A. examination of the Universities here, and that only about 150 men pass the M.A. in this country, would you still think a large number would pass the Civil Service examination in India?—I cannot say on what basis you would compare the M.A. standard with the Indian Civil Service standard; it would be extremely difficult and could be only done by an expert in both.

1486. Men who have taken a high degree in this country and have passed the Indian Civil Service examination are in a position to judge, and they think the Indian Civil Service is twice as difficult as the M.A. of any University in this country. Assuming that to be the fact, and assuming that the total number of Indians who pass the M.A. in this country at present is about 150, do you still expect a large number will pass in the Civil Service in India?—On your assumption naturally there would not be.

1487. You say that either at once or in a few years the contingency might happen of 100 *per cent.* of the successful candidates being Indians. Are you sure that that would be so?—No; I say it might arise.

1488. That there might be 100 *per cent.*?—The system provides no safeguard against it.

1489. You said just now that there could be no finality and that we need not look very far ahead. Do you think that in the near future 100 *per cent.* of successful candidates will be all Indians?—No, not in the very near future.

1490. You say in your objection No. 4, that if a proportion were fixed it would land us in difficulties, because then you might have to accept those who did not come up to a certain standard. Supposing the matter was left to the Civil Service Commissioners, and the proportion was, say, one-third Indians as the maximum, that is to say one-third getting in by the Indian door and two-thirds by the English door, and supposing the Commissioners were authorised, in publishing the list, to include among the successful candidates only one-third Indians, would there be any difficulty?—It would be open to the objection that a man who passed would be excluded.

1491. How would he know he had passed as his name would not appear in the list?—Their marks would be published.

1492. I would not publish their marks: what do you say then?—I do not think it is a practicable system.

1493. What is the objection to it?—You must let a candidate know where he stands in the examination. You would be holding an open competition and having a sort of secret list.

1494. It is not a secret list. The candidate who appears in India knows there is a maximum of one-third, and that beyond that no Indian would be admitted?—I think the failed man would have a most legitimate claim to be told how far he had got and whether he had a chance next year.

1495. That would be a small complaint compared with the present difficulty of the Indian having to travel a long distance to appear at this examination?—I think it would be impossible not to give marks to the men who failed.

1496. Your fifth objection is that if simultaneous examinations were introduced it would mean an almost complete monopoly for the Brahman caste in India. Assuming it was so—I do not believe it myself—it would not be a permanent result. As the backward classes came up they would have their share?—There again you must take the present day and a reasonable period.

1497. Even taking a reasonable period you do not think so?—No.

1498. You would keep the advanced classes back, till the backward classes came up?—No, I would not keep them back.

1499. I suppose you know that in all these years, from 1853 up to now, only about 3 per cent. Indians have entered the Civil Service. Because certain classes are backward, is that a reason why the advanced classes should be prevented from having facilities offered to them?—It is a political question.

1500. Apart from political necessity, is it just that the advanced classes should be prevented from having these facilities because other classes are backward, and that as a result they should be

discontented like the others?—I would provide for that otherwise.

1501. You say also that men from different parts of the country would not be liked in certain other parts. Can you give instances within your own knowledge of this having happened as regards the Indian members of the Indian Civil Service?—No.

1502. You do not speak from personal experience of that?—No.

1503. Your last objection is the impossibility of holding a *viva voce* test uniform with that in England. Will you tell us how many subjects have a *viva voce* test now?—Only the modern continental languages.

1504. French, German and Italian?—Yes, if those are the languages.

1505. Supposing the Indian candidates did not offer any of those languages?—It is a very minor point.

1506. I take it you are speaking for yourself?—Only for myself.

1507. Not for the Government?—Not at all.

1508. You know that in 1893, when the House of Commons passed the resolution about simultaneous examinations, the Madras Government supported it?—Yes.

1509. The despatch enumerated the disadvantages, and the Madras Government said: "These "circumstances operate as a disability in the case "of Native candidates, which ought, if possible, "to be removed. They render vain the solemn "declaration of equal right of *all castes* and "*races* to office in India." What do you say to that?—I should say it was rather high-falutin and had no great weight. As far as equal right goes the declarations in the Statute of 1833 have themselves been set aside by the exclusion of Europeans from listed posts.

1510. This is a document proceeding from the Madras Government?—Of 1893.

1511. But still the Government of Madras. They do not share your fear that a very large number would pass; they say that only men of quite extraordinary capacity could hope to pass. They say also: "There is no reason to suppose that authority, power and responsibility would fail, in the case of individuals of these races, to produce their usual effect of developing strength and energy." Do you agree with that?—They also say something about difficulties in the case of disturbances and so on. I am afraid the Madras Government of 1893 and I must agree to differ on some of these questions.

1512. If the Chief Secretary of that time had been giving evidence before us to-day, possibly the evidence might be different?—I think it would not as a matter of fact.

1513. Under your scheme you further reduce the age limits for competition in England, which will reduce the Indian element still more. The only provision you make for the people of this country is some addition to the listed posts. You will admit that is an inferior service?—Why?

1514. Is it not regarded as an inferior service even by yourself?—I do not think so. I do not see why it should be. I would put them into the Indian Civil Service list.

1515. You said in answer to Sir Theodore Morison that they do not rise beyond the listed posts, and you have also said elsewhere their salary and other things should remain as at present, and surely those are all marks of inferiority?—I do not think so; they are marks of difference.

1516. If an Indian in the Indian Civil Service gets the full salary, and a Provincial Civil Service man, appointed to a listed post, gets two-thirds, is that only a difference?—My point is that they are recruited in the country.

1517. That has no bearing on the question of inferiority?—They are paid differently on that ground.

1518. In their pay and status are they equal?—At any rate their status can be made quite equal.

1519. Even supposing some more places are listed, they cannot go beyond that; they cannot become Members of the Executive Council?—I know of no bar to their appointment to the Executive Council.

1520. When you list places you make appointments to individual posts only and not so a service. I do not think you can really urge that the Provincial Civil Service, even with the listed appointments, is equal in status to the Civil Service?—Under my proposal the whole of the listed posts would be quite equal. The marks of inferiority, such as they are, could be easily obliterated.

1521. Lower salary at any rate you will allow is a mark of inferiority?—No; it is a mark of difference.

1522. I will not press that. You expect the people of India under your scheme to be satisfied with the prospect of permanently belonging only to the Provincial Service with a few listed posts?—I do not put it in that way. For the present I think they will be satisfied with a reasonable addition to the listed posts and such other changes as I have indicated.

1523. But on one side you look so far ahead as to anticipate the day when a hundred per cent. of successful candidates might be Indians?—I think I took that back.

1524. For the present you have nothing better to say to the Indians than that they should be satisfied with this inferior service and listed posts?—And the power of passing.

1525. You reduce the chances by lowering the age?—Slightly.

1526. Are you acquainted with the feelings and aspirations of the educated classes in the country?—To some extent; I naturally know something of what they feel.

1527. Do you think it would ensure the continuance of their contentment if they were to see that you have nothing better to offer them than this?—I think if we offered them a fair extension of listed posts it would, or at any rate it should.

1528. In your reply to question (24) you propose that half the District Judgeships might be given to Indians, but you say on the Executive side the proportion should not be so large. What proportion on the Executive side do you suggest?—I am rather doubtful about it.

1529. If you mention a proportion for the one, why not for the other?—Well, I would give one-sixth.

1530. I believe there are 25 charges?—Yes.

1531. So that you would give four, excluding the men who pass in England?—Yes.

1532. You said just now you would have Europeans because they were more efficient? Is that your reason or do you think the presence of Europeans is necessary for the maintenance of British rule?—Both.

1533. You have said that men recruited in India, the Provincial Civil Service men, on the whole have come up to the average?—That is so.

1534. And you have not been satisfied with the men who have entered through the London door?—We have not been fortunate. But there are some very good ones.

1535. Therefore if you selected your material in this country by some system which tested them well and gave them equal status, do not you think you might get men who would answer your requirements, even better than to-day, on the Executive side? Why should the average European recruited in England be necessarily more efficient than the best Indian selected here?—Because the average efficiency of the Englishman is greater. I want to put it of course in a way that you will not think intentionally offensive.

1536. That is your view?—Yes, and that is your view too.

1537. I do not think you know my view?—I was reading the other day a speech you made last July in which you said that the average Indian efficiency was very much lower than that of the European.

1538. But I am comparing now your average with our selected men?—I think your question related to averages.

1539. No, not in the case of India. In reply to question (24) there is a statement that a note on the chief riots of the last twenty years has been prepared and will be put in. Is that note going to be put in?—Those words have been cancelled.

1540. You cut out all the words about the failures?—No, they remain. After the words "considerable number of cases" would you mind inserting the words "have occurred."

1541. Have there been no instances where European members of the Civil Service have failed on such occasions?—A very much smaller proportion.

1542. But there have been instances?—They are very rare. I am very much inclined to say there have been none, but there have been perhaps one or two cases in which there has been reason for doubt whether they might not have done better.

1543. I do not wish to go into individual cases, but that statement is made only about Indian officers and nothing is said about European officers. If that line is omitted I will not ask the question?—The words omitted are: "A note on the chief riots of the last twenty years has been prepared and will be put in." Then comes a capital A, and after the words "a considerable number of cases" the words "have occurred" are put in.

1544. (*Chairman.*) You cut out all that to the end of the paragraph?—No, I do not cut out all the words.

1545. (*Mr. Gokhale.*) Those words about the distressing number of failures remain?—Certainly.

1546. Are you prepared to give us a return showing where the Government have had occasion to find fault with European officers in connection with riots?—The Government would certainly have no objection I should think.

1547. Have Indian Collectors selected from the Provincial Service, whom you consider to be equal to the average, been found to fail on such occasion?—I am trying to remember any case in which an Indian Collector has had to deal with a riot, and I do not think there has been a case.

1548. It is claimed by Indian Collectors that they are more successful than English Collectors in preventing riots?—The answer to that is that you cannot tell what would be a riot if it had been differently handled. I have never seen the smallest evidence in support of such a claim.

1549. I have some instances but I do not want to go into them. Do you know what happens in Native States?—I have not sufficient information.

1550. But you read the papers. Do you think there are frequent riots in Native States?—I am afraid I must refrain from answering that.

1551. Were the Indian Officers, who, you say, have failed, all Collectors and men of that status, or inferior men?—None of them were Collectors.

1552. They were men of lower status who had risen from the ranks?—Yes.

1553. So that they were not selected men?—That is quite true.

1554. (*Mr. Sly.*) In answer to question (7) you refer to some results of an open competitive examination for the Accounts Department held in India. Can you give us any information as to the number of candidates who have passed, their nationality and their caste?—The information on that point I possess has been merely obtained by examining the existing lists, and that shows that at the present time there are seventeen Indians in the Accounts Department who are natives of South India. I cannot of course speak of the North.

1555. Seventeen out of how many?—The total number of Indians is 44, of whom I understand about 33 were selected by competition. Seventeen are Madrasis and all the 17 are Brahmans.

1556. In reply to question (24) you have recommended that half the district judgeships might be held by natives of India. What is your experience in the Judicial Department on which that opinion is based?—I have acted on three occasions as Chief Secretary and have therefore seen a certain amount of judicial work, and I have also received impressions from conversation and perusal of reports. I have no judicial experience as a Judge at all, and therefore my opinion on that point must be taken with all reserve.

1557. In answer to question (39) you say that the Collectors holding listed posts are up to the average: will you tell us how many such Collectors you have had experience of?—Four or five, it may be six.

1558. In answer to question (55) you have given an opinion rather against probation in India. If the Commission held that it was necessary to get young civilians out at a younger age than at present would it be possible for the Provincial Governments to make suitable arrangements for their probation in India in their Provinces?—I suppose it would.

1559. In reply to question (85) you have dealt with the quinquennial valuation and the prospects of the Service. Do you consider the method of that examination is sufficient to secure a proper flow of promotion in the department?—I have very little information on the subject.

1560. In reply to question (99) you have said you are not in favour of a time-scale for the service, mainly on the ground that it lessens the incentive to good work. If a time-scale were restricted to the junior grades of the service would you still have that objection?—I should, but not so much. I still think it would have an effect in that direction.

1561. The prospects of arriving at a Collectorship and superior offices would not be a sufficient incentive to good work if a time-scale were in the junior grades?—It would not be so bad.

1562. In reply to question (108) you have given us statistics which show that officers take a very large proportion of their furlough practically at the end of their Service. Do you think there would be any harm to the Service as a whole if some of that furlough were curtailed?—No, I do not think there would be.

1563. In reply to question (123) you have given an opinion in favour of a non-contributory system of pensions, which assumes a considerably greater cost to the State than the present contributory annuities. If the State were unwilling to contribute that extra cost, would you still favour non-contributory, graduated pensions or would you prefer to keep the annuity system?—I like the idea of the superannuation pension.

1564. Even if it meant a substantial reduction in the amount?—I think so. I do not like this plan of the same pension for everybody.

1565. In the Provincial Service you have recommended that fifty per cent. of the posts should be offered for competition in future. How would you safeguard the vested interests of the members already in the Service?—By retaining the other fifty per cent.

1566. In response to a previous question you suggested you would have a competition for listed posts?—Yes.

1567. You have stated that the Tahsildar's grade must be recruited by promotion from the lower ranks of the Service, whilst for the more important and more responsible work of Deputy Collector you have admitted 50 per cent. of the posts by competition. Is there any reason why the Tahsildars and Deputy Tahsildars should not be recruited by competition, in which they would get a training just as good as that of the Deputy Collector and on the same basis?—There are two main reasons; one is that you would tremendously diminish the opportunities of the subordinate Services below the Tahsildar and Deputy Tahsildar and thereby of course prejudice that Service, and the class of man you get in it, and the other reason is that you would not get men with the same expert knowledge of the Revenue system that you get from men who have actually served as Revenue Inspectors and begun at the bottom.

1568. The second objection applies equally to your scheme for Deputy Collectors?—Not quite, because the Tahsildar has more detailed duties connected with the Revenue administration.

1569. (*Mr. Macdonald.*) You admit there is a very considerable body of Indian opinion in favour of simultaneous examination?—Yes, very large.

1570. Did you hear the evidence this morning regarding the improvement in Western education given by Indian Universities?—No.

1571. As the result of Lord Curzon's amendment?—No.

1572. Do you agree that that has taken place?—I can hardly judge whether the standard has been raised as I am not an educationalist.

1573. If it has been raised would you naturally expect that that opinion will be very much reinforced, the opinion in favour of simultaneous examination?—Yes, I think it would.

1574. You agree that Natives of India should come in through the English door?—Yes, I do not like to close the door.

1575. You are a little bit hesitating about it?—I should like to make the Indian Civil Service a European Service and have a separate service for Indians.

1576. And from that point of view we must read the answers you have given to question (7), relating to simultaneous examinations? I understand from what you have said now and from a very careful reading of your extremely interesting answers to questions, that as a matter of fact, in your heart of hearts, you would like to exclude Indians from the Indian Civil Service examination, and that so far as they were qualified to hold positions in the Indian Civil Service they would get those positions by promotion from lower ranks through listed posts?—Through listed posts.

1577. Ought we to read the comments you make upon simultaneous examination with the knowledge of this in our minds: that the person who answers the questions would like to keep the Indians out altogether so far as examinations are concerned?—I am trying to reflect on what your question means.

1578. I will take you through one or two details. The examination being held in England alone is a handicap, is it not, to the general body of would-be competitors in India?—Yes.

1579. And am I not right in assuming that that handicap may be one of two things; it may either simply diminish the number of Indian candidates that go up for examination, or it may have a selective process and mean that certain kinds of Indians will go up for examination, not merely quantitatively but also qualitatively affecting the examination?—For men of larger means and so on—in that way it is selective. It may exclude the poor Indian who would otherwise compete.

1580. Does it mean that men of a better type of character and of governing capacity, or as we should say in Scotland "faculty," go to England?—I confess I am very doubtful whether it does mean that. I have heard it said of course.

1581. Would you agree with a statement that is going to be put in by a later witness to this effect: "The system is now unsuitable"—that is the examinations in England only—"in the sense that the large majority of capable Indian youths are practically shut out from the competition because the examination is held only in England"?—I think it is very nearly true, but I do not know that he puts it quite fairly. It puts a tremendous difficulty in the way of Indians who have not got the means of going to England and therefore does exclude those who have not got the means to go, and that will exclude a large number, I do not say the large majority, of competent Indian youths.

1582. Its only selectivity then is that it divides the rich from the poor?—Mainly I think, except where there are scholarships.

1583. When the Indian gets to England does he receive any conspicuous benefit from being there?—He has benefits, but I am rather doubtful about the balance of benefit.

1584. I notice you say in answer to question (19): "I am also not convinced that the sending of Indian boys to compete in England is wholesome for them or for the Service." May we

agree that so far as the selective value of competition in India is concerned it does not select in India qualities that are desirable to get into the Service, and that it does not select by education and by surroundings in England qualities that are good to get into the Service?—As far as I understand your question I think the answer is in the affirmative.

1585. Let us take the effect on the Service itself when you get them here. As I understand it you reflect in your answer to question (7) upon the practical monopoly of places held by Brahmans, if you had simultaneous examinations?—In this part of India.

1586. The holding of examinations in England does not stave off that difficulty except in so far as it reduces the number of men who can go to England; it does not prevent the Brahman from monopolising the places if the Brahman went to England in sufficiently large numbers?—Not a bit.

1587. The bar is the bar of impossibility to get to England?—As far as the safeguard against that particular evil is concerned it is of course simply that.

1588. But as a matter of fact, if the Indian Brahman, by reason of the development of Western education in India, could be trained in India to pass the Civil Service examination and go to England, he would get in, assuming he is as good as the Englishman and can take the place of Englishmen, by simultaneous examination in India?—I am not quite sure I see your point.

1589. Assuming that the Brahman can pass successfully a simultaneous examination in India, if he can go to England in sufficient numbers he will pass in precisely the same way in England?—As against other Indians.

1590. As against other Indians and as against Europeans?—That is an unknown point at present.

1591. But is it? The examination is the same; it is held at the same place; and the men who come out at the top get the places?—Yes.

1592. That is the whole value of the simultaneous examination?—I think it is.

1593. Then unless a man is physically ill he will pass the same way in England as he does in India?—Yes.

1594. Therefore the withholding of simultaneous examinations does not protect you against the Brahman except in so far as it is difficult for the Brahman to get to England?—That is perfectly true.

1595. The same is true of your next point with regard to the Bengali not going to the Punjab. If the Bengali goes to England and passes his examination in sufficient numbers he has to be sent to the Punjab. You do not require simultaneous examinations to open that floodgate?—If he passes in sufficient numbers you will have to employ him wherever you have vacancies. I quite agree with you on both points.

1596. Really, as a matter of fact in so far as your objections to simultaneous examinations are sound, they really mean that you are opposed to simultaneous examinations because you want obstacles to be put in the way of Indians getting into the Indian Civil Service, and the best obstacle that can be put in their way is to hold the examinations in London and not in Bombay or Calcutta or Madras?—Of course that is not the whole of my point; the whole of my point goes much further than that. It is perfectly true that if Indians could compete freely in London they would compete in the same numbers in India, and we should probably have exactly the same feature of the Brahmans beating everybody else. Whether they could beat Englishmen I do not know. The only thing that makes me hesitate about the answer you want me to give as regards the exclusion of Indians from the Indian Service at home is based upon that point. If you have a sufficient number of Indian candidates you may have the list filled with very largely to Brahman successes at home.

1597. Is it not true that the only safeguard which the present system of examination gives you against the opening of every one of those flood-gates that you enumerate in your answer to question (7) is that so long as examinations are held in England only it would be impossible for the large number of Indians to go and compete?—I think that is right.

1598. If that is so, would it not be far better for the Government and those responsible to the Government to quite honestly say: "We must have a European nucleus and it must not be below a certain proportion of the Service," and then adopt, with the simultaneous examination, machinery to secure that, rather than say to the Indians: "The door is perfectly open, but you have to come to London in order to walk through it"?—Yes, I see.

1599. In answer to question (27) you say "I think the proportion of failures has been larger among the Indians recruited by open competition in England than among the Europeans." I suppose you are aware of the sort of temptations that are put in the way of an Indian who comes over to our Universities?—I think they are obvious.

1600. He is not taken up by his best friends, and his greatest enemies are lying in wait at every corner to get hold of him, particularly so far as morals and evil habits are concerned?—That is so.

1601. If this is occurring and if the Indian will tell you that he is less and less happy when he goes to England, ought not that to be a very important consideration in what we do regarding this examination?—I think it is a point undoubtedly.

1602. Have you heard that things are getting worse in that respect, or getting better?—I have heard that the difficulties an Indian meets with in acceptance at a European College have increased rather than decreased.

1603. Have you enough information to come to any conclusion as to whether these failures you mention have been owing to habits contracted in England by the English training?—I am inclined to answer that it has been probably due to habits contracted either in England, or through the effects of denationalisation, and loss of touch with his own people there.

(Adjourned for a short time.)

1604. (*Mr. Madge.*) For the sake of argument, Mr. Gokhale put it forward as a fact that our educational institutions were so vastly inferior to the Civil Service Examination at home that the country would not be flooded with men, but I put it forward to you in this way: What would be the result of simultaneous examinations in this country? Would not they produce a class of men who would be very inferior?—Assuming Mr. Gokhale's assumption, the men would not pass.

1605. Then it would not be your opinion that the introduction of a system from which you expect nothing would be what is called wrong?—That is one way of looking at the matter. If the educational institutions of the country are so inferior as has been assumed, from that point of view the introduction of simultaneous examinations would have no effect, and therefore would be unnecessary.

1606. So that if simultaneous examinations were conceded in this country it would be a theoretical advantage from which no practical result could be expected?—Yes, making all those assumptions.

1607. Then that would become a very serious matter from your own point of view,—that although the competitive system is the best working method, and should be retained, as far as you have been able to judge from your own experience, its results have not been the happiest?—As regards what class?

1608. The Indian students who come out. I see that in three different places you regard them as below the average of Europeans?—I am not sure that I follow your question.

1609. To begin with, the competitive examination tests as regards Englishmen are certain literary qualifications that by no means take in a great many other things that are necessary for efficiency in an officer. You have recorded your opinion in two or three places, to put it mildly, that you are not quite satisfied with the result of these examinations so far as the Indians in this Province are concerned. On the one hand, you have that fact; and, on the other hand, you have the simultaneous examinations, and if they produce anything at all they will give you no result that you could possibly desire?—I propose that half the appointments in the Provincial Service should be filled by competitive examination; therefore I do not reject the method.

1610. But would the standard of such examinations be the same as the Civil Service?—No, the standard would vary from the Civil Service. It would be quite a different examination.

1611. Question (4) states "Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?" and you say, "No." Have you considered the case of the domiciled European and the Anglo-Indian in this country among these other classes?—I do not quite know what question you mean. I took it to mean colloquial, because a member of the domiciled community of India is a native Indian, and therefore he is covered by the previous question.

1612. May I now invite you to consider, if you do not think the notice too abrupt, whether, considering other circumstances, on the whole you have any way of providing for them in the Public Service other than any already existing, considering their peculiar circumstances?—I think that under the suggestions I have made they will largely tend to be squeezed out altogether.

1613. Then, looking at it from a purely public point of view, and not only in the light of their own interests, considering what English statesmen from Lord Canning downwards have left on record on that subject, do you recognise no kind of political or public or social danger, or any other danger, under the existing system?—I should be very sorry to see them excluded. It might be possible to provide safeguards by utilising the powers that would remain for promoting half the Service from the lower ranks. It would be possible there to provide by executive arrangements for the appointment of a certain number of Eurasians and other members of the domiciled community.

1614. May I ask whether the Madras Government have done that to any extent at all in the past?—Yes. We have endeavoured very much to introduce a certain number.

1615. May I ask whether, as a class, they are now excluded under hard and fast rules from appointments they have held in the past, and, according to official testimonials of their services, held with entire satisfaction to the Government and their official superiors?—I do not realise the rules to which you are alluding. What rules?

1616. I can only speak from my experience of other parts of the country, but there are high grade appointments, such as the Police, the listed branch of the Financial Department, and into the latter they are admitted under exclusive rules, the Police for instance?—I do not think there is any hard-and-fast rule, or any rule excluding them.

1617. Are you not aware of the Secretary of State's ruling and regulations, under which appointments of that class are only made at home?—Yes, they are made by competition at home.

1618. Now with regard to the separation of the judicial from the executive, do you or do you not think that a certain number of years in an executive office is absolutely necessary for efficiency in any class of work, whether judicial or executive; and, if so, what period do you think necessary?—The separation of executive from judicial I understand to refer to the separation from the revenue executive of the magisterial functions which are at present combined under the title of Divisional or District Magistrates; but as regards the question of whether executive experience is valuable for a Judge, a Judicial officer, properly so-called, or a Civil Judge, I think it is of considerable value. As regards the period, it must be a matter of opinion. Nothing less than half a dozen years would be of much use.

1619. You have also said that the duplication of work that would be involved by the separation has a financial significance. Do you think that money spent in that way would be pure waste that might be better spent otherwise?—No, because you could double the number of officers available for doing the work of the country. We have not anything like a sufficient staff. If we could have a District Magistrate who could devote the whole of his time to the control of the subordinate magistracy with the duties of a District Magistrate, I should not regard it as a waste of time. I think it would be very desirable, but it would cost a lot.

1620. Do you think it would be a wise thing to appoint Indian Judges direct from the bar without any other experience?—Judges so appointed have, I think, done well. They lose the experience; they have the disadvantage of the

absence of executive experience; but they are picked men who have proved their worth in very strenuous competition at the bar.

1621. I mean balance the local knowledge against the experience of the country. You think that the two qualifications are pretty nearly equal?—Yes, I think so.

1622. (*Mr. Abdur Rahim.*) As regards the selection of men for the Indian Civil Service, do I take it to be your opinion that you regard a certain minimum of European or English element necessary?—Yes, I have said that.

1623. Am I also correct in saying that in the Public Services of India you regard the representation of the different Provinces and of important communities as also necessary?—Yes, in the Indian Civil Service.

1624. Public Service, I asked?—Yes.

1625. Do you not think it would be desirable, also, in the Indian Civil Service if it could be secured?—Yes.

1626. Proceeding on that basis, supposing there was a simultaneous examination in India, but not on a competitive basis, would it not be better than the present system? You could safeguard the most important interests as well as secure the highest qualifications?—Your idea is that there should be an examination up to which men had to reach a certain standard?

1627. Certainly?—I do not think such an examination would be of any use. You might as well take the results you get in the shape of academic honours.

1628. As regards that there may be a difficulty in the number of candidates or the quality of the students. For instance, there are different universities and the degrees may not have the same academic value. Take the English University degrees. It would be very difficult to compare those degrees with the Punjab University degree and the Madras University degree. That difficulty would be avoided by holding only one examination?—I understand that in this assumed examination nobody would be first, or second or third, but all would be qualified, and all who did qualify would be equal.

1629. And selection would be made?—A selection would be made on no determinate principle at all.

1630. You are suggesting a competitive examination by compartments for the Provincial Service. Apply the same principle?—That is a possible way of dealing with the matter.

1631. Suppose you modified this a little. Take the marks value for the first three appointments, would it not, in your opinion, be sufficient to secure the most brilliant of the candidates; and as regards the rest they may be regarded as more or less standing on the same footing?—I do not think that would be a very satisfactory arrangement.

1632. What would be the objection?—I understand that you would take the first half dozen men by competition. In that way you really would have a competitive examination; so that it would not be a qualifying examination.

1633. As regards the rest, it would be a qualifying examination?—I fail to see how you could combine a qualifying examination with a competitive examination.

1634. I will put it like this. Suppose you have one first class, and you put the rest in one list, requiring a certain standard, whatever be the nature of the standard?—It does not differ very much from my own idea of a competitive examination. You guard against the predominancy of any one class.

1635. I do not want to call it a competitive examination, wholesale; I would call it limited competition if you like. It does not matter what the name is. What I want is your opinion on the merits of such an examination?—I think that apparently it would be a competitive examination. As far as you wanted men to be selected, you would take the first ones that passed and as regards the ones who were not to be selected, they would not be placed in order of merit. It really does come to a competitive examination.

1636 Do you think there is anything wrong in the principle of such a system? It would satisfy the other requirements which in your opinion are essential, having regard to the circumstances of the country, the presence of a certain European element, and also representation of the different provinces and communities, as far as possible?—I do not clearly follow you. How are you going to safeguard your representation of various communities in your competitive portion of the examination?

1637. Not in that?—Then all these vacancies would tend to fall in Southern India into the hands of one class.

1638. I am talking of one examination for the whole of India?—Probably the whole of India would fall into that class.

1639. That would be limited only to the first half dozen: as regards the rest it would be selection?—I do not like the plan. You either have competition or you have selection. This plan of giving certain portions of the vacancies to the competition men who enter with all the *éclat* of being the successful ones, and having the others who had qualified selected by a Selection Board, does not seem to be a good plan. I would rather divide the vacancies, and let a certain number of vacancies be allotted to one class, and let them compete for those vacancies.

1640. I understand your system—competition by compartments—do you think that would be better—Yes. It has difficulties, but I think it would work.

1641. As regards that, in your experience do you think there would be any serious objection on behalf of the Muhammadans of this Presidency if Muhammadans of the rest of India were allowed to compete for Muhammadan vacancies; I mean as far as you know the community?—I should think there would be an objection. I cannot see how you could allow the better educated Muhammadans in the North to monopolise the appointments intended for Muhammadans in Southern India. I do not know much about what the feeling of the community would be. Perhaps I had better say that I cannot give an opinion upon that point. What I have said is my own opinion.

1642. Did I understand you to say that European District and Sessions Judges are, in your opinion, more efficient than Indian District and Sessions Judges?—I think the answer that I gave was rather in the opposite terms.

1643. I understood you to say otherwise in answer to one of the questions put to you; but I may have misunderstood you, or not have heard you properly?—I think that if a proper system of

training were introduced, which has not been introduced hitherto, they would be more efficient.

1644. Who would be more efficient?—The European District and Sessions Judges properly trained would, I think, make on the average better and more efficient District and Sessions Judges than Indians.

1645. May I ask your reasons for thinking so?—I have never been a District and Sessions Judge myself, but I think that they would have the cardinal advantages which European character implies; they would be better able to administrate and control the courts below them; they would possess that quality of an absence of desire to split straws and go into refinements and distinctions, which is undoubtedly a characteristic of the Indian mind. They would fail, probably, in subtlety of intellect; on the other hand, they would possess a larger measure of what one would understand by the phrase "masculine common-sense," which is very important in a Judge. That is my general idea; but it is only my personal opinion.

1646. I do not suppose that you have had occasion to examine and compare the work of one with that of the other. Is your opinion based on your general idea with regard to the characteristics of the two races?—Yes.

1647. Do you think then that the Indian races are one people?—There seems to be no doubt that there are characteristics common to the Indian mind.

1648 I am not disputing that. I simply want your opinion.—I do not dogmatise about there being one race.

1649. But they possess some characteristics which may be considered national, common to all?—Yes.

1650. As regards appreciating evidence given by witnesses, do you think that the European Judge is in a better position than the Indian Judge?—No.

1651. Do you think that he is in a worse position?—He ought decidedly to be in a worse position, I think.

1652. Do you deny an equal amount of intelligence to the well-educated Indian?—No.

1653. That would be a qualification for a Judge?—They have heaps of intelligence.

1654. As regards appreciating evidence he is no worse, and in your opinion may be a better judge. As regards knowledge of law, which is another important matter for a judge to have a sound knowledge of, and its application to facts, what do you say would be the comparative merits of the two?—It is in the application, I should suppose, but I am not an authority upon this matter.

1655. Are you prepared to suggest that in applying law to facts, Europeans have proved better than Indian Judges, taking them from the same class?—My proposition was that if European Judges had been trained in legal methods, as they should be, they would prove better judges in regard to that point.

1656. That is a hypothetical matter. I am asking you as regards your own experience. In the present state of things, as the training goes, are you prepared to say, as a matter of fact, that Europeans are better Judges than Indians?—I think if you look at my answer you will find that I have said that Indian Judges have been rather above the average.

1657. By that did you mean the average of the whole. I thought you meant the Indian average?—No, I did not mean the Indian average.

1658. As regards criminal work, what is the particular point, in your opinion, in which the Indian Judge or Magistrate is deficient?—Common-sense. We have had an instance lately. An officer of long experience and many years' service was appointed as Assistant Sessions Judge. I read a number of his judgments in several cases, which have been referred to the High Court, and he seemed to be astonishingly wrong-headed in his decisions. In one case which has already been decided, the High Court enhanced the sentence. It was an extremely aggravated case and he had passed sentence of one year's imprisonment, and now that has been enhanced by the Court to six years. He tried 16 cases, and reference has had to be made in four of those cases. It seems to be the fact that it may have been due to want of previous training in sessions work.

1659. How many such cases can you recall to your mind; you have given one instance, and I will take that?—I could not tell you. There are others, no doubt; but I could not particularise. It is the general impression one gains: it is to that effect,—that in criminal work the Indian is not so successful. For instance, no less an authority than Sir Philip Hutchins gave that evidence before the last Commission.

1660. As regards criminal work done by European Judges, are you aware that the High Court has had occasion in some cases to find fault with it seriously?—No doubt, yes.

1661. Can you say if such criticisms are more frequent in the case of Indians than in the case of Europeans?—I have no means of judging what the proportion of cases is.

1662. What you say is merely a sort of personal opinion based upon no facts?—I told you at the beginning that I was giving a general impression.

1663. And you have been able to recall only one case, so far, to support your statement?—I have instanced one definite recent case.

1664. Would you be surprised to hear that the criminal decisions of certain European Judges of the Civil Service have been very severely criticised by the High Court?—No, I am not at all surprised.

1665. And that a fairly large number of those decisions have been revised?—I do not know what you mean by a large number.

1666. It is not an insignificant number or one that might be considered as negligible?—It is not a matter on which I have any knowledge. The High Court, as far as I am aware, has not brought it to the notice of the Local Government. If that is so, it has not been reported in the Civil or Criminal Justice Reports.

1667. Have you any opinion with regard to the civil work of European Judges—I mean the District Judge's work?—I do not think I should be justified in offering any opinion upon the matter, of which I see so extremely little.

1668. You have had no opportunity of judging?—No.

1669. Or of comparing it with the work done by Indian Judges?—No. When I said that the Indian Judge seemed on the average better, or above the average of Judges taken as a whole, my opinion is worth very little, because I have no

real means of comparing the two. It is only a rough impression.

1670. You made a rather strong statement that somehow or other Indian Judges were lacking in common sense. Is that so? Do you not think that that is a very strong statement to make?—It is a statement which you may call strong, or not, as you like.

1671. But that is your opinion?—Yes, that is my opinion.

1672. You think it is due to racial defect?—That is my idea, certainly.

1673. Are you aware that high authorities like the Government of India and the Secretary of State, have considered that Indians have been eminently successful as Judges: have you heard that?—All Indians?

1674. Most of them as a class, I do not say all?—What I understood was that a large proportion of them had done well.

1675. In spite of their being wanting in common sense! Is the class of Indians from this Presidency who are educated in England large?—No, very limited.

1676. Do you not think it is rather unsafe to generalise from what, I take it, is your limited experience of a very limited class as regards the effect which English education has on Indians?—Of course it can only be based, as I have said, on very few instances. I have only a limited amount of experience, but so far as that experience goes, it suggests certain conclusions; but further experience, especially with regard to younger men who have come out in recent years, may entirely modify that view.

1677. Do you know of any Indians educated in England for whose character you maintain the same respect as you do of Englishmen of the same age?—Yes, I think some of the younger representatives promise extremely well. Our previous bad bargains may have been bad luck, as I said to Mr. Gokhale.

1678. Supposing there was a simultaneous examination here, and that the Indians who are successful were sent to England to complete their education, would there be any danger of their character being injuriously affected?—I think it is a dangerous experiment to take a young man and send him to a foreign country far away from all his ties, and leave him largely to his own devices. You cannot expect him, on the average, to receive no bad impressions.

1679. Take a young man of the age of 22 to 25: do you not think that an Indian's character is fairly set by that time?—I fancy not. It would still be dangerous, though it would not be so bad as sending him at the age of 18.

1680. Would it be safe at any age for an Indian to travel in Europe?—When you get to 25 you get to men who have left school, and it would be better.

1681. Do I then understand that you are opposed entirely to Indians receiving their education in England?—No. I think if you could send Indians home, when they are quite young, to English schools, so that they could get the benefit of school education at home,—catch them young enough,—it would not have bad effects. You would probably arrange with friends that they should be looked after and that they should have a home there.

1682. (*Mr. Abdur Rahim.*) That would be practically impossible!

1683. (*Sir Valentine Chirol.*) In the course of your experience do you think there are any signs of deterioration in the class of Englishmen who join the Indian Civil Service?—I am not prepared to say that there have been any definite signs of deterioration.

1684. It is sometimes stated that the young men who go up for the examination at home, and elect for the Indian Civil Service, are very often not men who have any "call" to the East, but simply men who have failed to obtain the choice of posts in the Home or Colonial Services: do you know, at all, whether that fact is well founded?—I believe it is a fact that the majority of men who pass in the first twenty do choose the Home Service, so far as there is a choice, but not always.

1685. Do you attribute that partly to a diminution in the attractions of the Indian Civil Service for Englishmen of late years?—I should think there is no doubt about that,—that there has been a diminution.

1686. For one thing, I suppose, from a pecuniary point of view: that whereas the salaries in India remain the same as they were they do not go nearly so far?—They certainly cannot go so far with the greatly increased scale of prices in India.

1687. With regard to the Indians who enter the Indian Civil Service through competitive examination, and the Indians who go in for the Provincial Civil Service and rise to listed appointments: are they recruited from different classes of the Indian communities out here; and when I say "different classes" I mean classes that have not approximately the same intellectual and moral equipment; or are they drawn from approximately the same classes?—Approximately the same classes.

1688. Again, I gather that you are not altogether satisfied with those Indians whom you have happened to come across who have entered the Civil Service through competition at home?—I should like to safeguard myself upon that point. It is not so much the men I have come across as it is the recorded results so far as their careers are concerned.

1689. On the other hand, you hold that a considerable number of those who have gone into the Public Service, through the Provincial Service, are men who have shown altogether greater and better qualifications for the Public Service?—I think they have done better.

1690. I think that one or two of your answers to questions which have been put to you this morning if they were construed literally might tend to induce the belief that you wish to exclude Indians from the Public Service. I take it that that was not in the least in your mind?—No. I think the general trend of my answers was in favour of extended employment, so far as Indians are concerned, in the Public Service.

1691. You wish, rather, to extend it?—Yes.

1692. And I take it that your view is that in practice the system of competition at home has not really led to the most satisfactory results which we should desire, either as to qualifications, or as to the number and proportion of Indians in the Service?—Yes. As to qualifications, apparently it has not produced, regard being had to the small number of instances, entirely satisfactory results.

1693. One of our objects, and I think it is an object which is shared by educated Indians as well as by ourselves, is the retention for a considerable time in this country of a considerable leaven of English officials?—Yes.

1694. And that is the object which we have in mind to attain in the Indian Civil Service: we want, on the one hand, to maintain for service in this country the very best Englishmen that we can have in sufficient numbers to yield that necessary leaven; and we want, on the other hand, to obtain for the Public Services in this country a considerable proportion of the best Indian talent which is available for the Public Services?—Yes.

1695. Those are the two objects which we have in view?—Yes, I quite agree.

1696. Is it your opinion that that two-fold end could be better achieved by having two services which would be co-equal services, one service limited to Europeans, and for which there would be an open competition in London to furnish that leaven, whatever proportion was considered desirable; and, on the other hand, to have another service recruited in India by competition, either open competition or limited competition—and when I say "limited competition" I mean, for instance, selection of candidates to the number of two or three to one for every post vacant, and then open competition from amongst those selected candidates; and that those two co-equal services would probably enlist the best men in England and in India, rather than the present mixed system which we have of getting a few Indians in through competitive examinations in England, and getting another portion of the Indian element through the indirect system in this country?—Yes, that would have the advantage of not avoiding what now happens. Three men compete in the University. One of them only is able to go to England; he passes the open competition and comes back to the Indian Civil Service. The other two remain here. At present they have no opening except quite at the bottom. If you had a competitive examination they would have the same opening in the Provincial Service as they would have in the Indian Civil Service. So that the test becomes one really of pecuniary means to go to England. We have actual cases of that.

1697. Within your experience, do you think that the quality of Western education in India has improved within the last 25 years, or is it merely quantity which has expanded?—I do not like to offer an opinion: I have really no means of judging. I think the general impression is that the old literates which were turned out 40 years ago reached a very high standard, as high as the B.A. of to-day. But the standard has not advanced as much as the quantity.

1698. Is not, perhaps, one of the reasons why our Western education does not produce such happy results as some of us expected, either amongst Indians who go home to be educated, or amongst those who remain out here, that the numbers have increased so very much that there is no longer the same measure of assimilation: that where you had 20 or 30 years ago 15 or 20 Indian students in an English University they were much more easily assimilated, and themselves much more easily assimilated their surroundings; whereas now, instead of tens you have hundreds and they all tend to hold together and to form a group apart from their English fellow-students?—I am told that it is a fact that they are not so much assimilated.

1699. Has not a similar result been attained in India from the very large increase in the number of students of all classes without any corresponding increase,—in fact in many cases a decrease—in the number of Englishmen employed directly in educational work, so that the opportunities of direct contact between the Indian student and the Englishman are much fewer than they formerly were?—I believe that is so, but I have no personal knowledge.

1700. (*Sir Murray Hammick.*) I should like to get from you distinctly what your views are exactly of recruitment for the listed-posts as distinct from the Provincial Service. I cannot find out from your evidence whether you intend, in the scheme you suggest, a distinct recruitment for listed-posts direct, or whether you intend recruitment for the Provincial Service, and then from the Provincial Service for a man to be selected by nomination, as now: do I understand you to suggest that we should change the system?—Yes. I think that the selection must be made for the listed-posts themselves.

1701. Then that proposal of yours would practically make three Services, a Provincial Service, an Indian Civil Service recruited from England, and an Indian Civil Service, that is to say, posts included in the schedules to the Statute as regards Indian Civilians recruited by competition or selection in India?—Yes, that would be so; I think it must be so.

1702. That would in some ways be a reversion very much to the old statutory service which was condemned in 1886–87?—Yes, it was condemned on its results rather than on its scheme, I think.

1703. Then I take it that your objection to the statutory service which was condemned in 1886–87 by the former Commission probably had not a fair trial in its recruitment?—I think it had not.

1704. If the statutory service had been properly recruited then, and if, as originally suggested, the names of the men in the Statutory list had been retained in the list of Civil Servants, and if they had been directly appointed to listed appointments, the statutory service would very likely not have failed in the way it did fail?—Yes, that is so.

1705. And you think that provided we chose proper candidates for services of that kind, provided we placed the appointments in the Civil list on a *par* with our own Civil appointments, and provided we open up in the superior ranks, superior to those of Collectors, certain appointments which would enable them to gain experience and enable them to take the post of Member of Council if necessary, there is no reason to suppose that that service would bear the mark of inferiority which it is always held out that the present service of listed-posts suffers from?—Yes.

1706. (*Mr. Oldfield.*) As to the question put by Mr. Justice Rahim, the question of the training of judicial officers was dealt with by Mr. Justice Benson yesterday: a system of election and grading has also been introduced lately, election between an Executive Revenue career and a Judicial. Firstly a new grading with more advantageous pay was introduced about two years ago?—Yes.

1707. Has any difficulty been found lately in inducing men to elect for Judicial?—No, none at all.

1708. It is expected, is it not, that that will in course of time produce an improvement in the quality of the judges?—Yes, I think it tends to produce an improvement.

1709. It is generally assumed, is it not, in European countries, that criminal and judicial work is sufficiently provided for when you have provided for civil judicial work, that competent Civil Judges are also competent Criminal Judges?—I do not know about European countries as a whole.

1710. Would you accept that assumption in Madras?—I have already said that I think the criminal side is the weak side of the Indian.

1711. Do you consider that criminal work in India presents peculiar characteristics and differences from those of Europe?—No, not the work.

1712. The nature of the crimes to be dealt with?—No, I do not think that it does.

1713. Nor the extent?—No.

1714. I want to put before the Commission a very few statistics by which they could form some idea of the work of the criminal administration, and of the crime during a typical period. Do you think that the year 1911 would present any special characteristics, or would be typical?—I think 1911 would be a normal year.

1715. And your Department is responsible for the preparation and the checking of the reports of the administration of the police, and the administration of criminal justice received from the High Court?—Yes.

1716. I desire to draw your attention to the Police Administration Report for 1911, which contains an account of the more interesting cases that happened during the year. They are not abnormal in that year. There is only one, I think, the Ashe case; otherwise they are normal?—I think the crime of that year was normal.

1717. Our Presidency includes the Agency tracts: can you tell the Commission what the particular characteristics of the Agency tracts are? The Agency tracts are portions of the Northern districts of this Presidency, into which the whole of the body of legislative enactments have not been introduced because they are mainly inhabited by a small population of jungle people who are still in an extremely primitive state, armed with bows and arrows, and whose interests it is believed would suffer if they were brought under ordinary administration.

1718. They have no respect for the ordinary caste distinctions?—No, as far as I know.

1719. Would it be advisable to put them in charge of an Indian Divisional Officer?—I do not think that it would be advisable.

1720. Is it usual?—No, it is not usual to post Indian officers to the charge of those divisions, though there have been cases.

1721. The Presidency has at various times been the scene of convulsions such as the Mappilla riots and so on?—You mean the Malias?

1722. No, the various districts of the Presidency?—Yes.

1723. Such, for instance, as the anti-Shanar riots in Tinnevelly?—Yes; there have been serious riots in Tinnevelly.

1724. Such occurrences require particular arrangements for dealing with them?—Yes.

1725. Would it be safe to leave them to a Judge with regard to whose capacity there was any doubt, or to an inexperienced Judge? Would great harm ensue if there were a miscarriage of justice in such cases?—Of course it might have a very bad effect if there were a serious miscarriage of justice.

1726. There is some evidence which I believe is to be given to-morrow, with regard to the listed-posts, and to the posts of members of the Indian Civil Service, which, I think, is to the effect that members of the Indian Civil Service, junior to the holders of listed-posts, are prejudiced with respect to promotion: is that so?—I do not think it is; I am not convinced that it is. I should not like to say that it is without knowing a great deal more about it.

1727. Was any account taken of the fact that their interests might be affected if Mr. Meyer's scheme were introduced?—I do not think the question was raised when that scheme was introduced.

1728. (*Mr. Ramachandra Rao.*) I shall confine my questions to the Executive branch. You stated that the Collectors have done well?—Yes.

1729. And you have also stated that the Provincial Service contains some of the ablest men in the Service?—What I said was that some of the men selected for the Provincial Civil Service by competition were some of the ablest men in the Provincial Service.

1730. Nevertheless the number of listed Collectorates in the Executive branch is only two?—Yes.

1731. Out of a total cadre of 140?—I do not understand that figure. There must be some misunderstanding there.

1732. I am speaking only of Deputy Collectors. The number of superior appointments for the Indian Civil Service is 90 out of a total cadre of 175?—Yes.

1733. And that means that the chance for an Indian Civilian is 36 times less for a Deputy Collector. Do you not think that it is now time to increase the list of Collectors?—Yes.

1734. I next turn to the Divisional Officers. You are aware that as far as the listed officers are concerned they are arranged in the same list as the Civilian Collectors, and are put in the same list of rates?—Yes.

1735. With the exception of the question of pay and the prospects of promotion, I believe there is no vital difference between the Deputy Collector and the Civil Divisional Officer in their functions and duties?—I think not.

1736. There is no essential difference between the two?—No, except, I believe, that certain divisions are reserved for the Indian Civil Service.

1737. But the quality of the functions is just the same?—Yes.

1738. Some of the work is much heavier than other divisions?—Yes.

1739. In your answer to question (21) you say, "I am inclined to think that when once the scale of salary has been fixed, the fewer invidious differences that are made between the Indian Civil Service and the Provincial Service the better, any distinctions retained being based on the essential and irremovable difference between service in a foreign country and service in one's native country." You will be surprised to hear that in a small list which I have made in 24 hours, 18 differences between the Indian Civil Service and the Provincial Civil Service have been sanctioned by the rules. I will read just one or two. Indian Civil Service Divisional Officers—acquire the powers of a Collector on being posted to a division (section 3 of Regulation VII of 1828). Provincial Civil Service Divisional Officers—have to be specially invested with powers of a Collector by the Collector of the district (section 3 of Act VII of 1857 (India) and Standing Order 120, paragraph 51). Indian Civil Service Divisional Officers—have an independent right of appointment to posts of Rs. 30 and under (Standing Order 117, paragraph 1). Provincial Civil Service Divisional Officers—the right is expressly subjected to the Collector's veto (Standing Order 116, paragraph 4 (i), and Standing Order 117, paragraph 1)?—I should sweep away a good many of those distinctions. Generally speaking I should try and assimilate the position of the Indian Divisional Officer.

1740. Except as far as pay and prospects of promotion are concerned, you would, as far as possible, assimilate the Civil and non-Civil officer?—That is certainly my position.

1741. Do you not think that the removal of these differences will go a long way to avoid complaints?—I quite agree with you.

1742. In the Financial Department are not they arranged in the same list?—Yes.

1743. Has not a similar scheme been sanctioned by the Public Works Department for the Provincial Officer?—I do not know.

1744. I want to know whether you consider there is any insuperable objection to show all the names in a common list, under a general title known as "Divisional Officers"?—If you mean as the Collectors are shown, I do not think there would be any harm in it at all.

1745. On the other hand in one of your answers you say that you want them shown in a separate list?—No, I thought I said that it would be better to take the listed appointments out of the Deputy Collector list and to show them in the Indian Civil Service list.

1746. Have you any objection to show all the persons doing work in the same way as the Collectors are now being shown?—No.

1747. My objection is that once they are put in a common list only the main differences of prospects of pay and promotion will appear?—I do not see any objection to doing something to raise the position of the Deputy Collector.

1748. My impression is that if that is done the prospects of the Deputy Collector would be improved; do you not agree with me there?—That is what I say.

1749. With regard to your answer to question (24), can you let me know how many of such failures refer to officers of the Provincial Civil Service? I understand from an answer given previously that you admit that all the Indian officers who failed are officers risen from the clerical ranks: I believe that answer is recorded?—Yes, I think so.

1750. Can you remember a single case where a Deputy Collector who entered service by competition did not act satisfactorily in emergency?—As far as I recollect the only Deputy Collector who was practically recruited direct—although not exactly—who was involved in a case of riot is one of those I have classed as having done satisfactorily. The only case as far as I can remember in which a Deputy Collector recruited direct has been involved in a case of rioting is one in which the Deputy Collector acquitted himself fairly well.

1751. And the Government honoured him with a title in consequence of that?—I am not aware of that.

1752. Are there in that list several Indian officers of the rank of members of the Provincial Civil Service?—There are many members of the Provincial Civil Service who have risen from the ranks.

1753. How many permanent Deputy Collectors were there at the time in that list? I have reason to suppose that there could not be many compared with the rest?—I am afraid there were a good many Deputy Collectors.

1754. (*Mr. Subrahmanyam Pantulu.*) Before you became Revenue Secretary you were in charge of special duty regarding the jurisdiction of the Courts in the Presidency as an officer of the High Court?—About four months.

1755. In that connection you toured throughout the Presidency and had conferences with Englishmen and Munsifs as regards jurisdiction local and generally?—A few; not many Munsifs.

1756. And your statement in your evidence that the work of Indian Judges is above the average and that 50 per cent. of the posts might be thrown open to them is justified by your experience as a high officer, is it not?—It was not intended to be drawn from that experience.

1757. Supposing an officer has to give an opinion about the character of a Munsif or a Sub-Judge, do you think that an Indian District Judge who moves amongst the same class of people and has opportunities of knowing their needs has better opportunities of doing so than an English Judge who is away from the community?—He has opportunities of knowing certain aspects of a man's life and character better.

1758. At the present moment an Indian Judge who might rise to the position of drawing Rs. 2,000 a month retires on the same pension as a Sub-Judge who draws Rs. 800 a month with Rs. 5,000 *per annum* maximum, and not more than that: the maximum pension allowed to an Indian servant is Rs. 5,000 be he a Sub-Judge or a District Judge: an Indian does not get more pension than that?—Yes, I know.

1759. Do you not think it a hardship that an Indian Judge should be receiving the pay of Rs. 2,000 when he retires and should find himself in the position of having a pension of Rs. 400 a month? Do you not think it is necessary that the rate of pension should be raised a little more for first-class Judges?—I would point out to you that in the case of an Indian civilian, a Lieutenant-Governor himself who draws Rupees 8,000 a month retires on the same pension as the man who has never got beyond the post of Collector or Judge and whose salary is Rs. 2,500.

1760. (*Sir Theodore Morison.*) Will you tell me whether, in your opinion, the standard of public servants recruited every year in India—the Indians who join the Public Service—is rising, or remains the same?—I think it is undoubtedly rising.

(The witness withdrew.)

M.R.Ry. Rao Bahadur V. K. RAMANUJACHARIAR Avargal.

Written answers relating to the Indian Civil Service.

1761 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system is generally satisfactory in principle.

1762 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes. The system is suitable.

1763 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The combination is advantageous to Indian interests and should be maintained. By this means a high standard of efficiency will be kept up.

1764 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—See my answer to question (1). No alternative system is therefore proposed; and also see my answer to question (6).

1765 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of the system of simultaneous examinations to be held in England and in India open in both places to all natural-born subjects of His Majesty. My reasons are the following:—(i) The system will enable the best Indian intellect to compete at the examination, without being forced as at present to keep back on account of poverty, caste scruples, or the unwillingness of parents to send their children to a distant country at a tender age. If necessary, the successful candidates may be made to undergo a probation in England for a period of two years. But to my mind the advantages to be derived from this course do not outweigh the disadvantages. I find that the successful candidates at the competitive examinations for the Provincial Civil Service held in this Presidency compare very favourably with those, Indian or European, who have successfully competed in England.

1766 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what porportion do you recommend?—I do not advocate a separate examination in India for recruitment of Indians in the Indian Civil Service. If the Commission arrive at a different conclusion, I would suggest one examination for all India; the proportion of the vacancies, which I would recommend, is one-half; but this proportion should be observed only in recruitment, and the successful candidates in England and in India should be entered in the same list for promotion.

1767 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—Please refer to my reply to question (6). I do not favour any system of selection by nomination or combined nomination and examination or any other method. The only proper method is open competitive examination held simultaneously in the two countries. I shall be glad to see all classes and communities represented in the appointments to be made; but they must enter the service by the open door of competition. Regard for efficiency in the highest service of the land demands that no consideration should be given to any discontent that may arise from the representation of particular communities only in the Indian Civil Service. What the backward classes may reasonably claim is equal facilities for education; and I have no objection to opening special schools for the purpose.

1768 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—I consider that the "Natives of India" should continue to be allowed to appear for the competitive examination in England, and be eligible for appointment, even though they enter the Indian Civil Service by appearing for the examination in India. But as I have already stated, I do not advocate part recruitment.

1769 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—If the system of simultaneous examinations be approved, I will retransfer the two listed posts of Collectors to the Indian Civil Service. They will be filled in due course by men who pass the simultaneous examinations, and officers of the Provincial Civil Service will not be promoted to the listed posts.

1770 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I recommend a separate method of recruitment for the judicial service. Experience has shown that members of the Indian Civil Service for want of the necessary legal training have not given satisfaction in the discharge of their judicial functions. I therefore propose that no member of the Indian Civil Service shall in future be appointed to any judicial post. The judicial service should be exclusively recruited partly from Barristers and High Court Vakils, and partly by promotion from District Munsifs and Subordinate Judges. District Munsifs and Subordinate Judges may continue to be appointed as at present from legal practitioners.

1771 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any "person born and domiciled within the Dominions "of His Majesty in India, of parents habitually "resident in India, and not established there "for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present definition of the term "Natives of India" and have no proposals to make in this matter.

1172 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I am doubtful whether this question refers to English candidates only, having regard to the wording of question (15). If my surmise is correct, I have no remarks to offer on the subject. Please see also my reply to question (14).

1773 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Twenty-five years of age.

1774 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—I would fix the minimum age at 22, having regard to the age limit prescribed by the Madras University for the entrance examination, viz., 15 years. An industrious student will take five years to pass the honours course in the B.A. degree examination and will be 20 years of age. He must have two years to study for the competitive examination. The minimum age should therefore be 22 and the maximum age 24. I cannot offer any useful recommendation as to differentiation between the age limit of Natives of India and others.

1775 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I recommend the following alterations: (i) Sanskrit and Arabic should be placed on a level with Latin and Greek in regard to the marks allotted to them. (ii) Indian vernaculars that are recognised by the Indian Universities should be included in the syllabus of subjects and should be given the same number of marks as the three European languages, French, German and Italian.

1776 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation need be made, as the option given to candidates to select any group of subjects is sufficient.

1777 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—It is necessary to make a reservation as proposed. The posts to be reserved are all posts of District Collectors, four Members of the Board of Revenue and three Secretaries to Government. These are the most important posts in the service of the country and should be filled by most highly educated persons, who can be obtained only from the Indian Civil Service. Thirty-eight divisional charges are now filled by members of the Indian Civil Service, as also the posts of two Under Secretaries to Government and two Secretaries to the Board of Revenue. They should continue to be the training ground for junior civilians; but if the proposal to form a separate judicial service made in my reply to question (11) be accepted, the number of divisional charges to be reserved may be reduced to 20. The Members of the Executive Council may be recruited as they are at present.

1778 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I do not consider that any minimum proportion of Europeans in the higher posts of the Civil Administration need be fixed. Having regard to the conditions under which the Natives of India compete with Europeans, viz., that they compete in a foreign language, in subjects of study peculiarly English, and against the flower of English schools and colleges, it is not likely that the Indians will compete successfully to any large extent.

1779 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—Please see my reply to question (10). I do not propose that Natives of India should be recruited for posts in the Indian Civil Service by special arrangement in India. I have advocated that they should be recruited only by an open competitive examination in England and in India and by no other method. The listed posts of Secretary to the Board of Revenue and Under Secretary to Government will be merged in the Provincial Civil Service.

1780 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

1781 (22). If the system of recruiting Military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—The system referred to is not in vogue in this Presidency and should not be introduced.

1782 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can

properly be appointed?—Please see my replies to questions (10) and (20).

1783 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—The rule may be abolished, as listed posts will be merged either in the Indian Civil Service or in the Provincial Civil Service.

1784 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes. The posts should remain merged in the Provincial Civil Service.

178 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

1786 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Two years. The course of study at present prescribed may be followed.

1787 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend.—No differentiation is necessary.

1788 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Please see the answer to question (6). Either country is suitable in my opinion. An option may be given to candidates to choose England or India.

1789 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—If the probationers are to be trained in India, a college at a central place under the control of the Government of India may be opened. In this college probationers of the Indian Civil Service and probationers of other Indian Services also may be trained.

1790 (34). Do you think it desirable that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No. It is desirable that this should be done at one place by the Central Government.

1791 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes. The reason is that the examinations in the vernaculars are not conducted with sufficient stringency. I have no remarks to offer on the second part of the question.

1792 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial Branch?—I do not propose that members of the Indian Civil Service should be employed in the Judicial branch. As regards officers in the executive service the training which they obtain in the probationary period is sufficient.

1793 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No differentiation is necessary.

1794 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No differentiation is necessary.

1795 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—The number of officers authorised for the various grades of the Executive branch of the service are satisfactory. In consideration of the proposal made for recruiting the judicial service otherwise than from the Indian Civil Service, 38 Divisional charges included in the cadre of the Indian Civil Service should be reduced as already stated in reply to question (18), so that there may be no block in promotion.

1796 (50). Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service? Indians admitted to the Indian Civil Service should be subject to the same conditions of service. In regard to their salary, the two-thirds rule at present applicable in the case of listed appointments may be extended to them on the distinct understanding that they are permitted to enter the Indian Civil Service by simultaneous examinations held in India also; but instead of the pay of the Indian being two-thirds of the European's, the European should draw the same rate of pay as the Indian, and the difference should be given as special European allowance. The same rule may be applied to the pension of Indians. The leave, travelling allowance and tentage rules should be the same for Indians and Europeans.

Written answers relating to the Provincial Civil Service.

1797 (51). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions stated in the Government of India Resolution are suitable with the following modifications:—

(i) The general method of recruitment to the executive branch of the Provincial Civil Service should be by open competitive examinations held in each province.

(ii) To secure the due representation of the different classes of the community, and to provide for promotion from the higher class of the subordinate service, one-third of the appointments in the executive branch may be reserved.

(iii) The backward classes, who should be shown special treatment, should be scheduled, and no other class should be recruited to the executive branch by nomination.

(iv) The judicial service should be recruited, as has been already stated in reply to question (11).

1798 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the Province to which it belongs?—Yes.

1799 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—I am satisfied.

1800 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The number of appointments in the executive branch should be rearranged, so that one who enters at the bottom on Rs. 250 may reach Rs. 600 in 12 years, serving three years in each grade. Having regard to the re-transfer of two listed posts of Collectors, two appointments on Rs. 1,000 should be added above the Rs. 800 grade. In the judicial service, the Rs. 200 grade of Munsifs should be abolished and the starting pay made Rs. 250. This is only reasonable, if the District Munsifs and Deputy Collectors are to be treated alike, as they should be. A Rs. 500 grade should be added above the Rs. 400 grade. The Sub-Judge should be started on Rs. 650 and end their service through the Rs. 800 grade in a Rs. 1,000 grade.

1801 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—Under the present system the Executive officers of the Provincial Civil Service are entrusted with the administration of criminal justice except the functions discharged by the District Judge sitting as a Court of Session. A change is desirable in the direction of a complete separation of judicial and executive functions; but I reserve my remarks on this point.

1802 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—The designation "Provincial Civil Service" may be altered into "Provincial Revenue Service" and "Provincial Judicial Service."

1803 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I accept the principle.

1804 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—See reply to question (56).

1805 (62). Have you any proposals to make with regard to the leave rules applicable to ther Provincial Civil Service? In particular, do you regard the existing difference between the leave rules for the European and Indian Services as suitable?—The leave rules must be made uniform in the case of the European and Indian, whether they belong to the Indian or Provincial Civil Service.

1806 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Yes. I am satisfied, if the modifications I have suggested be carried out.

1807 (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—The only proposal that I have to make is in regard to the pay and pension of the Judicial Service. There should be four grades—Rs. 1,200, Rs. 1,500, Rs. 1,750 and Rs. 2,000. The pension should be regulated by the rules in the Civil Service Regulations applicable to Uncovenanted servants, provided that the maximum pension shall be Rs. 6,000 a year in the case of officers who have served as District Judges for five years and more.

Mr. V. K. RAMANUJACHARIAR, called and examined.

1808. (*Chairman.*) You are a retired Secretary to the Board of Revenue, Setttlement Department, are you not?—Yes.

1809. And Chairman of the Municipal Council of Kumbakōnam?—Yes.

1810. Can you tell the members of the Commission what has been your previous experience?—I was a schoolmaster for ten years; I was a Collector's Sheristadar and Tahsildar in Madura; I was in all the departments of the Board of Revenue and the Secretariat.

1811. What is your caste?—I am a Brahman.

1812. I understand from your answers to the questions that you are in favour of open competition for the Indian Civil Service?—Yes.

1813. With the holding of simultaneons examinations in the two countries?—Yes.

1814. You do not favour the proposal for a separate examination?—No.

1815. But if such a proposal were carried out you would be in favour of 50 per cent. of the vacancies being recruited from India?—Yes.

1816. You also recommend that the Judicial branch should be entirely removed from the Indian Civil Service?—Yes.

1817. And recruited independently partly from the Bar and partly from promoted Munsifs and Sub-Judges?—Yes.

1818. Would you suggest that barristers from England should be eligible for appointments equally with barristers from India?—Yes, that is what I mean.

1819. You do not consider that any minimum proportion of Europeans in the higher administrative posts need be fixed?—No.

1820. What is your reason for forming that opinion?—I do not believe that for many years the Indians will swamp the service, as it is apprehended. I do not think it is necessary, therefore, to fix a minimum. Even if any change is made now, it may not have full effect for the next 20 years, and all the officers who have entered the service now will be governed by the existing rules; so that any change which is made now will not be felt for 20 or 30 years hence. We can then consider if any change is necessary should all appointments be occupied by Indians.

1821. Assuming that took place 20 years hence, you do not anticipate that the measures taken would be regarded by the people of that period as somewhat retrograde in character if they were made with a view to maintaining a European element?—I see the force of the objection. I think we might wait for some time and see how the examinations go.

1822. You would let the position develop?—Yes.

1823. And deal with it when it had developed?—Yes.

1824. You would not anticipate any political difficulty or danger from that course?—No.

1825. You recommend that two-thirds of the vacancies in the Provincial Service Executive branch should be filled by open competition?—Yes.

1826. And the remainder by direct recruitment, or by promotion from the subordinate service?—Yes.

1827. You advocate the separation of magisterial and executive functions in the Provincial Civil Service?—Yes.

1828. Have you estimated whether that would mean a large increase of staff?—I am afraid that it would mean a large expenditure. I have not worked out a scheme, and therefore I did not go into the question.

1829. It is merely a theoretical proposal on your part?—Yes.

1830. You recommend that all officers should be granted the same leave?—Yes.

1831. Do you think that the natives of India who belong to the Provincial Civil Service in this country require as much furlough as officers from Europe?—If they got the same amount of leave they might go to England and other European countries and there might improve themselves.

1832. (*Sir Murray Hammick.*) In answer to question (8) I see you say, "I shall be glad to see all classes and communities represented in the appointments to be made, but they must enter the service by the open door of competition. Regard for efficiency in the highest service of the land demands that no consideration should be given to any discontent that may arise from the representation of particular communities only in the Indian Civil Service. What the backward classes may reasonably claim is equal facilities for education; and I have no objection to opening special schools for the purpose." What kind of schools are you going to open for backward classes?—Any school or college that may be required to train them up.

1833. You mean colleges, not schools?—Colleges.

1834. Special colleges for backward classes?—Yes, if necessary.

1835. What is your reason for supposing that the backward classes require more colleges opened for them than at the present time?—I think there is a college for Muhammadans at Aligarh in the North. Other communities may require other colleges. It is a question that will have to be considered.

1836. We do not know anything about the North. Taking Madras, for what backward classes do you wish colleges to be opened?—The backward classes are not represented in the Civil Service. The Brahmin alone enters the Civil Service. There are others who do not, and if these classes want facilities in the matter of education those facilities may be given. That is what I mean.

1837. How long will it take if these backward classes require schools now to be built for them in order to give them the equipment which you think is necessary in order that they may go in for this examination? How long do you suppose it will take such colleges to have any effect upon the backward classes?—I do not think any of the existing colleges will do.

1838. Why do you want a college for Panchamas?—They want it.

1839. Is it because they are excluded from their present colleges?—In some places they are excluded?

1840. You mean that in some places they are excluded owing to the feeling of the people?—Yes.

1841. If you had colleges, open for Panchamas, I suppose it would take 15 or 20 years before the result would be known?—Yes.

1842. I should like to know why in answer to question (51) you make provision for the due representation of different classes of the community as regards the Provincial Service by excluding one-third for appointments direct without examination, and why you do not propose to do the same thing with regard to simultaneous examinations for the service. Why are you so careful to arrange for the appointment of special classes to the Provincial Service while you do not want the same for the Indian Civil Service?—The Indian Civil Servants hold the most important posts. I will not differentiate between the different classes. With regard to the Provincial Service they are not so very important. I should be glad to have competition throughout; but if there is any very strong feeling that some classes are omitted I would provide for their being appointed by selection and promotion.

1843. In answer to question (16) you say, "Indian vernaculars that are recognised by the Indian Universities should be included in the syllabus of subjects and should be given the same number of marks as the three European languages, French, German and Italian." Why do you think that? Do you intend that the person whose vernacular is Tamil should be allowed to take Tamil for the Indian Civil Service and get the same marks as the Englishmen who take up French? Do you not think it unfair to recommend that the Indian should take up his own vernacular, and get the same marks for it, while the English student has to take up a language which is foreign to him?—The English student is allowed to take English, and the English language is a foreign tongue to the native. I do not think it is any injustice that a Tamil man should take Tamil while the Englishman takes English. I do not think there is any greater harm for a Tamil man to take Tamil than it is for an Englishman to take English.

1844. I want to know why you mention French, German and Italian?—Those are modern languages, and I want them prescribed in the syllabus. Tamil has a very important literature, and ought to be included in any liberal education. That is what I mean.

1845. Is the memorandum which is put in at the end of your evidence supposed to represent your views as well as the views of your Association?—No, the views of the Association of which I am President.

1846. It does not represent your views?—No.

1847. (*Sir Valentine Chirol.*) You have said in reply to Sir Murray Hammick that as English is to the Englishman so Tamil is to the Indian?—Yes.

1848. And that therefore the Englishman is not placed at any greater disadvantage by extra marks being given to an Indian for a knowledge of his own vernacular than is the case of an Englishman for a knowledge of English?—Yes.

1849. That really amounts to saying that English is a foreign language to be placed, as far as the Indian is concerned, in the same position as French or German or Italian so far as the Englishman is concerned?—That is the case.

1850. But surely I thought that we, and the educated classes in this country, were at one in thinking that the great importance of our system of education is that we gave to all of you Indians of different classes and communities and Provinces one common language which is the common medium of expression for you all?—I have no doubt that everyone will learn English and that English will be the common language in India; but with regard to the difficulty of studying a language it is on a par with German and French and Italian so far as the Englishman is concerned.

1851. But you must admit that for an Englishman to study French or German or Italian is a counsel of perfection,—something which is quite unnecessary,—that it is not a thing which profoundly affects his real education or culture or status?—Yes.

1852. Will you make the same contention for an Indian with regard to English?—No, I will not. I would make English compulsory for every Indian, and he may take one of the vernacular languages of India. That is what I mean.

1853. With regard to an examination for the purpose of benefiting your own people you are prepared to treat English as a foreign language, but for the general purposes of education you are prepared to treat English as essential to an Indian's education?—Yes. I am afraid there is some misunderstanding in the case. When you mention Tamil, or another Indian vernacular, you mean the colloquial language. There is a large amount of literature which has to be studied, and which every Indian with a liberal education would be anxious to learn.

1854. For the purpose of examination it is the literary and not merely the colloquial knowledge which counts: the same applies to the Englishman who wishes to pass in French, or German, or Italian?—Yes.

1855. (*Mr. Abdur Rahim.*) When you speak of "backward classes", I suppose you mean classes backward in English education?—Yes.

1856. Would you include Muhammadans in that class?—If Muhammadans say that they are unable to appear at the examinations I would include them among the backward classes.

1857. Do you not think that a community may be advanced very much in general culture, and yet owing to some circumstance or other its boys may not be very forward in taking University degrees?—For present purposes I used the terms to represent all those classes who are not able to compete successfully with the Brahman.

1858. (*Mr. Macdonald.*) Do you believe that there must be a certain proportion of Englishmen in the Indian Civil Service at present?—There is a large proportion now, and when the proportion becomes low we shall then consider the matter.

1859. That is not my point. Do you believe that every year there must be some of the vacant posts filled by Englishmen?—Why?

1860. I ask you, do you believe it?—I do not think it is necessary.

1861. You do not believe it? That is to say if they are not able to compete for the examination?—I do not think it is necessary.

1862. You do not take the view that in order to maintain the conditions and character of the service there requires to be an English nucleus recruited every year?—We have the Governor, the Chief Justice, and several other officers.

1863. There are a certain number of posts vacated every year, and those posts are filled up by competition: the Governorship is not one of those posts, and the Chief Justiceship is not one of those posts?—I do not think any minimum is necessary.

1864. (*Mr. Sly.*) Have you ever had any experience of the Judicial Department?—No.

1865. (*Mr. Gokhale.*) You say in reply to question (6) "If necessary, the successful candidates may be made to undergo a probation in England for a period of two years. But to my mind the advantages to be derived from this course do not outweigh the disadvantages." Am I to understand that in your opinion the probation in England for Indian candidates who pass in India, supposing the examinations are simultaneous, should be optional?—Yes.

1866. You would not make it compulsory?—No.

1867. Do you not think that Indians who are members of the Indian Civil Service, and who practically govern the country, should understand the spirit of English institutions and of English rule?—It is certainly desirable that they should understand the spirit of English history; but there are caste scruples, and I would therefore give the option to the Indians. These scruples are being overcome.

1868. If they are not willing to put aside their scruples, surely it is reasonable that they should not want to be in the Indian Civil Service just now: they might wait until they are able to put aside those scruples?—That would be perfectly reasonable.

1869. When you speak of offering facilities to the communities educationally backward, would

not what you have in view be met by providing scholarships and other such facilities?—Yes.

1870. Are there any colleges in this Presidency from which Panchamas are expressly excluded? There are no rules.

1871. Are you aware of any colleges where they are excluded?—No.

1872. As regards Indian vernaculars, you have advocated that they should be added and placed on a level with French, German and Italian?—Yes.

1873. A question was put to you with regard to the relative position of the vernaculars and English?—Yes.

1874. Are you aware that the marks in the list of subjects for English composition and English literature and language are about 1,100—500 for English composition, 600 for languages and literature, and for French, German and Italian languages only 400 each; you propose to have for vernaculars 400 marks?—Yes.

1875. So that that does not place the Indian student on a level of equality with the English student. Even if Indian vernaculars are added you would have only 400 marks as against 1,100 marks for English. The whole thing is already overweighted a great deal in favour of the English candidates?—Yes.

1876. If the balance was a little redressed by adding Indian vernaculars with only 400 marks, that would not be such a ground of complaint for English candidates?—Yes.

1877. So far as the minimum is concerned, you do not want to lay down a minimum for English officials, because you think the occasion for such a minimum will not arise?—No.

1878. You do not mean to say that you do not want any English officials in the service?—No.

1879. (*Mr. Chaubal.*) In your answer to question (6), you pointed to three considerations which prevent parents from sending their boys to England?—Yes.

1880. You refer to poverty, caste scruples, and unwillingness of parents to send their children to a distant country at a tender age?—Yes.

1881. So far as caste scruples operate to prevent boys going to England and appearing at the competitive examination, even under your proposal those same boys would not be prevented from appearing at the simultaneous examination in India, because it is no use appearing for that examination unless a boy is prepared to spend two subsequent years of probation in England?—What I believe is this, that a parent would be unwilling to send his boy to England when he is not sure about his passing. But if a boy has passed an examination here the father would be willing to send his son to England in spite of caste scruples and might compel him to go.

1882. You think caste scruples can be got over?—Yes.

1883. You think that if a boy succeeds in passing the examination here the father might be willing to send his son to England?—Yes.

1884. The father's willingness depends upon what?—Upon his age when he passes the examination. He would then be probably 22.

1885. I understand that there are scruples amongst particular castes with regard to crossing the sea in order to remain in England, and about feeding and drinking with people of foreign nations. If these caste scruples at the present day prevent parents from sending their boys to England, will not the same consideration operate, seeing that you insist upon a two years' probationary course in England?—Caste scruples are not now so very strong. If there is a chance of a boy passing the examination the caste scruples will give way.

1886. You mean that it is a minor consideration?—Yes, a minor consideration.

1887. Supposing there is a larger number of Brahmans in the Indian Civil Service, what is the Brahman supposed to do?—You say that in order to obviate the objections which are taken or in order to obviate the fear that a large number of Brahmans will come into the service, such and such a thing must be done?—Yes.

1888. Will you give the Commission an idea of what it is apprehended that the Brahman will do if he is in a post of office which the Civil Service gives?—It is not what I think in the matter. The Government are of opinion that Brahmans should not occupy all the appointments.

1889. Can you tell us what the Government apprehend?—They apprehend that there will be discontent on the part of non-Brahmans and Muhammadans, and therefore, they say that, as a rule, the Brahman should not occupy more than 25 per cent. of the appointments in each grade.

1890. Supposing what you call the "backward classes" are the non-Brahman classes, and supposing that they get posts which are at present offered by the Civil Service, will not there be discontent among the Brahmans?—What I propose is that the Government of India, in communication with the local Government, should toll off the men to the different Presidencies. The Madras man might go to Bombay—to the north; and the Muhammadan from the north might come here. In that way the difficulty might be obviated for the present until all classes came in.

1891. That may be, but it is not an answer to my question. My question is, what is the fear that the Brahman will do even supposing he is engaged in the same Presidency?—You think the fear would be the fear of discontent of other classes?—Yes.

1892. On that my question is, supposing the Brahman is excluded on considerations of giving encouragement or bringing in other classes, would not there be a similar discontent amongst the Brahmans?—Yes.

1893. Have you any experience of Judicial work?—No.

1894. From your knowledge of how Indian officers or barristers and Judges do their work,—are you yourself capable of venturing an opinion as to that?—Do you think that if the Judicial Branch is recruited from the European and Indian Bar that the Judicial Branch will be efficiently manned by such recruitment?—Yes.

1895. Although you have no judicial experience yourself?—I have talked the matter over with many Judicial officers, and I know how cases are disposed of, because I am in the country.

1896. (*Sir Theodore Morison.*) How many Indian vernaculars would you admit at the competitive examination?—Four vernaculars. I do not know what the vernaculars are in other parts of India.

1897. If there is anything like that proportion would you admit them?—Yes.

1898. How many would you allow a native candidate to take up?—You must leave it to his option. I do not think there is any compulsion now. All that he has to see is that he makes up the maximum of 6,000 marks.

1899. A European can now take up French, German and Italian—that is three?—Yes.

1900. Would you admit three or four Indian vernaculars at the same figure?—I have no objection.

1901. The marks for each of these, I see, are 600?—Yes.

1902. I think the last regulations say that the total in any of those three European languages is 600?—Yes.

1903. And you would ask that the same number should be given for the Indian vernaculars?—Yes.

1904. Therefore a man could get 2,400 marks according to your proposal by the Indian vernaculars?—Yes.

1905. And, according to your proposal, he adds 1,100 for Sanskrit?—Yes.

1906. That would be 3,500?—Yes.

1907. English I suppose is obligatory?—Yes.

1908. So that you would get 4,500, or very nearly the total number of marks?—No, the total is 6,000.

1909. Is it your opinion that such an education, which would consist of four Indian vernaculars and Sanskrit and a certain amount of English, constitutes a good modern education?—But to make up the remainder he must take up mathematics and science.

1910. I know nothing about the vernaculars of Southern India, but is it possible to give a good modern education in one of the Indian vernaculars of Southern India?—I think so.

1911. (*Lord Ronaldshay.*) Will you tell us the reason why you say that members of the Indian Civil Service cannot satisfactorily discharge their Judicial functions?—It is common knowledge that they have not got the legal training, and their decisions are not satisfactory.

1912. Do you confine that to civil cases, or do you include criminal?—Civil cases mostly, and criminal cases also; but they are not quite so satisfactory.

1913. You cannot say that from your own experience?—I have no experience of those cases personally. I have never been a party in those cases.

1914. It is a sort of general impression?—Yes.

1915. (*Sir Murray Hammick.*) You told Mr. Gokhale that there were no schools where they excluded Panchamas?—By the rules.

1916. I am not talking of rules. Are there any schools where Panchamas are excluded?—When a Panchama boy comes the other boys may leave.

1917. Then there would be a school left for one Panchama boy?—Yes.

1918. (*Mr. Ramachandra Rao.*) Your official experience has been so long that I wish you to state as the result of your personal knowledge the capacity of Indian officers who deal with riots in comparison with European officers?—I think Indian officers, especially those selected by competitive examination, are as good as any others in dealing with riots. These riots require a large amount of presence of mind and resourcefulness by those who deal with them. There are some bad cases amongst the Indian officers, but there are as many bad cases amongst the European officers. In the last six years there have been these cases: Negapatam workshops riots, 1896; Tinnevelly Anti-Shanar riots, 1899; Villupuram riots, 1897; Kottapakunda riot; and the Timpattur riot of 1911. In all those cases the European officer was not able to deal with the riots at all well.

1919. (*Mr. Subrahmanyam Pantulu.*) In answer to question (65) you say that District Judges of five years' standing can be allowed a higher pension than other officers; it is only when he attains a service of five years that he should be given a higher pension than a Sub-Judge?—Yes.

1920. Are you aware that District Judges who are now recruited from Sub-Judges cannot serve for five years before they retire owing to their age by the time they are generally appointed? They are generally made District Judges when they are between 40 and 50?—I am willing to modify the five years to three years.

1921. You think that the District Judge should be given higher pay than the Sub-Judge?—Yes. As I have said I would give three years.

1922. (*Mr. Madge.*) I think I understood you to say that the Indian officers dealt better with the riots?—I did not say better: I said as well as the European officers.

(The witness withdrew.)

M.R.Ry. Rao Bahadur T. RAGHAVIAH PANTULU Garu, Assistant Secretary, Board of Revenue.

Written answers relating to the Indian Civil Service.

1923 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Yes.

1924 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes.

1925 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The object of the examination being to test the intellectual attainments of the candidates, I see nothing in the combination disadvantageous to Indian interests.

1926 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—In the event of the examination being held in India simultaneously with that in England, it is but fair that the former should be confined to Indians and British-born subjects of His Majesty.

1927 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—I can see no reason why it should be held at any other centre within His Majesty's Dominions.

1928 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you

recommend ?—I would have a simultaneous and absolutely identical examination so as to admit of competition among candidates in England and in India with one another. If this is not to be, I would have a separate examination at one centre in India for recruitment of "Natives of India" to the Indian Civil Service. Having regard to present conditions, I would fix the proportion at one-third.

1929 (10). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty ?—The holding of a simultaneous or separate examination in India is no reason why Indians should not be allowed to share with the other natural-born subjects of His Majesty the privilege of competing for appointment in England.

1930 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services ? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services ?—I am not in favour of any system of direct selection of young men who are Natives of India to the listed posts.

1931 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent ? If not, please state fully any proposals that you wish to make in regard to this matter?—I accept the definition, but would so alter it as to take in the subjects of the protected Native States also.

1932 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons ? Do you recommend any differentiation between the age limits for "Natives of India" and for other natural-born subjects of His Majesty ?—The present age limit seems suitable. There is no necessity to differentiate between Natives of India and other natural-born subjects of His Majesty in the matter of age limit.

1933 (20). On what principle should the subjects for the open competitive examination be fixed ? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of "such a nature that no candidate who may fail "shall, to whatever calling he may devote him- "self, have any reason to regret the time and "labour which he had spent in preparing himself "to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period ?—I accept the principle.

1934 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates ? If so, please state them and give reasons ?—No differentiation is in my opinion necessary, but the syllabus should be so revised as not to give an undue preference, as at present, to the European classical languages over the Indian classics. The papers on Roman and Greek History should be so set as not to render a knowledge of Greek and Latin indispensable on the part of the candidates.

1935 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons ? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54) ? [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.] ?—The schedule does not seem to require any alteration.

1936 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration ? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted ?—Yes. Natives of India might, under present conditions, be properly admitted to one-third of the posts included in the Indian Civil Service cadre.

1937 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54) ? Do you recommend any alterations in this system, and if so, what ?—The exceptional powers given by the provisions of the Acts referred to in the question must be retained in order to reward cases of exceptional merit in the subordinate ranks. But the general recruitment to the Indian Civil Service should, in my opinion, be regulated on the lines indicated in my answer to question (9).

1938 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner ? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties ?—On the whole, yes.

1939 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend ?—No.

1940 (38). Is the class of posts listed suitable ? If not, in what directions would you suggest any changes and why ?—Posts already listed are no doubt suitable, but the list may well be expanded by the addition of the following classes of appointments, namely, membership of the Board of Revenue and Secretaryship to Government.

1941 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibilty, and has it been found possible and expedient to employ them in all branches of the administration? —I would say "yes."

1942 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you ?—One year in England is sufficient in any case.

1943 (47). Do you consider that probationers should receive allowances during their period of probation ? If so, please give the scale and conditions that you recommend ?—Yes, £150 a year payable quarterly in advance as at present.

1944 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling ? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course ?—Yes.

1945 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you ?—I would make Hindu and Muhammadan Law compulsory. Such Indians as pass from India under the simultaneous or separate examination scheme should be required to spend their period of probation in England at an approved University. In their case, I would omit compulsory subjects (1) and (2).

1946 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts ?—(i) Yes. (ii) Yes. (iii) Yes, only in the case of non-Indians. (iv) (*a*) Yes, only in the case of non-Indians. (iv) (*b*) Yes. (iv) (*c*) Yes.

1947 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India ?—In England.

1948 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England ?—I am not in favour of the proposal.

1949 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre ?—I am not in favour of the proposal.

1950 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers ?—Please see my answers to questions (44) and (51).

1951 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India ?—In England.

1952 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty ? If so, please state the special arrangements that you recommend ?—Please see my answers to questions (51) and (52).

1953 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India ? If not, what change should, in your opinion, be introduced ?—I would make them attend sessions trials and take down notes.

1954 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend ?—In addition to the present syllabus I would require them to pass in select portions of the Civil Procedure Code and the Criminal Rules of Practice.

1955 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service ? If so, what are the causes ? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied ?—Yes. The ability to converse freely in the vernacular which used to characterise the civilians of the past is not so general among the present members of the Civil Service. The reasons for this are, in my opinion, (i) the spread of English education among the people themselves to a larger extent than before and (ii) the want of a closer touch on the part of civilians with the people amidst whom they are placed. This could be obviated by a stricter insistence on their transacting business with the ryots in the vernacular while on tour and conversing with them as far as possible in their language without the intervention of an interpreter.

1956 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose ?—Please see my answer to questions

(60) and (61) which, however, relate to officers in general and not to judicial officers in particular.

1957 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.—No.

1958 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—Please see answers to questions (44) and (51).

1959 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—Please see my answer to question (43) relating to the Provincial Civil Service.

1960 (134). Have you any criticisms to make on the facilities at present offered—(*a*) to statutory civilians; (*b*) to members of the Provincial Civil Services holding listed posts; for providing for their families against their decease?—(*b*) Please see my answer to question (45) relating to the Provincial Civil Service.

1961 (136). Are you satisfied with the existing organisation of the Indian Civil Service? If not, please state what alternative organisation you consider desirable and explain fully your views, making any suggestions that appear to you suitable?—Yes.

Written answers relating to the Provincial Civil Service.

1962 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—*My answers refer only to the Executive branch*—The conditions are not wholly suitable. I consider recruitment by open competition the most satisfactory method. I am not in favour of Europeans who are not statutory natives of India being considered eligible for appointment to the Provincial Civil Service. In the event of a simultaneous or separate examination for direct recruitment of Indians to the Indian Civil Service being granted, the Provincial Civil Service would sink into a subordinate service corresponding to the second-class clerkships of the Home Civil Service and should begin with the Tahsildari and end with first-grade Deputy Collectorate. Recruitment should be in the proportion of two-thirds by open competition (the probationers being during their probationary period supernumerary Deputy Tahsildars) and one-third by (*a*) promotion from the subordinate ranks and (*b*) by direct nomination, if Government should consider such a course necessary for the representation of the different classes of the community. In case however of there being no simultaneous or separate examination in India for direct recruitment of Indians to the Indian Civil Service, I would suggest direct recruitment to the Deputy Collectorate in the proportion of two-thirds by open competition and one-third by promotion from the subordinate ranks and by direct nomination.

1963 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—*Vide* answer to question (1). I would make the same recommendations here also.

1964 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—The system of open competition has, it is generally believed, succeeded best. For the rest, please see my answers to questions (1) and (2).

1965 (7). To what extent are non-residents of the province employed in your Provincial Civil Service? Do you consider that only residents of the province should ordinarily be recruited?—There are none in the service at present, and there is no need for recruiting non-residents of the province for a purely Provincial Service.

1966 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—They are on the whole pretty fairly represented. From my answers to questions (1) and (2) it will be seen that I am in favour of recruitment to the Provincial Civil Service mainly by competition. In order however to secure due representation of the different classes of the community and to reward exceptional merit in the subordinate ranks, I have excluded one-third of the recruitment from open competition.

1967 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—Candidates promoted from the subordinate ranks require no training. In the case of persons directly recruited the system of training obtaining in the case of Assistant Collectors should be adopted, the period of probation being fixed at two years.

1968 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—Deputy Collectors directly recruited should be made to pass the same departmental tests as Assistant Collectors, the nature of work to be done by both the classes of officers in their capacity of Divisional Officers being the same. The special tests prescribed for the clerical and the lower executive staff are hardly suitable in the case of Deputy Collectors.

1969 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—*Vide* my answers to questions (1) and (2). In case of there being no simultaneous or separate examination, the Provincial Civil Service should comprise the following besides Deputy Collectorships:—one-third of the total number of Collector-ships; two Secretaries of the Board of Revenue; two Members of the Board of Revenue; and one Secretaryship to Government.

1970 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Condition VII of the Resolution of the Government of India, Home Department, Nos. 1046–1058, dated 19th August 1910, bears on this question. It reads thus:—"The Local Government should reserve to itself the right to make promotion to the superior grades of the Provincial Civil Service without regard to seniority, and seniority alone should not give a claim to appointment to the grade of Rs. 500 a month and higher grades." I take it that the object of this rule is to reserve to Government the right to recognise exceptional merit and reward it in preference to seniority. In practice, however, the rule has not been strictly adhered to. A stricter adherence to it is necessary, if merit is to be encouraged.

1971 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—*Vide* answer to question (16). Compulsory retirement of inefficient officers is not insisted on to the extent to which it might be.

1972 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—To the first part of the question my answer is that in the event of there being neither the simultaneous examination nor a separate examination in India for direct recruitment to the Indian Civil Service nor open competition for entrance into the Provincial Civil Service, it is highly necessary that more posts should be listed as open to officers of the Provincial Civil Service of proved merit and ability. As to the number and class of appointments to be listed, please see my answer to question (11).

1973 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—The merging of such posts is not a matter of much consequence.

1974 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–1887, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

1975 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The pay of the last grade should be Rs. 300 and the pay of the first grade should be raised to Rs. 1,000. The number of appointments in the several grades should be so distributed as to increase the strength in the higher grade, thereby making the promotion in the lower grades more rapid than at present.

1976 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No. The several grades of Deputy Collectors may be treated as distinct classes for purpose of article 140 of the Civil Service Regulations.

1977 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am not in favour of the time-scale.

1978 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I consider that officers holding listed posts of and above the rank of Collectors or District Judges should get the same pay as the Indian Civil Service Officers of equal rank.

1979 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—There is a greater tendency of late to take more privilege or short leave than formerly, due to greater stress of work and consequent greater need for rest. Long leave is seldom taken by officers of the Provincial Civil Service, as allowances payable during such leave do not admit of their living on a scale consistent with their position and at the same time meeting the cost incidental to foreign travel which they may wish to do, and also because a good deal of such leave does not now count as qualifying service for pension.

1980 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Leave on full pay is generally not allowed to lapse. In the few cases in which it is not taken it is generally due to the fear of losing a good station or congenial work. The amount of leave on full pay which could be earned under the rules seems suitable. I would however advocate the alteration of the rules so as to allow an officer to accumulate privilege leave up to a maximum of six months and combine it with vacation of all kinds and take the whole of it at one time.

1981 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest? (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend? (35) Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? (36) Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave

allowances admissible, are suitable?—(33–6) The sub-joined table exhibits the main differences that now exist between the European and Indian Service leave rules:—

European Service.

1. First furlough not exceeding two years may be taken after eight years' active service.
2. Amount of furlough earned is quarter of active service.
3. Second and subsequent furloughs may be taken after three years' continuous service.
4. Furlough without medical certificate not exceeding three months does not interrupt service for furlough.
5. Service for furlough is not interrupted by leave on private affairs.
6. Leave on private affairs counts as continuous service for furlough.
7. Special leave on urgent private affairs may be granted to an officer who has had furlough.
8. Maximum amount of furlough (ordinary or on medical certificate) *plus* special leave on urgent private affairs is six years.

Indian Service.

1. First furlough not exceeding one year after ten years' service.
2. Amount of furlough earned does not exceed two years whatever the length of service.
3. Second and subsequent furloughs may be repeated at intervals of not less than eight years.
4. Furlough interrupts service for further furlough.
5. Service for furlough counts only from the date of return from leave on private affairs.
6. Leave on private affairs does not count as service for furlough.
7. Leave on private affairs cannot be taken by an officer who has had furlough.
8. Maximum amount of furlough *plus* leave on medical certificate *plus* leave on private affairs is five years.

1982 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—I would suggest that the long leave rules applicable to the Indian Service be simplified by abolishing all distinctions, only maintaining the distinction between leave on medical certificate and leave without it. The long leave admissible may be raised to one-fifth of active service in the case of Indians as against one-fourth in the case of Europeans. An officer may be permitted to take, without a medical certificate, all leave at his credit up to a maximum of two years at a time and subject only to the exigencies of the public service; and like the European Officer, the Indian Officer should be allowed to take furlough not exceeding six months although the same may not be due to him, this concession being allowed only once in the whole of his service. The only alteration that I would suggest in the matter of allowances is the removal of the restriction in article 340 (*a*) of the Civil Service Regulations limiting the allowances to one-half of the officer's average salary for the first 15 months of leave on medical certificate and for 30 months of such leave in all. I consider that half the average salary should be given for the entire period of such leave. I would not however interfere with the different maxima of long leave admissible under the present rules to Indian and European officers.

1983 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Voluntary retirement on full pension may be allowed after 25 years of qualifying service instead of 30 as at present, the qualifying service for full invalid pension being correspondingly reduced from 25 to 20 years. All leave with allowances may be made to count as qualifying service for pension.

1984 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. They may be retired on a pension of as many 60ths of their average pay as the number of years of qualifying service put in, subject to the condition that the minimum qualifying service for pension under this rule be ten years.

1985 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Officers holding listed posts of and above the rank of Collector or District Judge should, after three years' active service in such posts, be entitled to a pension of Rs. 6,000 a year as in the case of officers governed by article 475 of the Civil Service Regulations.

1986 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—A system of family pensions should be introduced on the lines of the Indian Civil Service Family Pension Fund with modifications to suit Indian conditions.

1987 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—The only other suggestion that I have to make is that Deputy Collectors should be placed on a par with Divisional Officers of the Indian Civil Service in the matter of tentage and travelling allowances.

Mr. T. RAGHAVIAH, called and examined.

1988 (*Chairman.*) You are Assistant Secretary, Board of Revenue, are you not?—Yes.

1989. And a Deputy Collector of the second grade?—Yes.

1990. What is your caste?—I am a Brahman.

1991. What are the posts you have held in the public service previous to this?—I have held a Deputy Collector's appointment for a long time. I entered service in the Deputy Collector's cadre. I came in by competition. I have also held special appointments. I was Forest Settlement Officer for two years, and I was Revenue officer for the Madras Corporation for about four years. I am now Assistant Secretary to the Board of Revenue.

1992. I understand you are in favour of simultaneous examinations?—Yes.

1993. In default of a simultaneous examination you are in favour of a separate examination?—Yes.

1994. Giving one-third of the total number of vacancies to the natives of India?—Yes.

1995. And in default of either a simultaneous or separate examination you would increase the number of listed posts?—Yes.

1996. How far would you go in that direction?—I would raise to one-third the fixed proportion of the listed posts to be thrown open.

1997. Whatever the system of competition for the Indian Civil Service, you advocate the spending of the probationary period in England?—Yes.

1998. I understand from your evidence that even under a system of simultaneous examinations you would fix the proportion of Europeans at two-thirds?—I do not think that under the system of simultaneous examination any proportion should now be fixed, because I do not anticipate that Indians will be able to capture all the appointments. I do not think I have said that under simultaneous examination the proportion should be fixed.

1999. I am referring to question (24)?—I have answered it on the assumption that simultaneous examination was not going to be granted.

2000. This is on the alternative scheme?—Yes.

2001. In the case of simultaneous examination you would have no proportion fixed?—I do not think it is necessary.

2002. Assuming that under the system of simultaneous examination a large proportion of Natives of India were successful, would you suggest any means by which you could ensure the European element?—I would then fix an irreducible minimum of Europeans in the service.

2003. But you would wait until that occurred before you attempted to establish it?—Yes, I think so.

2004. You think it could be quite easily done when the occasion arose?—Yes.

2005. Your answers relating to the Provincial Civil Service, refer exclusively, I understand, to the executive branch?—Yes.

2006. I see that you would fill most of the posts of the Provincial Civil Service by open competition?—Yes.

2007. Retaining only one-third of the total number of vacancies to be filled by direct nomination or by promotion from the subordinate service?—Yes.

2008. Your opinion on the whole is that the open competition system has given better results?—Yes.

2009. Would you say upon what grounds you have come to that opinion?—That is the general impression, and I also say it because most of the appointments which are considered to be especially good have been recruited from men who entered the service by competition, such as Personal Assistants to Collectors, Assistant Secretary to the Board, Under Secretary to the Government, Revenue officer of the Madras Corporation, and also because naturally a man who is directly recruited would be fresher and more energetic than a man who has seen a good deal of service and would be aged by the time he reached the Deputy Collector's cadre.

2010. You think that the higher posts now open can only be obtained at too great an age after long service and when the best in a man has passed?—Yes.

2011. You suggest that Collectors and District Magistrates in the Provincial Civil Service should draw the same pay as officers in similar employ in the Indian Civil Service?—Yes. Their position is very important in the districts. They have to keep up a style, and now Indian officers in such high positions are living more or less like Europeans, and their expenses are nearly, if not quite, as great as those of Europeans.

2012. Would you say that the necessary expenses of the post are as great for Natives of India as they are for Europeans?—Yes, even in the case of a man occupying lower posts. That is so as far as my experience goes.

2013. I notice that you recommend certain changes in the leave and pension rules?—Yes.

2014. You think that there should be a Family Pension Fund for the Provincial Service?—Yes.

2015. Have you any means of knowing whether any appreciable number of officers in the Provincial Civil Service would like to see such a fund established?—I think they would like the institution of such a fund. A good many of them have already joined the General Provident Fund, and a good many of them are insured in the Postal Life Insurance. If a Family Pension Fund were established a good many would join it. They are not able to lay by as much as they would like to do, and in the interests of their children it would be better.

2016. Do you think that those who join the General Provident Fund would desire to join such a fund as this as well?—I am not sure, because the General Provident Fund takes away a large slice of their salary.

2017. To a certain extent it offers the same advantages?—It does offer some advantages, but not exactly the same advantages, because in the case of the General Provident Fund the money goes to the man himself and he may draw it as soon as he retires. In the case of the Family Pension Fund he is left no choice in the way of spending the money. It will always benefit his children and heirs.

2018. (*Lord Ronaldshay.*) Can you tell me what proportion of posts ordinarily reserved to the Indian Civil Service are filled by Indians at the present time?—There are only about seven listed appointments that have been thrown open to the Provincial Service, two Collectors, four Judges, one Secretary to the Board, and one Under Secretary to the Government.

2019. What proportion would that be; about one-tenth or one-twelfth?—About one-tenth as far as Collectors go.

2020. You advocate one-third of those posts in future being filled by Indians, as far as I understand?—One-third of the Collectors, I have not said anything about the Judges.

2021. That would be a large jump from one-twelfth, as advocated by you?—Yes, it would be.

2022. Have you served under District Collectors?—I have.

2023. Have they been Europeans or Indians?—All Europeans.

2024. Then you have had no personal experience of an Indian in Collectors' posts?—I have had no personal experience. Indian Collectors are men known to me and my friends, but I have not served under them.

2025. You are not in a position to compare Indian with European Collectors?—No.

2026. (*Sir Theodore Morison.*) In answer to question (31) you say that members of the Provincial Service very seldom take long leave which is due to them?—That is so.

2027. Do you think that their health suffers in consequence?—Yes, it does suffer.

2028. In your reply to the next question I see you recommend that they should be allowed to accumulate privilege leave up to six months?—Yes.

2029. That would mean that they would go five and half years without a holiday?—There is a month for every eleven months of service, independent of the five years, for which they are otherwise eligible.

2030. Your proposal contemplates their going very long without a holiday?—Yes, I do not mean to tack on privilege leave to other leave. Under my proposal I suggest that they should be allowed to accumulate privilege leave for six months, and then they would have the advantage of full pay and might be induced to go on foreign travel, or something of that sort.

2031. Do you think that the present scale of pay for furlough does prevent them taking leave, and that their health suffers in consequence?—Yes, I think so.

2032. (*Mr. Gokhale.*) You are a Rao Bahadur?—Yes.

2033. When was the title conferred?—Two years ago.

2034. Was it conferred in recognition of special work?—In connection with my work for the Madras Corporation, I believe.

2035. Were you recommended for brave conduct in connection with the Tinnevelly riots?—Yes; Government spoke well of my work in those riots.

2036. (*Mr. Sly.*) You have mentioned certain listed posts held open to the Provincial Service?—Yes.

2037. And you also state the number of posts taken away from the Indian Civil Service and amalgamated with the Provincial Civil Service?—I believe there are seven such posts: two Sub-Collectors, four posts corresponding to Head Assistant Collector, and one post of Assistant Collector.

2038. What are your objections to the introduction of a time-scale salary?—My chief objection is promotion would become a matter of course; more so than at present. Even now seniority guides promotion; but under the time-scale the evil is likely to be accentuated.

2039. That is your principal objection?—Yes.

2040. In answer to question (62) you refer to the fact that with the Indian Civil officer there is a want of close touch with the people with whom he is serving. Do you think that the Civil officers are not now in so close touch with the people as they used to be?—I do not think they are in quite so close touch with the people as they used to be 15 or 20 years ago.

2041. Can you tell us the reasons for that?—I think the chief reason is on account of the fact that most of the correspondence is now carried on in English, that the European officers have now greater facilities of going away from the country on leave, and that there are greater facilities for mixing amongst themselves than was formerly the case.

2042. Do you think that the European officers take more leave than they used to do, or less leave than they used to do?—I cannot say.

2043. (*Mr. Macdonald.*) Is this evidence your own evidence or is it representative?—It is largely my own evidence, but I have also had talks about it with my colleagues; men in my own cadre.

2044. Has it been presented to them and then presented by you to us with their sanction?—No.

2045. In answering question (24), you say that under present conditions you are willing that the posts to be filled by Indians should be limited to one-third?—Yes.

2046. If we had simultaneous examination, do you anticipate that there would be more Indians entering the Civil Service than now?—Yes, more, I should think.

2047. And yet under a system where a comparatively small number of Indians enter, you are willing to limit; whilst under a system which will admit a larger number of Indians, you are not willing to limit: you say that if we have simultaneous examination you are not now willing to put down any limit to the number of offices to be filled by Indians?—Yes.

2048. You say, "trust to time: we will see." I put it to you that if you are willing, as you say in answer to question (4) to limit now, when there is a comparatively small number of Indians entering, surely there is no reason why you should not limit under a simultaneous system of examination?—I had not anticipated that.

2049. It is not a question of anticipation. Some of the witnesses, I think, have not quite seen the point. It is not a question of anticipation at all. If you are in favour of a nucleus of English representatives in the Civil Service, it is then no question as to whether that nucleus is going to be endangered or not by simultaneous examination: do you not agree with that?—Yes.

2050. If it is necessary it must be provided for, must it not?—I have no objection to provide for it under those conditions.

2051. In answer to question (24) you say that one-third of the posts should be filled by Indians?—If I should fix a limit I would put it at one-third as the European limit. I answered question (24) on the assumption that a minimum is not to be fixed under a simultaneous examination scheme but I would put the European minimum at one-third: not that I anticipate that the Indians would swamp the Europeans; but if it is considered necessary I would put it at one-third. In all probability not much more than one-third of Indians would get in for a good many years.

2052. Under present circumstances you would limit it to two-thirds Europeans?—Yes; I limit the minimum of Indians to one-third under the present circumstances.

2053. Why do you want to put it at two-thirds under the simultaneous examination scheme?—I do not put it at two-thirds for Indians: I put one third for Indians.

2054. With regard to your answer to question (24), is it not a fact really that you put an irreducible minimum of two-thirds of Europeans, because you say that the Natives of India might under present conditions be properly admitted to one-third of the posts. Does it not mean that they could be admitted to no more than one-third?—It does probably mean that.

2055. Then you do not take the line that there must not be an irreducible minimum?—No, I do not.

2056. With respect to the Provincial Civil Service, you say that they could be recruited by examination?—Yes; two-thirds.

2057. There have, I believe, been recruitments by examination in Madras?—Yes, for some years.

2058. I understand that you are one of the successful candidates?—Yes, I came in in that way.

2059. And then afterwards that system was dropped?—Yes, it was dropped in 1904.

2060. Why?—I cannot say; I do not know.

2061. Was it dropped because it produced inefficient men?—I do not think so.

2062. Were you present this morning when evidence was given to the effect that the men who were recruited in that way were above the average?—No. I was not.

2063. Have you any opinion yourself, from your own experience, and not from what you have heard outside, as to whether those men are, or are not, at any rate, up to the average?—I believe that they are up to the average. I am aware that a few of them have not been up to the average; but the majority of them have been above the average, as far as my experience goes.

2064. If a man gets in by competitive examination and he proves himself to be inefficient, what ought to be done with him?—He ought to be compulsorily retired.

2065. There is no opinion, is there, amongst your friends, in favour of keeping a man in the service when he is not worthy of being retained in the service?—No, there is no opinion of that kind as far as I can gather.

2066. Would your reply be to those who say that inefficient men might get in by competitive examination to Provincial posts that they should be cleared out?—Yes, certainly.

2067. And by a system of competitive examination, supplemented by a drastic system of clearing out inefficient men, you would get a better staff of public employés than you have now?—Yes.

2068. Turning to question (11), you say that one-third of the total number of Collectorships, and so on, should be held by members of the Provincial Civil Service: you mean, I assume, if the proper men are available?—Yes.

2069. You would not lay this down as a rule which must be carried out even if you have to appoint inefficient men to these posts?—No.

2070. (*Mr. Madge.*) In your answer to question (8), "Are all classes and communities duly represented in the service?" you say that they are on the whole very fairly represented?—Yes.

2071. When you say that all classes are "fairly represented," are you confining your remarks to the educated classes?—I mean the important communities of Southern India.

2072. What do you call the "important communities"?—The Brahman, the Muhammadan, the non-Brahman, the Indian Christian, the the Anglo-Indian or the Eurasian.

2073. I am not very well acquainted with the caste divisions of this part of the country, but is there not a class here who are fairly educated, and correspond with what we call the Kaists of Upper India?—They would come under Non-Brahman.

2074. Do you think they are fairly represented in the public service?—I think so.

2075. (*Mr. Abdur Rahim.*) What is the Indian public opinion with regard to the efficiency of the Indian Executive officer?—I think the public considers him as fairly efficient.

2076. As regards simultaneous examination, you would be prepared to lay down a minimum for the European element?—Yes.

2077. Do you think it necessary that the different provinces of India, the important communities, should be represented in that Service?—Probably all the Provinces would be represented.

2078. Would you make any provision for them?—I would not make any provision for them.

2079. Why should you draw any distinction? If you once break away from the logic of competitive examination, why should you draw a line at the European element?—I think it necessary that the administration should be British in character. I would make a provision in favour of the European.

2080. Is it, then, your opinion that unless a man gets through the competitive examination, whatever his qualifications may be, he will not be able to keep up the British character of the administration?—I think so, generally speaking.

2081. Although his qualifications may not be different?—In my opinion a competitive examination is the best test of finding out any one's qualifications.

2082. Do you not think there would be any dissatisfaction amongst men of the province which may not be represented, or amongst the communities who may not be represented under your scheme?—I do not think so, because the Indian Civil Service is numerically a very small body, and efficiency must be the chief criterion in the recruitment for that Service.

2083. (*Sir Valentine Chirol.*) When you said just now that you thought on the whole the expenditure of Indian officials was very much the same as that of the English officials, there are two things that must have escaped your memory, namely, on the one hand that as far as married men go an Englishman is obliged on account of the climate to send his children and probably his wife home for considerable periods, and thereby incurs a heavy expenditure in connection with maintaining them there, which does not fall upon an Indian?—That is true, but Indians are now beginning to send their children to Europe. Indians who hold high positions are beginning to send their children to England for their education. As far as my own home is concerned, one of my own brothers went to England. He has now come back.

2084. You have now very considerable facilities for the education of your children in this country (very fair education, I do not say the highest) at extremely cheap rates: that is to say, education

is extremely cheap in this country as compared with what it is in England, whereas an English official has to send his children home for education: that is so, is it not?—Yes.

2085. Those, I think, are two considerations which ought fairly to be remembered in dealing with that question. Do you agree with me in that?—Yes, certainly.

2086. I do not wish to put it in an invidious way, but you have referred to the relations between the English civilian and the people, and the want of a closer touch on the part of civilians with the people amongst whom they are placed. There are, I understand, in this part of the country, in this province especially, a very large portion of the population, which the people of your own caste especially whose views have not broadened as much as your own views have, call "untouchable"?—Yes, that is so.

2087. Is there any class of the community here that an English official would for a moment regard as "untouchable," or hesitate to come into close personal contact with in the discharge of his duties?—No.

2088. Surely the want of what you call "closer touch" on the part of European people would apply rather to the caste which treats a considerable section of the population as "untouchable" than to the Englishman who has no such religious scruples? That is the only point I wish to establish?—I do not mean to say that the official willingly avoids contact with the people: I mean to say that he has not got the same facilities that he formerly had. There is another thing to be considered, namely, the fact that his work has of late visibly increased; he has a good deal more work to do now than formerly.

2089. I did not mean to reflect upon your English colleagues at all, I only wanted to establish that one point?—Yes, I understand.

2090. (*Sir Murray Hammick.*) I will continue that question. You say that the ability to converse freely in the vernacular is not so general among members of the Civil Service. When you say, "civilians of the past," do you mean that the civilians of the present day speak the language a great deal better than they did in my time? What period do you refer to? I think it is quite the other way. I think the civilian of the present day speaks the language better than he did in my time?—I have known civilians 15 or 20 years ago who talked freely in the vernacular; but I have only come across one instance in recent years of a civilian talking in the vernacular with the people with whom he came in contact. I am speaking of ordinary conversation. That is what led me to say what I did.

2091. That is curious, because you are talking of about the time when you were serving with me; and I should have said that the civilians I meet now talk a great deal better than any of us did in those days. You say that there is equal representation of all classes. The figures are that the non-Brahman is 85 per cent. of the population, and is only represented in 21½ per cent. of the posts of the Civil Service. That is hardly a fair representation. The Brahman is 3·2 per cent. of the population while he holds 55 per cent. of the posts in the Civil Service. Is that what you consider a fair division of appointments among the classes?—I think we must take into account the literate proportion of the community.

2092. I do not wish to say anything unfair, but Mr. Gokhale asked you whether you had conducted yourself quite properly in the Tinnevelly riots. You remember that we were together in the riots, and I reported very highly upon your conduct, but as far as I remember you had actually nothing to do yourself with the riots. What I reported on you for doing was the administrative and executive work, when you came in after the riots as I did, in helping to pacify the country. I think you were not present at the riots?—I did disperse the riots in one village.

(The witness withdrew.)

At Fort St. George, Madras.

Friday, 10th January 1913.

THIRD DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.	ABDUR RAHIM, Esq.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.	GOPAL KRISHNA GOKHALE, Esq., C.I.E.
Sir THEODORE MORISON, K.C.I.E.	WALTER CULLEY MADGE, Esq., C.I.E.
Sir VALENTINE CHIROL.	FRANK GEORGE SLY, Esq., C.S.I.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.	JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. OLDFIELD, Esq., Acting Judge of the High Court of Judicature, Madras.	M.R.Ry. Diwan Bahadur R. RAMACHANDRA RAO Avargal, Collector, Nellore.
	M.R.Ry. V. SUBRAHMANYAM PANTULU Garu, District Judge, Cuddapah.

M. S. D. BUTLER, Esq., C.V.O., C.I.E.
R. R. SCOTT, Esq. } (*Joint Secretaries.*)

M.R.Ry. Rao Sahib S. N. V. RAJACHAR Avargal, Deputy Collector.

Written answers relating to the Provincial Civil Service.

2093 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are suitable. No alteration seems necessary.

2094 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—The rules are suitable. No alteration is needed.

2095 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—Correct.

2096 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—Direct recruitment should be limited to 50 per cent. of the vacancies in the grade. Half this number should be recruited by open competition and the other half by nomination, the chief basis of nomination being character and family prestige and that the nominee is a graduate.

2097 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Yes. I consider that only residents of the Province should ordinarily be recruited.

2098 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Yes. It is desirable that there should be a due representation of all classes and communities.

2099 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—Those who are selected to the post from outside the ranks are to undergo probation for two years. The system of training given to them is satisfactory and no change is required.

2100 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—Yes. No changes are required.

2101 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—Yes. The following classes of officers and appointments should be included in the Provincial Civil Service:—

(i) Inspector-General of Registration.
(ii) District Registrars.
(iii) Assistant Commissioners of Salt and Abkāri Revenue.
(iv) Assistant Directors of Survey.
(v) Land Records Superintendents.
(vi) First Assistant to the Board of Revenue, Land Revenue.
(vii) Registrars and Deputy Registrars in the Secretariat.

2102 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of

promotion?—At present there is no even flow of promotion.

2103 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—No change of practice is required, but I would urge that Rule VII of the Provincial Civil Rules in Appendix A be strictly enforced.

2104 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—In the interests of efficiency of administration, I would submit that promotion to higher grades should be strictly regulated with reference to Rule VII of the Provincial Civil Service rules and the principle of compulsory retirement rigidly applied.

2105 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The executive and the judicial branches are now distinct and should continue to be so. No change is necessary. Here I would suggest that some select Deputy Collectors (Deputy Magistrates) be made Justices of the Peace.

2106 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—I would submit that more "listed posts" should be thrown open to officers of the Provincial Civil Service of proved merit and ability, to the extent of, at least, one-fourth of the total number in the Indian Civil Service Cadre. Before appointing Provincial Civil Service officers, as heads of districts, they should first be appointed as Additional District Magistrates or Additional Sessions Judges for some time to befit them well in the discharge of their duties.

2107 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—No. Such merging has neither increased the status nor the pay of the incumbents thereof. They may as well be excluded from the number of "listed posts."

2108 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes. No change is necessary.

2109 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes. The principle is all right.

2110 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I would submit that the last grade of Deputy Collectors on Rs. 250 per mensem should be abolished and the grades re-arranged as follows:—

	Per mensem. Rs.
I grade	800
II ,, ...	700
III ,, ...	600
IV ,, ...	500
V ,, ...	400
VI ,, ...	300

The pay of the first-grade Tahsildar in the Madras Presidency is Rs. 250 per mensem and it is highly desirable that the last grade Deputy Collector must have some higher pay (say at least Rs. 50) to signify his higher status.

2111 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No. Officiating promotions should be made in the Provincial Civil Service.

2112 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—As things stand at present, the only chances for promotion lie in casualties or retirements in the service. The substitution of a time-scale of salary is certainly preferable, in that it gives encouragement and ensures promotion, irrespective of the above chances. The time-scale should be made applicable to all grades of service.

2113 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—Yes. Each main class of appointment should have a separate time-scale.

2114 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the executive and judicial branches of the service is different?—The time-scale of pay that I would recommend would be, to declare that officers of each grade shall rise to the higher grade after they have put in some years in the lower grade, say three years, subject of course to the general principle that they had during that period conducted themselves well and efficiently.

	Rs.
I grade ..	800
II ,, ..	700
III ,, ..	600
IV ,, ..	500
V ,, ..	400
VI ,, ..	300

In applying the above principle, the service will be divided into six grades as noted in the margin and it will be restricted up to the IV grade. As regards promotion to higher grades, I to III, the principle enunciated in rule VII of the Provincial Civil Service Rules, Appendix A, will strictly apply.

2115 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

2116 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—More sick leave and less furlough or leave on private affairs is now taken, as officers do not become eligible thereto, owing to the long interval they have to wait. In the one case, ten years' service is necessary for the first instalment of leave (Article 338-A, Civil Service Regulations) and in the other, six years (Article 337, Civil Service Regulations).

2117 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Leave on full pay is ordinarily taken but not to the full extent lest, when officers happen to be in a good station for some time, their lien should be shifted to a bad or unhealthy station. The amount of leave on full pay that can be earned is suitable and no alteration is necessary.

2118 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—No. It is not fully availed of, not because it is in excess of the requirements, but because the restrictions as to period of availing and the emoluments allowed during the period of absence stand in the way. In the first place officers do not get even half the pay they derive at the time of their taking the leave but are allowed only half the average salary (Article 340 (*b*), Civil Service Regulations). Secondly the taking of furlough is generally postponed as a contingency for the future incapacity of age, to be availed of at the last days of an officer's service, in most cases, preparatory to retirement. Those who live up to retirement generally do take furlough and then retire; while the many unfortunate die in harness without their expectations fulfilled. Thirdly one has to wait so long as ten years to earn furlough; and fourthly he is not allowed to take it piecemeal.

2119 (34) Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—No. At least half the salary of the post held at the time of taking the leave should be allowed.

2120 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—Yes. In regard to special leave, officers of the Provincial Civil Service have no leave corresponding to it. It is very necessary that these officers also should be given the benefit of such leave to enable them to utilize it, in times of extreme urgency, when they are entitled to no other leave. The benefit of Article 316, Civil Service Regulations, may be extended to the officers of the Provincial Civil Service.

As regards extraordinary leave without allowances, the restriction that it may be granted *when no other leave is by rule admissible*, may be removed. This tells very heavily on the Provincial Civil Service officers, *e.g.*, an officer unavoidably overstays his privilege leave, by one or two days. As things stand now, he is compelled to take furlough or leave on private affairs, if he is entitled to any, before the period of overstay is treated as leave without allowances. This means that for the sake of absence of one or two days, he has to take furlough or leave on private affairs and wait for another eight years to utilize the remaining portion of furlough at his credit, or six years before he could earn leave on private affairs. This is indeed hard.

As regards privilege leave and leave on private affairs, both should be made to accumulate as against the present rulings.

In regard to privilege leave, the restriction that an interval of six months should elapse between two periods of absence on such leave weighs very hard on Provincial Civil Service officers. An officer, who has three months' leave at his credit, takes leave for one month and returns to duty. A few days after, he suddenly falls ill, say of typhoid fever, and is unavoidably prevented thereby from attending office. Though he has got a period of two months' leave on full pay unavailed of, he is prevented from utilizing it but has to produce a certificate from the Medical Board and get leave on medical certificate on half the average salary; but for the above restriction he could save a good deal at a time when he has to spend much by way of medical fees, cost of medicines, etc. It is strongly urged that this disability should be removed.

The ruling in Article 197 (*c*), Rule I, that no leave on urgent private affairs is to be granted in consideration of an officer's ill-health, seems to be a bit too hard. According to the present ruling, if an officer should fall sick and has no other kind of leave—privilege leave or furlough—at his credit he has to obtain leave on medical certificate by appearing before the Medical Board. If the District Medical and Sanitary Officer of his station were to certify for his ill-health, I do not see why he should not be granted leave on private affairs, if he is entitled thereto, without making it obligatory on him to appear before the Medical Board.

As regards allowances, no alteration is necessary in the amount, but I would suggest that officers be permitted to commute furlough and leave on private affairs on half pay into one of full pay for half the period of the grant—this half period being treated as equivalent to the full period on half pay.

2121 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—Yes. Please *vide* answer to question (37). The easiest remedy seems to be to give each officer a "leave ledger" account recording all leave he has earned, even according to the present rulings, and then allow him to draw upon that credit, at any time when he is in need; subject, of course, to the convenience of Government to spare his services.

2122 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—No. It is not satisfactory

in the interests of the Service, inasmuch as there is generally a feeling that families of officers who have loyally served Government for a long time are left destitute when they happen to die before the time of retirement or immediately after. As a matter of fact, the hardship is felt the keener in the case of those honest and conscientious officers who are really unable to lay by sufficiently, out of their pay, meeting several calls on their purse in life, consistently with their status, and who die a peaceless death, fully alive at the time in what destitute condition they were leaving their families. Generally private service is looked upon as superior in this respect, as the employer is usually found to help the families of the employed. I beg leave to submit that the benign Government who is looked up to, for everything, by his subordinate rendering faithful service for a continuously long period, should show some consideration in the way of protection of his family and children.

2123 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?—Please *vide* answer to question (40). The best way to give some satisfaction to loyal and deserving officers will be to provide for payment of a bonus, according to the actual service of the officers, either at the time of their death to their families or to themselves on their retirement, in addition to pension reduced proportionately in the case of the latter. The following commutation would, in my humble opinion, be advantageous both to Government and the officers concerned. One month's pay for every completed two years of total service in the case of those who die in service, may be paid as a bonus to their families. In the case of those who retire on pension the same rate of bonus may be paid, their pension being reduced by 25 per cent.

2124. (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. The amount of pension may be determined by Government on the merits of each case.

2125 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—No. As these officers draw two-thirds of the salary drawn by Indian Civil Service officers holding similar posts, their maximum pension may similarly be fixed at two-thirds of the maximum pension allowable to Indian Civil Service officers.

2126 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of the members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—No. In the case of voluntary retirement, the period of superior service may be fixed at 25 instead of 30 years as at present.

2127 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—I would suggest that subscription to the General Provident Fund should be made compulsory in the case of all Provincial Civil Service officers.

2128 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Please *vide* answer to question (6).

2129. (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—Here I beg leave to suggest that for the purposes of travelling allowance for journeys by rail and daily allowance, all Deputy Collectors should be classed as first-class officers. The present rates of daily allowance of Rs. 3 per diem and mileage of As. 4 a mile are found in practice to fall short of the actual expenses which an officer has necessarily to incur. This is specially hard when the officer has to travel between 15 to 19 miles and pay not less than As. 4 per mile for a decent conveyance in addition to the charge for a cart to convey his samans.

According to the present classification it happens that both the officers and their subordinates drawing Rs. 50 and above *per mensem* have to travel in the same class, much to the personal discomfort and inconvenience of both. Moreover, nowadays, owing to the rise in the standard of comfort, most of the parties in cases travel in the second class.

I beg to suggest that Provincial Civil Service officers appointed as Personal Assistants to Collectors of districts should be allowed an allowance of Rs. 100 *per mensem*, as the work of a Personal Assistant is more onerous and irksome than that of an ordinary Deputy Collector in charge of a division. Most of the Deputy Collectors would not like to be Personal Assistants.

Mr. S. N. V. RAJACHAR, called and examined.

2130. (*Chairman.*) You are a Deputy Collector and Estate Collector?—I am.

2131. What is your caste?—I am a Canarese Brahmân.

2132. What other positions have you occupied in Government service?—I was first a clerk on Rs. 25 and I afterwards rose up to a Sub-Magistrate and then to Tahsildar; I then became a Deputy Collector, and as a Deputy Collector I was on special jobs, such as Land Acquisition Officer, Inam Deputy Collector, Special Loans Deputy Collector, Personal Assistant to the Collector of Tinnevelly, and now I am Deputy Collector and Estate Collector.

2133. What is your age?—Forty-four.

2134. Your evidence relates mainly to the Executive branch of the Provincial Civil Service?—Yes.

2135. You would limit direct recruitment to half of the vacancies in the Executive branch, and as regards that half you would fill 50 per cent. by open competition and the remainder by nomination?—Yes.

2136. Do you suggest this system of recruitment with the two-fold intention of giving fair prospects to Tahsildars and of ensuring due representation for the various communities?—Yes.

2137. You think this system would give the various communities a fair opportunity?—Yes.

2138. Could you tell us what you regard as due representation?—I mean all classes and creeds.

2139. What proportion of the different communities do you desire to see represented?—I have said that out of 50 per cent. of persons who come from outside the ranks 25 per cent. should be by nomination and wherever there is any preponderance of any class, that the nomination made by Government would set it right.

2140. You would increase the number of listed posts to one-fourth?—Yes.

2141. Do you mean by that that of the superior posts in the Indian Civil Service cadre for the Madras Presidency you would list a quarter, or more than 20 posts instead of the eight at present listed?—Yes.

2142. In regard to pensions you recommend that instead of the present system officers of the Provincial Civil Service should draw a bonus on retirement of one month's pay for each two years of service?—Yes.

2143. And that in case of death during service their families should draw a similar bonus, as against which the rate of pension should be reduced by 25 per cent.?—Yes.

2144. Would a change of that kind be generally popular amongst officers?—Yes.

2145. You have reason to think that?—Yes. I have also taken opinions from my brother officers on the matter.

2146. You have discussed it with your brother officers?—With some of them, yes.

2147. And they would be prepared to make a sacrifice in one direction to obtain convenience in another?—Yes.

2148. (*Sir Murray Hammick.*) You say in answer to question (11) that the following classes of officers and appointments should be included in the Provincial Civil Service, and you set out the officers?—Yes.

2149. A provision of that sort would surely restrict to some extent the field of selection for these appointments. Do you mean that the Provincial Service alone should have the right to get these appointments or that they should have the right *pari passu* with others?—I simply wanted to keep them in the Provincial Service, because as things stand now they do not belong to any service. I will take promotion as it is now; it is simply bringing them under the service cadre.

2150. I do not quite understand what you mean. For instance, do you mean you would open the appointment of District Registrar to a Deputy Collector and forbid the appointment of a Sub-Registrar to be District Registrar, or do you mean they should be all open?—I do not mean the interchange of appointments of Deputy Collectors and District Registrars. I only bring them under the Provincial Service because they do not belong to any service now.

2151. When you ask for an increase to 25 per cent. of the listed posts, I suppose you would include among the listed posts appointments higher than those which are listed now, such for instance as Membership of the Board of Revenue?—Yes.

2152. Practically at the present moment any Deputy Collector who is appointed to a listed post is unable to rise, and would be unable if the appointment was open, higher than a District Collector, on account of the age when he is generally appointed to a district post?—There is the competition of people who are coming in. It is only those who are taken from the ranks who will find it difficult because their age will be up by the time they become Collectors.

2153. Do you think that system would be better than making a separate list of appointments, beginning from the bottom of the present listed appointments and going up to the top, making those into a separate service and recruiting them exclusively from Indians in this country, having a separate Provincial Service of listed appointments, and the Indian Civil Service itself?—No.

2154. You would sooner see the listed appointments made open to the Provincial Service?—I do not want any third service at all.

2155. You would sooner keep the appointments listed and open to the Provincial Service?—Yes.

2156. Have you had any experience of any service which has a time scale?—No, but I have heard that it is now being introduced in the Public Works Department and they say it is doing good work. As officers we have to depend for our promotion on casualties.

2157. Do not you think it would tend rather to deaden the motives for doing good work if you had a time service, that Deputy Collectors might become lazy, because they would know that automatically their pay would rise whether they were fit for it or not?—I have already said that it will depend on their good work for three years. If a man does not do good work, he will not get the time scale as a matter of course.

2158. Owing to the way Deputy Collectors are transferred from district to district, is it not rather difficult to find out, except in certain cases, exactly how a Deputy Collector has been working?—I do not think it will be a difficult matter.

2159. You say in your reply to question (36): "As regards extraordinary leave without allowances the restriction that it may be granted when no other leave is by rule admissible may be removed. This tells very heavily on the Provincial Civil Service officers, *e.g.*, an officer unavoidably overstays his privilege leave by one or two days. As things stand now, he is compelled to take furlough or leave on private affairs, if he is entitled to any, before the period of overstay is treated as leave without allowances. This means that for the sake of absence of one or two days, he has to take furlough or leave on private affairs and wait for another eight years to utilize the remaining portion of furlough." What you mean, I suppose, is that if a man overstays his privilege leave and has furlough due to him he is compelled by the Civil Service Regulations to count the two or three extra days he takes as furlough, the result being that he is said to have taken furlough and has to spend the necessary period to earn his next furlough?—Yes.

2160. On the other hand if he happens to have no furlough due to him he is allowed to take what is called extraordinary leave, and there is no break in his service for furlough?—That is so.

2161. You think that is a hardship?—Yes.

2162. With regard to your answer to question (41), have you thought out how an arrangement of that sort might affect an officer? If you take a man drawing Rs. 500 a month, after 30 years' service he would retire and get a pension of Rs. 250 a month?—Yes.

2163. Under your arrangement, as far as I understand it, he would get Rs. 7,500 as a bonus, having served 30 years. He would get for every two years one month's pay, and you would count the pay as Rs. 500 in that case?—Yes.

2164. Therefore he would get Rs. 7,500?—Yes.

2165. But he would lose about Rs. 62 a month of his pension?—Yes. The reason I recommend that is that several die in harness leaving their families in a destitute condition, and it would be a great help to the families if they got a bonus. If the officer survives he would not mind a small reduction of 25 per cent. in his pension.

2166. The reduction of 25 per cent. in his pension would in a great many cases be of a capital value considerably more than the bonus received, but you would sooner have the bonus, because it would be a benefit to the families of officers who die before retirement?—Yes.

2167. (*Sir Valentine Chirol.*) You seem to divide the requests of the service for improvement into three categories, one dealing with the question of actual pay, one dealing with the increase of opportunity by increasing the number of posts accessible to them, and thirdly the number of grievances, none of them perhaps in itself very considerable but of which the cumulative effect is considerable?—Yes.

2168. I should like to know to which category you yourself would attach the most importance: to the removal of all these specific grievances with regard to leave, bonus on retirement, and pensions, or the introduction of a time scale which would increase the actual salary, or the extension of opportunities to the service?—It is rather difficult to say. Each of these is important, and requires consideration and redress.

2169. You represent a considerable body of opinion in regard to these minor grievances?—Some of the officers, yes.

2170. And one of them is the provision for families after death?—Yes.

2171. (*Mr. Abdur Rahim.*) Do you know many cases in which officers of your service have died before they were able to make any provision for their families?—Yes, several.

2172. (*Mr. Sly.*) Do you yourself subscribe to the General Provident Fund?—Yes.

2173. To the full extent permissible under the rules?—Yes.

2174. Do most of the officers subscribe to that fund?—Only a few.

2175. You do not consider that is sufficient?—No, it is not sufficient at all.

2176. Not sufficient for the family?—No.

2177. And there is no other family pension for which you can subscribe?—No.

2178. (*Mr. Chaubal.*) When you recommend that one-fourth of the total number of the Indian Civil Service cadre should be included in the listed posts, can you tell me how you arrive at that proportion?—Only by the number.

2179. It is only a number?—Yes.

2180. You do not proceed on a consideration of the posts and the duties attached and whether Indians are fitted for them; you simply say 20, and therefore the number of one-fourth?—I include in my number 20 one of the Members of the Board of Revenue and Secretary to Government.

2181. You proceed simply on the number?—Yes.

2182. What is the feeling in your service about the two-thirds salary when those who received two-thirds salary in the listed posts are performing the same duties as the Indian Civil Service men? Is that considered to be satisfactory in your service?—I think so.

2183. It is satisfactory?—Yes.

2184. Is there any difference in the rules as to furlough between the Indian Civil Service and your service?—Yes. We have only two years' furlough out of 30 years' service, and they have four years' furlough. Another thing is that the interval for us is ten years, and theirs is eight years.

2185. In view of your answer to question (33), would you recommend a compulsory taking of leave by officers in your service?—If the furlough allowance is increased, I think they will take it, because we do not get half the pay but only half the average salary, and that is very small. That is the chief reason which stands in the way of availing ourselves of the full furlough.

2186. (*Sir Theodore Morison.*) I gather from your answers that you do not think officers of your service take sufficient leave for their health, that their health suffers?—Yes.

2187. The conditions of leave are such that they do not take it?—Yes.

2188. And their health suffers in consequence?—Yes.

2189. In answer to question (8) you say it is desirable that there should be a due representation of all classes and communities?—Yes.

2190. Do you say that on the ground that it is desirable for the efficiency of the service or in the interests of each particular class?—In the interests of each particular class.

2191. Is there any discontent among the other classes because they are not represented and do not get any?—I cannot say that.

2192. You think it is only fair?—It is only fair.

2193. You do not think that the present condition of things produces any public dissatisfaction?—No.

2194. (*Lord Ronaldshay.*) If your proposals for improving the provision made for the families of retired members of the service are not adopted, would you be in favour of making subscription to the General Provident Fund compulsory upon all members of the service?—It is only very small, but I think it must be made compulsory in the case of all Provincial Civil Service officers.

2195. (*Mr. Oldfield.*) With regard to your answer to question (43), do the Provincial Service contribute anything towards pensions?—No.

2196. They differ from the Indian Civil Service in that respect?—Yes.

2197. Your knowledge of the southern districts is considerable?—Yes, I have been in southern districts.

2198. Do you think the public appreciate the necessity for actually discountenancing crime and assisting justice?—Yes.

2199. Would you describe the kudikaval system to us?—In the districts of Tinnevelly and Madura that system is in force. A kavalgar looks after all the things and is paid monthly at the rate of four annas or eight annas for each house, and he is made responsible for all the things lost.

2200. On what ground is he made responsible?—He is there in the village.

2201. What caste does he belong to?—The Marawa caste.

2202. Kalars?—Yes.

2203. What are the Kalars by profession?—Cattle lifters and thieves.

2204. What is the ordinary Tamil in Tinnevelly for thief?—Kalar.

2205. Is this payment made generally by respectable classes?—Some do pay.

2206. Many?—Almost all I think in those districts pay.

2207. Do you pay?—When I was in Tinnevelly I think I paid once.

2208. Are those the classes from which our District Munsifs are drawn?—I cannot say.

2209. They are more respectable?—Yes. I do not understand the subject.

2210. Do the more respectable classes pay?—Yes.

2211. From the more respectable classes would the District Munsifs be drawn?—Perhaps they might be drawn; there is nothing to prevent it.

2212. (*Mr. Ramachandra Rao.*) Does the District Officer do the same work as a District Officer of the Indian Civil Service?—Yes.

2213. Would you recommend that all officers should have a training both in the Provincial Services and the Indian Civil Service?—Yes.

2214. (*Mr. Subrahmanyam Pantulu.*) You have had no experience of the judicial Branch?—No.

2215. Your proportion of one-fourth applies only to the executive branch?—Yes, only to the executive branch.

(The witness withdrew.)

M.R.Ry. Rao Sahib T. BALAJI RAO NAYUDU Garu, Revenue Divisional Officer.

Written answers relating to the Provincial Civil Service.

2216 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions are suitable and I have no suggestions to make.

2217 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your province. Are these rules suitable, or have you any recommendations to make for their alteration?—Competitive examinations for the Executive branch of the service were being held till 1905 as per rule XII of Appendix II to Board's Standing Order No. 120, paragraph 1, but these have since been discontinued—*vide* revised rule II of the rules as amended by G.O. No. 13, dated 6th January 1910. Subsequently in 1912 there was a notification No. 219, dated 1st May 1912, notifying a post of Honorary Deputy Collector.

Young men directly recruited as Deputy Collectors are not likely to be as successful as the officers of the Indian Civil Service, as Deputy Collectors in divisional charge, besides wanting in the previous training that the Indian Civil Service officers have, are provided with smaller establishments and have therefore to do more work. On the other hand promotion of men from lower ranks at the fag end of their service is not also likely to be successful as they would get jaded by the time they become Deputy Collectors. A medium course will be to appoint promising young men with a service of not less than five and not more than ten years. They will have the advantage of experience and the strength of youth to do their work vigorously. The number of probationary Revenue Inspectors and Deputy Tahsildars may be increased, transferring when desirable men from the Subordinate Service to the Probationary class.

2218 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—As soon as Act VII of 1857 was passed, Deputy Collectors were appointed by selection of officers from the lower grades of the service. These proved the most efficient, as the appointments were few in number and the best had to be selected. Later on, inexperienced young men though of bright parts were selected by means of competitive examinations. Subsequently as the number of appointments got considerably increased (the present strength of Deputy Collectors being 137 permanent and 10 acting) the selection had naturally to go not only to the marked or best men but also to others. Consequently I am of opinion that the present day Deputy Collector does not compare favourably with the Deputy Collector appointed under the first system. An inexperienced young man directly appointed will be wanting in the necessary experience and worldly knowledge to discharge his duties properly, and the experienced subordinate officers promoted after a service of over 20 years will be wanting in energy and strength though fully equipped with the necessary knowledge: the best course to be adopted would be the appointment of promising men from the lower grades after a service of not less than five and not more than ten years. To secure this end the appointment of Revenue Probationers may advantageously be revived and the number of Probationary Revenue Inspectors increased, deserving men who enter the service other than as Revenue Probationers or Probationary Revenue Inspectors also being drafted to the cadre of Probationers.

2219 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—One appointment has been made within my knowledge. I consider that only residents of the Province should ordinarily be recruited; for the executive duties, unlike Judicial functions, will be better discharged by persons having local experience.

2220 (8) Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—Brahmans preponderate over all other classes and communities, for there is a larger number of educated persons amongst them. To secure that the posts are not monopolised by a single community, the number of appointments to be allotted for each community should be fixed from time to time and selection made from candidates of the community to which the vacancy belongs, taking into consideration only the names of that particular community received from Collectors. In making the selection it should be seen that the fixed number of sanctioned appointments allotted to each community is maintained. The individual merit or force of recommendation in favour of an officer belonging to another community should never outweigh the consideration of maintaining the fixed number under each class.

2221 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—Since the competitive examination and the recruitment of Revenue Probationers has been dispensed with, there is no system of training for Deputy Collectors and Taluk officers. The Deputy Collectors now on probation are thus shown just for the purpose of enabling them to complete the tests and giving satisfaction in their work. The Probationary Revenue Inspectors are trained according to G.O. No. 682, dated 11th March 1911. If the system advocated in reply to question (6) is adopted, the Revenue Probationers and Probationary Revenue Inspectors will have to be given the following training:—

(i) Survey training, 1 month and 15 days.
(ii) Taluk accounts, 1 month and 15 days.
(iii) Village officer's duties, 3 months.
(iv) Taluk duties, 3 months.
(v) Revenue Inspector's duties, 3 months.
(vi) Taluk head accountant's duties, 3 months.
(vii) Divisional office clerk, 3 months.
(viii) Collector's office clerk, 3 months.
(ix) Attached to Taluk office, 3 months.
(x) Attached to Divisional office, 3 months.

2222 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—The existing system of departmental examinations is suitable.

2223 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—No changes are necessary.

2224 (12). What is the system on which the strength of the $\frac{\text{Executive}}{\text{Judicial}}$ branch of your Provincial Civil Service is fixed? Do you consider it satisfactory, and if not, what alterations do you recommend?—The existing strength is fixed on a consideration of the posts ordinarily filled by Deputy Collectors, the reserve required to fill Civilian divisions temporarily and leave vacancies. It is fairly satisfactory, but in view of the acting appointments having gone up to 10 in number in spite of the restriction in G.O. No. 2714, dated 6th September 1911, to fill leave vacancies or to arrange for special duties it appears desirable to increase the reserve.

2225 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—The leave reserve does not seem to be sufficient.

2226 (14). Is there any reserve for officers under training and is it adequate?—There is no special reserve for officers.

2227 (15). What is the annual rate of recruitment and how is it fixed? Has it worked well in practice and does it secure an even flow of promotion?—Statistics are not available.

2228 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—As a rule promotions should be made up to Rs. 500 by seniority, but beyond this limit promotion should go by merit alone.

2229 (17). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—Yes. I have no suggestions to make on the selection for higher appointments and the compulsory retirement of inefficient officers.

2230 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The civil judiciary is quite unconnected with the Executive branch, but the Executive branch is still connected with criminal judicial work and also with a certain amount of civil work in connection with land tenures. No change is desirable in the present state of the country as the administrative officers of the district can better secure the peace therein as they are more intimately acquainted with the crime and people therein than the merely Judicial officers. The work connected with the Estates Land Act may be transferred to the Judicial branch of the service.

2231 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointment to these posts suitable? If not, what alterations do you suggest?—Yes. Yes.

2232 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—Yes.

2233 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes.

2234 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

2235 (23). Please give full information regarding the rates of pay and the number of posts in each of the main grades of the Provincial Civil Service authorised on the 1st April of each of the following years:—1890, 1900, and 1912. When was the last general reorganisation effected, and what improvement of prospects was effected thereby?—The last reorganisation was effected in 1911 raising the maximum pay of Deputy Collectors from Rs. 700 to Rs. 800 and corresponding increase in the number of posts in each grade.

2236 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Yes.

2237 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No: it is desirable to give Deputy Collectors acting promotions in higher grades. District Munsifs, Collectors and Sub-Collectors get them. Permanent promotions in the higher grades of Deputy Collectors are far between; officiating promotions are therefore necessary. The Madras Government have recommended it frequently.

2238 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I would recommend a time-scale up to Rs. 500, beyond which the present graded system of promotion should be followed.

2239 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

2240 (28). What is your experience of the practical working of time-scales of pay in other Indian Services?—The time-scale of pay introduced into the Imperial Forest Service in 1909 is very encouraging.

2241 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—From the Rs. 250 grade to the Rs. 500 grade of the Deputy Collectors an officer should be able to rise in 5 years by annual increments of Rs. 50 each.

2242 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Three-fourths may be suitable considering the present rise in the scale of life in native officers.

2243 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—No. The reason is that an officer cannot take more than 6 weeks' leave on full pay without liability to postpone his furlough for a period of at least 18 months after return from leave and without the liability to get transferred from his present station, which means a lot of expenditure and interference with the education of his children. As, according to the present educational rules, boys cannot leave one school for another in the course of a term or year, the transfer of an elderly officer in the middle of a year means keeping his boys and families in the old station, himself going to the new station. The amount of privilege leave that can be earned is not suitable as the present rule is that more than three months' privilege leave cannot accumulate. The limit may be extended to six months.

2244 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—No; it is necessary to allow for as much furlough as is permissible by the present rules, as the consolation that an officer can take furlough when tired of work is a great impetus to energetic work when in office.

2245 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Yes; but furlough allowance should never fall short of half the *pay* of the officer as the present rule that the furlough allowance is calculated on average salary works hard on officers belonging to a graded service.

2246 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—Yes.

2247 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—No; Yes.

2248 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—The shortness of leave with full allowances causes an excessive number of transfers at the end of privilege leave.

2249 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—Yes. The difficulty can be met by allowing privilege leave to accumulate up to six months.

2250 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—Yes. Under the present rules an officer returning from furlough has to remain in service for at least eight years before he can take other period of furlough. The interval may be reduced to five years. Also, if the limit of privilege leave be not extended to six months as suggested in reply to question (38) the interval between each two periods of furlough may be reduced to four years. Furlough may be given in

instalments, the first instalment accruing after four years' service. At present Indian officers hesitate to take furlough specially on account of the long wait of eight years that is necessary for one to be entitled to such leave again.

2251 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Yes, as far as the interests of individual officers are concerned, but the interests of Government are likely to suffer unless the conditions of continuing officers over fifty-five years in age are made stricter.

2252 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?—The same rule that is now being observed in the case of officers of 60 years may be observed in the case of officers who attain 55 years. It may also be desirable to insist on medical certificate as to an officer's health and strength if it is proposed to retain him after 55 years, as this will do away with the individual opinion and favour of Collectors.

2253 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes.

2254 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—The pensions allowed to persons holding the post of Collectors and other higher appointments are low. As a Collector draws a pay of Rs. 1,600, he is allowed only Rs. 416. This is about a fourth part of his pay and is very low. The maximum pension of native officers may be raised.

2255 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—Considering the onerous nature of the duties entrusted to Deputy Collectors and the consequent strain on their mental and physical capacities it may be desirable to allow full pension to officers on voluntary retirement after a service of 25 years and to those retiring on medical certificate after a service of 20 years. The small number of officers who have lived to enjoy the benefit of pension after an arduous service of 30 years justifies a reduction in the service limit as above suggested.

2256 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident fund, or to other official or officially-recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—The General Provident fund is now being generally taken advantage of. No further facilities are required.

2257 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable and explain fully your views, making any suggestions that appear to you to be suitable.—Yes.

2258 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them.—(i) The minimum pay of a Deputy Collector may be raised to Rs. 300 so as to make it a little higher than the maximum pay of a Tahsildar.

(ii) From a perusal of the monthly lists of Deputy Collectors it will be seen that transfers are more frequent than necessary among them, an officer being transferred from one station to another even before he has time to study the division he is in charge of. Such frequent transfers not only inconvenience the officer but they are also detrimental to the interests of the division. It therefore appears to be quite necessary that Deputy Collectors are allowed to remain in charge of divisions for as long periods as Collectors and Sub-Collectors are, or at least for a period of three years as is done in the case of District Munsifs—no matter whether they may be off on short leave.

Mr. T. Balaji Rao Nayudu, called and examined.

2259. (*Chairman.*) You are a Revenue Divisional Officer, are you not?—I am.

2260. What is your caste?—Sudra.

2261. What has been your past experience in the public service?—I started as a police inspector and then was a Sub-Magistrate and afterwards became a Tahsildar and then a Revenue Divisional Officer, with a service of 27½ years

2262. How old are you?—49.

2263. Your written evidence refers mainly to the Executive branch of the Provincial Civil Service?—Yes.

2264. You are generally satisfied with the system of recruitment, are you not?—Yes.

2265. You suggest that the system of promotion should undergo certain changes?—Yes.

2266. You would make it a rule not to promote Tahsildars of less than five or more than ten years' service?—If the competitive examination were done away with; that is the alternative.

2267. What are your reasons for making that suggestion?—My opinion is that some experience in the lower grades would fit men better to perform the duty of Divisional Officer or District Officer.

2268. At the same time you want to avoid their reaching too great an age before they are eligible for a higher appointment?—Not quite that, because if they should become Deputy Collectors with five or six years' service I suppose they could reach the top of the ladder.

2269. You are anxious to ensure due representation of communities?—I am.

2270. How would you ensure that?—From time to time by Government allotting a certain number of places to each community, when the selections would be made out of the candidates allotted for that community or from amongst the candidates recommended from that community.

2271. You gave a very full explanation of your views as regards salary, leave and pension, and I will not occupy your time in taking you through them now. You make many substantive suggestions in the nature of what you regard as improvements?—I do.

2272. (*Lord Ronaldshay.*) I understand that you attach very great importance to the representation of different classes and communities in the Service?—I do.

2273. For what reason?—Because they would safeguard the interest of all communities. India is not a nation as Europeans are. There are so many sects and classes and communities, and unless each community is represented by its own member I do not think the interests of all are safeguarded.

2274. It is in the interests of the classes themselves?—Yes.

2275. You think it desirable that they should be governed to a certain extent by men of their own class?—Yes.

2276. Can you tell me, roughly speaking, what you mean by classes and communities? About how many different classes and communities do you think ought to have representation?—At least four castes of Hindus, and Muhammadans, and Christians; that makes six altogether.

2277. You also attach great importance to Executive officers exercising criminal judicial power?—Yes.

2278. In answer to question (18) you say that these men are more intimately acquainted with crime and the people in their districts than judicial officers would be. Do you mean by that that if these criminal judicial powers were taken away from the Executive Officers and handed over to the Judicial side of the service, criminals would probably escape conviction to a great extent?—That is not the only reason. For the matter of keeping peace, and such like things, the Executive would be better for administering criminal justice. That is my chief point. Of course justice is administered by either party equally well, but in the matter of keeping the peace and seeing that disturbances do not occur, and such kind of things, the Executive can manage better than the Judicial.

2279. Then I may take it from your personal experience that you would be very strongly opposed to a separation of Judicial and Executive functions in that respect?—Yes.

2280. (*Sir Theodore Morison.*) What disadvantages do you think come from the preponderance of the Brahmans in the official classes?—It is not only the Brahmans. If any caste preponderated, it would be disadvantageous to other classes.

2281. Do you find that there is discontent amongst the classes who are unable to secure admission to the official circles? Is there any discontent from the fact that there is a preponderance of one class?—There is to some extent.

2282. Can you give me illustrations of how you come to know that; some examples of the sort of things. Do people say anything?—Yes, it is from what I have heard people say. The subordinates of the lower grades say that they have no patronage in getting into higher things. If an officer happens to be a Brahman they think Brahmans will monopolise appointments. If he is a non-Brahman, they think non-Brahmans get better chances. They grumble.

2283. You are referring to the persons actually in the service?—Yes.

2284. Is there any discontent among the official classes?—I think the ryot population want more of non-Brahmans.

2285. In what way exactly does that affect him? In what way would he be benefited or think he would be benefited?—He thinks a Sudra has more sympathy. Most of the ryots are Sudras.

2286. (*Mr. Chaubal.*) Will you mention the four classes of Hindus you have referred to as those classes that ought to have representation?—Brahmans, Kshatriyas, Vaisyas and Sudras.

2287. But do not you think that in each of these four main castes there are sub-divisions which exclude each other quite as much as the main classes do?—No.

2288. For instance, in this part of the country among the Sudras are there not different classes which are practically absolutely separate castes by themselves? Are there not classes of Sudras who do not inter-dine or inter-marry?—There are.

2289. Similarly amongst the other castes, so that as regards these main sub-divisions the differences are quite as much accentuated as between the four castes themselves?—Of course they may not intermarry or inter-dine, but all Brahmans are one and all non-Brahmans are one. That is my understanding.

2290. Ought to be one or are one?—Are one.

2291. (*Mr. Gokhale.*) In which of these four classes do you place the Panchamas?—They do not come under any class; they must be separate.

2292. They are Hindus?—I think they are Hindus.

2293. Then why do you leave them out?—I lost sight of them, I suppose.

2294. What will you do about giving them their proper share in the administration?—When they become fit to take part they ought to be given their share.

2295. When you speak of the Panchamas, you speak of them having to become fit first, but when you speak of the Brahmans you speak about their monopolising the service. Why should you not give the Panchamas a certain proportion, as you want proportions to be reserved for the different castes?—I did not propose it for each section. I said Brahmans and non-Brahmans, putting all the non-Brahmans together, Muhammadans, and Christians.

2296. But where do you place the Panchamas in that division; among the non-Brahmans?—Yes.

2297. Therefore they must have their share of the posts allotted to the non-Brahmans?—Yes.

2298. Whatever their proportion may be?—About half.

2299. Would you fix the proportions according to population or according to education? Have you thought out any scheme?—By taking the number of educated men in each class into consideration.

2300. If you take the number of educated men in each case into consideration, will the disproportion of Brahmans appear so serious as it does?—I think it will.

2301. Have you any figures to show that?—I have not.

2302. Can you put in a table at your convenience showing the extent of education amongst the different castes and the number of appointments held by the different castes?—I may be able to do so.

2303. You are sure it will show that the disproportion is great even taking into consideration

the spread of education among the different castes?—Yes, I think so, if we do not restrict it to graduates.

2304. What is the standard of education you have in view in regard to the employment in Government service?—The test required for the officers.

2305. For the Provincial Service what would be the minimum educational standard?—A graduate, because one cannot complete the special test without being a graduate.

2306. If the minimum qualification is that of a graduate for the Provincial Service, will you look up the number of graduates from the different castes and find out how many posts are held by each division?—Yes.

2307. You still think the disproportion would be great taking the graduates into consideration?—If we take the graduates into consideration it would not be.

2308. Do not you think there should be a minimum educational qualification?—Yes, except in special cases.

2309. I agree that with a minimum qualification the backward castes should have not only their share but more than their share, but you must insist on a minimum educational qualification?—Yes.

2310. (*Mr. Sly.*) Do you think that under the existing conditions of society it would be possible for a Panchama to execute efficiently the duties of a Deputy Collector?—Yes, if he had the necessary educational qualification and social status.

2311. As a Panchama, would he have the social status?—Not the ordinary Panchama. As soon as he obtains a status he might.

2312. You mean an educated Panchama?—Yes. He may do his duties well.

2313. It would be possible for him to perform just as efficiently as any other caste the duties of a Deputy Collector?—Yes.

2314. (*Mr. Macdonald.*) Would you make it a little clear for me why you want this caste representation. Is it in the interests of the service or in the interests of the castes themselves?—In the interests of the castes and communities.

2315. More in the interests of the castes?—Yes.

2316. If you had the castes better represented in the service would that change the general tone of the service or would the Brahman still be a Brahman?—I suppose that if we had more non-Brahmans the Brahman would be more considerate.

2317. You say that the ryots want divisional officers who are non-Brahmans?—They would better like the idea of having them.

2318. They would "prefer"—would that word suit you?—Yes.

2319. But in a district where there is a Brahman would it make any difference to the ryot even if in a neighbouring district there is a District officer who is not a Brahman?—It might make a difference.

2320. But you are not quite sure?—They think that a non-Brahman has more sympathy with the ryots.

2321. Are you acquainted with the expression "sharing the spoils"?—Yes.

2322. Is that why these other castes want representation?—I do not think so.

2323. What is the objection to the various communities coming up to a certain educational standard?—There is no objection, but it takes time.

2324. You admit that this educational standard is necessary for the efficiency of the service?—Yes.

2325. And your proposal to the Commission is to lower the efficiency of the service until you have time to come up to a proper standard?—Yes.

2326. (*Mr. Madge.*) I gather from your statement this morning as well as from some of your written replies that you think the Indian community in this Province is so broken up into factions that there is practically no common ground from which they look at any large public administrative question. Is that so?—No, not quite. It is not what I mean.

2327. Then what do you mean by their being so divided into varied interests that the administration should be based on what you have said. If there is no common ground from which they can agree why should there be any difference in any other respect?—I think there is no common ground upon which they can all agree, as long as the numbers of educated men are quite uneven, taking the communities into consideration.

2328. I am not asking about private or social interests but about administrative questions. I gather from what you have said that you want every class to be represented. Is it or is it not because there is no common ground from which they can look at ordinary subjects?—Yes, I think they have no common ground.

2329. Then instead of fixing a hard and fast rule of a proportionate representation, do you not think it would be wiser to advocate a policy under which the Government would select or apportion its appointments so as to meet what you want?—That may be done. It is equally convenient.

2330. Do not you think it is wiser to have that?—Yes.

2331. In your answer to question (6) you have given a number of reasons why certain classes of officers are wanting. As I read them they seem to me to be rather theoretical reasons for your conclusions. Are these conclusions based on any experience of your own?—Yes.

2332. You have had experience on which you base them?—Yes.

2333. (*Mr. Abdur Rahim.*) I understand you consider it necessary that officers should be recruited from among graduates of the Universities?—Not necessarily. I said the test for the post of Deputy Collector requires one to become a graduate, otherwise I do not insist on a graduate alone being entitled to become a Deputy Collector.

2334. In your opinion is the present test sufficient to guarantee a high standard of efficiency?—Yes.

2335. You would not like to lower that standard?—It may be.

2336. You would prefer it?—Yes, I would.

2337. Simply in the interests of the different classes?—Yes.

2338. (*Sir Valentine Chirol.*) You lay great stress upon the representation of communities. Within your experience can you tell us whether there are any categories of questions in which the Executive power being invested in a Brahman and not in a Sudra is calculated to affect directly the material interests of the ryot?—That is the general impression I have.

2339. Can you tell me what are the sort of cases from which that general impression arises? What are the questions in which a Brahman is likely to act possibly less fairly and less liberally to the ryot than a Sudra would?—In the matter of revenue administration, inquiring into the ryot's grievances, and looking into other matters, they think a Sudra is more accessible and better fitted for out-door work and physical labour.

2340. Can you give me one or two instances? Is it drawing water or access to water, or is it with regard to the nature of the taxation of lands?—No, I do not think there is any particular item; it is a general impression.

2341. But the general impression must be based upon a considerable number of individual cases. Can you tell us what the nature of these cases is which gives rise to the general impression?—The ryot population think that a Brahman would be accessible to Brahman ryots of the village and the Brahman subordinate officers, whereas a Sudra, they think, would be accessible to the Sudra ryots.

2342. That is the main difference, that it is the ministerial officers who will prevent a ryot having this easy access to a superior Brahman executive officer rather than to a Sudra?—Yes.

2343. With regard to question (18), as to the separation of the Executive and Judicial Services, to which you are opposed, it is especially with a view to better securing the peace of the country that you wish to preserve connection between the Executive and the Judicial? I think I was right in understanding from a previous answer of yours that what you had in view was not so much the actual repression or punishment of crime when it has once taken place, as that the executive officer being in closer touch with the country would be able to take better measures for the prevention of crime?—Yes.

2344. (*Sir Murray Hammick.*) Has your service been almost entirely in the North of the Presidency?—Yes.

2345. You have never served in the Tamil district?—No.

2346. All through the Ceded districts, and I think in most of the Telugu districts in the north of the Presidency, the karnam, who is mostly Brahman, gets much more authority as regards the manipulation and keeping of these accounts than he would do if the immediate inspecting officer was a non-Brahman?—Yes.

2347. Have there not been cases in the Ceded districts where the rule of one Brahman sect has become so extended throughout the district that the Board of Revenue had to interfere and transfer officers to other districts in order to prevent that combination of Brahman elements in the district?—Yes,

2348. Such a case occurred I think in Bellary?—Yes.

2349. And also in Cuddapah?—Yes.

2350. And it was generally felt by the officers of the district that the clique which was made by these Brahman officials, acting no doubt through karnams and the lower subordinate Brahman officials, was bad for the administration of the district?—Yes.

2351. (*Mr. Oldfield.*) You have a son in England, I think, studying for the Bar?—Yes.

2352. Is he under Mr. Arnold and the India Office Committee?—Yes.

2353. Are you quite satisfied with that supervision?—Yes.

2354. You have full confidence in his ability to keep straight?—Yes.

2355. You were a Police officer originally?—Yes.

2356. Do you find your Police experience in the investigation of crime of use to you in your position as a Magistrate?—Yes.

2357. With regard to the feeling between the Brahmans and the non-Brahmans I want to put a specific instance to you. You were in Kistna in 1896 I think?—Yes.

2358. Do you remember a feud between the Brahmans and the Komati?—Yes.

2359. The matter in dispute was the claim of the non-Brahman Komatis, amongst other things, to read the Vedas in the same way as the Brahmans?—Yes.

2360. That dispute became very bitter and ended in criminal cases?—Yes.

2361. And spread to other districts?—Yes.

2362. (*Mr. Ramachandra Rao.*) You remember the system recently introduced by direct appointments to Revenue offices?—Yes.

2363. The idea is that after two years they are confirmed as Revenue Inspectors and are probably rapidly promoted to Sub-Magistrates?—Yes.

2364. How long will it be before they rise in the usual course to the greater offices?—About six years I think.

2365. Are you aware of any instance now of an officer appointed at Rs. 100 rising to a Deputy Collector within six years?—I think some of the Deputy Collectors got in after six years' service. They began at 60 or 70 rupees and became Deputy Collectors within six years.

2366. What is the average period which it takes for an officer, after being a Sub-Magistrate, to become a Deputy; would it not be something about 12 to 14 years?—Yes.

2367. Do you expect that your system will give you Deputy Collectors without their energies being reduced in the usual way?—Of course these probationers will not have promotion in the usual way; there must be a separate system.

2368. Your idea is that the probationers should be given special promotion to the ranks of Deputy Collectors after being trained for five or six years as Revenue officers and Sub-Magistrates?—Yes, four or six years.

2369. (*Mr. Subrahmanyam Pantulu.*) You have been an executive officer?—Yes.

2370. You have no experience of the judicial office?—No.

2371. Are all the village munsifs in your district Sudras?—Yes.

2372. Do you think there will be a combination between the non-Brahman officers and the Sudra village munsifs. There may be a non-Brahman official and a Brahman karnam?—There is an idea that a non-Brahman munsif would not be as intelligible as a Brahman karnam to the ryot, who is mostly Sudra.

(The witness withdrew.)

A. R. KNAPP, Esq., I.C.S., Collector.

Written answers relating to the Indian Civil Service.

2373 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle? (2) In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I regard the present system as fairly satisfactory. Its obvious weak point is that it takes into account only scholastic attainments and leaves out of reckoning other and more important qualifications, *e.g.*, character, physique, and what I can best describe as manners—whether inherited or acquired. I consider that limited competition among candidates who had previously secured nomination by an independent Board of Selection would probably give better results. The considerations by which the Board should be influenced in making their selection are too numerous to mention; they would not differ greatly from those upon which the naval authorities now base their selection of candidates for the Navy. Such a system would help to eliminate some men who, though intellectually well qualified, are not by temperament or upbringing altogether suited for the kind of work required of the great majority of Indian Civil servants.

2374–5 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty? (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—(7 and 9) I take these questions together. I am not in favour of simultaneous examinations in India and in England. It is, in my opinion, absolutely essential that the working of the Executive should be British in general tendency and tone, and should reflect, if not British natural characteristics, at least a British training. This is impossible if the Civil Service is filled to any considerable extent by men who have never been in Europe. It may be that with simultaneous examinations the large majority of the successful candidates would still be found among the London competitors, but it would be unwise to leave to the chances of a written examination a matter of such vital importance to good government. It would be necessary to fix a maximum number of candidates to be selected in India, or alternatively to settle in advance the number of appointments to be competed for at each centre. The undesirable results of an identical examination in such conditions are obvious, and the proposal would resolve itself into such an arrangement as is suggested in question (9), namely, a separate examination in India for a fixed proportion of the vacancies. To this also I see strong objections. It would represent the old discredited statutory system with a different but in my opinion not more satisfactory method of recruitment. The fixing of the proportion of vacancies to be filled in India could be based on no logical principle: if the proportion were low, it would fail to satisfy the aspirations of those who now desire simultaneous open competition; if it were high, it would endanger the maintenance of the British element in the Executive; and in any case it could only be arrived at by an arbitrary process.

My conclusion, therefore, is that the present system is in every way preferable to either of the alternatives indicated. It is the only one which allows of provision being made for the due representation of all classes in India, a need which certainly exists now and is likely, so far as I can see, to continue.

2376 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict. c. 54) [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54), and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions]?—As the Administration and the Public Services are at present constituted, I consider it essential that certain posts should be reserved by statute for officers recruited in England to the Indian Civil Service. I can see no other means of ensuring the essential British element.

I see no reason to recommend any change in the schedule, but it may be noted that the *office* of Joint Magistrate, Sub-Collector and Assistant Collector is no longer reserved for Indian Civilians though the *designation* is. The charge of a division of a district which is the office referred to in the Presidency is now held indiscriminately by Civilians or Deputy Collectors.

2377 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—It seems to me impossible to lay down any proportion of the higher posts taken as a whole to which Natives of India can be admitted. In certain grades of the service a proportion has in fact been prescribed and two Collectors and four Judges are now Indians. The fixed principle to be kept in view being the maintenance in the administration of a British tone and standard, the proportion can only be raised from time to time as Natives of India become available who are qualified to meet the requirements of this fixed principle.

In the posts outside the regular grades more definite individual qualifications are needed and the selection by Government should be absolutely unfettered: to fix a proportion of these posts to which persons of any class should be appointed is obviously impossible. The result of fixing a proportion of the whole service would be that failure to find qualified Indian candidates for the special posts would entail an increase in the number to be provided for in the regular grades and a consequent disturbance of the numbers recognised at the time as admissible and suitable in these grades.

Whether the candidates available from time to time are fully qualified to fulfil the conditions of the fixed principle to which I have referred, or, if they are not, in what numbers they can be admitted without seriously interfering with the general tone and standard of the administration, seems to me to be a matter which must be left to the respective Governments in India. But under any system of listed posts it should be clearly laid down that the listing of a post as open to natives of India does not necessarily imply that an Indian must be appointed to it, whether qualified or not; and lest even this declaration should not suffice to remove an impression which now seems to prevail, I would refrain from listing any post outside the regular grades. The appointment of non-civilians to these posts should be made under the Act of 1861.

2378 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—I consider that they should receive an allowance sufficient to cover their reasonable expenses. I would fix this at £200 a year which is, I believe, the minimum cost nowadays of a year at one of the larger universities. If anything less is allowed, the result must usually be that an officer will begin his Indian career saddled with debts which his salary in his early years of service will not permit him to clear.

Included in the allowance now given is a grant of £37–10–0 allowed on account of passage to India. This virtually represents the cost of a second-class passage, and has been widely interpreted as such. Officers of other departments (*e.g.*, Educational, Agricultural and Public Works) are granted free first-class passages to India, and it seems inexpedient that an invidious distinction should be drawn between them and the Civil Service. I would recommend that free passages, first class, should be granted to young Civilians, or if this cannot be done, that the grant on account of a passage should be raised to a lump sum of, say, £50.

2379 (72). The present theory underlying the conditions of service in the Indian Civil Service is—(*a*) that the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—The attainment of "superior" rank in this Presidency does not involve any change of duties or increase of responsibility and there is no need to alter the period at which that rank is in theory attained.

2380 (76). Is any difficulty experienced by the Administration in working with the number of superior posts shown in the list for your Province? Do all the posts entered as superior carry a salary of more than Rs. 1,000 *per mensem*, and are they all such as are ordinarily held by officers in the Indian Civil Service? If not, what changes, if any, do you suggest?—My own experience leads me to hold that the number of Collectors should be increased. The number of districts is insufficient, the districts are too large and the work is too heavy. One result is to tie the Collector far too much to his desk and to threaten to convert him from an administrator and supervisor of his district into a head clerk. In another direction the excessive work tends to cause deterioration by leaving a Collector in this Presidency no moment to spare for anything but his daily duties and so cutting him off to a great extent from outside interests and narrowing his views and outlook.

2381 (90). Please see the two statements contained in Appendix VIII to these questions showing the various rates of pay drawn by officers holding posts in the Indian Civil Service cadre and the grading of each class of post for the different Provinces, and say whether they are correct for your Province?—Statement DD in Appendix VIII appears to show that both on the Executive and the Judicial side the Madras Service is better off than that of other Provinces. On the Revenue side it is shown that of our heads of districts 77·8 per cent. draw pay at Rs. 2,250 or over, the remainder receiving Rs. 1,800 or over; in other Provinces the proportion in the Rs. 2,250 grade is much smaller while some Collectors receive only Rs. 1,500. Any inference drawn from these figures alone would, however, be misleading. For purposes of comparison, our first-grade Sub-Collector on Rs. 1,200 should be included with Collectors, seeing that it has been recognised that the Sub-Collector's charges in Madras are as important as some of the smaller districts in Northern India, and Madras Sub-Collectorates of the first-grade have been classed along with district charges as "Superior" posts. If our 20 Sub-Collectors of the first-grade are included with Collectors for the purposes of the statement in Appendix VIII-DD, and the heading of the last column altered so as to include appointments on Rs. 1,200 and over, the result will be as follows:—

Presidency or Province.	Total number of appointments.	Appointments in the grades of Rs. 2,250 and over.		Appointments in the grades of Rs. 1,800 and over but less than Rs. 2,250.		Appointments in the grades of Rs. 1,200 and over but less than Rs. 1,800.	
		Number.	Percentage.	Number.	Percentage.	Number.	Percentage.
Madras	47	21	44·7	6	12·8	20	42·5
Bombay	29	13	44·8	15	51·7	1	3·5
Bengal	39	12	30·8	13	33·3	14	35·9
United Provinces	54	19	35·2	21	38·9	14	25·9
Panjab	34	10	29·5	11	32·3	13	38·2
Burma	40	12	30	13	32·5	15	37·5
Bihar and Orissa	29	9	31·0	10	34·5	10	34·5
Central Provinces and Berar	34	8	23·5	12	35·3	14	41·2
Assam	19	6	31·6	7	36·8	6	31·6

While the figures under "Divisional Officers" will be —

Presidency or Province.	Total number of appointments.	Appointments in the grades of Rs. 900 and over but below Rs 1,200		Appointments in the grades of Rs. 700 and over but below Rs. 900		Appointments in the grades of Rs. 500 and over but below Rs. 700.	
		Number.	Percentage.	Number.	Percentage.	Number.	Percentage.
Madras	85	16	18 8	16	18·8	53	62·4
Bombay	95	17	18·5	18	19·6	57	61·9
Bengal	90	17	18·8	17	18·8	56	62·2
United Provinces	113	15	13·3	27	23·9	71	62·8
Punjab	76	14	18·4	15	19·8	47	61·8
Burma	85	11	12·9	13	15·3	61	71·8
Bihar and Orissa	53	10	18·9	10	18 9	33	62·2
Central Provinces and Berar	50	6	12	13	26	31	62
Assam	22	4	18·1	3	13·6	15	68·3

The result will be to show that so far from being better off, we are worse off than other provinces, owing to our percentage of lower paid posts being greater. If Revenue posts above Rs. 2,500 were included in the statement, the disparity would be even greater owing to the number of Commissioners employed in some of the other provinces. A further reference to this matter is made in my reply to question (94).

On the Judicial side, the Madras scale, as the result of the recent reorganisation, is more favourable than that of other provinces.

2382 (94). Do you consider it desirable that there should be uniformity of payment for similar kinds of work in all the provinces, and does any dissatisfaction on this score exist in your province, and if so, what?—It is not necessary, even if it were possible, to secure absolute uniformity of salary, but there is a strong feeling that there should be, as far as possible, equality of prospects in all provinces. This is not now the case. In Madras, for example, while the average pay of junior officers (*i.e.*, those in receipt of salaries below Rs. 1,500) compares favourably with the general average, the prospects of senior men are considerably worse than the average. This is due to the relatively smaller number of the higher appointments (from Rs. 1,500 to Rs. 2,750 and from Rs. 2,750 upwards). The following tables show the present position :—

TABLE A.—*Posts on Rs. 2,750 and over.*

Province.	Sanctioned strength.	Number of posts.	Percentage.
Bihar and Orissa ..	109	15	13·7
Bengal	182	21	11·5
Burma	168	17	10·1
United Provinces ..	228	22	9·6
Bombay ..	171	16	9·4
Punjab	158	14	9
Madras	175	15	8·5
Central Provinces ..	101	8	8
Assam	46	3	6 5

TABLE B.—*Posts on Rs. 1,500 or over and less than Rs. 2,750.*

Province.	Sanctioned strength.	Number of posts.	Percentage.
Assam	46	19	41·3
Bengal	182	68	37·3
Central Provinces ..	101	37	36·6
Bihar and Orissa ..	109	39	36
Punjab	158	56	35·4
Burma	168	52	31
Madras	175	53	30·3
Bombay	171	50	29·2

TABLE C.—*Posts on Rs. 1,000 and over and less than Rs. 1,500.*

Province.	Sanctioned strength.	Number of posts.	Percentage.
Madras	175	23	13·1
United Provinces ..	228	20	8·8
Burma	168	11	6·5
Assam	46	2	4·3
Bombay	171	5	2·9
Bihar and Orissa ..	109	2	1·8
Punjab	158	3	1·8
Bengal	182	3	1·6
Central Provinces ..	101	*Nil.*	*Nil.*

The position of Madras is further aggravated by the fact that our conditions are, as compared with some other provinces, not favourable to the selection of our officers for the higher posts under the Government of India: for example, our Secretaries, by the time they attain that office and establish their fitness for higher Secretariat employment, are too senior to make their appointment to the Government of India Secretariat convenient. This disability we share with Bombay; other provinces, in which the Secretaries to the Provincial Government are comparatively junior men, do not suffer in the same way.

The tables that I have prepared show that, to equalise prospects, the Madras Service requires a relatively wider outlet in the higher ranks than it now enjoys. It is impossible on administrative grounds to reduce the number of men in the "inferior" ranks: the remedy can only be found in a larger proportion of posts in the higher "superior" grades. Should it be found desirable, on administrative grounds, to increase the number of Collectors, this would tend to some extent to correct the balance; but an increase in the average pay of the higher posts would also be needed to set matters right. I consider that, as an attempt to equalise the conditions between Madras and other provinces generally, our Collectors should rise, preferably by selection, to a salary of Rs. 2,750. Some of our districts nearly approach to Commissionerships in importance and there would be nothing inappropriate in paying them accordingly.

2383 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Exchange compensation allowance should not be abolished without at least a corresponding increase in salaries.

2384 (96). If abolition is recommended with compensation in the form of increased salaries what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—The allowance recognises the special burden laid on officers whose domicile is in Europe by the fall in the exchange value of the rupee. If salaries are raised generally irrespective of domicile, the claim of such officers to special treatment will still remain.

2385 (97). How does the system of acting allowances work in the case of officers selected to officiate in appointments involving increased responsibility? Is it productive of any inconvenience and have you any suggestion to make on the subject?—On the executive side the chief acting promotions involving increased responsibility are from Assistant Collector to Sub-Collector and from Sub-Collector to Collector. An Assistant Collector acting as Sub-Collector receives the full pay of a Sub-Collector of the last grade and is thus suitably remunerated. But a Sub-Collector acting as Collector cannot draw more than Rs. 1,600 and may receive as little as Rs. 1,433 *per mensem*. The pay of a junior Collector is Rs. 1,800 and the full salary of the post is by no means too much considering the official and social position of the officer and the calls on his purse. The expenses of an acting officer are little if anything less than those of a permanent incumbent: the responsibilities are in no way less. I speak from personal experience when I say that the lower grades of acting pay as Collector of a large district are altogether inadequate to meet the social and official obligations imposed by the position. I consider that no officer acting as a Collector should receive less than Rs. 1,700 *per mensem* at the lowest. The principle of fixing a minimum salary for special offices is already recognised in the Indian Codes, for an Accountant-General at the three Presidency towns cannot receive less than Rs. 1,500 per month, while the Inspector-General of Forests and acting Conservators of Forests enjoy a privilege of the same kind.

On the judicial side the lowest pay drawn by a Sub-Collector acting as Judge is Rs. 1,566. The expenses of a Judge are not so great, but for the sake of uniformity and as it is considered necessary to make the judicial branch more attractive than the executive, I would apply the same minimum of Rs. 1,700 to the acting Judge.

2386 (98). How is the system of officiating grade promotions, where there is no change of duties actually worked? Is the system convenient in the interests both of the Government and of the officers of the service? Have you any recommendations to make for its alteration?—The system is convenient and works satisfactorily but should be abandoned in favour of a time-scale.

2387 (99) What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—The introduction of a time-scale would be a great improvement on the present system, at least in the lower grades. Regular promotion and well-defined prospects would have obvious advantages over a system under which promotion depends greatly on chance, and a temporary decline in retirements or leave may seriously retard promotion.

The question whether the time-scale should be carried on into the higher grade is more difficult to answer. The uncertainty of prospects there is not so great and promotion to these ranks is by selection, or at least by the rejection of the unfit. There must necessarily be a break in the time-scale at the stage of transition to the rank of a Collector or Judge, and I do not think any purpose would at present be served by instituting a fresh time-scale for officers of that rank.

2388 (102). If you recommend any system of time-scale of pay, please describe it, and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scale in provinces where the scale of pay of the judicial and executive branches of the service is different?—The scale I would recommend is as follows :—

Year of service.	Rate of salary.	Year of service.	Rate of salary.
	Rs.		Rs.
1	500	7	1,000
2	* 550	8	1,100
3	† 650	9	1,200
4	700	10	1,350
5	800	11	1,500
6	900		

* Subject to passing the Lower Standard examination.
† Subject to passing the Higher Standard examination.

STATEMENT comparing the rates of pay of Indian Civil Service Officers (*a*) under the Political department time-scale, (*b*) as 'assumed' for the purposes of article 764 of Civil Service Regulations and (*c*) as suggested by Mr. Knapp.

Year of service.	Political department.	Assumed salary in article 764, Civil Service Regulations.	Proposed.
	Rs.	Rs.	Rs.
1 ..	‡ 450	400	500
2 ..	‡ 500	400	550
3 ..	‡ 550	500	650
4 ..	650	600	700
5 ..	700	700	800
6 ..	750	800	900
7 ..	850	900	1,000
8 ..	900	1,000	1,100
9 ..	1,050	1,100	1,200
10 ..	1,150	1,200	1,350
11 ..	1,250	1,300	1,500

‡ Officers of the Indian Civil Service are not usually recruited for the Political department under three years' service; the rates shown for the first three years are those fixed for officers not belonging to the Indian Civil Service.

Thereafter an officer should remain on Rs. 1,500 until promoted to the post of Collector or Judge.

I consider that Rs. 500 is the lowest pay on which a young member of the Indian Civil Service

should start his service in India. That is the sum allowed to officers of the Educational Department whose age and general education resemble those of the Civilian. The young Police officer now attains the same pay, under the operation of the acting allowance rules, immediately on emerging from his period of probation, that is within his two years of appointment and at the maximum age of 23. Partly owing to the great increase in the cost of living during the last twenty years, the Rs. 400 *per mensem*, considered sufficient 20 or 30 years ago for officers arriving at the age of 20 or 21, is not suitable or sufficient for officers arriving now at 24 or 25 years of age. Starting from Rs. 500, I follow generally the lines of the time-scale already in force in the Political Department, but keeping in advance of that scale throughout. I allow a considerable rise in the third year of service, which is the period at which the young officer is released from tutelage and under our system is posted to a Divisional charge where he has to set up house for himself. From the fourth to the ninth year my scale represents an addition of Rs. 100 *per mensem* to the standard scale of "assumed salaries" laid down in the Civil Service Regulations. In the tenth and eleventh years it rises faster than the "assumed salaries," but I justify this on the ground that about that period an officer is likely to marry and his domestic expenses to increase considerably. The scale of assumed salaries has been in force since 1889 at least: my scale in eleven years only reaches a sum about 15 per cent. in excess of the "assumed rate," though the cost of living must have increased since 1889 by considerably more than that proportion.

2389 (103) If you are in favour of a time-scale of pay, how would you secure that the recruitment of junior officers is restricted to the number likely to be promoted in a reasonable time to posts of independent responsibility, and do you or do you not consider it desirable that all members of the Indian Civil Service should have the prospect of rising to such posts within a fixed time?—Recruitment under the present system is arranged to secure that all officers will be promoted to certain posts at approximately a fixed time: I do not see that an alteration in the system of paying salaries would make the application of this principle any more difficult.

2390 (105). Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?—A newly joined Civilian, immediately on arrival, has to provide himself with a horse and with camp furniture and equipment, all of which are needed for the performance of his public duty. The total expenditure involved is from Rs. 1,200 to Rs. 1,500. At present an advance of Rs. 1,000 is given by Government for this purpose, but this sum besides being inadequate, is recovered from him at the rate of Rs. 100 *per mensem* during the first ten months of service, an arrangement which very seriously cripples his resources. An officer who has no private means can hardly avoid starting his career in debt and this is clearly very undesirable. I consider that an equipment allowance should be given by Government to each newly arrived Civilian, to enable him to fit himself out properly for his work.

2391 (107) Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Under the combined leave system most of the leave on full pay is ordinarily taken, though there are occasional compulsory lapses owing to the restriction of the leave rules.

2392 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—I do not consider the rates suitable. The principal reason why officers do not now take all the furlough due to them is that they cannot afford it. The cost of passages to and fro and the exceptional expense of a temporary residence in England, taken in conjunction with the reduction of income to half or less than half, make much furlough impossible. Even with the comparatively small amount of furlough now taken the average officer returns to India in debt, or at least having spent the small savings which he had accumulated during his last period of duty. Were it not for the privilege of combined leave, which enables a portion of the leave in England to be taken on full pay, the amount of time spent at home would be even less than now. Various suggestions have been made from time to time for improving the conditions in this respect; among them are the proposals to remove the three months' limit now placed on the accumulation of privilege leave or in the alternative to allow the commutation of furlough into full pay leave: but these are only palliatives. I consider that the remedy should go to the root of the matter and should consist in raising the furlough allowance from one-half to two-thirds of full pay. Limitations might be placed on the amount of leave which could be taken, or taken at a time, on these allowances, but the general principle should be to allow an officer to enjoy such reasonable periods of absence from duty, for rest or recruitment of health, as the conditions of service in India are admitted to require, without the financial embarrassment which now, for the average officer, marks each visit to Europe.

2393 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so, what change?—Under any system I consider that the maximum imposed on leave allowances should be removed, or at least greatly increased. The present maximum of £1,000 a year probably amounted to a fair competence when it was fixed: it apparently has no other logical basis. With the rise in the cost of living generally in Europe the maximum has ceased to be suitable, and its existence is an additional obstacle to the taking of leave earned and often badly needed.

I do not consider it desirable to reduce the minimum.

2394 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Yes, generally, but men who at about 25 years' service have risen to the "selected" ranks and continue to serve there may, on the analogy of other branches of the Public Service, reasonably look for an increased pension. I should be inclined to meet this by retaining the present annuity system but by giving an extra £100 a year at 30 years' service to men who had attained "selected" rank. I think that a further £100 a year might be attached to the office of Member of Council if held for three years.

2395 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—No. There would be too much uncertainty of prospect and the man who for no fault of his own, but merely owing to slowness of promotion, finds himself blocked out of the higher paid posts should not be further penalised by loss of pension.

2396 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what and for what reasons?—Yes, as described in my reply to questions (118) and (119).

I am strongly of opinion that the practice of requiring Civilians to contribute towards their pensions should cease. It obtains, so far as I know, in no other service. The contributions constitute a substantial drain on incomes which at some stages barely represent a living wage, and which at no period of the service of the average Civilian now leave any margin for putting by savings against retirement. Such surplus as may be over from regular and unavoidable expenditure while on duty is, at any rate in the case of the married officer, swallowed up by steamer passages for his family and by the maintenance, for more or less extended periods, of separate establishments at home and in India.

I consider that the full pension of £1,000 a year should be provided by the State and I should like to see the present deduction of 4 per cent. placed in a Provident fund to be returned with interest to an officer on retirement, and perhaps to be drawn on, as in the case of the Indian General Provident fund, for exceptional purposes, such as the payment of passages. The £1,000 a year with the addition of the Provident fund accumulation will, as prices and social conditions now stand in England, suffice to provide no more than bare comfort for an officer who has spent his life abroad in circumstances that compel a certain standard of living. Moreover, the Provident fund accumulation will furnish a much-needed addition to the income of widows whose pension of £250 or £300 from the Family Pension fund represents now little more than penury.

Pensions run up to £1,000 in the Military department and £1,050 in the Medical Service, and there seems no reason why the Indian Civil Service should be less liberally treated by the State.

2397 (129). Do you accept as satisfactory the regulations of the Indian Family Pension fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—The contributions to the fund constitute a heavy burden on the income of a retired officer, and I should like to see them cease on retirement. I would similarly suggest, as a concession which would cost Government nothing, that contributions should be suspended during furlough and recovered after return by reasonable monthly payments.

The stoppage of the pensions of orphan sons at the age of 21 is a very serious defect in the regulations. Young men are no longer established in professions in England at 21 (except in the Army and Navy in which the pay will not keep them) and the result of withdrawing the pension at that age is to debar a civilian's son from all chance of going to a university and of following his father's career or any other of the same social standing. It was not so when the age of entry into the service was lower. I hold strongly that the pension should continue at least to 24. The children's portion of the fund appears to have a very large accumulated balance and would probably be able to make the concession without any present increase in contributions.

2398 (137). Have you any other proposals to make in regard to the Indian Civil Service not covered by your answers to the above question? If so, please explain them?—There are two matters not falling strictly under the above questions to which I wish to allude; they are—(i) the unsatisfactory rules governing travelling allowances in certain circumstances, and (ii) the need for some more definite protection for the individual officer against loss of pay and prospects owing to changes in the organization of the service.

(i) The travelling allowances granted to an officer on transfer from one post to another are altogether inadequate. An executive officer is compelled by Government to maintain tents, camp equipment and horses: his duties frequently require him to keep a conveyance. But when transferred in the interests of the State, the whole cost of moving this equipment, as well as his furniture and domestic paraphernalia, falls usually on the officer's own pocket, while a married man with children has also to meet the railway fares of his wife and family. There is a very strong feeling, which I share, that an officer transferred otherwise than at his own request should be reimbursed the actual cost of moving the equipment required for the performance of his duties and a reasonable share of the whole cost of the move. In other words his tents, horses and perhaps conveyances should be paid for; railway tickets for his family and servants should be provided, and a reasonable weight of heavy baggage should be carried at Government expense. If the scale allowed to officers of the Army* were applied to Civilian officers there would be no ground of complaint. Similar allowances should be given on joining a new appointment on return from leave.

(ii) If considerations of policy necessitate the introduction into the service of men who have not entered it in the ordinary way, everything that is possible should be done by Government to mitigate the blow dealt to the individual officer whose legitimate expectations are disappointed. The manner in which this can be secured should be considered and a definite policy in the matter announced. For example, the introduction of officers from outside actually into the *grades* of the

* (*a*) First-class railway fares varying from 2 to 3 for the officer himself and single first-class railway fare for each member of his family; (*b*) a mileage of 8 annas for himself and 4 annas for each member of his family for journeys by road; (*c*) free passage for servants the total number ranging from 3 to 8, and for baggage and tentage, the weight varying from 10 to 30 maunds; and (*d*) free conveyance of horses up to the number which he is required to take on field service, or for which horse allowance is received by him or included in his pay, whichever is less.

Civil Service at present disturbs the whole basis of recruitment and promotion. Provincial Service officers take practically no leave; and they thus reduce the expectation of officiating promotion which is based on the conditions of a European service. Their average age of retirement is higher and this again disturbs the calculated decrement rate. The Provincial Service officer being paid on a lower scale than the officer of the Indian Civil Service, his employment results in a monetary saving to the State: in other words, the State saves at the expense of the individual officers whose prospects are reduced. I do not consider this equitable or likely to make a contented service. When posts are listed care should be taken that the average emoluments of officers already in the service are not reduced. As an instance of what I mean, I consider that when a collectorate or judgeship is listed, it is only necessary to take away from the Civil Service a post of Collector or Judge of the lowest grade. The pay thus saved will more than cover the salary of the Provincial Service officer to whatever grade he may ultimately attain.

Mr. A. R. KNAPP, called and examined.

2399. (*Chairman.*) I understand that we are indebted to you for the arrangements for our meetings, and on behalf of the Commission I should like to take this opportunity of thanking you for what you have done. You have held the position of Collector, have you not?—Yes.

2400. At present you are on special duty?—Yes.

2401. You appear both in your personal capacity and as a representative of the Indian Civil Service officers in the Madras Presidency?—I have no definite brief as a representative, but I am aware that I do represent the general opinion.

2402. You do not appear definitely on their behalf?—No, I think it was considered that that would probably not be correct; but I do represent what I have ascertained to be the feeling of a large majority of the service.

2403. Of what grades?—All grades.

2404. You say that in your opinion the best system of selection for the Indian Civil Service would be limited competition?—Yes.

2405. Under such a system how many candidates as a minimum would you suggest nominating for each vacancy?—At least two for each vacancy I should think.

2406. Would natives of India be eligible under this scheme?—That is what I contemplated. My opinion as an Executive officer is that some men we get out now are not men who when they arrive prove to be altogether suited for executive work.

2407. You are opposed to the present system because it is absolutely essential that the working of the Executive should reflect what you call British natural characteristics?—Yes.

2408. Or at any rate a thorough British training?—Yes.

2409. Are you quite satisfied that the period of education which some Indians pass in England before taking the Indian Civil Service examination is of real advantage from the point of view of the administration?—It depends entirely on the period. I do not think the Indian who goes to England at 18 or 19, or even 20, after taking his degrees, acquires sufficient of what I call British characteristics as a rule to satisfy my standard, but those who have gone earlier in my opinion come very near it.

2410. When you say earlier, what do you mean?—About 14, 15, or 16.

2411. Are you speaking of the lads who have gone to England and have entered a public school there?—I refer partly to those and partly to instances I know myself of boys going to England at about 16 or 17.

2412. Where have they gone when they have reached England?—They have gone to private tutors. They may have been fortunate, but from what I have seen of them they have emerged very successfully from it.

2413. Do you know of any who have entered a public school in England?—No, not personally.

2414. I gather from what you say that your observations have led you to the conclusion that those who have gone to England at the age of 16 to a tutor have been more satisfactory in their subsequent careers than those who have gone at 19 or 20?—They have not gone far enough at present to carry my conclusion through to the end, but they promise to my mind to be more satisfactory. That is the impression they make on me.

2415. Have you many instances in your mind?—No; I have two at present clearly in my mind.

2416. Have you any instances in your mind where in your judgment the education of young men who have gone to England at 18 or 19 has proved rather injurious than otherwise?—I think there are cases. I would not specify, but I think there are certain cases where a short training in England has not done much good.

2417. I rather gather that you have laid stress not only on the longer training but on the importance of the boy going early?—Yes, I think that comes in to a great extent.

2418. Would you say it came in to a greater extent? Would you regard it as the more important factor of the two?—I think I would.

2419. Generally speaking you would like to see Indian boys going to England three or four years earlier than they do at present?—At a more adaptable age.

2420. You are opposed to simultaneous examinations?—Yes.

2421. And also separate examinations?—I prefer the present system.

2422. As regards your objections to a separate examination in India, do you think it would be possible to secure due representation of classes and communities by reserving to each class of the community a fixed proportion of vacancies?—It would be very difficult to work. If you had to take Presidency by Presidency, for one thing the number of appointments in each would be comparatively small, and it would be very difficult indeed to divide them. It might be done with reference to the figures for the whole of India.

2423. What I want to know is whether you think there is any hope of a direct result from the system which has been suggested to me of holding a separate examination in compartments?—I am afraid I do not.

2424. In your answer to question (76) you say that under the present conditions the districts in the Madras Presidency are too big and therefore the number of them should be increased?—Yes.

2425. What are the special reasons which lead you to that conclusion?—The enormous amount of work, a great deal of it routine, and therefore due practically to size and population, which the Collector has to do.

2426. Which do you think on the whole would be preferable, to increase the number of areas or to increase the staff in the existing areas?—Do you mean increasing the subordinate staff?

2427. Yes?—I do not think that would result in the same relief.

2428. I understand from you that a Collector is so immersed in business that he is practically reduced to being a clerk?—He has practically no time for anything else.

2429. But if he had a more adequate staff under him, would not that set his hands free to carry out his administrative work more efficiently?—It depends not on the amount of the staff, but on the class of the staff. If you gave him a comparatively senior man to assist him no doubt it would, but that would amount to very much the same thing as creating more districts as regards expense. We have had that system in one or two districts.

2430. To increase the staff would involve as much expense as your proposal?—You would have to have a man very nearly of the same standing as the Collector to assist him.

2431. So that on the whole you would prefer the readjustment of areas?—Yes.

2432. Would not that necessitate a good deal of recasting?—An entire readjustment no doubt would be required, but I do not think it is an insuperable task. We have done it quite recently ourselves and small adjustments are always more or less in contemplation.

2433. In answer to question (90) you say it has been recognised that the Sub-Collectors' charges in Madras are as important as some of the smaller districts in Northern India?—Yes.

2434. Do you speak from personal experience?—No, that is a quotation from a letter of the Government of India.

2435. In reply to question (94) you say that on administrative grounds it is impossible to better the prospects of Indian Civil Service officers by reducing the number of inferior posts now occupied by them?—Yes.

2436. Could you explain to us what these administrative reasons are?—At present we have not enough junior men, men below eight years' service, to fill the divisions of districts which on administrative grounds should be filled by civilians, there are 39 or 40 of such, and we do not get enough men to fill them.

2437. In reply to question (97) you suggest that Sub-Collectors officiating for Collectors should draw full salary?—I have suggested a compromise as a recognition of the fact that their appointment is temporary; it is only a slight compromise.

2438. How much is it you suggest?—I have suggested Rs. 1,700 a month as against Rs. 1,800, which is the full salary of the lowest grades of Collector. At present they may receive as little as Rs. 1,430.

2439. Does the temporary officiating Collector have to incur as large an expense as the permanent officer?—I think he does.

2440. What are the expenses you allude to which the officiating Collector has to incur? The out-of-pocket expenses?—He starts with removing probably to a very much larger house, an official house, where he sets himself up, and he is expected to get more in the way of horses and conveyances and be able at any moment to move to any part of his district. There are a good many social obligations also which he cannot avoid if he wanted to.

2441. Entertaining expenses?—Yes.

2442. Have you estimated at all what the expense would be in this Presidency of carrying out your proposal of increasing the number of districts?—No, I am afraid I have not.

2443. You have worked out no figures?—No, the question arose in connection with recruitment mainly.

2444. The question not only arises on that, but it would involve, would it not, a considerable additional expense?—Yes. I have not formulated any ideas as to how many would be required.

2445. I see that you are in favour of raising the furlough allowance from one-half to two-thirds of the pay?—Yes.

2446. Could you tell us from your experience what are the customary furlough allowances outside the public service, for instance among business firms?—I am afraid I have no accurate knowledge of that.

2447. You recommend an extra pension for officers who reach selected ranks?—I recommend a combination of time service and the attaining of certain ranks, the object of that suggestion being to refrain from giving any inducement to a man to stay on just a year or two over his pension period. That would cause a block. But an increased pension at fixed periods would be unlikely to cause a block.

2448. You think it would prevent men staying beyond their time?—Yes.

2449. In question (120) you make a suggestion that the Government should take over the whole charge of pensions for Indian Civil Service officers, but that the existing 4 per cent. deduction made from salary should be continued in order to create a supplementary fund?—Yes.

2450. What additional pension would that give a retired officer?—Retiring at 25 years' service as far as I can ascertain it would be something under £600 a year. It is very difficult to calculate and we have not been able to get accurate figures even now.

2451. I will put it in this way: What is it estimated that the 4 per cent. deduction produces during a man's career in addition to the amount allowed by Government?—For that we have no actual figures. We know the Government fixed their proportion of the pension at £600 a year, leaving it at that time to the officers concerned to arrange between themselves for the rest.

2452. You can assume that the 4 per cent. deduction produces £400 a year?—I doubt whether the amount contributed by the individual officer produces quite as much, but there are the contributions of the other officers who do not reach their pension period, which is, I assume, credited to the survivors. That is what makes it difficult to arrive at any further conclusion than we can draw from the fact that Government fixed £600 a year as their contribution.

2453. You have no estimate as to what would be the increased pension under this scheme of yours?—No.

2454. Broadly speaking, what would you say it would be?—I think it would probably give the average man a lump sum of something like £2,500 down. That is as near as we could get.

2455. Seventy or eighty pounds a year more?—Yes, if invested, but the point to which I think most of the members of my service attach importance is the fact that it would come in the shape of a lump sum and not an annuity terminable at death, and therefore would be much more valuable.

2456. It would be much more valuable to an officer going home to have a capital sum at his disposal?—Yes.

2457. Have you estimated what the additional cost would be for that?—I have not.

2458. It is rather an important item, is it not?—Yes.

2459. (*Sir Murray Hammick.*) I see in answer to question (9), you see strong objections to a separate examination in India for a fixed proportion of vacancies, on the ground that it would represent the old discredited statutory system. What were the actual reasons for condemning the statutory system?—My impression is that it fell through owing to the difficulty of selecting at the age of 22–23 men who were afterwards going to prove a success.

2460. If you object to it on that ground I suppose you would use these listed appointments for introducing into those listed appointments men of considerable service whose character was already well known by experience?—I should prefer to be able to choose my men after at least five or six years' service, as men who are eventually going to reach the listed posts. I should prefer that to having to choose them at 23 on the result of an examination or of any other method.

2461. When you say five or six years' service do you mean that you would put men on five or six years' service into listed appointments?—I had in mind the suggestion made that the merged listed appointments should be restored to their original designations.

2462. In that case you would have so many inferior appointments in order to supply the listed superior appointments?—Yes.

2463. And then your idea is that you would take a man from the Provincial Service after you had seen enough of him to know what he was worth and put him into one of the inferior listed appointments so as to give him a chance?—Yes, if it were thought necessary to restore those designations.

2464. Would there be any objection in special cases to recruiting for that series of listed appointments direct?—I do not think there would. I should prefer the widest field of selection which would include examination, promotion, or selection from the Provincial Service with an age maximum.

2465. You would pay those men the same rates as they are paid now; two-thirds?—Probably.

2466. And you would keep them on a separate list?—Yes, I think I would.

2467. In that case you would have to list higher appointments than are at present listed, such for instance as the membership of the Board of Revenue; you would have to open these appointments to the men who came in in order to give them a complete course through their service?—I think that would be necessary.

2468. Can you tell me whether you think there is any serious discontent amongst the Indian Civil Service officers in Madras at present as to their monetary prospects?—I think there is a great deal.

2469. To what grade of officers does that specially refer?—There is a great deal among the men who have just about reached 25 years' service, and who, comparing themselves with a man of about ten years ago, find themselves three or four years at least behind in promotion. There is also a good deal between the men of from 10 to 15 years' service, that is at the stage where people are waiting for an acting District appointment.

2470. There is considerable delay at present in the men of those two periods attaining what they think they reasonably might expect to get?—Yes. I think it is recognised that it may be partly due to the new grading of two years ago, which is not settled down yet, and which may possibly have to be reconsidered in some respects.

2471. It may set itself right as time goes on?—It may set itself right or may have to be slightly modified.

2472. As regards your answer to question (76) had you experience as Collector at Madura of an Additional District Magistrate?—Yes.

2473. He was a civilian?—Yes.

2474. During what period did you have him?—Nearly a year.

2475. Did you find that he gave you considerable relief from your routine work?—Yes.

2476. That was before the Madura district was divided?—Yes.

2477. Did you find that the work of the Collector, with the assistance which was given by the Additional District Magistrate was more than a man could easily be expected to do properly?—I think it was.

2478. Have you had experience of the Madura district since it was divided?—Yes.

2479. You have not had any Additional District Magistrate to help you?—Not regularly.

2480. Do you think that the complete work now of the District Magistrate and Collector in Madura compares favourably as regards its quantity with the work of the Collector of the old district of Madura when he was assisted by an Additional District Magistrate? The district has been divided and I want to know whether the division of that district, coupled with the removal of the assistance the Collector formerly got, has been of real assistance to the Collector. Is the present district a much lighter charge than it was under the old state of things when the Collector had an Additional District Magistrate to relieve him of his magisterial work?—I do not think it is.

2481. You do not think it has helped?—Not much.

2482. Is it not generally said of the division of the districts which was carried out four or five years ago on the east coast that the result has been to make the present Kistna district an extremely heavy one?—Yes, I have heard that.

2483. So that that division was unsatisfactory?—Yes.

2484. I should like to know whether on the whole you do not think, provided the Collector could be relieved of his magisterial work by the Additional District Magistrate, that would not be a better way of relieving the head of the district of the mass of work you say he has, rather than by dividing the districts?—My main difficulty is that such a system leaves the Collector head of the district with control over various questions that come up without his having had opportunity of getting acquainted with the details of them. For instance, the Additional District Magistrate does magisterial work. The Collector himself is still responsible for general questions and is rather apt to be handicapped by want of acquaintance with the magisterial work. He still keeps the patronage.

2485. Under our present system, from the bottom up to the divisional officer the judicial and executive work is divided in the sense that there is one set of Stationary Magistrates and another set of Deputy Tahsildars?—Yes.

2486. The Collector, even if he has an additional District Magistrate, at all events knows his Tahsildars and Deputy Tahsildars as well as he did before, but he does not know his Stationary Magistrates?—Yes, and therefore he finds it difficult to decide on their qualifications for Tahsildars.

2487. Therefore you would prefer the division of districts as a method of lightening the Collector's work?—I think so.

2488. Have you any idea whether the Ramnad Collector finds his work very heavy now?—I think he finds it heavy enough, but probably that is because it is an entirely new district, getting a great deal more attention than it ever got before.

2489. I suppose you would say that the work of the Collector in these days has very much increased owing to the creation of a number of special departments, the Agricultural Department, the increased work of the Local Fund Department, the increased work on the municipal side, and such things as the Veterinary Department and the greater development of vaccination: all these matters are matters which have very much increased the Collector's daily work?—Distinctly, I should say.

2490. I think you said you have not calculated out in any way the financial result of carrying out these proposals which you have made for improving the prospects of the service?—No.

2491. It is hardly worth going into them until we have had calculated out the amount it is going to cost. Are we not quite in ignorance at present of the value of that four per cent. deduction that is made from the civilians' salary? I have never heard anybody yet who has worked out whether it meets the charges on that fund or whether it does not?—We know that the contribution of an individual officer does not pay £400 a year for him, but what we do not know, and what probably only the India Office knows, is whether the combined pensions of the service, including the men who do not reach their pension, will amount to enough to pay that £400 a year.

2492. Mr. Cardew said the other day he was very anxious that the contributions under the Family Pension Fund should cease on retirement but that the payment should be proportionately increased during service. Are you in favour of that?—Yes.

2493. (*Sir Valentine Chirol.*) I wish to ask you a question first of all with regard to one Sir Murray Hammick has just asked you. You say one of the difficulties of calculating how much the individual officer contributes to the pension fund is the number of those who die before they can obtain their pension. But is there not another element? The officer as a rule does not contribute the whole £400?—Not, I think, in 25 years.

2494. But is there not a very considerable number of officers who remain on after 25 years, holding high posts with high salaries, who ultimately have contributed a great deal more than the £400?—Yes, there is.

2495. There are cases where an officer contributes very nearly the whole?—That would be the case.

2496. You are against simultaneous examinations in this country?—Yes.

2497. You would continue the system of competition in England open to Indians and Europeans?—Yes.

2498. Do you contemplate any large increase of the Indian element in the Civil Service in that way?—I think we shall have to contemplate it. As far as I can see from my own experience the number of Indian boys who go Home for the purpose of studying for the Civil Service is increasing.

2499. Yet at the same time you contemplate providing a considerable field for the employment of Indians in the Public Service through promotion from the Provincial Service?—Yes.

2500. I am going to confine myself to the last paragraph of all in your evidence, paragraph 2, of your answer to question (130) which appears to me to raise a very important question. As I understand it, you consider that the introduction of officers from the Provincial Service into the grades of the Civil Service results in a substantial injury to the material interests of European civilians?—That is so, I think.

2501. That it reduces the expectation of officiating promotion which is a very important factor in your service and affects the prospects of advancement by disturbing the calculation of the decrement rate, that is to say, that Indians holding those appointments will stay on in the service longer than they need?—Yes.

2502. If this is a legitimate grievance, as it appears to me to be, does it not illustrate the inherent difficulty of combining in any one service material conditions which may be equally fair and satisfactory to two categories of public servants, upon whom, whatever equality may exist between them in respect of intellectual or other qualifications, service in India must always make widely different demands? A European who serves in India will be always serving in a distant country, cut off from his associations, from his friends, and living in a climate very different from his own and one which is trying to his

constitution. If he is married he finds himself constantly separated from his wife and his children, and he is obliged to make provision for them in many ways, very often keeping up a double establishment in England and in India, or if they remain in India in the hills or in the plains. Also his actual retirement from service, after he has finished his 25 years, will be governed very largely by considerations arising out of his family, his desire to go home and be with his children at an important period of their development. On the other hand the Indian will always be serving in his own country, under climatic conditions which he has been accustomed to from his birth, close to his friends and his natural associations, and with his family about him, and he has no special inducement to retire early. I want to know whether it is possible to combine in any way conditions which would be fair and satisfactory to people serving under such very different conditions in the same service?—I do not think it has proved altogether unsatisfactory in respect of men who have entered through open competition in England, partly because they do not serve in their own Presidencies, and to a certain extent because they may be actuated by the same desire to retire after 25 years and go back to their own homes as the Englishman is. Some of them go to England.

2503. I am speaking of the very large section of Indians for whom provision is made for employment in the listed posts?—I quite agree there. It is very difficult to establish conditions which will suit both equally.

2504. And yet so long as the only other avenue open to them is competition in England you must always reckon with a very large proportion of Indians in the Public Service who come in through the listed appointments?—Yes.

2505. (*Mr. Abdur Rahim.*) Are you aware that Indian boys find difficulties in getting on with English boys in England?—Naturally, in a strange country they would.

2506. I mean their difficulties are increasing?—I have heard it mentioned quite recently, but I have no personal knowledge of it.

2507. In the Universities, for instance?—I have heard it said they are increasing, but I have only heard it locally, not in England.

2508. Supposing that is a fact, do not you think that your suggestion to go there at the age of 16 or 17 makes it very difficult for any large number of Indians to go there at all for education?—I think the earlier he went the less difficulty he would find at the University. He might not have to plunge straight into University life without any start in English training before.

2509. Are there no difficulties in connection with their entering public schools?—I think there are plenty of schools in England of a very good class open to them.

2510. Could you give me some definite idea as to the British characteristics that are necessary to keep up the general tone of the service?—Speaking entirely from my own experience and mentioning what was in my mind when I wrote that with reference to the officers I have had serving under me, I should say that probably the most important factor was what I might call a sense of duty. My experience is that the European as a rule is more apt to do a thing because it is his duty to do it than the Indian subordinate, or the subordinates I have had under me. That includes members of the Provincial Service below my own standing.

2511. Talking of highly educated Indians, do you find that sense of duty defective in them? I do not only mean the Indian Civil Service men, but generally; I cannot generalise and say that it is always wanting in the educated Indian or the uneducated one. I am merely giving an impression I have formed of one general distinguishing factor, with very many marked exceptions. I do not wish to say that every Indian I have met is wanting in a sense of duty.

2512. If you have met many would you call them exceptions?—Yes, the many is relative to the far more whom my rule covers.

2513. Apart from English educated classes, is not there a large class of Indians highly educated, men of culture?—Not according to a European standard, cerainly. It is rather difficult to define culture. I know men of good education who do not speak English and who have never had any English education.

2514. That is what I mean, men of culture and education who do not know English at all, who have not passed through an English school or English University. I suppose in them also you would expect a high sense of duty?—Unfortunately, as a rule, we do not get them in the public service.

2515. Of course you will not come across it unless you are in touch with the people who do not know English?—My difficulty in answering is that I have had no opportunity of deciding on their sense of duty because they do not serve under me. I am referring throughout to the people who have served under me.

2516. As regards your proposals, I take it that they come to this, that you want an increased number of men in the Indian Civil Service, and you want to increase the pay and increase the furlough allowance. Is that so?—Yes.

2517. And I understand you have not calculated the cost to India?—No.

2518. You would insist on such increase apart from any question of cost?—No, not in the least.

2519. I take it that you would have some of your proposals accepted if the cost was not very great, if they were within moderate bounds?—Yes.

2520. As regards discontent in your service, how long has it been in existence in this Presidency?—Discontent with the actual monetary prospects was what I alluded to. I do not think I have referred to any general discontent. Certain stages of the service are dissatisfied with their prospects.

2521. You said that even in the higher ranks of the service, among men of twenty-five years' standing, there is discontent?—With their prospects.

2522. How long has that been in existence?—Things have got very much worse in the last ten years.

2523. Do you know if any representations have been made on any particular point?—No, I think they have not, mainly I should say because during the last seven or eight years a new system of grading was known to be in contemplation, of the details of which we had no knowledge, and I think most men hoped that something would come out of that.

2524. Should I be right in saying that the discontent is of somewhat recent growth?—It has increased lately as the block in promotion has increased.

2525. It has not up to now found expression?—Not officially I think.

2526. What is your main objection to relieving District Collectors of their heavy magisterial duties, assuming those duties are very heavy?—Mainly, I think, the difficulty one has in keeping in touch with the conditions of the district as a whole. I have no very strong objection to it; in fact I have served under those conditions for some time.

2527. Do not you think that the multifarious duties, other than magisterial duties, with which the District Collector is entrusted, ought to be sufficient to bring him in touch with everything, more perhaps than he would care for?—I think they do.

2528. Education, municipal work, district board, I do not know that there is anything in the district life with which he ought not to be in touch, apart from his magisterial duties?—His magisterial duties are very slight; they only consist in keeping himself acquainted with the general work of the magistrates under him and not in detail at all.

2529. I thought you said he would lose touch with his district?—He ceases to have the information he wants as to the work of the men, information it is necessary he should have for the purposes of promotion, leave, transfer, and so on.

2530. But supposing he was placed under a separate officer, that officer would be responsible for promotion and all that?—Unfortunately under the present system they would have to come back under the Collector again.

2531. I am not talking of the present system but of the proposal that has been made. Suppose there was an additional magistrate, he would be responsible, I take it?—But his connection with the men will cease as soon as they are elevated out of the position of submagistrates.

2532. I am alluding to a proposal for separation of revenue duties from the magistrates' duties?—If there was an actual separation, my objection would not exist. What I said was that I should prefer the reduction of districts to the other system for a specific reason. At that time the question of entire separation had not been made.

2533. Then if there is complete separation it would not matter?—No.

2534. And you would have no objection to that?—No. The objection I should say would be on the ground of expense.

2535. You know that the same officer is now performing magisterial duties and revenue duties?—Yes.

2536. You might concentrate in one officer the revenue duties and in another officer magisterial duties? Of such a scheme the cost might not be very considerable?—There would be great difficulties in providing an outlet for the magisterial men. They would have no grade corresponding to the Tahsildar grade unless you created one for the purpose.

2537. Apart from that you see no other objection?—I see no objection in principle whatever.

2538. (*Mr. Madge.*) In your answers to questions (1) and (2), although you consider the present system of recruitment fairly satisfactory, you say: "I consider that limited competition among candidates who had previously secured nomination by an independent Board of Selection would probably give better results." I presume you refer to those qualities of British officers that are really not tested in a purely competitive examination?—Yes.

2539. Are not those qualities of supreme importance in the administration of this country?—They are.

2540. And they are not at all tested by a purely literary test?—No, that is my position.

2541. Then in the case of Indians going to England what provision would you make for this Board of Selection that you refer to in the case of Indian officers?—Their cases would be dealt with by the same Board and presumably on the same grounds.

2542. They would hardly have the same materials on which to judge?—You mean if they came straight from India to compete for the examination?

2543. That is what I mean?—They would have letters of introduction I suppose or something of that sort from schools or colleges here.

2544. An English Board will have much in common with candidates, in consequence of their belonging to the same social system and having the same standard of living, and a number of other considerations, which they would not have in common with Indian students. Consequently any recommendation of theirs as regards Indian students based purely on testimonials and that sort of thing would be very incomplete?—Yes. My opinion was that it would be sufficient for the purpose of eliminating a certain number of candidates; a bad testimonial would eliminate.

2545. I myself, and I think a great many other people, have stumbled at the provision of a test for character, which is perhaps the greatest of all essentials in the public service, and is really not properly tested in a literary examination of any kind. Have you any suggestion to make with regard to the test of character from your experience of India, that if not up to the quality of the English would in some measure make up for the loss that at present exists?—No, I do not see how you can lay down a test of character. You would probably get satisfactory opinions as to the character from headmasters, heads of colleges, and so on. My general idea was that it would be well to have an opportunity of taking those into consideration, especially for the purpose of eliminating men who had not got the necessary testimonials.

2546. You have exercised both executive and judicial functions?—No. I have not been a Judge. I have been a Magistrate.

2547. Have you found that in exercising magisterial functions, your experience as a District Officer of the conditions of this country have been of great help to you?—Yes, in my experience they are essential.

2548. Judging from your own experience do not you think that kind of experience is almost invaluable in any class of Indian judicial work?—I do not know enough about the conditions of judicial work, civil judicial work, to say.

2549. That is on a higher scale than magisterial work, which is practically judicial so far as it is concerned with the trial of criminal cases?—I think it must be decidedly valuable, though I am not prepared to say it is invaluable.

2550. In that case you would agree with the opinion that appointments to Judicial office from the Bar for instance on the pure ground of technical acquaintance with law would hardly be an advantage?—There again I have not the experience on which to speak. I should prefer the District Judge who is to co-operate with me in my district to be a man who has had some practical experience of what magisterial work meant, and of the actual conditions in the rural parts of the country which had to be met.

2551. You do not think that the administration of justice in this country means exclusively technical interpretation of the letter of the law?—No, I certainly do not.

2552. The contrast between a Judge in this country and a Judge at Home is that a man brought up as an English Judge has an intuitive knowledge of a certain number of things which make him a valuable Judge, and which, coming to this country, he cannot possess unless he has had a very wide experience of the country, and has acted in an executive capacity; but is there any other capacity in which he can acquire the same valuable experience?—I should say not.

2553. I suppose it is that kind of consideration which confirms you in your opinion that the entire separation of the Judicial from the Executive would be a mistake?—I do not think I have said that the separation of the Executive and the Judicial in the service itself would be a mistake. I do not think I have any strong objection to it.

2554. It is really a question of the stage at which there should be an official separation, because no one wants a Judge of the High Court to go back to executive work; but exceptions have occurred, as in Burma, in which a high executive officer has been sent to the Chief Court and *vice versâ*. So that from that point of view the later the separation takes place the better, because it admits of the Judicial officer acquiring a wide experience of the country and its conditions?—I do not think I can follow you quite into the region of the kind of judicial work to which, I think, you refer, that is to say, the work of a Judge. So much of that is civil work, of which I have no knowledge whatever, and it is difficult for me to say whether it is or is not necessary that a High Court Judge should have had executive experience; but I am quite convinced that it is of use to the Magistrate to have had executive experience.

2555. Your magisterial experience leads you to the conclusion that as regards the administration of criminal justice at any rate it would be very valuable?—Yes.

2556. You refer in answer to question (24) to the maintenance in the administration of a British tone. Do you think that depends in any degree upon the perfection of the mere machinery of justice or upon the personality of the officer?—I think undoubtedly the personality.

2557. You have no doubt in your mind about that?—None whatever.

2558. You have suggested in answer to question (76) that the districts are too large and the work too heavy. There appears to be a divided opinion as to whether relief might be obtained in this part by the introduction of Divisional Commissioners, as we call them elsewhere, or merely the provision of subordinate officers for the present District Officer. Are you in favour of either of those opinions?—I should prefer the reduction in the size of the districts. I have no actual experience of the manner in which the Commissioners do their work.

2559. You have already implied, I think, that by the appointment of additional subordinates you still retain a personal connection with the whole of your area and make a better officer for that reason?—Yes.

2560. You have referred to the discontent, or what I should rather call dissatisfaction, pervading the service on account of present allowances and salaries. There has been an opinion expressed that the man on a small salary has to spend his whole salary and the man on a larger salary has to reduce his savings on account of the rise of prices. It is notorious that prices have risen all over the country, and if you have not heard in this part of the world I have in other parts of the world of men with high salaries who have a pretty hard struggle to exist at all. I heard a civilian in the north-west, when we were talking about labour troubles at Home and their difficulties, call his salary "a living wage." Perhaps you are waiting for the report of the High Prices Commission, but what is your opinion on a proportionate improvement in salaries all-round to meet this great difficulty? Unless you have a contented service, considering all the difficulties that have been alluded to, such as sending Home children and that kind of thing, things cannot be all right. Do you not think that a proportionate increase right round, especially when the finances seem to be in a flourishing condition, would remove all that dissatisfaction?—I do not think you can say there is actual dissatisfaction when you get past a certain stage of the service, except on the grounds of comparative prospects. The position taken by most men is that once they have reached a certain position, roughly speaking that of a Collector, their emoluments are not worth as much as they hoped they would be when they came into the service, and that they must make the best of a bad bargain. Where it touches them in the lower ranks of the service is that they think they are not getting a living wage?

2561. But your Collectors are paid higher than they are paid in some districts?—But the average of the top part of the service is lower than the rest of India. Our districts are larger and a few of our men are getting higher pay, but the average of pay of men over a certain standing, of about 18 years, is actually lower than it is in other Presidencies.

2562. And you are quite satisfied with that?—No, I have suggested that the prospects should be equalised.

2563. As regards the consideration of policy in the introduction of Indians, everybody agrees that it is very desirble as far as possible to meet public sentiment on that subject; but dividing this country into a small educated class on the one hand and the great masses on the other, questions of policy resolve themselves into this: The welfare of what class have you to consider if the welfare of one class does not run parallel to that

of the other? For instance, the real interests of the educated classes of this country may be very different from those of the masses?—Yes.

2564. Supposing that the educated classes mainly belonged to large cities and were practically ignorant or imperfectly acquainted with the real needs of the great masses who have the greatest claim on the Government, would you not consider first of all the interests of the great body of the people in preference to those of any class that was comparatively small, no matter what their claim might be?—Yes. I certainly should.

2565. Is it not conceivable that there might be a great conflict of interest between the great masses and any selected small class in this country?—Not more I think than there possibly may be between minorities and majorities in England or in Europe. I cannot at the present see any specific case of direct conflict of interests.

2566. As an administrative matter, we are considering questions of policy in this country, and not any others, and whatever the policy of the Government may be it would reflect upon the administration. From what standpoint do you look at the duties of an officer? Are not they mainly directed to the welfare of the masses of the country in preference to that of any class?—Entirely.

2567. Although you would not ignore the others, of course?—My business has always connected me with the consideration of the interests of the people of the district taken as a whole.

2568. (*Mr. Macdonald.*) You have been told off, I understand, by the Government of Madras to prepare this evidence for us?—No, not exactly that.

2569. What is exactly the position?—My only official connection with the matter is that when the Commission's questions arrived I was asked to prepare such information as might enable the Government to give their answers. Mine are in no way official answers. It so happens that when the Commission's questions were received I was here on other duty and I was told off to do some Secretariat work in connection with them.

2570. You were told off by the Government of Madras; you were allowed by the Government of Madras special leave in order to prepare these answers?—No, not in the least.

2571. Were you doing your ordinary work while preparing these answers?—It was not for the purpose of preparing my individual answers. I was put on to collect some information for the Government before the question of selecting witnesses came up.

2572. (*Chairman.*) You are speaking merely from your experience as an officer in the Civil Service?—This is a purely private opinion, speaking from my own experience.

2573. You are not speaking as representing in any way the Government or any body of people?—Not in the least.

2574. (*Mr. Macdonald.*) You have been specialising upon this examination paper since it came to you?—Yes.

2575. These answers that you have given to us are very carefuly considered answers?—No, not as carefully as I should have wished, because, if I may say so, what I specialised on were the more general questions which Government wished to answer. I have not had as much time as I should like to specialise on the questions as they affect the Civil Service.

2576. Would you mind indicating to me what questions Government did want specially answering, because if the other questions have been imperfectly answered the Commission ought to know?—They are not included in my answers at all. They were such questions as the preparation of the list of officers of the Provincial Service, sufficiency of recruitment, and so on.

2577. Was that in a separate Memorandum?—Yes.

2578. May I take it that the answers you have given from question (47) down to the end represent the opinion of the European Service as well as your own individual opinion?—Yes, I think you may.

2579. And that those claims you make in the course of those answers are in the form of a petition from the European Civil Service to this Commission?—Yes, practically.

2580. Seeing that it is so very business-like in its details can you tell me why you failed at the end to put the coping stone on, that is to say, give us an estimate of what it was going to cost?—I thought that that was a matter which would be possibly worked out by the Governments concerned in regard to any proposal that might be accepted.

2581. If these were accepted would it not cost a very substantial sum?—Probably.

2582. Would you mind giving me one or two pieces of information on details? At the end of the tables you make certain suggestions. Were not the divisions of Madras reorganized as lately as 1910?—Yes.

2583. And you want a new reorganization?—Yes, it practically comes to that. That I may say is my personal opinion, not a Service opinion; it is my personal opinion as a District officer.

2584. And very largely from your own experience in the exceedingly heavy district of Madura?—And other heavy districts. I have had experience of two of the heaviest districts.

2585. Your districts, as I understand your evidence, are not very well divided. You have certain heavy districts which you consider to be too heavy?—Yes.

2586. You make a proposal for an increase in the maximum salaries of Collectors, an increase to Rs. 2,750?—Yes.

2587. That is an increase of Rs. 250 a month?—Yes, as a maximum; not an increase throughout, but the higher grade.

2588. I said as a maximum. How would that make the Madras Collector's income compare with the income of Collectors in other Provinces?—It would make it more than the income of Collectors, but the point is that it would not make it more than the income of Collectors and Commissioners.

2589. You insist upon that expression which you use somewhere that your duties here are equivalent—at any rate I think you say only in some districts—to the duties of Commissioners in other parts of India?—I compare our subdivisions with Collectors in other parts of India.

2590. You use the argument somewhere or other?—I use the argument that our Sub-Collectors' charges are equal to those of Collectors in some districts in other parts of India.

2591. Do not you use the argument that the Collectors' charges are equivalent in some districts

to Commissioners' ?—I do not think I have mentioned the word "Commissioner."

2592. I think you mention it in your reply to question (94): "Some of our districts nearly approach to Commissionerships in importance?" —Yes, I see.

2593. Is that the reason why you suggest this increase in salary?—Yes, it is.

2594. The pay of the Madras Collector being greater than the pay of the Collector of other districts?—Yes.

2595. That only applies to certain districts in Madras?—It applies to certain ones and also to the average district in Madras.

2596. The average of your district is much more difficult, is it?—It is larger in area and much higher in population than certainly some other Provinces.

2597. What about your work?—I believe the work grows with area and population practically speaking.

2598. You would take that as an index of the work?—Yes.

2599. A large district, a large population; *ergo* a large amount of work?—Yes.

2600. You give that as a sort of index?—As a sort of rough index. There are exceptional conditions that sometimes disturb it.

2601. In answer to question (97) I should like again to get some information; you suggest that there should be no pay given to an Acting Collector of less than Rs. 1,700 a month, at the present time it may be as low as Rs. 1,433 and as high as Rs. 1,600?—Yes.

2602. Is the increase you suggest owing exclusively to the fact that the Acting Collector has to spend as much money on social and other objects as the Collector, or does it also include an element of pay for the higher kind of work which the Acting Collector has to do?—My ground for considering the present amount inadequate is that it practically leaves the Sub-Collector acting as a Collector worse off monetarily than he is as a Sub-Collector. In other words, he gets nothing for his extra work.

2603. I should have been well advised to have put my question in a more simple way. Does this merely represent the out-of-pocket expenses?—Not entirely.

2604. Are the out-of-pocket expenses heavier than this increase or less than this increase?—You mean to say the increase between Rs. 1,433 and Rs. 1,700?

2605. I do not mind. Take the extreme increase or the smallest increase if you like, what I want to find out is whether you suggest this increase in order to meet out-of-pocket expenses or whether you suggest it in order to meet out-of-pocket expenses *plus* a higher salary for temporary higher work?—I suggest the increase proper to meet out-of-pocket expenses.

2606. In answer to question (99) you refer to the higher grade. Would you mind just telling me precisely where you draw your line? Is it at the Collector?—Yes, at the Collector.

2607. In answer to question (102) you refer to assumed salary where you give your scale of increased pay. Would you be good enough, when you put in this paper, to add a column and put the assumed salary opposite to it? It might be convenient to the Commission not to have to turn to the very voluminous papers we have got if you help us in that way, so that we know exactly what your proposals mean?—I will do that.

2608. Can you tell me now, however, where this man with the eleven years' service to whom you propose to pay Rs. 1,500 would stick at present? What would be his salary on the average at the present moment?—He would have about Rs. 1,100 or Rs. 1,200.

2609. In reply to question (105) you say that the Government advances Rs. 1,000 for certain purposes, but as a matter of fact it advances more, does it not?—It advances Rs. 750 also for tents.

2610. So that the complete advance is Rs. 1,750?—Yes.

2611. And the officer has to repay that advance by deductions from his monthly payment?—The other Rs. 750 is really a mortgage advance of a certain small allowance.

2612. A special allowance?—Yes, but the Rs. 1,000 is an ordinary loan.

2613. Then you suggest the Government should give an equipment allowance, and I suppose you mean by that a free grant?—I mean that they should give a grant where they now find it necessary to give a loan.

2614. Do you suggest they should give the whole Rs. 1,750?—No, I was only taking into account the Rs. 1,000.

2615. That is why do you not mention the Rs. 750?—The Rs. 750 is merely mortgaging a certain allowance.

2616. Coming to the question of policy, in answer to questions (1) and (2), you say you are in favour of an independent Board of Selection. Where would that Board sit?—In England.

2617. How would it be constituted?—I suppose the nucleus would possibly be the Civil Service Commissioners with the addition of selected heads of educational institutions.

2618. You refer in that connection to the Board which selects for the Navy; do you know the position of that Board?—I think it is purely naval. I should certainly include ex-officials in the Board.

2619. You would have Indian Civil Service officials?—Retired officials or something of that sort.

2620. Something like the Secretary of State's Council?—Yes, something of that kind.

2621. Are you aware that a similar sort of thing exists in the Home Office with reference to factory inspection?—I do not know that.

2622. You do not know that in order to sit for the examination of Factory Inspector you have to receive a nomination at home?—No.

2623. You have not worked out the effects of the Board?—No.

2624. You refer in the same paragraph to "temperament and upbringing"; what do you mean by "upbringing" exactly? Have you an idea of family in your mind?—Yes.

2625. One of the elements that you would take into account and that you hoped your Board of Selection would take into account is the family?—No, I mean family life. I did not mean descent. I had in my mind family discipline so to speak, not blood.

2626. Family upbringing, a child that was not well equipped would be either good or bad?—I think so.

2627. Have not you something more definite than that? If you want to put this in as a test, do not you think you ought to give us a series of words that are a little bit more definite than "temperament and upbringing"?—As regards the exclusion of certain candidates?

2628. Yes. Have you had no experience of what we call in England a "scalliwag" coming out of an exceedingly respectable family like a parsonage?—I have a great deal.

2629. Have you not had the opposite experience of an exceedingly fine man coming out of exceedingly unpromising circumstances?—Yes.

2630. Now I put it to you that whatever one may put down on paper in a moment of literary enthusiasm, when one comes to consider definite problems of Government one must be a little more definite?—Undoubtedly. I have a very definite impression in my mind of the kind of Englishman whom we might just as well not have had here in the Executive service. It may be merely a question of being entirely confined to your books, being of a literary habit, with no executive or outdoor leanings at all. That may be one point.

2631. When you have five, six, or seven gentlemen as your Board of Selection to exercise their judgment upon these very indefinite and unknown qualities, do not you think the tendency will be for them more and more to cease to grapple with an insoluble problem and take testimonials from their friends and supporters?—No. I contemplated their taking testimonials from persons who are qualified to give an opinion as to temperament and upbringing and the character of the candidates, such as the heads of schools and colleges and so on.

2632. So that your selection would be mainly if not exclusively a selection from schools and colleges?—Probably, yes.

2633. You would have an approved list of schools and colleges?—No, I did not contemplate that.

2634. Any headmaster?—Yes.

2635. You have a very wide view?—I aim merely at what I might call elimination rather than selection.

2636. You know that if you begin that sort of thing you are going to get so many hundreds of headmasters, whose own qualifications are disputed probably by others, sending in testimonials for boys whom they would like to see sit as candidates for the Indian Civil Service?—I suppose you can only leave that to themselves and to the possibility of their not being found out.

2637. I wanted to know if you had any real definite scheme which would commend itself to us in this respect. You go on to refer to British tendency and tone and you suggest here that the British tone can be acquired at a British University . . . . ?—I do not think I mentioned University there.

2638. In any event it is going to be acquired at British educational institutions, and in reply to the Chairman you laid special emphasis upon schools?—Yes.

2639. Do you put more reliance upon the training at a British public school than you do upon the training at a British University?—Yes.

2640. A boy going through the B.A. course and becoming a B.A. say in Madras University, and then going home to England for the purpose of studying for the Indian Civil Service, would not be so likely in your opinion to acquire that British tone as if he could get to Eton and Harrow and move from there to Oxford and Cambridge and then sit for the examination?—No, probably not.

2641. So that in your opinion there is not very much value to be attached to an Indian B.A. *plus* an attendance at special classes in England, and then a passage into the Indian Civil Service, I mean for Indian students?—The Indian B.A. with a period at home?

2642. Yes. I think it is about a couple of years on the average?—No, I do not think there is.

2643. You do not think that is of very much value from this particular point of view?—No.

2644. I put it to you that translating all these general phrases into definite political language, what you want to discover is a capacity for Government?—Yes, and capacity to work.

2645. May I suggest to you after your experience in India that you cannot govern unless you work?—That is so.

2646. You think that simultaneous examinations in India would give rise to a condition of things represented by the old discredited statutory system?—No, that was a separate examination.

2647. A separate examination held in India for a fixed proportion of vacancies?—Yes.

2648. I understood in reading your evidence that you really transposed the expressions simultaneous and separate, and that the only difference you desired to imply when you used the word "separate" was that there was to be a simultaneous examination in India, not for the complete list of open places but for a certain proportion of open places?—No. I understood simultaneous to mean simultaneous open competition, where I do not use any qualifying word.

2649. Supposing the competition was for a limited number of places for Indians in the Indian Civil Service on terms of equality with the English candidates passing in London. . . .?—For a separate number?

2650. Yes?—My difficulty there is that they would not be on terms of equality.

2651. The proposal is that if you have twenty vacancies in one year, in order to keep up the British nucleus ten of those vacancies have to be filled by Europeans and ten by Indians. The examination for the ten Europeans will take place in London and the examination for the ten Indians will take place in India. Would you call that a simultaneous examination or a separate examination?—I call that a separate examination.

2652. Then in that case the ten offices to be filled by the ten Indians would be of precisely the same kind as the ten offices to be filled by the ten Europeans?—Yes.

2653. Therefore the question of listed posts does not arise?—No.

2654. You would say that that system represents the old discredited statutory system?—Yes, I should say it did.

2655. What was the system?—The statutory system amounted to the recruitment in India of one man for every five recruited in England. The proportions are different but it amounts to that.

2656. Was not the statutory system nomination?—It was.

2657. Is not that an important difference?—I mention that. I say I consider open competition would not be a more satisfactory means of recruitment than nomination.

2658. Where do you say that?—I think I say that it would amount to the statutory system with a different but not more satisfactory method of recruitment.

2659. I want to know exactly why you come to this conclusion: "The fixing of the proportion of vacancies to be filled in India could be based on no logical principle." Could not it be based upon an application of the governing faculty which makes you come to a certain conclusion that if you had a certain nucleus you would be safe?—I do not see how you are going to fix the actual proportion. I can see my way easily to fixing a number, but I cannot quite see what actual logical considerations you can apply say to fixing the proportion.

2660. Have you never fixed proportions for the purpose of filling offices?—Not that I know of.

2661. Have you ever heard of the classical one-sixth out here?—Yes.

2662. Is not that a proportion?—Yes, but I do not see on what legical basis it was fixed. It exists undoubtedly.

2663. When you tell us that you cannot fix this on a logical principle you simply tell us that you have governed India for a considerable time without a logical principle?—In that respect, yes.

2664. You seem to be afraid that there are too many Indians entering the service in the higher ranks?—No, I do not think I say that.

2665. I took that as the general effect of your answer to question (24). Did not you say in reply to a question put to you by Sir Murray Hammick that there were more men going over now?—I think so.

2666. Have you looked at the figures to challenge your impression?—No, I have not; I restricted it to my personal experience.

2667. Would you be surprised to know that since 1900 thirty-five Indians entered the Indian Civil Service by competition as against 651 Europeans? Have you looked at the figures of the number of Indians actually in at the present time compared with the numbers some years ago?—No.

2668. Do you know that in 1912 in the Indian Civil Service there were 59 Indians?—Yes.

2669. Whereas in 1911 there were 60, in 1910, 65, in 1909, 63, and in 1908, 59, the same number as now according to the latest returns. Does that justify you in having any fears of the English door getting so wide that it may jeopardise Europeans?—I have not suggested that.

2670. Does it justify you in fearing that even if we had simultaneous examinations the door would be too wide?—I do not think I can draw any inference from the English results as to what would happen under simultaneous examinations.

2671. Does that mean that a considerable number of able men cannot pass into the Indian Civil Service because the examinations are in London and not in India?—I think a considerable number of able men cannot appear for examination in England for that reason.

2672. On the whole you would like to keep the examination as it is?—Yes.

2673. And only put Indians into the higher posts through promotion?—Yes.

2674. Which is to depend mainly upon reports made by the superior officers regarding their conduct?—Yes.

2675. Do you still stick to your Board of Selection in England if we make a change now?—I do.

2676. (*Mr. Sly.*) With regard to your reply to question (2) about the Board of Selection, are you acquainted with the system under which they select officers for the Egyptian and Soudan Civil Service?—I have heard something of it.

2677. Do not you think there would be very much greater difficulty in applying such selection to the Indian Civil Service owing to the much larger number of candidates from which you have to select?—Yes, I think there would.

2678. For a service like the Indian Civil Service, in which you have something between 40 and 50 entries every year, do you think a Board of Selection could satisfactorily deal with the recruitment of such a large number?—It depends entirely on the margin allowed of candidates over vacancies: what I contemplate is mainly a question of elimination.

2679. In reply to question (9) you said that in your opinion it is absolutely essential that the working of the Executive should be British in general tendency. Can you tell me why you use the word "Executive" and what you mean by it?—My experience is entirely executive, and I confine my answers to that branch of the administration.

2680. You did not wish specifically to exclude the Judicial?—No.

2681. You have been cross-examined a good deal with regard to the size of the districts in Madras. Could you put in any statement giving us the size of the districts, the population, etc.?—I have a statement ready.*

2682. You have also based your opinion mainly on area and population as a criterion of the amount of work?—Yes.

2683. Do not you think the system of land tenures is almost if not quite as important a factor?—I think it is.

2684. In reply to question (94) you have referred to the fact that it seems hardly necessary to secure absolute uniformity of salary, but as far as possible equality of prospects throughout the service. Is there any system under which you can get equality of prospects without fairly uniform salaries?—I refer to the difficulty of comparing conditions in one Presidency with those in another as to actual uniformity of work. For instance, it is very difficult for us to compare our Collectorate with a Collectorate for which the pay is Rs. 1,500.

2685. If such a time scale as you propose were granted in Madras, do not you think it would be necessary to have a similar time scale throughout the whole of India?—I think it would be very desirable.

2686. At the present time the scale in the Judicial branch of the Indian Civil Service differs in some respects from that in the Executive branch?—Yes.

2687. It is better in some respects?—Yes.

2688. If you are going to have a time scale for the service, how are you going to reconcile the particular scales in the Executive and the Judicial branches?—I have only recommended a time scale up to the tenth year, and by that time bifurcation has not actually taken place.

* *Vide* Appendix III.

2689. In answer to question (96) you have spoken of the abolition of exchange compensation, that if compensation is given in the shape of increased salary the claim of such officers to special treatment will still remain. Can you explain how it is possible that having been once given an increase of salary on that ground they should still have a claim to special treatment?—The increase of salary, as I understand it, was given with reference to the fact that the emoluments of an officer whose domicile was in England had fallen relatively to those of an officer whose domicile was not in England, and it seems to me that if the salary of the latter is raised it would be rather difficult to persuade the former that they are not entitled to a similar relative rise.

2690. If an officer domiciled in England is given compensation and the Government at the same time, either for motives of expediency or other reasons, gave a similar compensation to other officers, do you mean to say the first lot would still have a grievance?—If that had been done when the exchange compensation allowance was invented probably not, but after this system has gone on for twenty years, I do not think it unnatural that such an idea could exist.

2691. In reply to question (107) and other questions in regard to leave you have made certain proposals. Can you tell us what is the general opinion amongst the Service officers you have consulted in regard to the accumulation of privilege leave?—They all welcome the accumulation at present and a great many of them would like to see the period of accumulation extended, but solely as far as I can ascertain because the full pay received on privilege leave is practically necessary to allow one to take the furlough to which it is joined with a reasonable amount of comfort. If you cut off the accumulation, the taking of furlough with any degree of comfort will be impossible.

2692. I suppose you know historically that privilege leave was simply introduced as an annual holiday at the time when officers could not go to Europe so frequently as they can now?—Yes.

2693. Do you think that in the Service generally there is no desire for such an annual holiday or that it is necessary?—Personally I think it is desirable.

2694. Has the Service discussed that matter at all?—No, I think opinions would be divided.

2695. In answer to question (118), you have made a recommendation for increased pensions for certain officers. If those increased pensions could only be granted by Government by increased contributions to cover the cost throughout the Service, would you still recommend them?—No.

2696. Do you think that the Service would desire there should be a thorough actuarial examination of the conditions in regard to their annuities so that there may be definite information before the Service as to what proportion of that annuity is paid by Government and what proportion is actually covered by the annuities?—I think they would welcome it, distinctly.

2697. In reply to question (120) you have suggested that the Government should provide the whole of the pension and that contributions should no longer be required. If that increase in the non-effective charges were found to be impossible, do you know whether the Service would prefer to continue their contributions on the annuity system or would prefer to have smaller pensions on the ordinary superannuation lines?—I think that depends entirely on the amount that was offered; it would be a matter for calculation whether a Government pension *plus* the 4 per cent. of salary saved is better than the present pension with the 4 per cent. deducted from salary.

2698. In reply to question (23) you refer to the statutory provisions affecting the Service. So far as any protection that is given by the statute of 1861 with regard to the appointment of the Natives of India is concerned, has that protection been entirely withdrawn by the Statute of 1870?—The protection now only exists in the form of Executive orders of Government under the Statute of 1870.

2699. What benefit is there to the Civil Service at the present time from the Statute of 1861?—Merely that before a post can now be transferred there has to be a formal issue of rules under the later statute in order to comply with the provisions of the earlier one, and that introduces a certain amount of formality into the matter and therefore secures that it should receive consideration. The Statute of 1870 requires that a list shall be published.

2700. Does the statute of 1861 give any further protection to the service in regard to the appointment of Europeans?—Yes. It gives protection against the appointment of Europeans from outside.

2701. That is one of the reasons why you wish to retain that statutory protection?—Yes.

2702. (*Mr. Gokhale.*) I understand you to say that although you have not been deputed by the members of the Civil Service to speak for them you are expressing the general feeling of the service in your evidence?—Yes, in most of my evidence.

2703. You are not speaking for the Indian Members of the Service?—No, I have not had an opportunity of consulting them.

2704. You stated in reply to a question by Sir Valentine Chirol that the Indian Members entering by the London door have on the whole been increasing?—No. I said that in my experience more boys went home to appear for the examination. I did not offer any opinion as to the increase in the numbers.

2705. Do you think the number is increasing or about the same?—It appears to be about the same.

2706. You would not close the London door to Indians, would you?—No, I would not close it.

2707. What difference would there be between an Indian who goes to England for two years and gets in by the London door and an Indian who passes his examination held in this country, the same examination, and goes to England afterwards for two years?—None whatever, I should say.

2708. From that standpoint there would be no difference if Indians got in by means of simultaneous examinations held here and in England and went subsequently to England?—No, no difference.

2709. Your main objection then about British upbringing would not apply to those who entered by passing the examination held in India and subsequently going to England?—No: they would still fail to obtain it.

2710. You say it is difficult to fix a proportion on logical grounds, but supposing we are illogical, as we have often to be in life, and a proposal like one-third was fixed, how do you think it would be received by the educated community of this country?—Do you mean as regards sufficiency?

2711. No. You said in reply to question (7), that if the proportion was too low there would be great dissatisfaction and if it was too high the British element would be dangerously reduced? I want to get at your idea as to what you mean by too low and too high?—I have not said too low; I have said low or high. I did not formulate figures.

2712. True, but what would be your idea of a proportion too low?—My difficulty is that I cannot fix the proportion.

2713. What is the meaning of this then?—If it were high. . . . .

2714. High in whose opinion?—In the first place in the opinion of those who now desire simultaneous examination.

2715. Are you speaking for the Indian community or the European community? You say if the proposal was too low there would be dissatisfaction; do you mean too low in the opinion of the Indian community?—Yes.

2716. What do you think they would regard as too low?—Probably anything less than one-third but I have no means of saying.

2717. You are aware that in 1893, when the resolution of the House of Commons on the subject of simultaneous examinations was being discussed by the Local Governments, the Madras Government proposed a proportion of one-third for Indians with a simultaneous examination. Do you think that is too low or too high? Leaving simultaneous examinations out, if one-third of the number of posts were reserved to Indians in the Civil Service would it be too low or too high?—I might give an opinion as to what is too high but the opinion of what is too low is for the Indians themselves.

2718. I am asking for your opinion. Would you be prepared to give one-third?—I do not see how you are to arrive at any question of proportion.

2719. But if you had to be illogical and mention a proportion, as the Madras Government were illogical, would you mention one-third or one quarter, or what?—If I were told I must fix a proportion and I was unable to do so I would ask you to fix it for me.

2720. You have no opinion to offer?—I have no opinion as to proportions.

2721. Coming now to the listed posts, you know the present number of listed posts is seven in the Madras Presidency excluding those that are under the Provincial Service?—It has been raised to 10, I think.

2722. I understand 6 or 7 have been amalgamated with the Provincial Service?—The total is 15.

2723. The number of civilians who have been recruited in England at the present moment in the Presidency is 175?—One hundred and seventy-five is the sanctioned strength.

2724. So that 175 civilians who entered by the English door are in the Presidency today?—Yes.

2725. Plus 15 men who are appointed to the listed and amalgamated posts?—Yes.

2726. Altogether 190 men if there had been no posts taken from the schedule of 1861?—The total would have been more, because we should have made allowances for leave and training.

2727. That is better for my question. I should take it at 200?—Yes.

2728. Under the rules of 1879 there was to be one Indian appointed locally, if full effect had been given to the rules, for every five appointed in England?—Yes.

2729. If the rules had been given full effect to out of 200 men one-sixth or 33 would have been Indians, as against 15 today?—Yes.

2730. If the idea of the Madras Government of 1893 had been given effect to, one-third of the recruitment would have been of Indians?—Yes.

2731. That would mean 66 as against 15 today. In view of all these circumstances what addition would you recommend to the listed-posts of today. Have you any opinion to offer on that?—I do not think I am prepared to offer an opinion. To my mind it depends to a large extent on the candidates available and so on.

2732. You have no opinion to offer?—No.

2733. In reply to question (24) you suggest that only posts in the regular grades should be listed. I suppose you mean the Collectors and the District and Sessions Judges?—Yes.

2734. All posts outside them you would leave where they are, and if appointments are made they must be made under the Statute of 1861?—That is my position.

2735. It is much more difficult to make appointments under the Statute of 1861 than if posts are listed?—I know that certain qualifications are required under the Statute of 1861.

2736. Each appointment has to be sanctioned by the Secretary of State with the full concurrence of a majority of his Council, who will not be in a position to know the circumstances under which a Local Government wants to appoint?—They will receive the Local Government's reasons for the proposal.

2737. You know that the Government of India themselves have considered that it is a cumbrous procedure?—I did not know that they had taken that view.

2738. If the appointment is in the list the Local Government can appoint?—Yes.

2739. So that there is a difference between the two?—Distinctly.

2740. The notification mentioning the listed appointments says that if a qualified Indian is not available a member of the Civil Service may be appointed in his place, so that the objection you raise about unfit Indians being likely to be appointed is met by that statement in the notification?—I do not think it is my view that the listing is equivalent to determining that they shall be only filled by qualified Indians. That is the view taken by the public I believe.

(Adjourned for a short time.)

2741. (*Mr. Gokhale.*) The question I was putting to you when we adjourned was that you proposed that outside the regular grades no posts should be listed?—Yes.

2742. Your object in excluding such posts from the list is that if they are so included in the list they will ordinarily be given to Indians, whether the Indians are qualified or not?—A claim would be set up that they should be.

2743. Whereas if they were not so included it would be open to the Government to appoint Indians?—Yes.

2744. I want to draw your attention to the fact that the notification which concerns these appointments expressly states that if qualified Indians are not available they would not be appointed to these posts?—I am not aware of that.

2745. I understand that is so. Have you a copy of the notification?—I have a copy of the notification with the Commission's questions.

2746. It is distinctly stated?—I have found something of that kind in one place in the Madras Rules, but there it apparently applies to the lower posts. It is a local rule, and I do not know what it is meant to meet. It provides, practically, that Deputy Collectorates may be held by Indian civilians, but there is nothing said of the superior listed posts.

2747. I think it applies to all listed posts?—I do not think so.

2748. If the notification is clear upon that point would you still exclude them?—In view of the interpretation put upon the listing of posts I think it would be wise to exclude them.

2749. What is the age you propose for the Civil Service in England?—I did not contemplate interfering with the present age.

2750. You would leave things as they are as to age?—Yes.

2751. And reduce the listed posts in India?—No.

2752. Would your excluding certain appointments from the list have that effect?—The higher posts I refer to are not listed.

2753. They are not listed?—I mean memberships of the Board, Commissionerships, and so on.

2754. I misunderstood you. You say that in any case there is a difference between making appointments under the Act of 1861 and making appointments to listed-posts?—Yes.

2755. And that it is more against the Indian?—I do not think so.

2756. Under the Act of 1861 appointments can be made only with the sanction of the Secretary of State in Council with the full concurrence of a majority of the Council?—Yes.

2757. In the other case the Local Government can make appointments?—Yes.

2758. I believe the one is more difficult than the other. However, I will leave it at that. You know that for the educational service first-class men are brought out from the English Universities?—Yes, I believe so.

2759. At the end of their service they retire on a pension of Rs. 5,000, or, at the special rate of exchange, about £440?—Yes.

2760. The Civilian retires upon a pension of £1,000?—Yes.

2761. The men in the educational service are often very brilliant men, are they not?—Yes.

2762. And they retire on a pension of £440 a year?—Yes.

2763. According to Sir William Meyer's recommendation three more districts have been created recently in Madras?—Yes.

2764. And he says that no more districts need be created?—He said that some years ago. That was his opinion. I think his report must have been sent in five years before.

2765. Five years is not a very long time?—It is seven or eight years now.

2766. Still it is comparatively recent. The circumstances have not altered very much in five or six or seven years?—I am not prepared to say I think they have, possibly.

2767. (*Mr. Chaubal.*) With reference to your answers to questions (1) and (2), do you think that the old Haileybury College approached your recommendation of limited competition? My impression is that there was a certain selection for candidates who were admitted into that college, and it was only from that college that persons could appear for the Indian Civil Service. Is my impression correct, and if so would it come to your recommendation?—No, because I presume the object of Haileybury College was partly to train candidates for service in India.

2768. Was there no selection before admission to the College?—My ideas are not very clear on the subject. I imagine it was nomination to some extent; there may have been selection.

2769. Finally it was nomination; but before you get to nomination you must go through the stage of selection. Would it approach something like your system of limited competition?—I do not see very much resemblance; it is not what I had in mind.

2770. Would you say that the system then prevailing was a system of unlimited competition?—I am afraid I do not know enough about it.

2771. Entering Haileybury and confining the appearance at the Indian Civil Service to candidates from that College?—No, I do not think that bears any resemblance to the system I have suggested.

2772. My question is, would you call that unlimited competition?—No.

2773. It was a limited competition?—Apparently, yes.

2774. Do you know why that system was abandoned?—No, I am afraid I do not know any details.

2775. In answer to questions (7) and (9), may I ask you generally if the highest appointments in the different departments are confined to persons who come into the Indian Civil Service through the competition door in England, do you think that the general British tendency and tone that you require may be satisfied? If such posts are confined to persons coming in through the Indian Civil Service through the open competition door in England, would not that satisfy what you want the administration to be in general tendency and tone, or do you want the subordinate posts also filled by the same kind of men? By the highest posts I mean those posts that carry with them control and supervision over departments, origination of schemes and the general main points of administration?—No, I do not think that would be enough at all. I consider that the more important executive posts would require a strong British element.

2776. To put it more completely: would you consider all posts (posts below the grade of senior Collector and District and Sessions Judge) placed

below that? If all places from that upwards were filled by persons coming into the Indian Civil Service through the English door, then would there be any objection to leaving the rest free to others? Would not the purpose of recruitments of a general British tendency and tone in the British administration be maintained by leaving those senior posts and reserving them for persons of the Indian Civil Service coming in through the English door?—That would practically be enough. It seems to me that it is impossible to arrange it. You must have junior men to succeed to those posts. As a principle, however, there is nothing to be said against it. In fact, it is very nearly what we have now.

2777. With reference to your answer to question (23), I see you say: "The charge of a division of a district, which is the office referred to in the Presidency as now held indiscriminately by Civilians or Deputy Collectors." In the first place how many divisions are there; there are 24 districts in Madras I believe, are there not?—There are 24, excluding Madras.

2778. Taking them to be 25, how many would they constitute?—An average of five, I should say.

2779. That is to say, 125 divisions?—Yes, I should think about 125 divisions.

2780. And for those 125 divisions you say at present the charge can be held indiscriminately by a Deputy Collector or a Civilian?—Yes, there are certain divisions that are set aside for Civilians.

2781. Can you say how many those would be?—My impression is that there are 39.

2782. And the rest can be filled in indiscriminately by either?—Yes.

2783. As regards these charges of divisions, how many of these are at present held by a Deputy Collector?—The last figures I have seen shew that they hold all the divisions open to them, and I think that 10 of those ought to be held by civilians; that is to say they hold all but 29.

2784. Out of the 125 you reserve 39?—Yes. All the rest are held by Deputy Collectors, and 10 out of the 39 reserved ones.

2785. So that practically all except 29 are held now at the present moment?—Yes.

2786. Do you consider the general tendency and tone which you say should be British has not been jeopardised by the employment of so many Deputy Collectors, or is it jeopardised at present?—No, I do not think that it is.

2787. What is your opinion with regard to this: supposing these listed appointments have not come in; according to your view these listed appointments could have been filled up under the Act of 1861 as individuals became eligible for them?—Yes.

2788. Do you think that if these posts had not been listed, any natives would have been appointed under that Act?—I think it is rather hard for me to answer that question.

2789. Can you tell me whether between the years 1861 and 1879 that Act was availed of for any appointment?—Not that I am aware of.

2790. So that at least for 18 years the Act was there, and there was no enforcement of the possibilities of that Act?—Apparently not.

2791. Am I right in supposing that it was in 1879 first that the so-called statutory civilian came in?—Yes.

2792. These rules reserving one-sixth came in in 1879, did they not?—Yes, I think in 1879.

2793. Is it a correct inference for me to draw from the figures and tables you have given in answers to questions (90) and (94), that the Bombay Civilian Service is the worst off in all the Provinces?—It looks to me as if it were; but I have not examined the position of Bombay.

2794. At any rate that is the impression I have gathered from looking at the figures?—It may be so.

2795. (*Sir Theodore Morison.*) With regard to your system of nomination for competition, which I approach with a good deal of sympathy if we can work it, in the first place I understand that this particular recommendation represents your private opinion?—Yes, entirely.

2796. Do I understand your system to be that it should be nomination of two men for each vacancy?—Yes, roughly.

2797. That is to say that for 60 vacancies you would nominate 120 men?—Yes.

2798. And your Board of Selection would perhaps be grouped about the Civil Service Commissioners, and it would contain persons familiar with the educational system of England?—Yes.

2799. And do I understand that you would take into consideration the opinions of headmasters, and others, who could tell what the school history was of candidates whom they sent up?—Yes.

2800. If, for instance, a schoolmaster were to say that such and such a boy captains his eleven excellently, but that he happens to come of very poor parents, and so on, would you consider him eligible for the service or not?—Certainly.

2801. Let us consider how it could work with regard to Indian candidates. I understand you to say that you would admit Indian candidates equally by this door?—Yes.

2802. The history of their educational upbringing is necessarily in India?—Yes.

2803. Therefore do I understand you to say that you would invite the opinions of the principals of Indian colleges and the headmasters of Indian schools?—Yes.

2804. Those, presumably, could be checked and the value of them known only by persons in India. To put it frankly, what it comes to is, that the Board of Selection receives from a certain headmaster a flaming testimonial; it may not be worth as much as it looks; the great advantage of having educational experts upon your Board is that they have a personal knowledge of these different masters, and they discount or add to what is actually said upon the paper, and perhaps cross-examine upon it. No Board sitting in London could do that for India?—No, they would have to refer for advice to the educational officers out here.

2805. Have you any objection to the selection of the Indian candidates for competition being made out here?—The question of proportion would arise again.

2806. Are you willing that the Selection Board should do the nomination?—I do not see any objection to that.

2807. Can you suggest any means by which the proportion of nominated candidates is to be determined?—I do not think I am prepared with the solution of that.

2808. Supposing you have fixed your proportions, whatever they may be, are you then prepared to abide by the result; that is to say, if there is restricted competition among these 120 boys?—Yes, undoubtedly; but my trouble is the proportion; that is my difficulty in answering that.

2809. I see another practical difficulty in working it. You would very likely get nominated here, youths who have shown all those characteristics of energy and power of command, and things of that sort, in an Indian college or school; but it is quite possible that they might belong to the races, like the Sikhs, or the Muhammadans, who would not do very well in an examination?—Yes.

2810. And is it not possible they might be wiped out in competition?—Under my proposal the system of listing would still provide for that.

2811. As far as the London door is concerned?—I do not think it would have much effect upon the number of Indians who get in. I was aiming mainly at the Europeans who get in.

2812. Let me put it this way. I suppose the Englishmen who would come up would be very much the same as they are at the present moment: only a certain number would be held back?—Yes.

2813. Do you think the result of selection by a Board in India would be to bring up exactly the same class as appear now?—Yes, I think it would, because we must presume that only men of a certain intellectual standard would be selected out here. It would be no use nominating a candidate who had no chance of succeeding.

2814. I was at the Aligarh College, and I could recommend certain persons who would have done admirably and passed the B.A. standard, but I fear they would have been wiped out in that competition?—Yes, I understand you.

2815. Arising out of your written evidence do you think that the popularity of the Indian Civil Service amongst the English candidates has declined?—Yes.

2816. What makes you say that? I should like to hear what you have to say about it?—It is a very general impression which one receives at home in conversation either with people who have sons who might choose it as a career, or with possible candidates themselves.

2817. Can you think of any instances among your own brother officers, who have not wished their sons to try for the Indian Civil Service?—I do not know of any at the present moment who have sons who could have gone in, and who have not done so because it is not sufficiently attractive; but I have frequently heard the opinion expressed by men who have sons who will shortly come to that age.

2818. That they do not intend to enter them?—Yes.

2819. Do you think that is a comparatively modern opinion?—Yes.

2820. Do you think that that was true when you joined the Service?—No, I do not think it was true 20 years ago.

2821. Do you think that social obligations, the expenses, of the English Civil Servant have increased?—No, I should say not.

2822. Do you think that the amount of entertaining which a Collector, or even a member of the Service who is higher up, has to do, has increased?—Not here; I think not. That opinion is based partly on the fact that our European society here has been reduced to a very great extent.

2823. And has there been no increase of entertainment towards the Indian public?—Yes, perhaps, slightly; but that is infrequent.

2824. It is infrequent, and it is not expensive?—Yes, that is so.

2825. Are you much visited by globe-trotters in Madras?—We are, in one or two places.

2826. (*Lord Ronaldshay.*) You are not altogether satisfied with the present system of open competition because it merely provides a test of scholastic attainments?—Yes.

2827. In other words, under the present system the men who will get into the Service are in every case educationally qualified; but they may be deficient in other qualifications?—Yes.

2828. Could you give me an example of what you mean by "deficient in other qualifications"?—The lack of activity is most marked, I think.

2829. Have you, in your personal experience, come across any cases of men who have become members of the Indian Civil Service, and who have been deficient in manners, for instance?—Yes

2830. You have?—Yes.

2831. And as the result of that, has there been friction between members of the Service, and those whom they govern?—I think it would be likely to lead to that. That is one of my points.

2832. You think it would be an extremely undesirable thing if men of that kind were to get into the Service in any numbers?—Yes.

2833. You think that that might be avoided by your proposals for a combined system of nomination and examination?—Yes, I think the chance would be reduced.

2834. You therefore attach a great deal of importance to some modifications of the present open competition system?—Yes.

2835. In the course of your evidence you have said that in your opinion an Indian who went to England at a fairly late age, and only spent a comparatively short time there, was not benefited by his stay?—Not greatly benefited.

2836. You would desire to see them go to England at a much younger age, is that so?—Yes.

2837. More as schoolboys than as University men?—Yes.

2838. Is it not a fact that one of the objections to instituting a system of simultaneous examination in this country is that the men who get into the Service by such an examination would not have had the training in England which you consider to be necessary to produce satisfactory officers? You accept that, I suppose?—Yes.

2839. In order to get over that objection, it has been suggested that after the candidates passed their examination in this country they should go to England for two years' probation or something of that kind. I understand, however, that you would not consider, holding the views that you do, that such a course as that would provide these men with desirable training?—I do not think it would provide it; it might under certain conditions do something, but I do not know that I consider it necessary.

2840. But generally speaking, you would not regard a comparatively short probation in England at a comparatively late age, after they have passed an examination in this country, as a satisfactory British training?—No, I should not.

2841. You lay great stress in your written evidence on maintaining the British tendency and the British tone. What would you describe as the main characteristics of the British administrator, which constitutes this British tone? May I put one or two suggested characteristics to you and ask you whether you agree with them? Would you say, for instance, that the practice of regarding all castes and all classes purely upon their merits, and not from the point of view of class or caste, as one of those British characteristics?—I should place that first.

2842. You would also regard accessibility on the part of the British officers to all classes of communities as a British characteristic?—Yes, that follows from the other, I think.

2843. I suppose you would include a purely disinterested impartiality as a British characteristic?—Yes.

2844. In your experience as a District Officer are you of opinion that these characteristics are clearly apparent to the masses of the people?—I think they are.

2845. And that they are appreciated by the masses of the people?—Yes.

2846. And do the masses of the people, in your opinion, consider that Indian officers holding so high a position as Collectorships may generally be considered to possess these qualifications?—I do not think I have had any means of gauging the opinion of people in a district where there have been Collectors. I find it rather difficult to answer that question for that reason.

2847. You would rather not express an opinion?—I would rather not express an opinion.

2848. Have you ever come across any instances of people in a district expressing a desire for a European Collector or an Indian Collector; expressing any preference for one or the other?—Yes, I have known that happen with regard to a Divisional officer, which comes much to the same thing.

2849. What has been the desire expressed by those people, so far as you know; have they expressed a desire to have an Indian Divisional Officer, or a European Divisional Officer?—I have known cases where a desire was expressed for a European Divisional Officer. It would not be a universal desire: it would probably be the desire of people of one class or caste, probably based upon the idea that the Indian they had at that time was not impartial. I do not think, however, that I can generalise from it.

2850. With regard to pay and pensions, should you say that there is a very general and strong desire on the part of members of the service for the substitution of a time-scale of pay for the present system?—There is in this Presidency among the junior men.

2851. Do you think there is a very general desire for it?—Yes, I think there is a very general desire for it.

2852. With regard to the question of pensions, do you think that the knowledge that a candidate will receive a certain pension of £1,000 a year on retirement is one of the main attractions of the Civil Service at the present time?—I do.

2853. And in your opinion, therefore, if any alteration were made, such as granting pensions in accordance with the pay a man was drawing when he retired, that would be resented by the Service, and would render the Service less attractive to candidates who thought of going in for it?—Yes, unless there was a minimum fixed.

2854. £1,000?—A minimum is fixed in other departments.

2855. (*Mr. Oldfield.*) With regard to these listed posts, I want to draw your attention to the note which was framed by the Madras Government. It states two conditions upon which Indian Civil servants may be appointed to them. Perhaps you will be good enough to read it?—It is as follows:—"These appointments are subject to the claims of officers in the Indian Civil Service appointed before 1880. If no fit and competent member of the Provincial Civil Service is available, or if the preponderant administrative needs of the province require it, an Indian Civil servant may be appointed to any of these appointments or to any of the 14 appointments of Deputy Magistrates and Deputy Collectors in grade VIII."

2856. Is the £1,000 which the Indian Civil servant receives, a pension properly speaking, or is it an annuity of which a share is contributed by the officer?—It is an annuity of which a share is contributed by the officer.

2857. The position of Madras is aggravated by the fact that Madras men are not taken by the Government of India to the same extent as in other Provinces: is that true with regard to the number of appointments that they receive?—No, I refer only to the higher appointments of the Government of India Secretariat.

2858. With regard to the importance of the appointments?—Yes, with regard to the importance of the appointments.

2859. With regard to your answer to question (129), your suggestion is that the pensions of officers' sons should continue until they are 24. You consider that an important point?—Yes, a very important point.

2860. At present does Government contribute towards their pensions?—The Government contributes an amount which decreases with the length of service of the officer, and the ultimate position is that Government contributes 25 *per cent.* and the officer 75 *per cent.*

2861. Is it your wish that Government should contribute towards the increased allowance you desire?—I think they might contribute in the same proportion.

2862. Do you think that officers would be willing to subscribe further for it?—Yes, I think so.

2863. Even if Government did not contribute and they had to bear the whole cost themselves?—I am a little doubtful if Government does contribute to the fund; but I think officers would be prepared to incur higher subscriptions for the purpose of obtaining this.

2864. As regards improvement in travelling allowance, will you tell the Commission what an officer actually receives at the present time for moving himself, and his family and possessions, from one district to another on transfer?—He receives the equivalent of two first-class fares.

2865. You could not tell the Commission what the total cost of all these concessions would be: would it have been possible to obtain information upon which the computation could be founded?—We could not obtain it for the whole of India.

2866. (*Mr. Subrahmanyam Pantulu.*). I understood you to say in one of your replies that an Indian would not be able to perform his official duties with such sense of duty as an Englishman?—I said I thought that that was one important factor in the distinction which I drew between the average work of the Englishman in India and the average work of the Indian official who has served under him.

2867. I may take it that your unfortunate experience is restricted to the Executive branch?—Entirely.

2868. You desire that the pay of the Civilians should be raised on the ground that the cost of living and prices generally have risen?—Yes.

2869. Would you allow a corresponding increase to Indians also?—Certainly.

2870. From your experience, would you say that there has been of late years a rise in the standard of the living of the higher class Indians?—Yes.

2871. Would you like a corresponding increase of pay in the Provincial Civil Service also on that ground, apart from the rise in prices?—Yes.

2872. Amongst Indians there has been a rise in the standard of living on account of education; would you allow, for instance, a corresponding increase in their pay, on the ground that their standard of living has risen?—I think it would be a very fair ground to base their claim upon.

(The witness withdrew.)

M.R.Ry. Diwan Bahadur L. A. Govindaraghava Aiyar Avargal, High Court Vakil, Madras.

Written answers relating to the Indian Civil Service.

2873 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I think the present system is generally satisfactory in principle subject to what I say later on about the Judicial Service.

2874 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I think the system suitable, subject to what I say in answer to question (16).

2875 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think the combination is good as the level of the efficiency in the candidates ultimately selected is well assured and as the examination will continue under the control of a body like the Civil Service Commissioners. I would however exclude from selection for India candidates belonging to Colonies which show a tendency to exclude Natives of India from them.

2876 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I consider the present system of recruitment by open competitive examination to be satisfactory in principle.

2877 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of simultaneous examinations as indicated in the question.

2878 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—If simultaneous examinations as indicated in question (6) were not to be had, I am for a separate examination in India of an equal stiffness with the examination in England on subjects the same as or similar to those prescribed for the examination in England, though I think also that the institution of a separate examination would be inconsistent with the principle of the Statute of 1833 as pointed out in paragraph 64 of the Report of the Public Service Commission of 1887.

The proportion I suggest is one-half of the posts open to the Members of the Indian Civil Service.

2879 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—The Indian Civil Service should form a *corps d'élite*, admission to which should be regulated by merit and merit alone. I do think it desirable that all classes and communities must be represented in the Indian Civil Service, but that is not to be at the expense of efficiency. The advance in educational facilities and the incentive offered by the insistence on the Civil Service forming a *corps d'élite* will enable the less forward classes to also have their proper share of representation in course of time. To provide for cases of marked ability and merit to be admitted into the Indian Civil Service either from the Provincial Civil Service or otherwise, power may be exercised under section 6 of the Statute of 1870; but this power should very rarely be exercised and most cautiously.

I am not therefore for the methods of selection indicated in this question.

2880 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes.

2881 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial

Civil Service?—As stated in my answer to question (8) I do not recommend any system of selection other than that based on open competition.

If simultaneous examinations be held in India and in England, I would put back into the Indian Civil Service the listed posts now open to officers of the Provincial Civil Service.

2882 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I recommend the complete separation of the Judicial service from the Executive branch of the Indian Civil Service, and it is not necessary that there should be compulsory recruitment from the Indian Civil Service to the Judicial service. The recruitment for the posts in the Judicial service now filled by members of the Indian Civil Service should be made from the legal profession and from the lower ranks in the Judicial service. If, however, it be considered absolutely essential that members of the Indian Civil Service should fill some of the posts in the Judicial service, I suggest that not more than a third of the posts now open to them inclusive of the listed posts should be filled by members of the Indian Civil Service, the remaining posts being filled in equal proportions by recruitment from the Bar and by promotion from the lower ranks of the Judicial service.

2883 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any "person born and domiciled within the dominions of His Majesty in India, of parents "habitually resident in India, and not established "there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I would omit the words "born and" in the phrase "any person born and domiciled . . . "; and would include in the definition the subjects of Princes and States in India in alliance with His Majesty.

2884 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I would retain the present age limits, and for the reasons for which they were fixed.

2885 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—I recommend no differentiation.

2886 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—Indian History and Constitution may also form one of the subjects. The marks assigned to Sanskrit and Arabic should be raised so as to be equal to those assigned to Latin and Greek. Knowledge of the original authorities in Latin, Greek or the modern European languages should not be made necessary for examination in Greek or Roman History and Roman Law.

2887 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No.

2888 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I think it necessary that all posts now reserved for the Indian Civil Service inclusive of the listed posts but exclusive of those posts now reserved in the Judicial service should be reserved by statute for officers of the Indian Civil Service. They form the *corps d'élite* and the efficiency of the Executive administration will mainly depend on them.

2889 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I consider the existence of the European element in the Civil administration necessary; but with a system of competitive examination, whether held in India and England or in England alone, there is no fear that the Indian element would become so large as to encroach on any minimum that may be considered necessary. I believe that, on the other hand, the European element will predominate. If a proportion be considered necessary to be fixed, under present conditions, for Natives of India, I would suggest half of the posts open to the members of the Indian Civil Service.

As for the Judicial service see my answer to question (11).

2890 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No. I prefer simultaneous examination held in England and India.

2891 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—I am not for the old system being revived.

2892 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I do not at all approve of the system.

2893 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—As stated already I do not approve of the system of listed posts; but if the system of listed posts has to be retained, I would suggest that in the case of judicial appointments the rule be generally followed.

2894 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—Please see my answer to question (24). If the system of listed posts were to be retained, I would, so far as the Madras Presidency is concerned, have the number of the listed posts increased so as to include:—

(a) Two Members of the Board of Revenue.
(b) One Secretary to Government.
(c) One Secretary to the Board of Revenue.
(d) Two Under Secretaries to Government.
(e) Registrar of the High Court
(f) One-third of the Collectors.
(g) One half of the District Judges, and
(h) One half of the Sub-Collectors and Assistant Collectors.

The listing of the posts of Sub-Collectors and Assistant Collectors is however subject to the condition that there are enough posts left which will allow of sufficient recruitment to the posts of Collectors from the Indian Civil Service.

2895 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—I am for the entire separation of judicial and executive functions. The executive officers in charge of divisions or districts may however be allowed to exercise the powers under Chapters 9, 10, 11 and 12 of the Criminal Procedure Code.

2896 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

2897 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

2898 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—I prefer that the probationers' course should be in England; and the answer applies to both Natives of India and other subjects of His Majesty.

2899 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

2900 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I fear there is some deterioration. I believe this is largely due to the members of the service not sufficiently mixing with the people of the country.

2901 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—As regards the Judicial branch no special course of studies is necessary if the officer selected has been called to the Bar or has taken a degree in Law; otherwise before he is appointed to the post he should be required to pass an examination in Hindu and Muhammadan Law, Contracts, Torts, Criminal Law, Revenue Law, Evidence, and the interpretation of statutes. The examination should be directed to the testing of the candidate's knowledge in the general principles in the above subjects.

2902 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—Please see my answer to question (37).

2903 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—I would suggest that members of the Indian Civil Service appointed as District Judges should undergo training as munsifs for at least three years and as Sub-Judges for at least two years.

2904 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty?—If so, please state the special arrangements that you recommend?—No.

2905 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

2906 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—No exchange compensation allowance is necessary for future entrants. I would not interfere with the existing rules as regards the present incumbents.

2907 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—In the cases of the posts of District Judges and Collectors and of higher posts I would make no difference in salary.

Written answers relating to the Provincial Civil Service.

2908 (51). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I have no remarks to offer except what is stated with reference to questions (52), (53) and (54).

2909 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—I shall first deal with the executive branch of the Provincial Civil Service.

Efficiency should be the first consideration and subject to that, the representation of the various classes of the community.

Deputy Tahsildars, Tahsildars and Deputy Collectors should be included in one service and 75 per cent. of the recruits should be by competition open to all in the province who possess the necessary physical fitness and produce satisfactory certificates as to character; and the recruits will start as Deputy Tahsildars. The remaining 25 per cent. may be by nomination and promotion from the lower ranks.

In view of the Indian Civil Service forming a *corps d'élite* and the number composing it being small and restricted, I would suggest the formation of a fresh grade of Deputy Collectors on a salary of Rs. 1,000 per month. If the listed posts are retained, direct recruitment will become necessary to the grade of Deputy Collectors, the persons so recruited being eligible for the listed posts.

I consider that there should be a complete differentiation of the executive and judicial services. I would include second and third class magistrates in the judicial service to be under the control of the High Court. The members of the executive service in charge of divisions or districts should have only the powers given under Chapters 9, 10, 11 and 12 of the Criminal Procedure Code. I would suggest that the Munsifs should start on a pay of Rs. 250 a month and rise to Rs. 500 and that Subordinate Judges be classed into three grades on salaries of Rs. 600, Rs. 800 and Rs. 1,000, respectively. This judicial service may be recruited partly from the legal profession and partly by promotion from the lower ranks. There must be one combined judicial service including District Judges and Sub-Judges and inferior posts.

2910 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—The recruitment may ordinarily be restricted to the residents of the province to which the Provincial Civil Service belongs.

2911 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—In the present conditions, I think there is a fair representation. I fear this theory of class representation is being pressed too far. Encouragement to less forward classes can better be given with greater benefit to the classes themselves, by providing additional educational facilities, wherever necessary.

2912 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service?—If not, please state your objections, and what other arrangements you recommend?—Yes.

2913 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—Deputy Tahsildars as a rule are also Magistrates; and the District Collectors and Sub-Divisional officers are also District and Sub-Divisional Magistrates. I am strongly in favour of the separation of executive and judicial functions and will recommend separate recruitment for the executive service and judicial service as suggested in my answer to question (52).

2914 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Please see my answer to question (52).

2915 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service?—If not, what rates do you suggest for the various appointments?—I approve subject to my answer to question (47).

2916 (64). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Please see my answer to question (52).

Mr. L. A. Govindaraghava Aiyar, called and examined.

2917. (*Chairman.*) You are a member of the Madras Legislative Council?—I was: I am not now.

2918. Will you tell the Commission what posts you have occupied?—I was a member of the District Board of North Arcot. I was Vice-President and member of the Chittoor taluk; a member of the Legislative Council, seven years in all. I am Vice-President of the Madras Mahajana Sabha; one of the Secretaries of the Provincial Congress Committee, and a member of the Senate.

2919. What is your caste?—I am a Brahman.

2920. I see from your answers to the questions that you are in favour of recruitment to the Indian Civil Service by open competition, but think that the competitive examination should be held simultaneously in England and in India?—Yes.

2921. You are also desirous of maintaining the existence of the European element in the Civil administration?—I think the European element is essential.

2922. You regard that as of the first importance?—Yes, of great importance.

2923. Regarding it as of the first importance, would you suggest any safeguards in your scheme for a simultaneous examination?—As far as I can look now into the future I do not think any safeguard will be necessary for securing that element if we have simultaneous examinations in India.

2924. You are prepared to leave that to chance?—I do not think it will be necessary. The European element will not be jeopardised in India.

2925. You are against fixing any proportion, but if a proportion is to be fixed you think it should be a half?—Yes.

2926. Assuming that the half is filled up, have you estimated how many Indians would occupy positions in the Indian Civil Service in the Presidency of Madras; I am speaking of the whole of the Service?—It was stated that there are 175 civilians. Half of that number would be 88, so that, including all the listed posts, it would come to about 100.

2927. Do you propose to retain the listed posts as well?—No.

2928. Would you abolish the listed posts?—Yes.

2929. You would put the listed posts back into the Indian Civil Service?—That is what I have said in my answers.

2930. You are desirous that all classes and communities should be represented?—Yes, provided that it does not interfere with efficiency.

2931. Have you considered how you could reconcile those two conditions?—I want an increase in the posts to be allotted to the Provincial Civil Service as far as the pay goes. The highest post to which the Provincial Civil servant can rise carries only a salary of Rs. 800. I have proposed Rs. 1,000.

2932. How is the increase of salaries to Rs. 1,000 going to ensure the due representation of the various communities?—The position I take is this. The first consideration ought to be one of efficiency: consistently with that the classes may be represented. It may so happen that in the Provincial Service the test of efficiency might not be applied with the same rigour as in the Civil Service, and to give the same opening to members of the classes who might not be so fortunately situated as the other classes, I would allow them to rise up to Rs. 1,000 if they have shown a fairly good capacity for the work they are expected to do. As far as the Indian Civil Service goes I am anxious that it should be a *corps d'élite*—that it should contain only the best men that are available.

2933. You think you would be able to ensure representation better by the retention of the listed posts than by carrying out the proposal for holding simultaneous examinations?—It will depend upon how you man the listed posts. If it be merely by nomination, it may be that the classes would be better represented by listed posts; but I object to the system of nomination as far as listed posts go.

2934. You suggest in one of your answers that a proportion of the appointments in the Provincial Service should be made by nomination?—Yes, 25 per cent. of the total number, partly by nomination and partly by recruitment from the lower ranks of the Service.

2935. It is only by means of that 25 per cent. of nominated candidates that you would be able to make sure of any due representation?—Yes, according to my scheme it would be that. I think a better means of seeing that the classes are represented in the Provincial Service or in the Indian Civil Service would be, not by making any nomination to those Services simply because a person belongs to a particular class, but to fit them to come up by competition into these Services, and by increasing the educational facilities by which they might make themselves better able to compete.

2936. That is nomination on the basis of education and efficiency, and not on the basis of the distribution of the community?—What I mean is this, that for those classes who we now feel have not got their due proportion of representation in the services, the educational facilities given to those classes might be increased, so that members of those classes would be better able to compete in the examination than they are at present. It is in that way that I would suggest "differentiation."

2937. You would start by giving educational facilities to those classes that are backward?—Yes.

2938. It would be some years before that took fruit?—Yes.

2939. Would you suggest anything being done in the interval?—With any scheme which may be ultimately accepted seeing that it cannot be allowed to defeat the expectations of present officers, it must take some time before that scheme can be put into operation, and by that time the educational facilities will be advanced so that the hardship of working my scheme will not be felt.

2940. (*Lord Ronaldshay.*) If a system of simultaneous examination were instituted in this country, would you take the listed posts away from the Provincial Service, and restore them to the Civil Service?—Yes.

2941. Would not that have a depressing effect upon the Provincial Civil Service?—The scheme which I suggest has no reference to persons now in the service. They will be allowed all the advantages that they were given to expect at the time that they were started in the service. As for fresh men, if they are fit to get into the listed posts, they are fit to get in by competition.

2942. Do you think that you would get the same standard of man to go into the Provincial Service in future as at the present time, if you took those highest posts away from the service?—According to my standard of the man, I think you could get it.

2943. You say in answer to question (18) that "it is necessary that all posts now reserved for the Indian Civil Service, inclusive of the listed posts, but exclusive of those posts, now reserved in the Judicial Service, should be reserved by Statute for officers of the Indian Civil Service." Do you give that answer on the assumption that a system of simultaneous examination will be instituted?—Yes.

2944. But if the present system were to continue, you would give a different answer to that question?—Yes. That remark of mine is in answer to question (27).

2945. You are afraid that there has been some deterioration in the ability of members of the Civil Service for talking to the people in their own language in the present day, and the reason for that is that the members of the Service do not mix sufficiently with the people. Do you mean that they do not mix with the people as much as they used to do in former times?—Yes.

2946. What do you think is the reason for that?—Perhaps it is due to the fact that there is more red tape now than there was before. The second reason is that the civilian officers are so worked that they have not much time to mix with the people. the third reason is that the correspondence put before them is now all in English, and they think they could get as much as is necessary, for the discharge of their duties from the information supplied to them through their clerks.

2947. You think that members of the Indian Civil Service ought to have less work, and that red tape ought to be swept away?—Yes; and attempts are being made now to lessen the work.

2948. Were not the documents they had to read always written in English, or were they written in the past in the vernacular language?—The documents are written in English. There are more translations now than there used to be before.

2949. (*Sir Theodore Morison.*) In answer to question (16) you suggest a change in the syllabus of subjects for the open competitive examination?—Yes.

2950. You say "Indian History and Constitution may also form one of the subjects"?—Yes.

2951. "Constitution" means what?—Indian constitution; that is to say, the system of Government in India. The book that I have in my mind is by Sir Courtenay Ilbert.

2952. Later on you suggest "Knowledge of the original authorities, in Latin, Greek, or the modern European languages should not be made necessary"; that is because it presses hard upon the Indian student?—Yes.

2953. You would not recommend it in the interests of scholarships alone, would you?—I do not think I am quite competent to say anything with regard to that. But I believe the interests of scholarships will not suffer if translations are allowed.

2954. One suggestion was made to us yesterday, with regard to which I should like to ask your opinion. It was suggested that the Indian vernaculars should be added, and put upon the same level as German, French and Italian, and marked the same: would you like to see that? You have not recommended it?—I shall give my reasons. I take it that the syllabus for the Indian Civil Service examination is conceived on the basis of securing general culture and scholarship. I am not sufficiently acquainted with the vernacular languages to say that the literature they have is such as will ensure general culture. If we have sufficient literature of that kind I would allow them to get into the syllabus.

2955. May I ask your opinion about the vernaculars of this Province? Are you unwilling at present (for the next 20 years, we will say) to introduce them, or not?—In the next 20 years the position may change, because there are so many means of developing the vernacular literature.

2956. (*Mr. Chaubal.*) What is your feeling, and the feeling of your people; do they consider that the English Civilian is more accessible to the people, or that the Provincial servant is more accessible?—Quite the other way, that the Provincial Civil servant is more accessible than the English Civilian.

2957. When it is said that the Indian officer regards certain classes as "untouchables", is it as a matter of religious faith, and does that detract from his sympathy and kindness towards the so-called "untouchable"?—It is purely a matter of religious faith. I am afraid that there is a lot of misconception about that. It is not absence of good-will. So far as the officials are concerned there is no such feeling towards those people.

2958. (*Mr. Gokhale.*) You have been a nominated member of the Madras Legislative Council for the last three years?—Yes.

2959. And you were an elected Vice-President of the Mahajana Sabha?—Yes.

2960. And the Government have conferred on you the title of Diwan Bahadur?—Yes.

2961. You have practised in the mufassal for some years?—Yes, I have practised for 15 years and now practise in the High Court.

2962. You were at one time a Government Pleader in the mufassal?—Yes.

2963. And you have also been Government Pleader for a time in the High Court here?—Yes.

2964. And you have had considerable experience of mufassal cases?—Yes, I have had some experience.

2965. Will you tell us how the work of the European District and Sessions Judges and the Indian District and Sessions Judges compares: how does the civil work of the two compare?—I believe that the Indian Judges are superior to the English Judges with regard to civil work.

2966. How does the Sessions work of the Indian Judges compare with the Sessions work of the European Judges?—I have had much experience of the work in the Arcot district; and I must say that I think the Indian Judges were quite as good as the European Judges, and in one or two instances I consider they were superior to them.

2967. You have had experience of both classes?—I have had experience of five Indian Judges and ten or twelve European Judges.

2968. As regards administrative work, what is your experience?—As far as District and Sessions Judges go, I do not think that the European Judges are in any way superior; on the other hand there are certain considerations which make the Indian Judges better able to do their administrative work. They know more of the details of the work, and they have had some experience as Sub-Judges or as District Munsifs. Further, they are more in touch with the Indian establishment. The staff can go and represent their grievances. They are less under the influence of the Sherishtadar.

2969. Have you any experience of the magisterial work of Europeans and Indians?—I have had some experience of magisterial work.

2970. How do you compare the two?—I do not find any difference, because there are people who are unsatisfactory in both classes.

2971. What is your experience of first-class Indian Magistrates against first-class European Magistrates?—I have nothing to say with regard to them.

2972. Are they about the same?—Yes, I think they are about the same.

2973. In cases of threatened disturbances, how do Indian and European officers compare?—I think the Indian officer has the advantage. He is able to know the causes of the disturbance better than the European officer.

2974. And in cases of actual outbreaks?—In the case of an actual outbreak I do not think there is any difference between the two. There is a feeling largely prevalent among Indian Executive officers that they have not got that amount of support from higher quarters in these cases of exceptional difficulty as the European officers expect, if they go wrong.

2975. (*Mr. Sly.*) You are a Vakil of the High Court?—Yes.

2976. And acquainted with the High Court Judges?—Yes.

2977. Would you accept their opinion as being of any value on the comparative merits of the Judges?—Certainly their opinion is valuable.

2978. And if their opinion was not the same as yours, would you in any way be prepared to modify your opinion?—I should have to keep to my opinion; I have formed my opinions after some consideration.

2979. With regard to your answer to question (11), will you tell us what your system of recruitment for the legal profession would be?—I include barristers, vakils, attorneys and first-rate pleaders as far as they are available.

2980. From the Indian Bar?—From the Indian or European Bar—the English Bar.

2981. You would have the service wholly recruited in India?—Yes.

2982. In reply to question (32), you have recommended that the probationers' course should be spent in England?—Yes.

2983. If it should be decided that the successful English candidates should pass their probation in India, in that case would you like the successful Indian candidates to pass their probation in England or in India?—I would suggest that they should go to England. My reason for desiring that the Indian candidate should go to England is that he may have some acquaintance with English conditions, and so get himself into touch with English ideas and English administration.

2984. How long do you suggest that that course of probation should be?—Two years.

2985. Two years in England, you think, would give him that?—I think that two years in England would give him a tolerably good degree. If he could be there for a longer period I should welcome it.

2986. You say "a tolerably good degree." He is going for a period of probation. Do you expect him to take a degree after that?—By "degree" I meant a tolerably good extent.

2987. (*Mr. Madge.*) You are entirely in favour of the separation of the Judicial from the Executive function?—Yes. I have to state that I made a mistake in my answer. There is one point I should like to add. I refer to my answers to questions (28) and (52). I would add also chapter 9 to the chapters I have mentioned in answer to these two questions.

2988. Do you think that the Executive experience of a Magistrate during the earlier portions of his career is of little or no value while acting as a Judicial officer later in life?—Taking the question in the abstract, it is of some value.

2989. How do you distinguish between the abstract and the concrete duties?—I mean the experience which an Executive officer has is considered to be valuable to him as a Judicial officer; he has experience, as he knows the country before he is appointed a Judicial officer. It is because he is in touch with the people that he gets his experience, and not because of the peculiarity of his being an Executive officer.

2990. In that respect do you think that the Indian official, wherever he may be appointed, will have the same advantage?—He may not have the same advantage because he might not be acquainted with the different conditions prevailing in different parts of the country; but if he has experience as a legal practitioner he will be well fitted to discharge his Judicial duties.

2991. In adhering to your own opinion, for which no one will blame you, in preference to the opinions of the High Court, do you think that the opinions of Judges of the High Court, are to any extent influenced by race feeling; I do not say race prejudice?—I do not say that: I never thought so.

2992. In answer to question (37) you say: "As regards the Judicial branch no special course of study is necessary if the officer selected has been called to the Bar, or has taken a degree in law." Do you think that a technical legal training (of course it is an essential part) is a very important part of the Judicial office?—I believe so.

2993. Do you think that the respect with which a British Judge is held at home is owing, to a very large extent, to other qualities than his technical acquaintance with law?—If I may say so, it seems to me that people of very superior technical qualifications at the Bar are generally persons who possess a high level of general culture. If a person has good legal qualifications it means that he is a fairly good man, even otherwise.

2994. (*Mr. Abdur Rahim.*) So far as your knowledge goes, is there a strong opinion amongst people in this Presidency in educated circles, and perhaps in other circles, with regard to the combination of the Executive and Judicial functions in the same officer?—The feeling is very strong against the combination.

2995. During your practice in the mufassal as well as here, have you had any cases which confirmed your opinion as to the advisability of separation?—I have had several occasions when I have had to regret it.

2996. Do I understand you to suggest that we have not got very capable English District and Sessions Judges?—Certainly not. I said that as a class Indian Judges were better, but that was not on account of the general inferiority in intellect and ability of the other men, it is because they have not had the training of the Indian. As far as capacity is concerned I do not think it is the monopoly of the Native of India.

2997. I understood you only to criticise the system?—Yes, the system, and not the persons who worked the system. I should be very sorry if such an impression has been created by any statement which I have made.

2998. Suppose it were possible to devise a scheme by which the two services could be bifurcated at the beginning, immediately on the passing of the competitive examination, would there be any very great objection left.—The objection would be greatly minimised. The only objection which appeals to me strongly is, why should you pay for the training of those persons who are to become Judicial officers, when you can get them direct from the Bar.

2999. It is only the question of the cost of the training that appeals to you?—So far as that goes.

3000. The cost to the State or the cost to the litigant?—The cost to the State and the cost to the litigant have some connection.

3001. I find you generally support the competitive system for recruiting the Indian Civil Service. What do you consider to be the peculiar feature of this system? As I understand it, it

is this: you recruit a number of young men, and assure them at the very start of their career of promotion to posts of very high responsibility, Judicial as well as Executive. Do you agree with me that that is the principal feature of the system?—Yes.

3002. And do you also agree with me that that peculiarity arises from the fact that there is a necessity for recruiting young Englishmen from England for service out in India?—I am sorry I do not follow you.

3003. I suggest to you that this feature of the Civil Service system is due to the fact that there is a necessity felt for recruiting young men from England for service out in India under conditions of life quite different from those in England?—Yes.

3004. Do you think that the necessity for assuring young recruits to service that they will rise to posts of the highest responsibility, Judicial as well as Executive, in the ordinary course of promotion, arises from the fact that the recruits have to be obtained from England?—I do not know if the first point follows necessarily as an effect from the second. It may be one of the determining causes.

3005. You have studied the history of the Indian Civil Service. Do you not think it had that origin?—If they have to come away from their own place they have to be assured of good prospects.

3006. You have to give them that assurance as young men? Supposing you want to employ Indians in India, is there any necessity for such assurance, or is it in the normal course of things that such assurance should be given?—That does not apply to Indians.

3007. Would you perpetuate in India this anomaly, which arises from abnormal circumstances?—For my part I do not look upon it as an abnormal circumstance, because I take it that a person is recruited from England on account of his own ability and capacity for work that is expected to be done by him.

3008. What I am suggesting to you is this. You want highly qualified men for discharging the highest duties of the Government. Supposing there is a necessity for recruiting young men especially for the Executive Service, you would recruit them and train them in the simpler duties to start with, but it is possible, and it is within your experience, is it not, that some of these recruits might not rise to the responsibility of higher service?—That is so.

3009. Where is the necessity in the case of Indians to assure them of gradual promotion to higher service?—If that is the only consideration to make one assure them of their prospects of promotion, it may be that the consideration does not apply in the case of the Indian; but to enable the Indian to properly discharge his duty he must be put upon a footing of equality with his English brother as far as the prospects of the position are concerned which he is asked to fill.

3010. Disregard for the moment any question of equality. I am asking you to consider the best interests of the service in India. So far as the employment of Indians are concerned, and only from that point of view, is there any necessity to give them such an assurance?—They, I think, will do their work better if they have that assurance than without it, though, I admit, the necessity for that assurance is not so great as in the case of Europeans.

3011. Supposing the necessity for such an assurance is a vital feature of the present situation of the Indian Civil Service scheme, would you perpetuate that in the case of Indians?—If that is a vital feature of the case I would not like to perpetuate it.

3012. Then I suggest to you that the most ordinary method would be recruitment for suitable places, and if they are found fit to discharge higher duties, promote such of them as are found fit by trial and not merely by gradual promotion?—I quite recognise the utility of that scheme, but there is the other fact, namely, whether it is not desirable that persons should be recruited in the first instance with definite prospects before them.

3013. What I suggest does not take away the prospect. The prospect is only for those who have proved themselves fit by actual work?—It will not take away from the prospect, but any amount of uncertainty will have a damaging effect upon the number of recruits you get.

3014. You would have it held out to them at the sacrifice of the best interests of the Indian Service?—I think the best interests of the country will be served by certain things being held out.

3015. Take the Provincial Civil Service, Judicial Branch, that is constituted on the lines I have suggested to you; that is to say, promotion by trial?—Yes.

3016. (*Sir Valentine Chirol.*) I understand you to say that you would be prepared in the event of simultaneous examinations being introduced, to give up the listed-posts?—Yes.

3017. I understand you also to say that you do not expect any very large increase of Indians entering the Civil Service through the introduction of simultaneous competitive examinations?—Yes, I do not expect nearly such an extension of Natives into the Civil Service as would jeopardise the necessary European element.

3018. Have you any idea as to what would be the increase resulting from simultaneous competitive examination?—For the next few years we might not get as many as we are now getting into the listed-posts; but I have sufficient faith in Indians that they will rise equal to the occasion and be able to pass. Even with a simultaneous examination the Indian is at a disadvantage, but I do not mind it because there would be more equal opportunities given to the Indian in that case than at present.

3019. You think you will make a temporary sacrifice for the sake of a permanent improvement?—Yes, I do not want the Indian to have any advantage over the European when once there are simultaneous examinations in both the countries.

3020. Do you think it is possible to organise one single service in which the conditions will be fair and satisfactory, quite apart from intellectual qualifications, to Europeans coming out from England to serve in this country, and to Indians serving in their own home?—The theoretical perfection may not be possible, but I think simultaneous examination will have that result.

3021. You say you would leave to education the task of giving a fairer representation to the different communities. We had a witness yesterday who told us, taking the elementary stage of education, that there are very great actual difficulties in the way of a low caste boy having access to a school in which the majority of the boys were Brahmans. He put it to us in this way: that whilst the rules would admit a low caste boy who went to school, as a matter of fact all the high caste boys would run away. Do you take that to be a fair description of the conditions?—I am afraid it is not a fair description. I do admit, however, that in some places there is some prejudice against Panchamas joining institutions to which Hindu pupils go, but that prejudice is gradually wearing away. By educational facilities I mean where there are any places where this prejudice is strong you may incur some expenditure for the purpose of giving Panchamas education separate from the rest. That is one of the educational facilities that I had in my mind when I said that it is the educational facilities that you must look to in the bringing up of the so-called backward classes.

3022. But the description was not altogether inaccurate?—I cannot say that there are any cases where it is so, that it is a description of what generally obtains. I, for one, should think that generally it is inaccurate.

3023. (*Sir Murray Hammick.*) I think you said that from your experience of the Sessions Judges in North Arcot you thought the level of the Indian Judge was higher than the European Judge?—Not quite that. I said it was equally good. Only in a few instances have I found that some of the Indian Judges were better than the English Judges.

3024. I should like to know who the Indian Judges were that you had experience of in North Arcot; I should like to have their names?—The Indian Judges whom I had experience of in North Arcot were Mr. Venkoba Chariar, Mr. Venkataramana Poi, Mr. Kuppuswami Aiyar, Mr. Manavadan Raja and Mr. T. T. Rangachariar. The Sessions Judge who occupied the post of Sessions Judge during most of the time I was there was Mr. Manavadan Raja, who was there for nearly seven years. He was there longer than the other Judges.

3025. He was a statutory civilian?—Yes.

3026. And therefore had gone through all the posts of Sub-Collector, Assistant Collector and Collector before he became Sessions Judge?—That must be so.

3027. He had no experience of civil work until he took charge of the district. He had never been an Assistant Judge or a Munsif?—No; neither Munsif nor Sub-Judge.

3028. If your suggestion with regard to simultaneous examination is not adopted, you propose that one-half of the posts should be open to members of the Civil Service on a separate examination to be held here; and besides that you are going to give over the whole, or at least two-thirds, of the Judicial offices, and I suppose besides that there will be the listed offices?—With regard to the listed offices I have made my recommendation in answer to question (27).

3029. You desire to increase the listed-posts; but you would not increase the listed-posts if you were going to have an examination for half the posts in the Civil Service out here?—My scheme is either a simultaneous examination, or, if you want to retain the listed-posts, it would be as in answer to question (27).

3030. You have another suggestion—that half the posts should be open to examination here simultaneously with an examination in England?—That is a separate examination.

3031. In that case you would not keep the listed-posts?—No. That is simply in answer to the question put to me as to what minimum I would suggest in that event.

3032. Then you would have half the posts going to Indians recruited out here, on this alternative scheme, and all the judicial, or at least two-thirds, also, to Indians in this country?—The judicial service does not depend upon whether the posts are given to Indians or Europeans.

3033. It would not go to the Indian Civil Service?—No; under the scheme which I suggest it would not. I have also suggested that in the event of it being considered necessary that members of the Indian Civil Service should get into the judicial service one-third should be reserved for them.

3034. Do you not think that the extraordinary reduction in the number of posts which would be put up for competition in England that would consequently follow, would very likely reduce the standard very much indeed; that very few Englishmen would care to come out to a service which had lost 50 per cent. of its posts, *plus* the whole of the judicial posts in the service? Do you think that any one would agree to come out from England to join the service under those circumstances?—I confess I do not quite follow your reasoning.

3035. The reasoning is simple enough. I calculate that instead of fifty appointments for competition in England in the year you would have fifteen appointments, and you would have to tell the Englishmen who competed for them that they would never have the chance of being a Sessions Judge, that they could only be in the executive service, and that they would have to compete with half the number of Indians in this country. Do you think it is likely, under these circumstances, that any Englishmen of the same character that come out now, graduates of the universities with high honours, would go up for your examination for the purpose of entering upon this career?—The scheme I suggest does not involve that. The number of recruits for the Indian Civil Service would be reduced as time goes on. But I have suggested in another place that there should be only one combined examination for the Home, Colonial and Indian Civil Services. The effect of this will be that the number ultimately taken from those who have satisfied the Civil Service Examiners will be less. The effect of all that, I think, will be that you will get the very best men available in England for service here.

3036. I do not follow you?—Let us say there are fifty persons recruited. If my scheme is accepted, it may be that the number of persons recruited would become fifteen. That means that in the Indian Civil Service examination held in England you will take out of the number that have appeared for the examination fifteen rather than fifty; but I do not see why that should diminish the efficiency of the fifteen that are taken out. On the contrary, there is more

likelihood of the fifteen being of a higher level of efficiency than the fifty. In that way I say that fifteen may be better than fifty.

3037. I cannot follow your argument at all?—That is the line of reasoning I adopt.

3038. Supposing you have a service in which the competition is to be 50 per cent. of Indians out here against 50 per cent. of Europeans, and that for Europeans all the Sessions Judge posts and High Court posts are lost, is the career offered to the European, under those circumstances, likely to attract the very best men, such as those who come up for the service now?—I cannot offer any opinion as to that. It comes to this; what would be the effect if you extend your circle of choice?

3039. In answer to question (11), you recommend the complete separation of the judicial service?—Yes.

3040. In answer to question (52) you say, "I consider that there should be complete differentiation of the executive and judicial services, I would include second and third class Magistrates in the judicial service to be under the control of the High Court." I should like to know what you mean by "under the control of the High Court." Would the High Court have the power of dismissal and appointment, and so on, in connection with all those services?—As far as second and third class Magistrates are concerned, I did mean, when I said they should be "under the control of the High Court," that the High Court should have the power both of appointing and dismissing these men.

3041. Do you know any country where the High Court has these powers?—I confess I have no knowledge of other countries; but if the High Court can appoint munsifs I do not see why it could not appoint judicial officers who have merely to exercise criminal functions.

3042. You do not know any country in the world where there is such a system?—No.

3043. Have you any conception of the work that would be thrown upon the High Court Judges if such a system as that were adopted?—It may be that you would have to add one or two Judges to the High Court Bench; and those who are temporary now would have to be made permanent.

3044. Apart from that condition that the High Court should have this control, are you still anxious that there should be separation, only that the appointments should remain, as at present, in the hands of Government: do you think that it is a necessary condition?—Both in the interests of the Magistrates and of the work to be done by these Magistrates, I think that there should be this separation. I do not suggest the taking away of magisterial powers altogether from the Executive officers, what are called the "preventive" powers; those powers will remain with the Executive officer. Everything which partakes of a judicial character will go to the Magistrates and the District Sessions Judges, over whom I should say the High Court should have the controlling power.

3045. I understand you to say that the High Court is to appoint the second and third class Magistrates, but apparently not the Divisional Magistrates?—I have not elaborated my scheme, but I am prepared to do it. I would suggest that if my scheme were to be adopted it will be possible for much of the second and third class criminal work to devolve upon the Bench Magistrates I would have first-class Magistrates, and these first-class Magistrates would also be Munsifs. You will have the combination of the judicial and civil functions lower down the scale than you have amongst the District and Sessions Judges and the Sub-Judges who, so far as their criminal work goes, will do the work of Assistant Sessions Judges. Over them there will be the District and Sessions Judges, and so on. So that the High Court will be the chief controlling body, and all the criminal work of the country will be done by this process.

3046. Have you ever heard objections raised to the proposal that Munsifs should be Magistrates?—Yes; I have heard one or two objections, in private conversations.

3047. Has it not occurred to you, or have you not heard, that the greater reputation for honesty and uprightness, the greater probity on the part of Munsifs, as compared with Magistrates in this Presidency (of whom we were told last year 73 per cent. were corrupt) is due to the fact that they are only Civil Judges and do not have to mix with the criminal administration of the country?—I have heard the suggestion that a certain class of the Magistrates were corrupt, but I have not heard that Munsifs were more honest on account of the fact that they were exercising only civil functions. I think it depends on the pay and the class of men that you recruit the Magistrates from whether they are corrupt or not.

3048. (*Mr. Oldfield.*) Are you aware that the scheme, of which Mr. Justice Benson spoke before the Commission, for training Civilians for their judicial duties, differs from your proposals in one respect, in that he proposes that they should go to Europe: are you strongly opposed to that? That scheme presupposes two conditions: one is that it should be a Civilian?—I am not in a position now to criticise that scheme as I would wish. It seems to me that it may be possible to have a differentiation seven or eight years later than in the service. A person entering the service wishing to go in for the Judicial department might make up his mind earlier in his career, and he might get himself qualified in England.

3049. Your scheme is that the judicial service may be recruited partly from the legal profession and partly from the lower ranks: are you going to fix any proportion to be recruited from the legal profession direct?—I do not insist upon my proportion being accepted, but I suggest half and half.

3050. And from the legal profession you would make appointments direct from the Bar to the vacant posts?—Yes, half and half.

3051. If you appoint a District Munsif at Rs. 250 Government servants will presumably go into the department?—District Munsifs will have to be recruited from the Bar. With regard to the higher posts it will be half and half. Every second vacancy I will recruit from the Bar.

3052. You suggest your appointments will be from the Bar to these Sub-Judgeships of Rs. 600, Rs. 800 and Rs. 1,000?—Yes.

3053. Would you appoint only to the Rs. 600 grade, or would you appoint to the others?—Ordinarily to the Rs. 600 grade, but if a gentleman happened to be particularly good I would not mind making an exception in his case.

3054. Would you not mind disappointing a man of Rs. 600 and Rs. 800?—That is so even according to the existing system. If there were somebody very much better than any that could be secured from the ranks of the service, he would have the appointment.

3055. But I believe such men have been disappointed, and expressed their disappointment?—That disappointment is incidental to the career they take to themselves.

3056. You could not give them any certainty that they would not be superseded?—If they were particularly good they would not be superseded.

3057. (*Mr. Ramachandra Rao.*) In the work done by the Divisional Magistrates there is less corruption?—I have no doubt there will be more substantial justice.

3058. (*Mr. Subrahmanyam Pantulu.*) Do you think that your first-class High Court vakils would accept a Sub-Judge's place?—They will not.

3059. Do you think that the second rank vakils would accept a Sub-Judge's place?—If his pay to start with is Rs. 800 they may.

3060. I am asking you about the Rs. 600 posts?—They may not.

3061. Would you think it advisable to appoint indifferent third grade vakils from the High Court as Sub-Judges with unlimited jurisdiction?—I would not. I would add to my answer that a person does not know if he is in the first or second or third rank until after he has picked up some experience.

3062. Would you mind starting members of the Bar to be recruited from the profession to Munsifs' places with a pay of Rs. 400 for a beginner, extending up to Rs. 1,800?—As far as members of the Bar are concerned I am not very much impressed with this question of unlimited jurisdiction, because the work they are called upon to do very often is the same whatever might be the amount in dispute.

3063. Are you aware that the High Court of Madras about a year and a half ago started an English barrister with a first grade Munsif's place, and that he accepted it?—I am aware of that.

3064. You do not agree with the High Court in that practice? If the High Court thought it was necessary to start an English barrister with a first-grade Munsif's place, you think they ought to give him a higher place?—If the barrister was willing to take up the post the High Court was right in giving it to him. Even a barrister starting life may accept a first-class Munsif's place.

3065. Would you agree with the High Court?—It depends upon the personality of the individual and upon the qualifications the High Court would require, and upon the willingness of the individual selected to accept the post on the conditions offered.

3066. I am not speaking of exceptional cases. If a man had extremely high attainments he might be appointed a High Court Judge direct?—I am not suggesting that barristers should be started at first-rate Munsif's pay: all that I am saying is that it is good in the interests of the Judicial Service that recruitments should be made now and then directly from the Bar in the various grades of service. I am, at the same time, anxious to protect those who are already in the Service, and therefore I suggest that promotions should be made in the Service wherever they are proper and desirable, and that there must be recruitments from the Bar direct. My impression is that a person who starts on a Munsif's pay of Rs. 200 or Rs. 250 is not the very best man you can get from the Bar. If he starts with Rs. 400, 500, 600 or 800, you could get a very good man early in life who would be able to rise to high offices and discharge his duties for a fairly long time. Whereas we find that Indians who are appointed Sessions Judges have only been able to occupy that position for a short time.

3067. You are for abolishing listed appointments altogether in the cadre for Judicial Service?—Yes, that is my view.

3068. The whole of the original civil work in this Presidency is done by Sub-Judges and Munsifs. The High Court has only the appellate jurisdiction?—The District Judges also do original work.

3069. The Sub-Judges and the District Judges and the Munsifs do the entire original work?—Yes, they do.

3070. According to the present state of criminal work and other administrative work the District Judges are not able to take much part in the disposal of civil suits: they are all being disposed of by Sub-Judges?—Wherever the criminal work is heavy that is so.

3071. So with regard to Munsifs and Sub-Judges, the efficiency of their work in deciding cases arising in the mufassal would be considerably higher if prospects of District Judges are held out to them than if they are excluded?—I quite appreciate the force of that argument. It seems to me that it is necessary for the efficiency of the Judicial Service that there should be recruitments to it now and then directly from the Bar.

(The witness withdrew.)

The Rev. E. M. MACPHAIL, Professor, Christian College, Madras.

Memorandum relating to the Indian and Provincial Civil Services.

GENTLEMEN,—I have the honour to acknowledge receipt of a set of questions relating to the Indian and Provincial Civil Services. As I do not feel that I have the detailed knowledge necessary for answering most of the questions I have thought it better merely to write a short account of my views on one or two of the main points on which an expression of opinion appears to be desired.

The main problem before the Commission appears to be the question as to the desirability of changing the character of the Indian Civil Service by making it easier for Indians to enter that service. While strongly sympathising with Indian national aspirations and while recognising that it is natural and inevitable that in course of time a larger number of higher appointments must be occupied by Indians, I consider that at present it would be a calamity for India to do anything that would reduce the number of Europeans in the Indian Civil Service. It may be assumed that it is intended that the Indian Government of the future should be conducted on western and not on oriental lines. This, I

believe, is the ideal which Indian public men are setting before themselves. That being so, it is essential that the Indian Civil Service should continue for a considerable time to be recruited from men who have been trained in Europe and who possess the qualities which experience shows are essential in men who are to administer a country on modern lines. Only by having a strong body of such men can it be hoped that the mass of Indian officials will be gradually leavened, so to say, and raised to the standard which it is desirable to find in all public servants. In the present condition of India the democratic ideal of "government of the people, by the people, for the people" is impossible, but to me it seems that the last part of that ideal—"government for the people"—is more likely to be obtained by the present system than by one that would reduce the number of Europeans in the Civil Service. The European official is at present as necessary in India as the foreign podesta was felt to be in the Italian mediæval republics. In my opinion, therefore, it is not desirable to have a simultaneous examination in India and England for the Civil Service. That service should, however, continue as at present to be open to young Indians who go to England and who may by their stay there be expected to assimilate more of the ideals of the west than is possible for an untravelled man, but in my opinion it is worth considering whether such candidates should not be required to spend a certain number of years in the west as a condition of their becoming candidates. If it is desired to increase the number of Indians holding higher appointments, that should be done by careful selection from amongst the men of proved efficiency in the Provincial Civil Service.

As regards the Provincial Civil Service, I think that there is no reason why a competitive examination for it should not be held. In my own experience I have found that those students of the Madras Christian College who have entered the Madras Provincial Civil Service and the Mysore Civil Service by competition have been men whom personally I would have recommended for such appointments. If, as is probably necessary in the special circumstances of India, it is desirable that a certain number of appointments should be given for particular reasons—as, for example, in order that certain families or particular sections of the community may be represented in the public service—a definite number of appointments might be reserved for such candidates provided they passed the qualifying test even though they might not be high up in the list. Appointment merely by nomination is discouraging to able young men without influence, and almost certainly tends to create an oligarchy restricted to a small number of families. In India where influence is regarded—and with a good deal of reason—as all powerful, it is specially desirable that the idea should be fostered that there is room for men in Government service who possess ability but no family influence. Competitive examination may be a crude method of selecting public servants but it is less open to objection and abuse than any other that has been devised and in the main it works well, as is shown by the history of the Indian Civil Service for the last fifty years.

The Rev. E. M. MACPHAIL, called and examined.

3072. (*Chairman.*) You have not answered the questions but you have sent in a short statement of your views?—Yes.

3073. Would you tell the Commission what positions you have occupied here in past years?—I am a missionary of the United Free Church, Professor of History in the Madras Christian College, and I have been a Fellow of the University for a number of years. I have been a member of the Syndicate for six years. For a short time I was the representative of the University of Madras on the Legislative Council.

3074. You are opposed to the reduction of the European element in the Civil Service?—Yes.

3075. And you deprecate the holding of simultaneous examinations?—Yes.

3076. Are you in favour of increasing the number of Indians in the higher appointments?—I think so, gradually. I certainly consider that the present system of affairs is a n anomalous one, and as time goes on there will be a natural tendency that more Indians should hold higher posts; but as long as the present system continues it seems to me that an irreducible minimum of Englishmen is required, and that that irreducible minimum should be recruited from England.

3077. As regards the Provincial Service, you would advocate the filling of posts by open competition?—Partly; I think that there should be open competition, and that some posts should be filled partly by nomination on the strength of a minimum test.

3078. In order to allow for the representation of the different communities?—Yes.

3079. Have you had many years' experience of the University of Madras?—I have been out twenty-seven years.

3080. Then perhaps you can tell us something about the educational standard of the students in the University?—Yes.

3081. How many students are there in the University?—It varies from year to year.

3082. Roughly speaking what would be the number?—We have about seven hundred in our College, and there are about six hundred in the Presidency College. There would be about 4,000 students altogether. The number has increased very largely in the last two years.

3083. What is the average number of students who take their degree every year?—About five-hundred took their degree last year.

3084. And in the previous year how many were there?—The number would be rather less.

3085. Has there been a steady increase?—Yes, there has been a steady increase.

3086. In the last ten years?—It is hardly worth while saying whether there has been a steady increase or not, because there will be a falling off next year.

3087. How many took their degree last year?—I have forgotten. I rather think it was about five hundred, but it may have been more.

3088. Has the standard for the degree improved during the past years?—Yes, it has steadily improved.

3089. How would it compare with the Universities at home?—It is very difficult to make a comparison. In the first place all the teaching is done in a foreign language; but

certainly many of the best students here would be able to hold their own fairly well with men of the same age in England. It has to be borne in mind that the students here are much younger than those in England. They come up here at the age of 15 or 16. They graduate at about the age when students are going to Oxford or Cambridge, at 19 or 20—they cannot do it younger than that now—and consequently they are not mature. Many of them are very bright, but they have not the mature minds of men who come up to college at the age of 19 or 20.

3090. How many would you say of the successful candidates would have a fair chance if they were to take part in the competitive examination in England?—Under present conditions I do not think any one would get through going straight home from here, without working at home. One of our students went home and went up for the Indian Civil Service, and passed; but it was after he had spent two years at home.

3091. You have never had a case of a student going direct from here?—No.

3092. But after two or three years in England would you say that an appreciable number would have a fair chance?—Yes, the best students. Of those who have taken their degree here many of the best would like to go home, but they cannot do so because of caste restrictions.

3093. There would be quite a considerable number of men from these Universities who would have a fair chance in the competitive examination if they went to England?—Yes. You would have to recast the whole of the educational system and give them a much longer school course and make them come up much later on if they are to be on the same level with Oxford and Cambridge men who are taking their degree at home.

3094. Under present conditions, assuming that opportunities for learning the subjects necessary for the competitive examination were afforded here, would you say that a considerable number, given those opportunities for two years, would have a fair chance?—You would have to recast the whole educational system of the country today if you introduced a cramming system as is the case at home.

3095. I am not suggesting that. I am asking what chance the student would have under those circumstances?—I think the number of students out here would be able to do extremely well in a competitive examination if they had the same teaching out here as they have at home. The standard for a home University is higher than out here, and that is largely owing to the fact that students here come up so much younger.

3096. (*Sir Murray Hammick.*) In the records of the 1886–87 of the Public Service Commission (I do not know whether you have read the evidence), it is said perpetually that although the schools in India would be possibly able with some assistance to train boys up to the standard almost reaching that of the Indian Civil Service examination, it would be impossible to prepare them for a simultaneous examination if such an examination were started in India; and it was generally said at that time that the schools of India failed in the matter that they did not teach character and power to command. I should like to ask you whether you think that since 1886–87 there has been throughout the Presidency a considerable advance in the capacity of the schools out here in that direction?—I do not know that there has been any great advance. A good deal depends upon the schools. Some schools do much more than others in the way of training character. I think there is more attention now being paid to that. But I know that results are very different. I know that there is an improvement, but I do not know that that improvement is very marked.

3097. Is it not the case, taking some of these colleges in the Madras Presidency now, that the classes in those colleges have become so very large that the intercourse between the lecturer and the student is less than it used to be forty years ago?—Forty years ago the things were in the beginning. We then had only half a dozen in a class whereas during all my time, or nearly so, we have had large classes of 150 students. It depends a good deal upon the Professor whether he sees much of the students or not.

3098. Probably in your college, and in colleges similarly situated to yours, the Professors see more of the students than in the Government colleges?—I cannot say.

3099. You say that you think it probably necessary in the special circumstances in India that a certain number of appointments should be given in order that certain families, or that particular sections of the community, may be represented in the public service. Why do you think that?—I think it is undesirable that the great mass of appointments in this country should all be in the hands of one caste.

3100. Why do you think it is an objection that one caste should hold them?—Because I think it is extremely important that the interests of the other castes should be represented. From the way that members of different castes speak to me I can see that there is a good deal of jealousy between the castes. There is a feeling that a man does not get fair play unless he belongs to the caste to which another man belongs. This is true even of sub-sections of castes. If a man is at the head of an office there is very little chance of anyone getting into that office unless he is a member of the particular caste. It is said that there is little chance of an Aiyar getting into an office of which an Aiyangar is head, or of an Aiyangar getting into an office of which an Aiyar is head. It is the same with other sections. As long as that sub-sectional public opinion is so strong it seems to me that it is desirable that all sections of the community should be represented in the public service.

3101. Your objection is to one caste getting a large proportion of the appointments in the public service. Your feeling is that people who are under the administration suffer from it, and that the castes who do not get into these appointments feel jealous and disappointed because they do not get them?—It is difficult to say. I have not had sufficient experience of life in the mufassal to speak as to that. Whether it is due simply to the jealousy of the upper classes, or to the fact that there is actual distress caused by the fact that there is want of sympathy between the ruler and the ruled I am not quite sure. I think in this country when a man gets into a position he is often liable to disregard, to a certain extent, the lower classes.

3102. Are there Panchamas in the Christian College?—I do not suppose we have any who

would call themselves by that name, but I think there is perhaps one. We have a considerable number of Native Christians, however, who are Panchamas by descent. The matter was fought out as to whether we should take Panchamas, and when they were taken in, the whole of the caste people cleared out. That was in Mr. Anderson's time, a long time ago; but we have not had any trouble so far as that goes.

3103. (*Sir Valentine Chirol.*) Do you think the caste prejudice in this country is a serious difficulty in the way of the spread of education; does it create material difficulties?—Now that public opinion is brought to bear upon the people, that has a very healthy influence in the country districts. In former days it did. For example, I have heard of cases where the whole of the caste pupils cleared out because a Panchama was brought in. There were also cases in which Brahmin officials found great difficulty in looking into the low caste schools. That, however, I think has been minimised to a very considerable extent, except perhaps over in the west.

3104. How long have you been out here?—I came out 27 years ago.

3105. Apart from intellectual attainments, do you think that the present system of education turns out better men than it did 27 years ago?—It is rather difficult to say. The students that one gets at the present time seem to me at least as good as the students one had before. In some cases one sees, certainly, advance. I think that there is a great change coming over the country. A great many of the prejudices have broken down, as regards, for example, such small matters as the taking of tea and European food. Twenty-five years ago when I first came out hardly one student would take tea and European food if he went to a tea party. Now if students come to a tea party, European refreshments are provided and they seem to prefer them. A great many of these prejudices, as I say, are now breaking down. There certainly is progress, in that direction. What Sir Murray Hammick said was certainly the case when he said that there was greater individual influence on the part of a man who had only to deal with half a dozen students. Still, at the present time, there is a great deal of intercourse between European Professors and the Indian students. Far more than there was at Edinburgh in my day.

3106. Do you think that there is an improvement amongst young people as to their ideas of public, civic duty?—I do not know. There has been a considerable increase in the growth of interest in politics, but whether that is the same as civic duty is another matter. I think there is a greater feeling now of a desire to serve the country. I am of opinion that one finds that amongst the students of the present day. There is a strong feeling that they have something to do for their country and fellow-countrymen, and the poorer classes, as well as others. During the last two or three years there has been started in the Christian College a Brotherhood. One thing which that Brotherhood does is that they have school in the school class rooms every evening for Pariah children from the streets. The Brahmin students and others teach in that school, simply because they feel that they have a duty towards those children. Certainly there is a greater desire for service to the community as a whole, than there used to be. I think there is no doubt about that.

3107. (*Mr. Abdur Rahim.*) You said there was a necessity for the representation of classes on the ground of jealousy among them. I suggest to you another reason for representing, as far as possible, different communities or sections of communities, and that is that so far as the communities backward in modern education are concerned, if you appoint a certain number of men properly qualified in that community it encourages education in that community?—Yes, that is so, certainly.

3108. Otherwise if they are excluded it might tend to retard education?—I quite agree with that.

3109. I suppose in your experience there is a considerable amount of capable material in your school and college?—Yes.

3110. And if those men were properly trained they would be up to discharging their high duties and office?—Yes.

3111. And I take it that amongst the men which your college has turned out there are many who have been discharging duties of a very high order?—Yes.

3112. I believe that some are now Judges of the High Court?—Yes.

3113. I think Mr. Justice Sundara Aiyar is one of them for instance?—Yes.

3114. Have you any particular knowledge with regard to the conditions of education of Indians in England?—No, I have no particular knowledge. I used, of course, to see Indian students in Edinburgh, long ago, before I came to India, and I know some Indian students today.

3115. I am not speaking of the present day but of the last five years?—No. When I was last in Edinburgh they were starting a sort of club for Indian students, and the Lord Provost of the City had an entertainment at which Indian students were invited. The present movement, however, had not begun when I was last at home.

3116. Supposing an Indian graduate goes to England, receives training, and joins one of the universities, and remains there for two or three years, do you not think that that will considerably improve him?—I think it would be extremely good for him if he came under good influences at home. It seems to me that he can be spoilt, however, by going home. I do not think that going home necessarily does him good.

3117. I meant if he was subject to wholesome influence, and came across the right sort of people?—Yes.

3118. Is it your opinion that the age of 22 is too late for him to get the benefits of English education?—I think it would be better for him to go home when they are formed.

3119. (*Mr. Madge.*) You have said that the professors have intercourse with their students out of college hours?—Yes.

3120. You have had a considerable number of students through your hands?—Yes.

3121. I believe there are parts of the country where fatalism prevails a great deal in the beliefs of Indian students?—Yes.

3122. Have you come across anything of that kind among your students?—Yes. Take for instance the case of the schoolboy going up for an examination. Schoolboys do not seem to consider preparation matters very much as long as they are allowed to appear, and they thought there was a chance of getting through. I remember a case of a boy who forged his teacher's signature. I remonstrated with him over it, and he explained that it was his "bad day." That was his explanation of why he had done it. You find that sort of thing to a considerable extent amongst schoolboys, but I cannot say that I have found it so much amongst the students.

3123. Do you think that as education progresses that feeling will die out?—I think that people will see that they can control circumstances to a great extent.

3124. Do you think that a feeling of that kind, as far as it exists, has any reflex action on the conduct and character of a person as regards his sense of responsibility for human life?—Theoretically it should have, but I do not know that practically it has very much. I cannot say that I have come across it much amongst my students. I do not know that it is such a marked characteristic as it was. I do not think that with the growth of education it will persist so much as it does at present. When they fail in examinations "fatalism" comes forward as an excuse.

3125. If that feeling is relaxing, and if it is at all a part of any religion, it will mean that religious sanctions are losing their hold to a certain extent?—I do not find that myself amongst our own students. Our existence here is in order that that may not happen.

3126. Do you attribute that fortunate result to the personal influence of your own class of teachers upon your students?—I think so.

3127. Supposing the departments were manned by men of agnostic view, do you think that the same happy result would follow?—I beg your pardon, I did not understand your last question. I thought you were referring to the loosening of religious beliefs. If you have an agnostic as a professor it certainly does influence the students; it cannot help it.

3128. Going to another subject, as regards competitive examination, it is simply and purely an intellectual test?—It is.

3129. There are a great many things in the development of character that are wholly ignored in a case of that kind. You admit, I presume, that there should be a provision for some means of developing and some method of testing character in appointments to the Public Service. Have you any suggestion to make upon that point?—I am afraid not. As soon as you begin to bring in other things you open the door very much to abuse. If you take certificates from teachers and professors, the question is what those certificates are worth. My experience as a general rule is that men who have come to the top in the college have been men of character as well as men who have shown considerable ability. The man lacking in character has not the strength, generally, to come to the front. As I have said in my evidence, my experience has been that men who have passed in the Madras Civil Service and the Mysore Civil Service from my college were the kind of men that I would have chosen if I had been asked to name any one.

3130. Do I understand you to mean that character is entirely congenital, so to speak, and not developed to any extent by education?—It is developed by education, and consequently I think you find that the well-educated man has his character also well developed.

3131. (*Mr. Macdonald.*) Would you give the Commission an idea of the relative stiffness of your M.A. and B.A. degrees, and the Indian Civil Service examinations?—The Indian Civil Service examination is immensely more difficult. Men from here who go home after taking a good degree do extremely well at Oxford and Cambridge, but it is only after two or three years' reading that they do well. Those men will be able, no doubt, to pass the Indian Civil Service examination, but no man going up straight at present from the ordinary B.A. degree here would dream of getting through, any more than a man could after taking an ordinary Scottish degree.

3132. If simultaneous examinations were held, there would be no appreciable change, would there, in the number of Indian successes?—Probably not; at present I should say not very much.

3133. Has the University, or your College, or any Madras College, passed any opinion about simultaneous examinations?—I do not think so.

3134. Have any students, any organisation, in connection with your College passed any resolution on the subject?—I hope not, not as far as I know.

3135. These opinions are your own?—They are my own entirely.

3136. I suppose there are others of our Free Church Missionaries who hold opposite opinions?—I doubt it. I am not sure. I know that our Acting Principal agrees with me in the matter for I spoke to him about it. My own opinion and feeling in the matter is this, as long as we are having that kind of system at all—the present system—what we want to have is men who have been trained in Europe. If we want western methods here, we must have western-trained men, as we have western-trained men coming out to the Colleges, and western men coming out to business. If you want oriental methods, have appointments here. If we want western methods of Government for a certain period of years it seems to me that is the price India has to pay.

3137. You use the term "western trained"?—It is difficult to put it into words. Any person who has lived out here knows that the whole outlook of life of Western and Indian is different.

3138. I understand the difference, or the alleged difference, between western and eastern ways. I assume you have in your mind the East going to the West to get trained by your expression "western trained." You mean by "western trained" that the training in the West is going to give you the type of man you define in answer to the question?—I do not believe in contrasting East and West. I would rather say north and south. The type of character developed in the north is different from the type of character developed in the south. Consequently the type of character in Britain differs from the Indian character. There is no use blinking the fact that there is a difference. The northern character is more vigorous and persistent and is more able to devote itself steadfastly to carrying its purpose through. That fact also makes him less subject to what I may call sectional public opinion. It is not merely being western-trained but being western-born.

It is the fact that he is born and brought up in the north that makes the European Civil servant what he is at the present time.

3139. That is a little bit away from my question. I understand that you want a western born nucleus—an irreducible minimum?—Yes.

3140. Which, however, may be reduced from time to time?—Yes, it may be.

3141. You really say that?—Yes.

3142. But your opinion at the moment is, am I right in saying, that it should not be reduced now?—That is so.

3143. But as far as this irreducible minimum is concerned, you think we cannot afford in our present Government to reduce that?—That is my opinion.

3144. But that which is reducible at the present moment in the Government of India is partly western-born and western-trained?—Yes.

3145. I want to know what sort of training you would give to an Indian so as to fit him to come back and say to you, "I am western-trained"?—I do not consider that "western-trained" compensates altogether for "western-born."

3146. Ought that boy to go to a public school in England?—I do not think so. I think it takes him far too much away from his people, and that is too much denationalisation.

3147. Ought he to go to England in his teens?—I should like to see him go at about the age of 20.

3148. Ought he to go to a University?—I think so, yes certainly.

3149. Ought he to go to any special University, say a residential University?—There are advantages in that. Personally I am not prejudiced in favour of residential Universities, not having been at one myself.

3150. Would your view be changed in respect of the answers you have given me to these questions if public sentiment changed in England so far as racial prejudices are concerned against cosmopolitanism—supposing people become prejudiced against receiving them at home?—I would not send them home.

3151. I suppose some of your former students are now in England or Scotland?—Yes, quite a number.

3152. Are you in communication with them at all?—Yes.

3153. Have you gathered from their correspondence that they are not treated so well as they used to be treated?—A good deal depends upon the man himself. When I was last at home I was making enquiries about that at Cambridge, and I found that one student had been extremely popular and had a great deal of intercourse with his fellow students. On the other hand I heard of another man, a good man, who shut himself up and went entirely with the Indian students. I have heard this from those who have gone home recently.

3154. When were you home in Cambridge last?—Five years ago.

3155. Did you go into the details of the case? He was popular, you have told us. Was it because he played games?—No.

3156. Was it because he associated himself with the students' clubs?—Yes. He was, I believe, made Secretary of the Cambridge Union.

3157. Have you had any reports from Edinburgh recently?—No.

3158. Suppose we had simultaneous examinations here, have you thought out what the effect of them would be upon your educational institutions?—I think it would be very deleterious.

3159. Will you explain why you think so?—If you had simultaneous examinations here there would be a demand that the colleges should teach for that examination. It is bad enough to have to teach for the University examinations; but to have to teach for the Indian Civil Service examination would be injurious to true education.

3160. Does Oxford take that view?—Oxford does not teach for the Indian Civil Service examination; but the Indian Civil Service examination corresponds to a considerable extent with the work of the Oxford Greats School.

3161. Would not the change therefore be, that the Indian Civil Service would level up the whole of your education?—I do not think that we can afford to level it up until you can bring your whole general education up to a higher level. We have been introducing Honours courses recently in the University here. That has only just recently begun. Even the Honours courses here are nothing like so hard as the Honours courses at home.

3162. Would not this be a stimulus?—No, I think it would throw everything into the melting pot again and prevent development.

3163. Would it not create a school of post-graduate study?—I do not know that it would.

3164. Is not that happening in England?—I do not know.

3165. Is not the evolution of our University work — especially some of the newer Universities — towards post-graduate classes in political science and so on?—We have tried, to a certain extent, to encourage post-graduate study, and quite a number of students have taken their M.A. degree after going up for the B.A. We have substituted Honours courses for that.

3166. You do not think it would be a stimulus for that?—I do not think that it would.

3167. You are in favour of competitive examination for the Provincial Civil Service?—Yes.

3168. Do you know why that was stopped?—No.

3169. You know that had been tried?—Yes, I knew that that had been tried.

(Adjourned to to-morrow at 10-30 A.M.)

At Fort St. George, Madras.

Saturday, 11th January 1913.

FOURTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. OLDFIELD, Esq., Acting Judge of the High Court of Judicature, Madras.
M.R.Ry. Diwan Bahadur R. RAMACHANDRA RAO AVARGAL, Collector, Nellore.
M.R.Ry. V. SUBRAHMANYAM PANTULU Garu, District Judge, Cuddapah.

M. S. D. BUTLER, Esq., C.V.O., C.I.E.
R. R. SCOTT, Esq. } (*Joint Secretaries.*)

The Rev. E. M. MACPHAIL re-called.

3170. (*Chairman*). You wish to amend an answer you gave yesterday with regard to the number of graduates?—Yes. You asked me, you will remember, Sir, about the numbers. I have looked the matter up. I think I said that the number of graduates was about 500 last year. I now find that there were 649 graduates in arts, and that the present number of students in the colleges throughout the Presidency is 6,835.

3171. (*Mr. Sly.*) Out of the large number of students who pass out of your colleges during the year can you give us any idea in regard to the professions or other careers which they adopt, or desire to adopt?—I should say that the majority go to the Law College after they leave us. A number take up teaching and a few take up medicine; whilst a number desire to go into Government service. A number of those who go to the Law College mean to go into the Government service ultimately, and not to the Bar. In my subject, history, the students almost all go to the Law College. With regard to the science students, some go in for medicine. As I have said, quite a number take up teaching.

3172. About what is the proportion of those taking law who aim at a career in Government service?—I am afraid I can hardly answer that question.

3173. Do you think that the best of your students, as a rule at the present time, aim at a Government career under the present conditions, or not?—I think the ablest, as a rule, go to the Bar.

3174. Do they go to the Bar with the object of practising at the Bar, or with the object of getting into Government service?—With the object of practising at the Bar.

3175. Then you think that the Bar is more attractive than the Provincial Civil Service?—Yes, I think so. When the Provincial Civil Service examination was held a good many of the students used to go into it.

3176. You have stated in reply to one question that caste distinctions were still a considerable difficulty in the way of students going to England and entering for the open competitive examination. Is that correct, do you think?—Yes, I believe so, in the case of some students. Perhaps it is less true than it used to be a few years ago. I have come across students who have told me that they would like to go to England, but that their families were opposed to it.

3177. We have had a good deal of evidence given to us to the effect that even if the simultaneous examination were introduced into India it would still be desirable that students who were successful should go to England for a course of training of, say, at least two years; do you consider that the necessity for going to England for two years would still prohibit those students who have caste prejudices from entering the simultaneous examination?—It might in some cases, but if a man had passed and was sure of going home and getting into the service it would tend to break down the opposition on the part of his family.

3178. The attraction, you think, of a career in Government service would be greater than any caste scruples?—I think the tendency at the present day is in that direction.

3179. (*Mr. Gokhale.*) Would you agree, as a general statement, that British rule in India, owing to its inherent necessities, must be a continuously progressive principle?—Yes.

3180. And that it must adjust itself from time to time to the progress made by the people of the country in various directions?—Yes.

3181. Do you also agree that one important test by which the progressive character of British

rule must be judged is the extent to which it employs the people of this country in the higher branches of the Public Service?—Yes.

3182. And do you also agree that this must largely depend upon the spread of higher education in the country, the freedom of the educated classes from caste and class restrictions, and so forth?—Yes, that amongst other things.

3183. Do you agree that things have been improving in this respect so far as your experience goes?—Yes, I think so.

3184. You say in your statement that you strongly sympathise with Indian national aspirations?—Yes.

3185. You would not therefore lag behind the Secretary of State or the Government of India of, say, 35 years ago or the Government of Madras of 20 years ago, in the liberality with which you would treat Indians in the matter of higher appointments?—With regard to liberality, certainly not, but with regard to the particular way in which that liberality would be shown, I might differ.

3186. But in point of liberality, you would not lag behind?—I should like to know what the particular position was.

3187. Are you aware that 35 years ago the Government of India and the Secretary of State contemplated that of the total number of civilians (I use the word "civilian" for those who enter by the door in England) recruited for the higher offices, one-sixth might be recruited in India without their appearing for the English examination: you are aware of that?—Yes.

3188. Are you aware that 20 years ago the Government of Madras thought that one-third might be given for the recruitment of Indians?—No.

3189. You may take it from me that it is so?—Yes.

3190. Things have improved since then; so what proportion would you like to give now?—As a matter of fact, I do not know that I should lay down a general principle in the matter. I look at it rather from a different point of view. What I should like is this. I think it is desirable that the number of Europeans at present in the Civil Service should be reduced. I should be inclined to increase the number of appointments in the service; and, as the exigencies of the public service demand, I would rather recruit from the Provincial Service here, and let the Indians enter in that way than through the Civil Service properly so-called.

3191. I am thinking of the number of Englishmen who enter the service by passing the examination held in London. The Secretary of State and the Government of India in 1879 thought that that number could be reduced by one-sixth; and the Madras Government in 1893 thought that the number could be reduced by one-third, or rather that a one-third recruitment should be given to Indians. Would you be inclined to agree with that to-day after 20 years?—I should be inclined to say that I would agree to one-third.

3192. If you were told that at the present time only one-thirteenth of the total recruitment in the Madras Presidency is given to Indians, would you agree that that is much smaller than what was contemplated by the Madras Government then?—Yes.

3193. To that extent, therefore, you must modify your answer that you cannot reduce the number of Englishmen in the service, if the proportion of Indians is to be raised from one-thirteenth to one-third?—I suppose I should modify it to a certain extent.

3194. I will now go to another point. Assuming one-third of the total recruitment for these higher offices is to be Indian, I want to know what objection you have to throwing that proportion open to simultaneous examination?—I am of opinion that the whole Indian Civil Service system at the present time is an anomaly, and I think it would be a misfortune to perpetuate that anomaly. If we look forward to the time when you have the Indian Civil Service recruited entirely in India, you would not have the kind of service that you have at present. I think that, as Mr. Justice Abdur Rahim yesterday indicated, the whole conditions of the Indian Civil Service contemplate the bringing out of men from home who are going to rise to particular appointments, and who consequently must receive adequate remuneration and the like. If an Indian system were introduced here, it would be an entirely different system; and, consequently, I am in favour of seeing the higher appointments when given to Indians filled by promotion from the Provincial Civil Service.

3195. When the time comes for abolishing the anomaly of recruitment in England, could you not abolish the anomaly of recruitment in India? The anomaly is there. When the time comes for all the places being filled in India you will have abolished that?—Yes.

3196. Then when you abolish that you could abolish the examination in India at the present time. My point is this: you object to the institution of simultaneous examination in India because you say that the present position is anomalous, and that the time will come when it may have to be got rid of. Is that not it?—Partly.

3197. When the time comes for getting rid of the anomaly of recruiting men in England for the Indian Civil Service you could abolish the same method of recruitment in India?—It would be, I think, much better not to introduce it here.

3198. That is your view. I should think that it would be much more difficult to abolish the thing in England?—You do not see my point. My point is this, that at the present time a certain number of Europeans are required. My idea is that it is desirable that they should be recruited by competitive examination in England.

3199. You do not confine that examination to Englishmen?—No, because it is desirable to leave it in its present condition, and allow the Indian who goes home to take it. I think that that should not be put an end to.

3200. That I do not touch. You are prepared to allow one-third recruitment to Indians, which will leave two-thirds to Europeans. I do not touch that. The question is, how the remaining one-third is to be obtained?—From the Provincial Civil Service.

3201. If we had simultaneous examination, what would be the difference? What would be the objection with regard to that one-third if we had simultaneous examination?—I say that you are creating another anomaly. There is a certain amount of dissatisfaction at present because

people cannot get into the higher appointments, and I do not see how that dissatisfaction would be removed.

3202. But if it was found possible to have a scheme under which one-third of Indians could be recruited by means of a simultaneous examination held in India, would there be any objection to that in itself?—I think it is perpetuating an anomaly which is not desirable.

3203. But you have no other objection?—It depends upon whether you fix your proportion of Indians to Europeans.

3204. One-third, you mentioned?—If you have a fixed proportion, your proposal would be to have a simultaneous examination to produce that one-third. Why not call it another examination altogether.

3205. Whether you have the same examination or a separate examination of equal severity is another question; but you must have one examination for all India like that if the men recruited in India are to feel themselves on an equality with men recruited in England?—I do not see what that has to do with the position. It is the same with the method of selection.

3206. It would be open to the men entering by the London door to say that they passed a much more stiff examination than these, and that these were not equal to them. Are you aware what happened in the case of the Statutory Service?—I believe it was abolished. I do not know the principle upon which the people were selected.

3207. They were selected by nomination. But the status was the same except that the salary was two-thirds. That did not make them equal with Indian Civil service men?—I suppose it depended very largely upon the men themselves.

3208. Therefore the question is how to get the best men?—Yes.

3209. Therefore you must have as difficult an examination here as in England to get men of equal calibre, other things being equal?—Yes, other things being equal.

3210. I will now ask you about the character of the examination. You know the number of subjects that have to be studied?—I am afraid I do not. I am not familiar with the details.

3211. But you have heard that it is a much more difficult examination than the M.A. of your University?—Yes.

3212. You are a Professor of History?—Yes.

3213. The curriculum of history at your University compared with that of the Indian Civil Service examination is much less difficult?—Yes, I know that it is, as a matter of fact. One of the best students went home, and he only took a Third at Oxford after a course of two years' study. He is now going up for the Indian Civil Service and I have no doubt that he will pass into it. Although he was a very distinguished student here he would have had to work very hard at home in order to get a First at Oxford.

3214. Therefore, even if simultaneous examinations were instituted here, the possibility of Indian students passing at the age prescribed for Civil servants in large numbers is very remote?—Yes, at present.

3215. Do you think that educational facilities exist anywhere in the country for training men for the Civil Service examination here?—Not at present.

3216. You gave certain figures yesterday which you have corrected to-day. Those figures were for the B.A.?—Yes.

3217. I see that in 1911 the number of B.A.'s was between 600 and 700?—Yes; but it will be fewer next year.

3218. How many took a First Class?—In the history, last year we had a large number in the First Class—we had nine; but the usual number is half a dozen.

3219. Others are Second and Third Class men. A very small proportion is First Class?—Yes.

3220 Do you think that any except First Class men will have a fair chance in this examination?—Yes. Examinations are always to a certain extent a toss-up.

3221. You stated in reply to a question from the Chairman that many of the men would have a fair chance: you meant many of the best men?—"Many" is comparatively speaking.

3222. How many out of the 600?—I say "many of the best men."

3223. What proportion would you roughly say of the best men?—I should say about twenty.

3224. You know that only 27 men passed the M.A. last year?—Yes.

3225. And that only one man took a First Class?—That is so.

3226. Have you heard of a student named Mr. Rajan?—Yes.

3227. He took a First Class at the M.A. in Mathematics?—Yes.

3228. Since your University was established in 1867, I understand that there have been only three M.A.'s in Mathematics?—I cannot say.

3229. It is a fact; he was one of the three. He then went to Cambridge, and came out Senior Wrangler, and he then appeared for the Indian Civil Service the next year?—Yes.

3230. And he was comparatively low in the Indian Civil Service list?—Yes.

3231. That shews that our M.A.'s, even after two or three years' training, have not much of a chance unless they are specially coached: in other words, it is only men of very extraordinary abilities who will get in?—Yes, probably, at present.

3232. You said yesterday that if simultaneous examinations were instituted that would have a very injurious effect upon college teaching?—Yes, I think so.

3233. That is because you think there would be a demand for the teaching of those subjects?—Yes.

3234. Are the colleges not strong enough to resist such a demand?—You know that there is such a thing as pressure.

3235. But are the colleges at liberty to make alterations in the syllabus; who determines the college curriculum?—The University.

3236. The Senate?—The Senate.

3237. You know that under Lord Curzon's Act the Government appoints four-fifths of the members every five years?—Yes.

3238. And that the majority of the members are Englishmen in all the Universities?—Yes.

3239. Do you think that the colleges so controlled will change their curriculum because a few Indians want to appear for the Indian Civil Service examination?—I am afraid that there will be a tendency in that way. Englishmen are influenced by pressure as well as Indians.

3240. Do you think that the tendency would be a strong one?—There would be, I think, a strong demand.

3241. Do you think there would be an effect produced by the demand?—Perhaps so.

3242. Do you think that there would be any difference between an Indian student who goes to England, say, at the age of 19, and after a two years' study enters the Civil Service, and an Indian who passes in India—assuming a simultaneous examination is instituted—and goes for two years to England afterwards?—I should like him to be longer in England than two years.

3243. Asuming that he was there two or three years?—Two years in either case does not make a very great difference.

3244. You think it will not be different whether a man goes before, or after?—If he goes before the examination, he will have to go for a couple of years to study afterwards, and he will have a probationary period.

3245. Assuming he goes three years after the examination, it will be the same thing?—Probably.

3246 He would understand the people and the institutions better if he went at a little later age after completing his study: is not that so?—I think he would be moulded more if he went at about the age of 20. It would be a different thing if he went as a student and mixed with students there, and then went up for his examination.

3247. Do you think there would be a substantial difference?—Yes; I think I should prefer it.

3248. If he went to a college?—Yes, if he went to a college.

3249. Not all those who go in for the Indian Civil Service go to a college, do they?—Not always.

3250. (*Mr. Chaubal.*) Looking at the curriculum set out in the questions, you see there, on the right hand side, page xlv, the present curriculum is set out. The note at the foot of the curriculum says that it is open to candidates to take up any of these subjects as long as they do not total more than 6,000 marks?—Yes.

3251. The question I wish to put to you is this. You see that the group 5 to 9 under "B" totals 1,600 and that from 10 to 15 totals 2,100; so that 2,100 and 1,600 makes 3,700?—Yes.

3252. Supposing a candidate takes No. 23, lower mathematics, both 23 and 24 together. Supposing only those four groups are taken, that is to say, practically, the subjects coming under the heading of Greek, and the subjects coming under the heading of Latin and Mathematics: do you think, taking the case of a person who has had no University career in the colleges, that if he took these four subjects and passes the Indian Civil Service, his general culture would be higher than that of a man who has passed his M.A. either with or without Honours? I am referring to the candidate who has passed through all the earlier course of the Universities and then takes his M.A. I am assuming that he has passed his B.A. and studied all the subjects required up to the B.A. standard, and then appears for the M.A. As far as general culture is concerned, and so far as an all-round liberal education is concerned, would you consider that an M.A. of that kind would have secured a higher general culture than the man who has only passed his matriculation and studied only the four subjects?—He would have an extremely good education if he were well up in all that is implied by a study of Latin and Greek, and adding to that a knowledge of Mathematics he would have an extremely wide culture.

3253. Even if he does not know anything of the subjects referred to in 26 to 29, or is not well up in the first four subjects?—The ordinary man would have a certain amount of knowledge of those first four subjects, and certainly I think it would be extremely desirable that he should possess a knowledge of those subjects also.

3254. My point is this. There is a question here amongst these questions, I think it is question (20), which says "On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854 that the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined"?—You are raising the question of the value of classical education.

3255. If it had been necessary for each candidate to take a certain number of subjects, then you could have said that he gets an all-round education in certain subjects; but where there is an option of 32 subjects, and where a matriculated student from India can pass, studying only those four subjects well, would you think that a man had acquired the culture which Lord Macaulay's Committee contemplated if he took only three or four of those subjects?—I should say so, certainly.

3256. With respect to the question put to you by Mr. Gokhale, you said that even if the colleges prescribe to themselves the Indian Civil Service course as the ideal course for a University to follow, the effect of the education would be deleterious?—Yes, because of the conditions of the country. Although I said to Mr. Gokhale that only about twenty in my opinion would be fit to pass, my experience is that the Indian student is extremely optimistic, and inclined to fancy that he can do a great deal more than he can do; and consequently there would be a large number of Indians who would go up.

3257. I am putting the question from a different point of view. Do you not think that the higher the ideal and standard of education which a college or University places before the student, the trend of general education is likely to be improved?—I think you must work up to it gradually.

3258. I admit you will have to work up to it gradually?—Examinations are necessary evils connected with education. If you have this examination, you will have a large number anxious to prepare for it, and pressure will be brought to bear upon the colleges in order to try and have the means of coaching the students for the examination.

3259. When you said it would be deleterious to the other branches of education, you meant that the colleges would not be sufficiently manned to prepare the boys in their course?—The colleges may be quite sufficiently manned, but there will be a danger of the colleges setting before themselves as their ideal the getting of as many people through the examination as possible. At present there is far too much of that in India. Far too much of college work at present is preparing for examinations instead of simply educating. That evil, it seems to me, will be intensified if you have such an examination as this established in India.

3260. Passing on to the next subject in your written evidence, when you say that the different communities should be represented in the public service, do you say that in the interests of the efficiency of the service, or in the interests of the special communities you are referring to?—In the interests of the efficiency of the service.

3261. At the same time, you say that in order to have these particular sections of the community represented you would have to lessen the qualifying test?—Efficiency may be due to different causes, and the service may be more efficient if you have men of different communities and races in it, even although some of them may not be so intellectually equipped as the others.

3262. Supposing that there is no representation of the different communities: what are the present evils which you can point to which come in because all the communities are not, as you say, "sufficiently represented in the service": have you found class bias?—Yes, I should say so.

3263. Assuming that a department of Government service is entirely manned from one community, do you think it would be more desirable to have it manned from three or four different communities?—Yes, I do.

3264. Does not that really mean that you want class bias in four different directions instead of in one?—No, I do not think so. In a representative assembly, where you have different parties, you do not think that the representation of different sections of the community is an evil. It is usually regarded as a good thing.

3265. If there are more Brahmans in a department, the Brahmans are supposed to show class bias towards their own community?—We will assume that is so.

3266. If Muhammadans are employed in that department, and there are a less number of Brahmans, would you expect the Muhammadans to be free from bias, or would they show class bias towards their own community in the same way as you think the Brahmans do? It has been said that Brahmans show more favouritism to their own class: would not the Muhammadans be expected to do the same?—Probably they might.

3267. That is what I mean by saying that instead of one community showing class bias you would have several communities similarly showing class bias?—And in that way counteract one another to that extent!

3268. No doubt; but the best ideal would be to have a public service which has no class bias whatever, and that is why Englishmen make the best public servants?—Yes.

3269. Therefore in having an administrative policy you think it is better to try and get the class of people who have no class bias, or divide the class bias and so let each counteract the other?—That is why I oppose simultaneous examination, because I think the European is destitute of class bias.

3270. Then your answer to my question would be that you would like to have an ideal set up which will have servants without any class bias?—Yes, people who will recognise themselves as servants of the community, and not the masters of it.

3271. Can you tell me if any of your students latterly have shown a tendency to take up industries and so forth?—We have a large number of non-Brahmans in the colleges and schools. Some go in for trade; but there has been no special development so far. A few, however, have shown a desire in that way.

3272. (*Sir Theodore Morison.*) What is the youngest age at which students are admitted now to the University here?—Fifteen.

3273. Tell me the stages of their educational career?—After two years they have their intermediate examination; then they go in for Honours. There is the ordinary course of two years, and Honours three years more.

3274. To take a B.A. Honours they would have to study for five years after matriculating, and then they would be 20?—Yes.

3275. Can you say from experience how much above 20 would be the average age at which students take their degree? The numbers who go up at 15 are a very small proportion, are they not?—Yes, comparatively small. I have here a tabular statement showing the ages of the candidates registered for Matriculation, First Arts, B.A. degree examination. It is at page 296. In 1901 the minimum age for Matriculation was 12.

3276. Is that what is called a University age, or an actual age?—I think that was probably an actual age. There are some very bright boys who occasionally come up, boys who have been forced, so to speak, and you occasionally find them come up at 12 or 13.

3277. You think that in this case the University age represented the actual age, even when it was 11?—I see that the average age for the B.A. in 1911 was 24 and the minimum 17. The maximum was 48. I should say that 23 is about the average age. The First Arts intermediate average age in 1911 was 21, and for the Matriculation the average age was 18.

3278. You think that this very great discrepancy which occurred in 1907-08 as compared with the previous year represented a real change?—Yes, quite a number were kept out.

3279. This minimum age of 17 for the B.A. is no longer possible?—No.

3280. How does your M.A. stand: is it suspended or abolished?—A student could get his B.A. in two years and then go up for his M.A. after that. There was no teaching for the M.A., except that students who entered at the college received a certain amount of supervision from the professor. There was no teaching for it.

3281. There was nothing taught for the M.A.?—No. The students came and read in our college. We had a separate reading room for them. They came and read, and talked with, and reported about their work to the men who had charge of the particular subject; but there was no lecturing.

3282. How does the M.A. stand now?—It is simply an Honours B.A. A man gets his M.A. two years after he has taken his B.A. in Honours.

3283. Without any further examination?—Yes, without any further examination, just as in England.

3284. Is there any suggestion here to follow the practice of some of the other Universities of lecturing for the M.A.?—The M.A. is simply a B.A. in Honours.

3285. I was contemplating the time when your B.A. Honours established itself and persons required some further course of reading. Beyond that you are not prepared to give further teaching?—We have not had our first examination in Honours yet. We are only in the second year's Honours. Next year will be the first year when an examination in Honours will be held. There were two parties in the Senate at the time when there was the change. Some wished to keep the old B.A. and have teaching for the M.A., whilst others desired to have a three years' Honours course, and that was carried. Personally I was in favour of keeping the old B.A. and of teaching for two years and for the M.A. after the B.A. What was introduced was three years' Honours.

3286. You would have had a year's more teaching?—Yes, but a year's reading less. Formerly it took four years to get M.A., now it takes three.

3287. So far as you are concerned here, and so far as you can say, it is not possible to impose any other teaching on the top of what you have?—Not at present.

3288. If the M.A. teaching which exists in some Universities were continued here beyond the B.A., with Honours, I suppose it would bring students within some sort of distance of the standard here?—Yes, I think so.

3289. It would depend upon the subject; but supposing mathematics or some scientific subject were added, it would be conceivable?—Yes, it would be quite conceivable. What I meant to say yesterday was that you would have to reorganise things. If you were going to make that your regular University course, it would mean raising the University course by three years.

3290. I did not know that your M.A. had so entirely passed away?—We flattered ourselves here that our B.A. was equivalent to some M.A.'s in India.

3291. The M.A. has been given sometimes very freely, and sometimes very charily, has it not?—Yes.

3292. You would like a student to go to England after he has taken his B.A.?—Yes.

3293. If he went later than that, he would, perhaps, not acquire these English characteristics which you hope he would acquire?—Not to the same extent.

3294. Because he would not mix with his class fellows?—He would be rather older than the others, and would fall out of it to a certain extent, as the others would be younger men.

3295. At what sort of age do students now generally finish their education at a Scotch University?—All averages are very deceptive as they are here. You have a great many old stagers.

3296. The maximum age of those who took the B.A. is 48. In 1907 it was 55, then 46, then 46, and then 48; that is so, is it not?—When I was in Edinburgh the ordinary age for fellows coming up from school, and going straight on, was 20 to 21, when they took their degree. They entered the University at about the age of 16 or 17, and then took their degree in four years, or three years, as the case might be. From 20 to 21 was the average.

3297. That is not unlike the conditions prevailing among the students here?—That is so.

3298. And do you think their attainments are about the same? I notice that you said yesterday it is necessary for Scotch students to get some further teaching?—It has been, occasionally, but I have known very few cases of that. Very often students in my time at Edinburgh—the best students—got scholarships on graduating, and went up to Oxford and Cambridge.

3299. Professor Sorley would be a case in point: he was a contemporary of mine?—Yes.

3300. Therefore the conditions of students coming from Scotch or Provincial Universities are comparable with those of the best students from the Indian Universities?—Yes, I should say so.

3301. And they would probably require a year or two to bring them up to the necessary educational standard?—They would probably require two or three years to bring them up to the intellectual or educational standard that is required for the Indian Civil Service.

3302. With regard to British characteristics, that attainment is only possible, I understand you to say, when a man goes up when he is somewhat advanced in years, and mixes with his fellows?—Yes.

3303. Do you think it is possibly the case that a student who has taken his degree here and goes through the English University is not too old or stiff in the joints?—I do not think so.

3304. If he went to an English school he would have more chance, but you would not like it?—No.

3305. But as far as merely these British characteristics are concerned?—I quite admit he probably would.

3306. If you were to take him as a child he might be, except in complexion, indistinguishable so far as his British characteristics are concerned?—To a great extent.

3307. Therefore the acquiring of British characteristics goes with denationalisation?—Yes, to a considerable extent.

3308. Do you consider that the possession of those British characteristics is necessary or desirable in the administration?—I do certainly; I think they are.

3309. I myself recognise the difficulty: I do not know whether you feel it; if so, it comes to this that you can only acquire British characteristics, which are so desirable in the administrator, at the cost of being denationalised?—To the fullest extent.

3310. It is perhaps a disagreeable way of putting the thing, but that is what it comes to, is it not?—Yes.

3311. I think you expressed some distrust as to the results of competitive examination?—Yes, I think it is a crude method.

3312. Would you feel the same distrust if you had a competition which would limit, we will say, the boys taken from Eton, Winchester and Harrow, or would you trust the competition there as giving you a very fair order of merit?—I should strongly object to any such proposal.

3313. I am not thinking of it for the public service at all. Do you suppose, if we were to confine competition, not necessarily with regard to this service, but, we will say, with regard to any Government service, so far as a literary competition is concerned you would get a fairly reliable order of merit; I am speaking of students from a Scotch University?—I think, as a whole, you would. There would occasionally be people who should not be there, but I think, on the whole, you would get it.

3314. Do you think it would be equally trustworthy if you were to add to the competition the boys I have mentioned from the three schools—would it then be equally trustworthy?—Probably they would not do as well as many of the Scottish students.

3315. I think they would not?—They probably are not so well educated.

3316. If you were to add representatives of American Universities, would you have a diminishing confidence in the result?—I do not know enough about the American Universities to say.

3317. And when you add to them representatives of the Indian Universities, who are not educationally unlike those of the Scotch Universities, would you trust as to the results increase?—I really cannot say. I do not know any better method, that is all.

3318. I am only trying to find out how far you would trust the results in a competitive examination?—As I have said already, I think it is simply a choice of evils. It seems to me that if you adopted other methods greater evils would creep in.

3319. My idea was that a competitive examination could be trusted only so far as we can assume identity in the education?—I see your point.

3320. You are not prepared to admit that?—I think there is something in that.

3321. (*Lord Ronaldshay.*) The number of different careers which are open to educated men in this country is very small, is it not, compared with the number of careers open to educated men in England?—Yes, that is so.

3322. There is no Army or Navy career here?—That is so.

3323. And there is a very small business opening?—Yes.

3324. The result of that is that the educated classes of this country concentrate upon a very limited number of careers?—By far the larger proportion of educated men in this country are Brahmans, and they naturally have not been going in for trade in the past. Trade is only in the hands of Brahmans to a very limited extent, and consequently they naturally turn to literary careers.

3325. The educated classes in this country concentrate themselves upon the legal and teaching professions, journalistic work and Government service. Is not that so?—Those are the main careers open to the educated classes.

3326. Which of those careers do you think is the most popular?—I think, on the whole, the legal.

3327. I suppose you would say that Government service is extremely popular among the people as well?—It is popular, but it has not the same prizes.

3328. At the same time there are obstacles in the way of the most highly educated classes going in for Government service, because the competition is in England: that is to say, there are caste difficulties in the way. If, on the other hand, the examination was instituted in this country, those difficulties would be swept aside?—It would affect only a very small number of people.

3329. You mean, I suppose a small number of educated people?—Yes, a small number of educated people.

3330. Are you not of opinion that if simultaneous examinations were instituted in this country a very large number of the educated classes would go up for the examination?—A considerable number would go up, certainly.

3331. You say a large number would go up?—"Large" is rather a vague word. When you have 600 candidates in a year the proportion of those who would appear would be—I do not know how many, say 50.

3332. Supposing 50 or so tried?—I do not know that it would have a very great influence except in the way that I have already indicated, that there would be a tendency to make the universities and the colleges teach for that examination.

3333. But surely that tendency would not arise unless a large number of people desire to go up for examination: that is my point. I assume, from what you say upon that point, that you are of opinion that a large number of people would desire to go up for examination if it were instituted in this country. Is that your opinion?—Yes, if you can define the term "large," it would possibly be 50.

3334. A very much larger number of candidates would go up for examination in this country than at present go up for the combined Home Service and Indian Service in England?—Yes, I should certainly say so.

3335. Are you of opinion that a considerable number would soon find their way into the service through this simultaneous examination?—It seems to me that the whole object of changing the thing is in order that that may happen. That is what I object to.

3336. What I want to know is whether, as a matter of fact, you are not afraid of that; and because you are afraid of that I presume you are of opinion that a large number of Indians would pass into the service through the simultaneous examination?—Ultimately, in course of time, as soon as things had become adjusted, we might import crammers from England to cram people for the Civil Service; and, as far as memory work is concerned, the ordinary Indian beats the ordinary Englishman, and consequently, in so far as memory work will take men through that examination, I certainly think that large numbers would pass.

3337. Have you in your mind any rough idea as to approximately how soon we might expect to find a considerable number of Indians passing into the service?—No, I have no idea.

3338. But you think that within, say, 10 or 15 years, or something like that, the system of teaching in the universities out here might be so altered as to enable a considerable number of Indians to pass into the service if there is an examination in this country. Is that what you are afraid of?—I am not afraid of them passing into the service. I deprecate the idea of perpetuating out here the anomaly of a service such

as we have at present in the case of the Indian Civil Service. I think it would be very much better that Indians should pass into the higher grades through the Provincial Civil Service than by anything of this nature; and I also think that there is an irreducible minimum of Europeans required at the present time for the proper training of the people in self-government and for the proper administration of the country. I think it would be a misfortune if these men were withdrawn.

3339. You are afraid that that necessary number of Europeans might disappear if a system of simultaneous examination were set up?—Yes, without restriction; and if restriction were imposed, it would cause a grievance again.

3340. I understand that you are of opinion that it is very probable that if simultaneous examinations were introduced into this country the class of educational instructors whom we describe as coaches, or perhaps, as crammers, would spring up in considerable numbers?—Yes, I think that it is very probable.

3341. And is not that all the more likely by reason of the fact that Indians, as you say, have a great facility for acquiring a smattering of superficial knowledge by means of mechanical memory?—Yes.

3342. That, I suppose, would have a very bad effect on the cause of real education in this country, would it not?—Yes, I think so.

3343. Therefore your second main objection to setting up a system of a simultaneous examination in this country is that, in your opinion, it would have a very bad effect on the cause of true education in this country?—Yes, that is my feeling in the matter.

3344. Those, of course, are two very strong arguments against instituting such a system. There is only one other small point I should like to ask you about, and that is on the subject of the value of Indian vernaculars as a subject for examination in an open competition. What is your view with regard to that?—My view is that it would be a very difficult thing to bring in one Indian vernacular without bringing them all in; and I do not know where you are going to stop. For example, we have here five vernaculars of the Presidency taught in our college. That is only in the Madras Presidency. If you introduce Tamil you would have to introduce Canarese, Telugu, and Malayalam, and you would have to introduce all the Northern vernaculars. Some of those vernaculars are much more in the nature of literary languages than others, and it would be unfair in some cases, and give a considerable advantage to one man over another.

3345. Of course, while in this Presidency you have five or six vernaculars, or whatever the number may be, the same sort of thing would be found in other parts of India, and you would have to introduce 50 or 60, or even, probably, 100 vernaculars?—Yes. In fairness it would be necessary to do so.

3346. And that would be, of course, impracticable and of very little value?—I do not think that the value would equal the difficulty.

3347. (*Mr. Madge.*) While lowering the standard of education in this country, would not simultaneous examinations lower the tone of the service?—I can hardly answer that question. It seemed to me that if the examinations were identical as far as intellectual capacity was concerned, the people who passed would remain very much the same.

3348. It is admitted that the present standard is inferior to that of the Indian Civil Service at Home?—The assumption is that the standard here would have to be raised.

3349. I am not speaking with regard to the present.—I do not think that under present conditions students would pass at the present time.

3350. (*Mr. Oldfield.*) Can you tell us whether the Dravidian languages are harder than the group of languages which cluster round Hindustani and Urdu?—I am not an authority upon that subject, but my impression is, from what I hear from others, that it is very much harder to learn Tamil than Hindustani.

3351. It would be harder for a student to take up two of our Dravidian languages than two of the Northern languages?—Yes, certainly from what I have heard.

3352. What would you say as to the value of Indian classical languages as compared with Greek and Latin, so far as a liberal education is concerned?—The only classical language here that I know anything about is Sanskrit. It is an extremely interesting study, but from the view of a liberal education the value of Greek and Latin, I should say, is very much greater, because those languages are the foundation of our western civilisation. A man cannot understand our western civilisation without knowing something about the history of Greece and Rome.

3353. The same would apply with regard to a comparison between Indian vernaculars and European languages?—It is the value of the literature. There is no modern literature in Tamil or Telugu, whereas there is the literature in the European languages.

3354. You regard the literature of languages as of primary importance, and not the mere ability to speak the language?—It is the literature.

3355. Some witnesses have raised questions with regard to the practice of including quotations in Latin and Greek in the history papers in the Indian Civil Service examination. Is that usual in examinations conducted in England?—In some cases books are studied in connection with history which are in foreign languages. A piece would be given in French or Latin.

3356. Then you would say it is not exceptional in the Indian Civil Service examination?—No.

3357. It is advisable to study the history of any country, as far as possible, from a contemporary historian, is it not?—Yes.

3358. That would not be possible with history candidates so far as this country is concerned, would it?—That is so, and I think it is a great misfortune.

3359. Has any proposal ever been made to hold the B.A. examination in this country in the vernacular?—I have never heard of it.

3360. Would it be possible to hold an examination in the subjects dealt with in the B.A., or in the present Civil Service examination, in the vernacular?—I do not think so.

3361. (*Mr. Ramachandra Rao.*) You think the people ought to rise to appointments from the ranks of the Provincial Civil Service.—Yes.

3362. Have you any idea how long it takes for a person to get into the listed appointments? Do you think that unless they get in there at an early age they will be able to do their work with justice?—I am not quite sure.

3363. I suppose a Provincial Civil officer, when he gets into a Collector's grade, unless he is 51 or younger will scarcely be able to do justice to the work of a Collector?—Not if he is too old. I am not an authority upon the details of the service.

3364. Do you also think that the present training officers in the Provincial Civil Service already get when they start is the sort of work which would suit them for the posts in the Indian Civil Service?—I am afraid I cannot say.

3365. (*Mr. Subrahmanyam Pantulu.*) Do you know how candidates are recruited for the judicial branch of the Civil Service now, so far as Munsifs are concerned?—Yes.

3366. You say in paragraph 2 of your memorandum: "As regards the Provincial Civil Service I think that there is no reason why a competitive examination for it should not be held"?—I was thinking more of the administrative side than the judicial side.

(The witness withdrew.)

M.R.Ry. P. R. SUNDARA AIYAR, Judge of the High Court of Judicature, Madras.

Prefatory Memorandum.

Before answering the questions put by the Commission, I should like to explain in broad and succinct terms the reasons which have moulded the answers I give to the questions. These remarks practically furnish my answers to several of the Commission's questions of a general character and particularly to questions (136) and (137) in Division A. I am firmly convinced that, for as long a time as it is necessary to take account of, India must form a part of the British Empire, and that it is for the advantage both of India and of England that this should be the case. It follows that the Government of the country must be conducted in accordance with the principles of British administration. I take it that it will be conceded at the same time, that the administration must be carried on in such a manner as to conduce to the best advantage of the people, and, that their interests should not be sacrificed to the interests of England or of His Britannic Majesty's subjects in any other part of his dominions. The question then arises, how far the Government of the country should be conducted by British officers? No one will now contend that a large portion of the task of administration can be carried on otherwise than through the instrumentality of Indians themselves. The British Government has for a long time been irrevocably pledged to a great deal more than just and progressive administration. It has solemnly undertaken to associate the people in the work of administration as largely as their own merits and the interests of the country will permit. Any other course is now impossible. It cannot be denied that the number of British officers compared to the actual population or to the quantity of administrative work that has to be carried out is already very small. The control of the British Government cannot be maintained except by means of the undoubted loyalty and support of the Indian officers. What is the proper policy to be pursued with respect to the question whether the small modicum of European element can be further reduced or not? The chief executive power is now maintained in the hands of Europeans and they are employed in all but a very small proportion of the more important offices in the State. Indians do not feel that the responsibility of upholding the British power and the prestige of the Government is to any considerable extent laid on them. They regard themselves as relegated to a dependent position, and as concerned only to make use of that position, to derive as much advantage out of it as possible. It is unnecessary to dwell on the serious disadvantages of entrusting a man with actual power without making him feel that full confidence is reposed in him to uphold the position and prestige of his employer. Serious unrest or disloyalty on the part of the body of Indian officers, if combined with want of confidence on the part of people generally, would make it practically impossible to maintain the continuance of the British Government. I am firmly convinced that neither the military power of the Government nor an increase in the number of European officers will make it possible to do so. From the commencement the British Government magnanimously resolved to rest its own permanence on the loyalty, good-will, enlightenment, and gratitude of the people of the country, and to give them the advantage of the best education possible. It is impossible now to adopt a different policy. It seems to me therefore that the best, if not the only, course for the maintenance of British control is to make the people of India true citizens of England, imbued and permeated with the spirit of Englishmen to such an extent as to make them feel that they are in the truest sense brethren of the British subjects of His Majesty. This is indeed the method which the wise statesmen of England have themselves resolved to adopt and adhere to. The latest declarations of the Government both in England and in this country establish this beyond a doubt. It is clear to my mind that nothing would be a greater protection against sedition and unrest than to make Indians true partners with the Europeans placed in the highest offices in the work of administration.

General policy.

Fitness of Indians for high offices.

The reason stated in paragraph 77, page 75 of the Report of the last Public Service Commission, for not employing Indians in district charges and in offices superior to district charges, apart from the fact that in my opinion they were not sound in 1887 when they were enunciated, have lost much of their force subsequently. The appointment of Indians as Collectors of districts has proved successful, and their success has largely disproved the correctness of those arguments. It has now been decided that Indians should not be excluded from the very highest offices with almost no exception on the ground of race disqualification, and it has been resolved that one Member of the Councils of each of the Governors of provinces may be an Indian. It follows, not only that they should not be excluded from the

offices of Secretaries to Government and Members of the Board of Revenue, but also that they *should be* advanced to those offices in order that Indians may not be handicapped in duly qualifying themselves to be appointed as Members of Councils. Experience has shown that there should be no difficulty arising from Europeans in the Covenanted Service being placed under Indians if European prejudice on this ground is not encouraged by Government, a fact which is in reality conclusively established by the willingness of Europeans to serve under Indian officers in Native States. Indians employed in the superior offices have not been unable to deal with an emergency connected with the peace of a district, and any apprehended defect on this score could result only from want of proper training. Both Hindus and Muhammadans are not wanting either in intelligence or in physical or moral courage and they would be equal to anything for which they are trained. I need hardly add that every kind of administrative work is being performed by them in the Native States constituting a third of the whole country. I deny that there are any inherited or natural shortcomings in the members of any community that disqualify them for high executive work. The European members of the Covenanted Civil Service are also gradually showing themselves capable of dealing with Indians as their equals and brethren, and I have no doubt that they will realise that to do so is a greater title to glory than to regard their Indian fellow-subjects with contempt as members of an inferior race. I have no doubt that they will also feel convinced that this is also the best way to strengthen and protect the interests of their own country. To afford a sufficiently wide choice for the selection of an Indian as a Member of the Executive Council, one of the three Secretaryships to Government and two of the Memberships of the Board of Revenue should, in my opinion, be thrown open to them. I am fully convinced that both at present and in the future a fair proportion of the superior offices should be filled by Europeans to ensure the continuous leavening of the administration with the British spirit and British methods. (I use the expression "superior offices" in the sense of all offices from the District Collector and District Judge upwards.) But the proposals I make are, in my opinion, fully consistent with this principle and indeed required in the interests of the Government itself. In 1893, soon after a resolution was passed by the House of Commons in favour of holding simultaneous examinations in England and in India for the recruitment of the Covenanted Service, the Madras Government expressed the opinion that they would regard with equanimity the recruitment of one-third of the whole of the Civil Service with Indians. I feel no hesitation in stating that the time has come when at least one-third of the Collectorships of districts may be filled by Indians. The previous Public Service Commission suggested that one-third of the District and Civil and Sessions Judges should be removed from the schedule of the appointments to be reserved for the Covenanted Service. I strongly hold that, considered from the point of view of the Judicial service alone, selection from the bar would be by far the best method of recruiting it, but I recognise that some proportion of the District Judgeships should be held by Europeans and I do not think it would be easy to secure European barristers of proper qualifications for the office. I would therefore appoint European members of the Covenanted Service to some of the Judgeships. I think that there should be no objection now to its being provided that one-third only of the District and Sessions Judgeships of this province need be Europeans. The remainder of the Judgeships I would give to the members of the bar and to Subordinate Judges. I do not think that any Judgeships should be reserved for Indian members of the Covenanted Service. I am also of opinion that one-half of the Joint Magistrate's and of Assistant Collector's places may also be filled by Indians. My statements are subject to the requirement that there should be a sufficient number of places in the offices filled by Europeans for recruiting the number of Europeans required in the district charges, District and Sessions Judgeships and in places superior to those offices. The number of European officers required would be considerably affected by the consideration of the question, what proportion of the superior offices in the various special departments should be filled by Europeans. With that question I do not at present deal.

Opportunity for Indians to rise to the highest offices.

I do not forget that all the offices mentioned above are in theory open even now to Indians as freely as they are to Europeans, but it will not be denied that this is hardly the case in actual practice. What is required is that steps should be taken to give Indians reasonably good opportunities of being able to fill them in the proportions I have mentioned. At the same time I disclaim any intention to reserve these proportions to Indians at the cost of absolutely thorough efficiency. I must make it quite clear that my desire is only to give Natives equally good chances with non-Natives and to have a *corps d'élite* of native and non-Native officers with equal rank, equal privileges and equal opportunities.

Principle deciding mode of recruitment.

I now proceed to the question of the recruitment of the Indian Civil Service so as to achieve this object. The first and main point to be borne in mind is that Indians should be able to rise to district charges sufficiently early to be able to be appointed as Members of the Board of Revenue and other higher offices and that their appointment to district charges should not be deferred to so late an age as to make it practically impossible for them to rise to the highest offices. The right and opportunity to rise to the highest places in the service of Government will effectually remove the taint of inferiority generally attached to Indian officers by their European colleagues. It is the only way to successfully foster the feeling of social equality between Europeans and Indians. In my opinion, no increase in the number of subordinate positions secured or even reserved to the people of the country will make them contented citizens or satisfy their legitimate aspirations. The essential point is that they should feel that they have reasonable opportunities of rising to the most responsible offices in the service of their sovereign. It follows that there should be a *corps d'élite* of Indian officers of which the number would be limited. The number

of subordinate offices in it should not be much larger than is necessary to recruit the superior offices to which Indians may rise, though the fact should be taken into account that some members of the corps may turn out unfit to be raised to those offices. There are three possible methods of recruitment which have to be examined as fitted to achieve the object in view :—

Methods of recruitment.

(i) By an examination to be held in England alone, such modifications being made in the conditions and conduct of the examinations as may be necessary to remove the handicap which in my opinion undoubtedly exists at present in Indians being able to enter the competitive service.

(ii) By holding a simultaneous examination in India along with the examination in England so as to allow more Indians than is now possible to enter the Covenanted Service.

(iii) By an independent examination in India quite as difficult as that in England, but more suited to Indian candidates and at the same time entitling those who pass it to be regarded as in every way equal to those who pass the examination in England.

The first method will certainly not do, because it will not give a fair opportunity to many of the best youth of India to enter the service. A large proportion of the most brilliant young men are too poor to undertake the expenses of a stay in England for a period sufficiently long to qualify them for appearing for the examination. The number of people who can do so on the uncertain chance of being successful are indeed very few. (ii) I am unwilling to subject the youth of this country to the risks of staying in England during the most susceptible period of their life without adequate arrangements for safeguarding their training. I seriously doubt whether it would be possible to make any arrangements which could be satisfactory for the purpose. (iii) Only a small proportion of those who are sent up to England to compete for the Covenanted Service are able to come out successful and the rest become stranded men, and many are more or less practically ruined. It may be urged that a stay in England is likely to enlarge the mental and moral outlook of a youth and to inspire him with the English spirit in a manner that would be impossible without such a stay. To speak unreservedly, I am not satisfied that this statement is correct. I by no means deny or discount the advantages of travel generally and of foreign travel in particular. But real culture and the liberalisation of the head and heart depend after all upon the training which a youth receives, and only to a small extent on the surroundings amidst which he lives for a brief period. I maintain that the best of the educated men of India who have never gone to England or visited European countries are as liberal in spirit and as fair to all the communities of the country, and as prepared to appreciate and to undertake progressive measures of administration, as those who have had an English training. Those who go to England when young may be more prepared for reforms in social matters than those who do not do so. Indeed they are likely to be unable to realise fully the necessity for thoroughly grasping the complexities of the problems of social reform. Candidly I do not think that social reforms either need, or are likely to materially benefit by, young men being sent away to a foreign country during the time and under the circumstances in which they would require to be sent for passing the Indian Civil Service examination in England. The advantages of travel may be secured and even insisted on in those who fill the highest offices in the service of the State. But the time when and the manner in which such training should be given require fuller and more serious consideration than is often given to them.

Simultaneous examinations.

Simultaneous examinations in England and India will no doubt go a long way to satisfy the legitimate aspirations of the people of this country. I am certainly of opinion that this must be granted if the alternative I suggest be not accepted. But I doubt whether it would not be better to have an examination which is more suited to Indian circumstances while being an equally good test of the best, the soundest, and the most liberal culture available, that should undoubtedly be taken to be a necessary test of efficiency to serve in the highest offices of Government. I am inclined to think that an independent examination would in practice be more easy to conduct satisfactorily than simultaneous examinations in the two countries. No one is more convinced than myself that the desire and determination to be just to all are essential features of British character. But, to speak unreservedly again, I would abstain from putting an undue strain on the feeling of justice of examiners who have probably never seen India, and are unacquainted with the Indian character and the Indian mind. I would prefer that the majority of examiners to test the capacity of the Indian youth should be people who by residence in India would be better able and better disposed to appreciate the acquirements of Indians. Besides, my experience makes me think that the mere fact that candidates examined in India would be entirely unacquainted with the ways and modes of thought of examiners in England would itself place them at a serious disadvantage. It would take a very considerable time for Indians to be able to acquire a fair share in the Covenanted Service by means of a simultaneous examination in this country; a much longer time, I think, than is either necessary or justifiable. It may be urged that an independent examination held in India is likely to be regarded as inferior to the examination in England. I do not agree. There is no reason why it should be, if, in fact, it is not inferior. I do not think that there would be any bias in favour of those who enter by the examination in England if those who enter by the Indian examination are made equally entitled to promotion to the highest offices with those who pass the English examination. The Government of Madras in its answers to the Public Service Commission of 1886 was of opinion that there would be no badge of inferiority affixed to candidates at a separate examination. It has been objected that the formation of a separate corps in India by a competitive examination would be unjust to the Provincial Service and would not be popular. I do not think so. The members of the Provincial Civil Service would certainly recognise the obvious advantages of the scheme. I have reason to think that its most distinguished members are in favour of it. I also feel certain

Single examination in England.

Separate examination in India.

that the educated public generally would support it. If the method of simultaneous examinations be adopted there can be no question of a number or proportion of the places in each year being reserved for the candidates examined in each of the two countries. For it would obviously be unjust and improper to give preference to a person who has obtained less marks at the examination than another. It would be possible to make the reservation if the examinations in the two countries are independent of each other, though equally good tests. It would of course be necessary to provide that a candidate at either of the examinations securing less than a prescribed minimum should not be selected for the service, and if the number securing the minimum is less than the reserve for either of the examinations; the deficit may be given to the candidates at the other examination provided they secure the minimum.

Another question has to be considered, whether non-Natives of India should be allowed to appear at the Indian examinations, and *vice versa*, whether Indians should be allowed to appear at the English examination in case either of the two methods is adopted. I consider that it is desirable that non-Natives should not be allowed to appear at the Indian examination. Probably they will not desire to do so. But even if they do, I think it is preferable that Europeans wishing to enter the service should pass an examination more suited to the conditions of English young men. Moreover, one object of the proposed change is to enable the youth of India to attain to a fair share of the superior offices in the service, and it would not be unreasonable to exclude non-Natives from the Indian examination. With regard to Indians being allowed to pass the English examination, I think the considerations are rather different. Notwithstanding the disadvantages attached to sending Indians to England while they are very young, I think it would be proper and desirable to allow youths who, overcoming the disadvantages, pass the examination successfully, to enter the service by the English examination. It might also be an advantage to have amongst the Indian Covenanted Servants a mixture of those who have received their culture in India and those who have received the best education that England affords. In deciding what offices should be reserved for the Indian examination, the fact that a certain proportion of those who successfully compete at the English examination would be Indians, say about one-tenth, should be taken into account.

Salaries.

Another question of importance is whether there should be any difference in salaries between those who pass the examination in India and in England. Having regard to the fact that the *corps d'élite* recruited both in England and in India will not be appreciably larger than the present Covenanted Service, I think there is no necessity for a difference in the pay. I do not think, however, that the question is one of essential importance, provided equality of rank and of opportunities for preferment is secured to both classes. At any rate I do not think there should be any difference of pay amongst officers who fill the superior posts in the service, including those who fill the offices of Collectors of districts and District and Sessions Judges. My experience and, I believe, that of my countrymen generally, is that Indians who fill such superior offices have in reality as heavy expenses to incur as Europeans. The dignity of the office also justifies the rules with regard to pay being the same. There may be more reason for a difference in the case of those who have not risen to the superior offices. I do not, however, regard the question as one of very essential importance, as already stated.

Training in England.

Another point to be noticed is whether those who pass the simultaneous or separate examination in India should be required to make a stay in England before entering the service. I should say not. As I have observed already, I do not think that a stay in England at any time is essential for the most efficient and satisfactory discharge of any office in the Executive and Judicial departments of the State. But I would have no objection to it if it be considered desirable to insist on such a stay. I personally think it would be preferable not to insist on it before a person is appointed to the office of a Collector or a District and Sessions Judge. Experience in England would be more valuable at a later period of life and less attended with risks than it could be during youth. I must state that I take no account of social difficulties in the way of the members of some castes going to European countries. Such difficulties are fast vanishing, if, in fact, they have not altogether disappeared except possibly amongst a section of Tamil Brahmans. At any rate I do not think any consideration is due to such difficulties in the case of those who wish to be appointed to the superior offices.

Irreducible minimum of Europeans.

I have not in the above paragraphs considered the question whether there should be an irreducible minimum of Europeans in the service of the State. But it is clear from my observations that in my opinion there should be a fair proportion of Europeans in the superior offices in the interests of the people of this country themselves. What that proportion should be, I do not consider it either desirable or advisable to decide for all time. Much must depend largely on the future history of the people. It is possible that the educated section may become thoroughly Europeanised in spirit to such an extent that the Government will not consider it necessary to have more than a sprinkling of Europeans in the service. The existence of different communities in the country may become an immaterial element in the problem by the best of every community becoming thoroughly saturated with the English spirit and with affection for the British Government. If, on the other hand, it should unfortunately happen that internal differences between the different communities in the country should increase or that the feelings of loyalty and affection for the Government on the part of the communities should become weakened, there will be every justification for tightening the control to be exercised by means of European officers. For myself I do not apprehend that any such contingency could arise except through the mistaken policy of the Government itself or through its failure to understand the people. At any rate I would not try to solve this question for all future time. It is enough to consider what is right and proper to be done for a considerable time to come.

Representation of communities.

One other question remains to be considered, viz., whether any modification of the scheme of entrance to the higher offices through the single entrance of a competitive test is necessitated by the fact that there are in this country several communities whose interests, it is stated, mutually conflict. My answer is in the negative. In the first place I deny emphatically there is really any conflict of interest between the different communities. In the next place nothing is more calculated to retard the progress of the country as a whole, and in the long run of the different communities themselves, than to encourage or reorganise the desire for special treatment on the ground of race, caste, creed or class. I am entirely in favour of giving special facilities to any community for qualifying its members for high preferments in the public service, if its present backwardness requires such facilities being afforded, but efficiency and character should be the sole immediate passport to office. The rigidity of this principle might possibly be slightly relaxed in the case of inferior offices without danger to the country or other mischief to any serious extent, but I would unhesitatingly reject any principle of representation of communities in the case of high offices.

In some parts of India the Muhammadan community is more than able to hold its own against the Hindus. I think it would be quite possible to recruit the necessary number of Muhammadans for the *corps d'élite* from the country as a whole, but even if this be not the case, the fact would not induce me to make any room for differential treatment of the different communities.

The Provincial services.

If the scheme of a separate examination in India for Indian candidates should be adopted, my opinion is, I need hardly say, that it should be a single examination for the whole country, but the number to be recruited for each province every year would of course be fixed as it is now.

It is clear that according to this scheme the Provincial Service will continue to be separate from the Imperial Service as now. It will be necessary, of course, to protect the just claims of those who have been already admitted direct to the Provincial Service to all offices now open to them. If neither a simultaneous nor a separate examination for the Indian Civil Service be granted, the posts I have mentioned should be annexed to the Provincial Civil Service.

Recruitment for Provincial Service competition and nomination.

With regard to the Provincial Service my opinion is that it should be recruited by competition, but I would allow a small number of posts to be filled up by nomination in order to secure some representation of different communities. It must be a rigid rule, however, that promotion to any place in the superior grades of the Provincial Service should depend solely on merit and character. I deprecate the allocation of any definite proportion of the offices to nomination. The head of each province may be authorised to fill up a few posts by nomination whenever he considers that the representation of any community requires it, provided he obtains the previous sanction of the Government of India. The object of the proviso is to enable the Supreme Government to consider whether persons of another province passing a competitive test may not be available to represent the community in question.

The Judicial service.

Finally I think that the Judicial service should be entirely separated from the Executive department and placed under the High Courts. The Covenanted Service should from the beginning be divided into two branches, and the final examination for the candidates should be different according as they are drafted into the Judicial or Executive branch; the former should be required to be called to the Bar or obtain a University Degree, or to pass a proper examination in both Civil and Criminal Law, before final admission into the service. They may serve for about two years in the Executive department and should then join the Judicial department as Magistrates and Munsifs. Some posts of Munsifs and Sub-Judges may be reserved for the purpose.

Written answers relating to the Indian Civil Service.

3367 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I think that on the whole the system of recruitment by competitive examination secures to the Civil Service men of fairly good intelligence and capacity and generally high character. I cannot say that many of the Civilians are persons of very bright parts, but they are generally persons of plodding and systematic habits. I cannot think of any system which would be more satisfactory, generally.

3368 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I believe that, under the present age limits, a fair proportion of those recruited for the service consists of University men. I should like it to be laid down, if possible, that all candidates should be persons who have taken a University Degree, or passed a recognised examination as good as a University Degree examination, or it should be laid down that no candidate who obtains less than a prescribed minimum at the Civil Service examination should be selected.

3369 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I am of opinion that the system of open competition is equally suitable for the Natives of India as the best practicable test of qualifications for high appointments in the State.

3370 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—Seeing that the Colonies do not admit Indians into the service of their States, and that some of them do not even treat Indian residents with common humanity, I see no reason why His Majesty's subjects in the Colonies should be allowed to enter the competitive service for India. I do not think that their exclusion would be unjust, even otherwise.

3371 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose? Do you recommend a system based on any of the

following principles:—(a) Selection by headmasters of schools approved or otherwise: (b) Selection by authorities in Universities approved or otherwise: (c) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (d) Combined nomination and examination: (e) Any other method?—I do not think that any of the alternative systems referred to in this question would be satisfactory in practice. Headmasters of schools and authorities in Universities are not likely, I believe, to be intimately acquainted with the capacity and character of many of their pupils. Selection by the Secretary of State, even if assisted by headmasters and University authorities, is likely to be very unsatisfactory and calculated to lead to nepotism, and even if satisfactory will not command the confidence of the public. I would not have a system of nomination to any extent for the Covenanted Service, whose members are expected to rise to the highest offices in the State. The power vested in the Government by the Statute of 1870 might be occasionally used, if necessary.

3372 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—Simultaneous examinations in India and in England would certainly improve the position and prospects of Indians. A simultaneous examination must be granted if the alternative scheme, I suggest, be not accepted. A simultaneous examination would remove the obstacles that now exist to many of the brilliant youths of India appearing for the Indian Civil Service examination and give a larger number of Indians the opportunity to serve the country on equal terms with non-Natives. I see no reason, however, for considering it necessary to admit non-Natives to the examination in India.

3373 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am in favour of filling up a proportion of the offices in the Indian Civil Service cadre by Natives of India by recruitment by a separate examination in India. But I do not think there should be a separate examination in each province or group of provinces. I have dealt with this question at some length in the memorandum submitted herewith. My reasons for preferring a separate examination briefly are—(i) That such an examination would be better suited to Indian candidates: (ii) That it will give them a fairer opportunity of attaining success in the examination and will therefore be a juster test: (iii) It appears to me to be the best method of satisfying the reasonable aspirations of the people within a reasonable time.

The examination should be placed on a par with the examination in England and should be equally stiff, and the persons selected at the examination should be treated as equals of those entering by the English examination in point of status and prospects. I would recommend that one Membership of Council, one Secretaryship to Government, two Memberships of the Board of Revenue, one-third of the Collectorships, and half of the Joint Magistracies and Assistant Collectorships should, if possible, be filled up by the candidates at the Indian examination. But I would not necessarily give all the places reserved for Indians, each year, to the candidates examined in India, but would reject any candidate not getting a certain prescribed minimum and give over the places not filled up by Indian candidates to the examinees in England, provided they secure the minimum.

I would add that it should be understood that any Indian outside the Civil Service cadre may be appointed, if Government thinks fit, to the offices above those of Collector and District and Sessions Judge.

3374 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (a) nomination; (b) combined nomination and examination; or (c) any other method? If so, please describe fully what system you would recommend? In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—The first part of the question requires no answer, having regard to my answers to questions (7) and (9). I am altogether against the enunciation of a principle that all classes and communities should be represented in the Covenanted Service. Educational facilities may be given to any particular community, where necessary, but merit and character should be the sole passport to high office. In the interests of the country and of the various communities themselves, I consider it a dangerous principle to lay down that there should be any representation of classes and communities in the highest service of the State. I have no objection to the suggestion that a candidate belonging to a particular Province should be appointed to that Province as far as possible, but I do not consider this necessary. I think that it would be possible, at least in the near future, to secure a sufficient number of Muhammadans for service in all the Provinces from those who pass the examination.

3375 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—Yes, in the manner I have already mentioned; but I would take into account the fact that a certain proportion of the successful candidates at the English examination might be Natives of India. I think it will be sufficient to deduct on this ground one-tenth of the number to be reserved according to my suggestions in answer to question (9).

3376 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—If neither a simultaneous examination nor the separate examination referred to above be granted, in the interests of Indians I think the

proportions of places mentioned by me in answer to question (9) should be removed from the list of posts scheduled to the Indian Civil Service and annexed to the Provincial Service. In that case, a very small number of places in the Provincial Service may be filled up by nomination to satisfy the exigencies of representing different communities, and even then it would be necessary to maintain a rigid rule that promotion beyond a certain rank in the Provincial Service should be by merit alone. I think it would be desirable, instead of reserving any definite proportion in each Province, that the Head of each Province should every year report to the Government of India, how many places should be filled each year by nomination. The object of this suggestion is to enable the Government of India to consider whether members of the particular community belonging to another Province and passing the competitive test might not suitably be appointed to any Province for which the suggestion is made.

3377 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—In my opinion the best method of recruitment for the Judicial branch would be by means of selection from the Bar, if this were possible. But I recognise the fact that a proportion of District and Sessions Judges should be Europeans; I would say, not more than one-third of the total number. I consider it very unlikely that European Barristers of high attainments would be available for the office. The best practicable method of recruiting Europeans for Judgeships would be to select them from the Covenanted Service. It must be recognised, however, that according to the present system, Civilian District Judges have, on the whole, proved a failure, mainly owing to want of proper training for the responsible work they have to do. I think it is very essential that effective measures should be provided for giving proper legal and judicial training to those who are appointed as District Judges. No half measures would be of any use. My suggestion is that candidates who have obtained entrance in any year to the Covenanted Service should at once be divided into two classes, the Executive and Judicial branches. The final Examination for each of these branches should be different; those who are drafted into the Judicial branch should be required either to be called to the Bar, or to pass a fairly high examination in Law, or to take a Degree in Law in one of the Universities. They may, if considered necessary, be required to serve in the Executive branch for a period of two or three years, after which their service should be entirely in the Judicial branch. This interval will not be so long as to make them forget their Law, and may enable them to acquire a good knowledge of Indian life and Indian customs. I must say that, in my opinion, the necessary experience of the country may be equally well obtained by serving as Munsifs. A certain number of places in the cadre of Munsifs and Subordinate Judges will have to be reserved for the Covenanted Service for this purpose. The pay and emoluments of Covenanted officers in the subordinate ranks of the Judicial service may be regulated by special rules applicable to them alone. The rest of the District and Sessions Judgeships should be given to the Bar and to Subordinate Judges. It is impossible any longer not to concede the claim of the members of the legal profession whose attainments and character are of a particularly high order in this country to high judicial offices. The judicial service should be recognised to be what it really is, an expert service. I am also of opinion that all judicial officers, including Magistrates, should be placed under the High Courts. This involves, of course, a separation of the Executive and Judicial functions, a question which I cannot fully deal with here. I can only state that I am fully convinced of the desirability and practicability of the separation being made. The Civilians selecting the Judicial branch will serve both as Magistrates and as Subordinate Civil Judicial officers. The District Collector should be altogether relieved of judicial functions but should be invested with the powers conferred by the Criminal Procedure Code on Magistrates, relating to the prevention of crime and the preservation of peace. I do not think that this scheme involves any alteration in the conditions governing the Provincial Service except that the service will lose some of the Munsifships and Subordinate Judgeships open to it.

3378 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His "Majesty in India, of parents habitually resident "in India, and not established there for tempo-"rary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present definition of the term "Native of India," in section 6 of the Government of India Act, 1870.

3379 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I think the present age limits are suitable. The age limits should be fixed so as to attract, if possible, those who have completed a University course of studies.

3380 (18). What is the most suitable age at which junior civilians should arrive in India?—I consider 23 to 25 the most suitable age at which Junior Civilians should arrive in India.

3381 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—These age limits are suitable to candidates who are Natives of India. It would enable them to take a Degree in India or to have sufficient time to take a Degree in England and for preparing themselves for the Covenanted Service examination. I recommend no differentiation between the age limits for Natives of

India and for other natural-born subjects of His Majesty.

3382 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of "such a nature that no candidate who may fail "shall, to whatever calling he may devote himself, "have any reason to regret the time and labour "which he had spent in preparing himself to be "examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well-educated young man of the period?—I accept the principle laid down by Lord Macaulay's Committee in 1854 with regard to the subjects for the open competitive examination.

3383 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—The only modifications I have to suggest are—(i) That the marks allotted to the Indian classical languages should be made equal to those for the European classical languages, (ii) That a knowledge of original authorities in Latin, Greek or of modern European languages should not be made necessary for examinations in English, Roman and Greek Histories and Roman Law Latin. and Greek do not now require or deserve as much attention as they once did. I would not differentiate between candidates of school-leaving age and of University-leaving age.

3384 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates?. If so, please state them and give reasons?—No.

3385 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule or the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—If the suggestion of a separate examination in India with a reservation of the following places for candidates passing that examination, subject to their securing a prescribed minimum, be adopted, I do not think that any change is required in the posts listed. I reserve the following for those who pass the examination in India; Member of Council, one; Secretary to Government, one; Members of the Board of Revenue, two; Secretary to the Board of Revenue, one; Collectors, one-third of the total number; Joint Magistrates and Assistant Collectors, one-half of the total number, if this be consistent with leaving a sufficient number for the recruitment of Europeans for a proportion of the superior posts in the Covenanted Service. If a simultaneous examination in India be granted, I do not think it would be possible to make the reservation of any proportion, either for the Indian section or for the English section of the Covenanted Service. If neither a simultaneous examination nor a separate examination be granted, then I would remove the offices mentioned above to the Provincial Service. My scheme is explained in more detail in my memorandum.

3386 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I certainly consider that a certain minimum of European subjects of His Majesty should be employed in the higher posts of the Civil Administration. But I would not fix the minimum permanently, as it must depend on the varying circumstances of the country from time to time. Now, and for a considerable time to come, I think it would be sufficient to devise a system which would secure to Natives of India a fair opportunity of rising to the higher offices in the proportions I have mentioned above. They may, in my opinion, be permitted, at the same time, to appear for the examination held in England. My reasons which are explained in my memorandum are—"(i) That a Native who overcomes the difficulties in going to England and passing the examination successfully ought not to be denied access to the Service on the ground that he is entitled to pass an examination held in India. "(ii) I consider it desirable, if possible, to have a mixture amongst the Indian members of the Covenanted Service of those who have received the best English training and those who have received an equally good and severe Indian training."

3387 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I do not accept the present mixed system of recruitment of Indians to the Imperial Service, partly by the competitive examination in England, and partly under the rules framed under section 6 of the Government of India Act, 1870, or under the provisions of the Indian Civil Service Act, 1861. My scheme is explained in my memorandum. I prefer a separate examination in India and the reservation to the candidates of that examination of the offices that I have already mentioned.

In case a simultaneous examination, and not a separate examination, is granted, the posts in the Imperial Service now listed for appointment under the Act of 1870 must continue to be so listed. In case a separate examination is granted with the reservation of certain posts for the Indian examination as suggested by me, this would not be necessary.

3388 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—I believe that the Natives of India, recruited by competition in England, have proved on the average as efficient as the European members of the Indian Civil Service of the same standing. Till now, I believe that they have been promoted to the superior offices in the same manner as their European brethren, though none of them has yet been appointed as a Collector and no District Judge amongst them has been appointed a Judge of the High Court.

3389 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I do not think that the old system of appointing Statutory Civilians under the Statute of 1870 should be revived. I have explained in my memorandum the method of recruitment. I do not consider it necessary to state my reasons for not reviving the statutory system which was condemned by the previous Public Service Commission, as I agree with the reasons given in its report.

3390 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—Only two persons, I believe, have been appointed to fill the listed posts outside the Provincial Civil Service, both of them as District Judges. It appears to be considered that others would not be qualified to discharge the duties of the offices in the Executive department properly, for want of the necessary preliminary training, and it seems also to be considered unfair to the members of the Provincial Service to exercise the power. There is, or was, also an impression that the one-fourth of the listed posts to which outsiders may be appointed must be interpreted to mean one-fourth number of the listed posts of each class, and not one-fourth of the total number of the listed posts. I think that outsiders, chiefly members of the Bar, would often be well qualified to be appointed to executive offices provided they have passed the necessary departmental examinations. I can see absolutely no reason for not appointing members of the Bar to judicial offices up to the full extent of one-fourth of the listed posts. I would certainly suggest that it would be very desirable to make some appointments to the office of District Judge straight from the Bar.

3391 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The system does not give satisfaction either to the members of the Provincial Service or to the public interested in the question. The members of the Provincial Service are not able to reach the superior listed appointments before they are considerably advanced in age, and they very seldom have an opportunity to attain distinction in those posts by Service for any time or to entertain hopes of further preferment. They, moreover, feel that they are regarded as inferior to the members of the Civil Service holding the same office, and they are generally not promoted to higher offices; and they are regarded as having obtained their admission to Service through an inferior entrance. Moreover, promotion to the superior listed posts is in practice, though not in theory, governed by the rule of seniority, and it is not seldom the case that oldish persons, whose career in the Public Service is about to end and who are no longer inspired by any ambition, are appointed to the posts. I am not aware that this system possesses any appreciable advantages, though, no doubt, it is possible to work it better than is now the case.

3392 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—If a better scheme to enable Indians to hold a fair proportion of the superior offices is not devised, I would suggest the annexure to the lists of the posts I have already mentioned.

3393 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration?—Yes, I believe they have proved, on the average, as efficient as members of the Indian Civil Service filling posts of similar responsibility. They have been employed both in the executive and judicial branches of the administration.

3394 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I have no remarks to offer, except the suggestion I have already made with regard to those who are to serve in the judicial branch.

3395 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—The present rules are all right, I think.

3396 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—It would be desirable to do so, if they have not already taken a University Degree. In the case of Indian candidates they would be less exposed to the risks of a stay in a foreign country without adequate supervision.

3397 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—I do not think a separate institution in England is necessary or desirable.

3398 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854, that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply

equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—I answer all the questions included in this in the affirmative.

3399 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—Except the suggestion which I have already made with regard to those who are to serve in the Judicial branch, I have no remarks to offer.

3400 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, Political Economy, (*c*) Accounts?—A scheme of instruction in Law should be provided for those who are to serve in the Judicial branch unless they are required to obtain a University Degree in Law or to be called to the Bar. Indian languages are best studied in India. Indian Geography, Political Economy and Accounts may be taught.

3401 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—In England, if the examination be held only in England.

3402 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I do not think it is necessary.

3403 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I think the present system is sufficient.

3404 (56). In the report on the Treasury Committee appointed to consider the organization of Oriental Studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district headquarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I do not think any of the reasons given is sound. There would be no difficulty in getting suitable teachers in district headquarters. For what a civilian requires, I do not think there is any question of the teacher appreciating the European student's point of view. The civilian should certainly be able to undertake arduous study in a tropical climate.

3405 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers? (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—(57 and 58). A system similar to what is now adopted in England for candidates who pass the examination there, may be adopted. I do not think that the period of probation need be required to be passed in England, but I have no objection to it if it is considered necessary or desirable. I have explained my reasons in my memorandum.

3406 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not think any differentiation is necessary.

3407 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—I think the present arrangements are satisfactory, but care should be taken to insist on proper knowledge of the vernaculars and on the candidates undergoing the prescribed training properly.

3408 (61). Is the existing system of departmental examinations suitable, and, if not, what change do you recommend?—I think the system is suitable.

3409 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—Some few members do attain to adequate proficiency in the Indian languages, but most, I believe, do not.

3410 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and, if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I have answered this question already: see answer to question (13). I may say that I do not think that any *study leave* for acquiring proficiency in Law would be sufficient or materially useful. If a recruit who is to serve in the Judicial branch is not required either to be called to the Bar or to take a Degree in Law, I would approve of study leave being granted, in order to enable an officer to be called to the Bar which must be insisted on before he is appointed a District Judge.

3411 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—If the officer has been called to the Bar in England or has taken a University Degree in Law it is not necessary to prescribe a special course of study. Otherwise he must be required to pass an examination in Hindu and Muhammadan Law, Contracts, Criminal Law and Torts, Revenue Law, and the Principles of Construction of Statutes. It would be sufficient if the examination tests the candidate's knowledge of the general principles in each of the subjects.

3412 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—Such officers should serve as District Munsifs for a period of at least three years, preferably five years. They should not be appointed as Subordinate Judges without having served as Munsifs.

3413 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

3414 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals.—No.

3415 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—The same system as for European officers.

3416 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

3417 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think that more care should be taken in excluding persons from offices above the rank of Sub-Collector and Joint Magistrate if they are not thoroughly fit for them. Persons who are incompetent or otherwise unfit, should be retired compulsorily with rigidity, at any stage of their service, on appropriate compassionate allowances if necessary.

3418 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable and, if so, in what directions?—There is no differentiation of the functions of the officers of the Executive and Judicial branches of the Indian Civil Service at present. I would make a complete separation. Those who discharge judicial functions, civil or criminal should be placed under the control of the High Court.

3419 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—I approve of the present system with the exception that in the case of the officers of the Provincial service who fill the post of Collector and District and Sessions Judge and other superior posts the salary should be the same as those of the members in the Indian Civil Service filling similar posts. Indians filling high offices have in reality, as far as I am aware, as heavy expenses as Europeans, and the maintenance of the dignity of the office also requires that all should have the same pay. I would not, however, press the exception.

3420 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I approve of the system suggested but I am not able to make any definite detailed remarks.

Written answers relating to the Provincial Civil Service.

3421 (1). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—In the rules framed for the recruitment for the Provincial Civil Service, the predominant principle should, in my opinion, be thorough efficiency and character; and the principle of representation of communities should have only a subordinate place. I would go further and say that no community should be made to believe that it has a right to any proportion of the posts in the service without being as efficient as other communities. It may be that in practice it may not be wrong to appoint a man possessing a modicum of efficiency on the ground of his belonging to a particular community; but this should not be done except in the case of inferior posts. I would suggest that there should be no enunciation of a principle of the representation of communities, though in practice it may be borne in mind in making appointments consistently with efficiency. This will enable the Government, as education advances among the communities, to make efficiency and character the sole test of fitness for appointments. It will also avoid misunderstanding on the part of more advanced communities.

The large majority of posts in the executive service should be filled up by competition. Some few places may be reserved for the promotion of officers who render particularly good service in the subordinate service and the remainder may be filled up by nomination.

The appointment of non-Natives to the service should not be made except for special reasons. Claim to promotion on the ground of seniority may be recognised up to posts carrying Rs. 500 a month. I have no other modifications to suggest in the Government of India Resolution of 1910.

3422 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*)

open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—As far as I am aware, the officers recruited by competition have been the most efficient. Some of those selected by nomination have been fairly successful, but not all. Those recruited by promotion from the subordinate service have generally been successful. I have already stated that I recommend competition as the main principle to be adopted for recruitment. I would have a separate examination for each province. Certificates of character should, of course, be insisted on and any undesirable candidate may be rejected. Subject to this the competition should be an open one. I do not approve of combined nomination and examination. It will not command the confidence of the public and is not likely to operate fairly towards all in practice. Too much importance is sure to be attached to family considerations. In this country there is even now not much difference between the training in life of the rich and the poor; and only a few years ago, the position of a person in the matter of wealth meant no difference at all, at any rate amongst the higher classes. Differences in training would depend mainly on the caste to which the person belonged. This is still very much the case. In more recent days, however, the children of official families have generally been brought up more carefully than those of others. I have on the whole, however, no hesitation in saying that competition would generally be the best method of recruitment.

3423 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—I think that ordinarily only residents of the Province should be recruited.

3424 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I think that all the classes are on the whole fairly represented in the Provincial Service. Native Christians, if they be regarded as belonging to a distinct community, have a slightly smaller proportion. The representation of different communities should have only a subordinate place in deciding the principle on which the appointments should be made.

3425 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—I consider the system of training and probation now adopted to be satisfactory.

3426 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—The departmental examinations are also, I think, satisfactory.

3427 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—If the system I have recommended in my answers to the questions relating to the Imperial service be accepted, I would enlarge the Provincial service at the bottom by including the posts of Tahsildars and Deputy Tahsildars in the executive branch and all second and third class Magistrates in the judicial branch.

If a simultaneous examination for the Imperial service be held in India, I consider it desirable to reserve for the Provincial service the posts in the Imperial service now listed for them, but the Provincial Civil Service need not be enlarged.

If neither a simultaneous examination nor a separate examination be granted, all the posts I have recommended in my answers to the questions relating to Imperial service to be reserved as far as possible for the Indian examination for the Indian Civil Service, should be annexed to the Provincial service. In that case I would not increase the cadre of the Provincial service at the bottom.

3428 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—In the Executive Service the theory is that appointments of Rs. 500 and upwards are filled up by selection without regard to seniority. As far as I am aware, many persons are not excluded, unless they are found to be distinctly incompetent or have been guilty of misconduct. In my opinion, it is not easy to make promotions by merit alone, particularly as the authorities in whom the right to make promotions is vested are often not well-informed about the qualifications, capacity and character of the officers.

In the Judicial service, promotion among Munsifs up to and including the second grade is ordinarily by seniority. Promotion to the first grade and to Subordinate Judgeships is in theory based on merit. But, although officers are sometimes advanced on the ground of merit, seniority generally prevails except in case of misconduct or gross inefficiency. It is not easy to apply the rule of merit; but I believe it can be enforced more strictly than is now the case.

3429 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestion to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I understand that in the Executive service it takes an unduly long time for even very good officers to rise to the superior grades, and many are not able to reach the highest posts. In my opinion, the posts should be so regraded as to enable an officer of fair capacity to rise to a salary of Rs. 500 at the end of fourteen years of service. The number of posts in the highest grades should be increased so as to enable a larger number of good officers to reach them than appears possible at present.

With regard to the Judicial service the number of posts in the higher grades should be increased. The pay of the lowest grade of Munsifs should, in my opinion, be raised to Rs. 250. I would also constitute a grade on Rs. 500, so as to make it more easy to apply the rule of merit in the matter of promotion to Subordinate Judgeships. I would also have the salaries of Subordinate Judgeships altered and have three grades of Rs. 600, Rs. 800 and Rs. 1,000, and make the number of posts in each grade equal. In Bengal, I believe, there is a grade of Subordinate Judges at present on a salary of Rs. 1,000. I would very strictly apply the rule of merit in promoting Subordinate

Judges to the office of District and Sessions Judge. I think that inefficient officers are seldom retired now before they complete their service. They should be retired on payment of compassionate allowances.

3430 (18). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The functions of the executive and judicial branches are not at present differentiated in the case of the Provincial Civil Service officers. I would completely separate the executive and judicial branches of the service and place all Judicial officers under the High Courts. I would also separate the two branches amongst officers inferior to Deputy Collectors, that is, amongst Tahsildars and Deputy Tahsildars and second and third class Magistrates.

3431 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?—I have already answered this question. If there be no simultaneous examination nor a separate examination, as suggested by me, the number of posts listed for the Provincial Service should be considerably increased as already observed by me. The system followed in making appointments to these listed posts is probably correct in theory, but less attention should be paid than is now done to the rule of representation of communities and to seniority, and more to efficiency and character.

3432 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—I am not satisfied with the system. Persons in the Provincial Service holding the listed appointments are treated as inferior to persons holding similar listed offices in the Imperial Service, in status and rank. Their travelling and tentage allowances and batta, and their official privileges, are inferior to those of persons holding similar posts in the Imperial Service. A badge of inferiority seems also to be affixed to them on the ground that they belong to a service characterised as inferior and known by a different designation. I would abolish all distinctions in the matter of rank, allowances and official privileges. I do not consider it necessary to avoid the use of the name now given to the service. My remarks are equally applicable to other Deputy Collectors also, who are not holding Imperial listed posts.

3433 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—The designation may not be satisfactory, but I cannot think of a better.

3434 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—The principle is generally suitable, but when members of the Provincial Civil Service hold the office of Collector or District and Sessions Judge or any higher office, I think, they should have the same salary as the members of the Indian Civil Service holding similar offices. My reasons are:—(i) That in the case of Indian incumbents of the higher offices their expenses are in reality now as heavy as those of Europeans. (ii) The dignity of the offices also requires that there should be equality of treatment amongst all holding them.

3435 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I have no remarks to offer except what I have already stated in my answer to question (17).

3436 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service?—If not, what alteration do you recommend? I can see no good reasons for not giving acting promotions. It is given in the case of Munsifs alone.

3437 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I do not recommend a time-scale of salary.

3438 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I approve of the arrangement except with regard to those holding the offices I have already referred to.

3439 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15 or 20 years ago? If so, to what is this due?—I would refer to two reasons for officers of the Provincial Service not taking all the leave available to them:—(i) Many of them are not able to live comfortably on their leave allowances having regard to their scales of pay. (ii) Many of them do not know how to take rest and do not employ travel as a means of doing so.

I think, however, they are taking more leave now than before.

3440 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—I think the furlough now allowed should not be curtailed. If the officers do not avail themselves of the furlough available, that is no reason for curtailing the period allowed; possibly this is a reason for not doing so. I do not think the total period of furlough allowed need be increased, but it is desired by the service, and I consider the desire reasonable, that with regard to the time at which the furlough may first be taken and the intervals at which it may afterwards be taken, the rules should be the same as with regard to officers in the Imperial Service and European officers in every service. With respect to the judicial service, they are not now entitled to privilege leave on full pay. They desire that they may be

allowed to take, if they prefer it, one month's leave every two years on full pay, instead of one month every year on half pay. I think that this may be allowed.

3441 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—The system is suitable, but I understand that there is a general desire in the service, which I consider reasonable, that half pay should be allowed for the whole of the period of three years of sick leave available to the officers.

3442 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—With regard to the executive service, I think officers may be enabled to retire after twenty-five years of service without the production of a medical certificate. In the judicial service, where the strain of work is particularly heavy, they should be allowed to do so after twenty years of service. It is to be remembered that officers are appointed to the judicial branch at a considerably later age than those in the executive service, the time of appointment being sometimes so late as the age of thirty-five or near it.

3443 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I approve of the principle, but I am not prepared to make any detailed suggestions.

3444 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I would make the maximum ordinary pension Rs. 6,000 instead of Rs. 5,000.

3445 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—I have already partly answered this question. I would compulsorily retire any officer of the service in case of inefficiency or physical or mental disability, appropriate compassionate allowance being granted to him. I would postpone the age of compulsory retirement to the age of 56 or 57 and say that there should be no extension at all. The present practice of extension, dependent on the favour of superior officers, is demoralising in its effects.

3446 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—I am not able to say how far members of the Provincial Service now subscribe to the Government General Provident Fund or to any other fund. I am of opinion that every officer should be compelled to subscribe to the Provident Fund and the Family Insurance Fund. This is required both in the interests of the State and in the interests of the officers themselves.

3447 (47). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—(i) I would add to the Provincial Civil Service the officers of the City Civil Court Judge and the Judges of the Presidency Small Cause Court. Their present position is anomalous. (ii) I have not made any suggestion about the mode of recruitment for the judicial branch. If the whole judicial branch is placed under the High Court, the recruitment may be made from the bar by a standing committee of the Judges. It may be possible also to consolidate the civil and criminal branches of the judicial service. I have not arrived at a definite conclusion of the subject. Consolidation will facilitate the training of the judicial section of the Indian Civil Service also.

Mr. P. R. SUNDARA AIYAR, called and examined.

3448. (*Chairman.*) I think you are a Puisne Judge of the Madras High Court?—Yes.

3449. Will you tell the Commission how you got into the Service?—I was a practising Vakil for a period of 24 years.

3450. What posts have you held other than the one which you hold now?—I was a tutor in the Christian College in Philosophy for a period of three years.

3451. Of what caste are you?—I am a Brahman.

3452. I presume that your scheme is embodied in the memorandum which you have put in?—Yes.

3453. And the subsequent answers you give are more or less an elaboration of your memorandum?—Yes.

3454. Are you in favour of introducing a Civil Service examination into India for Indians?—Yes, I consider that the best.

3455. I gather from your remarks that you do not favour a simultaneous examination in both countries?—I consider that the second best.

3456. You see objections to it?—It will not be enough to do justice to Indian aspirations and Indian claims.

3457. Do you say that from the point of view of getting results earlier?—For a long time, and when the ultimate results are reached, there will be counterpoises brought in which make it impossible to have any further results.

3458. Will you explain what you mean by counterpoises?—To explain myself, what I mean is that it will take a very long time for Indians to get a reasonable share of offices by means of a simultaneous examination; and when in course of time they have got a certain proportion it will probably be considered necessary to limit the number of Indians so that the result will only be that the time in which they can get the proportion will be very indefinitely increased, without their being ultimately able to get a larger proportion.

3459. So that you would suggest, as the first and best means, an independent separate examination with a fixed proportion laid down?—Yes.

3460. The fixed proportion being one-third?—Yes, the object is to enable them to get that if possible.

3461. But in some cases you would go so far as one-half?—I deal only with Collectorships. Sub-Collectorships might go to one-half.

3462. It would be one-half in some instances, and one-third in others?—Yes.

3463. Do you suggest that the subjects for this separate examination which you propose should be different from the subjects now in force in England?—Not very much, but there might be some differences.

3464. Differences so far as the characteristics of the Indian is concerned?—I would make the examination more Indian, while at the same time being equally stiff.

3465. Have you thought out any idea as to who the Board of Governors should be if that examination were held?—Yes. My idea is that the majority of them would be gentlemen in India probably connected with the colleges. There might be some examiners from England; but I consider the majority should be gentlemen who are in India.

3466. Representing the Senates of the Universities?—Not necessarily only the Senates. I consider the examiners should be generally gentlemen who are connected with the universities.

3467. You would recruit the Judicial Branch partly by means of open competition in England, and partly by nomination from the Indian Bar?—And the Indian Judicial Service. But with regard to recruitment from England I would give it only to English members of the Civil Service.

3468. You would leave that entirely to European members?—Yes. It is in order to have a fair number of European Judges that I would have a proportion of European members. I would not give them to Indian members.

3469. Do you suggest that directly the examination has been passed the candidate should decide which branch he should take up?—Yes, that is my opinion.

3470. With regard to your scheme for a separate examination in India, for a certain proportion of posts in the executive branch, you say that English candidates should be debarred from competing in India, but that Indian candidates should be allowed to compete in England?—That is what I have said.

3471. On what grounds do you make that suggestion?—With regard to not allowing European candidates to compete in India my reason is this: Englishmen are best had by means of an English examination which is suited to English lads. With regard to Indian candidates, while I have serious objections to Indian young men being sent to England at an early age, I think if they do go you should not reject them. Secondly, it would be a good thing to have a mixture of those who have received the best Indian and the best English education. I do not think there is any injustice to Europeans, because we are only asking them to get the best education that is available to them in their own country.

3472. You lay great stress in your memorandum on the maintenance of the British characteristics in the administration?—Yes.

3473. But you think that the maintenance of those characteristics can be better secured by Indians remaining in India than by their going to England?—I do not think it is necessary for people to be sent to England at an early age, though it might be a great advantage to send them at a later age.

3474. You think that they can learn those particular characteristics upon which you lay such stress even though they remain during their earlier years in India?—I think it is quite possible. I do not think it is much use to send them to England when they are not likely to learn much.

3475. You say in another portion of your memorandum that when they become eligible for appointments to the higher offices of Collectorships, and so on, they should then go home and get their training?—We may insist upon their going then.

3476. How many years' service would they have then?—Ten years.

3477. What would their age be by then?—Perhaps 32 or 34.

3478. You think that an Indian going home at the age of 35 would be more likely to learn British characteristics than he would be if he went at the age of 15 or 18?—Yes, decidedly more.

3479. Why do you say that?—Because I do not believe that when we send a man at the age of 19, when his character has been formed, he will imbibe British characteristics in the sense of becoming an Englishman. What is really required is that he should be enabled to observe institutions in England and to learn British ways of doing things. Observation is far more easily made when a man is older. If you send a student home at the age of 19 he will be merely engaged in "mugging up"; if you send him home at the age of 10 the period of unconscious plasticity may make him an Englishman.

3480. You do not think that he would not develop those qualities of observation until he is 35?—He would be able to profit by study and examine things in the country if he goes after the age of 30 or 34. But neither at the age of 19 nor at the age of 32 would he become an Englishman.

3481. You think that at the age of 35 he is more likely to assimilate what he sees?—Yes.

3482. With regard to District and Sessions Judges, you suggest that in future the posts should be held to the extent of two-thirds by Englishmen?—I would reserve one-third for the European Civil Servants. They may get more. The rest I would give to the best of the Bar and the Judicial Service. If there are not a sufficient number at the Bar and in the Judicial Service there is no objection to giving the posts to civilians.

3483. You are very anxious that the British characteristics of administration should be maintained here, and therefore you are anxious that the high standard and quality of the men who come out to occupy those posts should also be maintained?—Yes.

3484. If you reduce the number of posts to the extent you suggest, do you think there will be a danger of detrimentally affecting the popularity of that profession amongst Englishmen?—I do not think so. I would be quite willing to pay them higher salaries if necessary.

3485. You would be prepared to raise the salary above what it is at present for those particular offices?—Yes, if necessary; but I am not competent to say whether the present salaries would attract the best men or not.

3486. Are you desirous of seeing the communities represented in your scheme?—I have not made that a chief point in my scheme. I would very much like that there should be men of different communities in all grades of the service, but belonging to a community should not be the test.

3487. Do you not see any danger, in view of the present educational condition of the country, of an undue proportion of any particular caste being admitted?—It is possible that for some time to come the people of some particular communities may pass in larger numbers than people of other communities; but for my own part I do not think that there will be any harm in that. It will act as a spur to the people of other communities to work so that they may be able to obtain an equally good number of posts. On the other hand, I see great danger in recognising communities as bases for appointments.

3488. To a certain extent is not that principle recognised in recruitment to the Provincial Service?—Yes, because the posts are inferior; but I qualify that by saying that promotion must afterwards be made to depend upon merit, though you must recognise it in the first enlistment.

3489. Why do you emphasise the importance of appointment by nomination to the Provincial Service, whereas you do not consider it necessary in the Indian Civil Service?—I think that appointment by nomination is a far more serious matter in the case of superior appointments than it would be in the case of inferior appointments, because it would affect the efficiency of the service. Secondly, it is likely to create a very unhealthy feeling in members of some communities, that they have a claim to appointment, because they belong to a certain community and that their appointment should not depend upon merit and character. Thirdly, people of communities whose members are put out on the ground that other communities should be represented will feel very much discontented. Fourthly, it will lead to an unhealthy spirit between the communities; it will perpetuate divisions between communities, and probably tend to foster ill-feeling between them. Lastly, it will be a source of great danger to Government, by efficiency being lowered, and communities being dissatisfied, because I believe there would be a good many communities to be satisfied. I consider it my duty to warn Government of the principleof filling up the higher posts by nomination. With regard to the inferior posts the modicum of efficiency may be sufficient. All promotions should strictly depend upon merit only.

3490. Your proposal would mean the abandonment of the system of listed-posts, would it not?—No, I have explained that. If we are to have a separate examination I do not want listed-posts.

3491. I am assuming that your separate examination is brought into practice. In that case it would mean the abandonment of the listed-post system, would it not?—Yes.

3492. And would that meet with the general approval of the Provincial Service?—There will not be listed-posts; but I think that the Statute of 1870 might be used occasionally in cases of exceptional merit.

3493. But you would use it with great reservation?—Yes; because I expect the best to get in through the separate examination.

3494. For all practical purposes listed-posts would go?—Yes, they would go. The Provincial Service itself will offer a sufficiently high reward for all but those who are of exceptional merit.

3495. So that your proposal means that the two services are quite separated. A man who goes into the Provincial Service for better or for worse remains there for the rest of his life?—Only second-rate or third-rate men will go in for it; I safeguard the interests of those who are now there. My proposals are all subject to the reasonable expectations of those now in the service not being defeated.

3496. Would that not be condemning one branch of the administrative service of the country to inferior people?—I do not think they would be inferior.

3497. Can you conceive under your proposal that a really able and brilliant man would go into the Provincial Service if he thought he had any hope of getting into the Indian Civil Service?—He would certainly try for the Indian Civil Service.

3498. It would be only after he had failed for the Indian that he would go in for the Provincial?—Yes, and he would rise to Rs. 1,000.

3499. Do you think it is better to have these two quite separate services, one of superior men, and one of inferior men, than to have the two services interlocked, so that men can eventually go up to the higher services?—Having one service will make it practically impossible for Indians to rise to high posts. The service would be too long a one.

3500. You cannot see any modification of the present practice which would enable Indians to get through that service, if they show brilliant parts, with greater rapidity than at present?—Theories may be elaborated, but nothing will work in practice, I am afraid.

3501. (*Lord Ronaldshay.*) I am not quite sure whether I entirely understand your scheme in a certain particular. I understand that you desire to have a separate examination in India, and that you desire to fill certain fixed posts by recruits from that examination?—Yes, if they all get a certain number of marks that I would prescribe. The examination, besides being competitive, will require a certain proportion of the marks to be obtained by anybody who is to be appointed.

3502. But subject to that you desire to fill the posts which you name in your memorandum by recruits obtained from India?—Yes.

3503. What I want to know is this: Is it your intention to have a superior service containing certain scheduled posts, and to have these posts drawn up in two separate lists, one list to be filled by members of the service who passed in England, and the other list to be filled by members of the service who pass in India?—Yes, the scheduled posts would be divided into two. They are posts of the same kind. Once they are appointed they are all members of the same service.

3504. But you do not mention among your list of posts given here certain posts like that, for instance, of Accountant-General?—I wanted to add — I thought I should have an opportunity of adding – that some of the appointments under the Government of India should be added; I omitted to mention that.

3505. Then you are not going to have two separate lists of posts?—With regard to these appointments under the Government of India, I do not want to give them, necessarily, to those who pass the Indian examination. I should say they should be given to Indians where they are fit, but I do not want to reserve them in the same way as I have reserved the posts mentioned by me.

3506. They would not be reserved for the European side of the service?—No.

3507. Supposing that under your scheme it so happened that there were two European members of the Board of Revenue and two Indian members, and supposing one of the posts filled by a European became vacant, and an Indian was the next senior man for promotion, would you promote him to the vacant place, or would you pass him over in order to promote the European?—I would pass him over if there was a thoroughly efficient European available.

3508. There are one or two minor points in answer to question (53). You say that the probationer's course of instruction should be best spent in England if the examination be held only in England. What would your answer to that question be if you have two examinations, one in England and one in India under your scheme?—My opinion is that it is not necessary to insist on those who pass in India being trained in England. I find that the feeling of the majority of my countrymen is the other way. I would make this a subordinate matter. If it is thought that the young men ought to be sent to England, I would give in, though my own opinion is that it is far more preferable that they should be sent at a later time.

3509. Have you in India at the present time adequate facilities for giving successful candidates the necessary instruction during their probationary period?—I think that is easily arranged from the subjects that I see.

3510. You would anticipate no difficulty?—From the subjects that I see for the final examination, I think there would be no difficulty in arranging for facilities.

3511 Would you arrange for them at certain of the universities?—I think that would be rather difficult. I would arrange for it at one central institution.

3512. Where all the successful candidates in India should pass their period of probation?—Yes.

3513. In answer to question (104), you told us that Indians filling high offices have, in reality, as heavy expenses as Europeans. A European out here has far greater expenses in connection, for instance, with the upbringing of his children?—Yes.

3514. And therefore, so far as the maintenance of his family and the upbringing of his children is concerned, the European is put to a greater expenditure than the Indian?—Yes.

3515. I understand that you qualify what you said in your evidence upon that point?—No, what you mentioned is true, but, on the other hand, the expenses are increasing here; the prices of commodities have risen, and the Indian has other expenses which the European has not. The benefactions which he makes to his relations are on a much larger scale than what the European makes. I base that opinion on the fact that Indians are not able to save more than Europeans. We have to face facts.

3516. (*Sir Theodore Morison.*) May I ask you a general question? Of the half dozen, or so, first-class men whom you have known, of course I mean Indians, what proportion have gone to England for their education, that is to say, taking the first half-dozen men whom you consider in the first rank?—I do not know any.

3517. I am speaking, of course, of the Madras Presidency?—I have no experience of other Provinces.

3518. Do you think that among those who have gone to England the percentage of failure and disappointment has been quite large?—Yes.

3519. Why do you think that it is important to keep the door in London open for Indians, seeing that in your scheme it would not affect the number? The number of Indians who get in would be the same?—I allow for the proportion that would pass in England.

3520. If one gets in in London, you would reduce the number of Indians?—Yes.

3521. Therefore, as far as the proportion of Indians in the Public Service is concerned, the fact of the door being open to them in London is unimportant?—With regard to the proportion it is not important.

3522. Then what is the advantage of keeping the door in London open?—It is an advantage to have a mixture of those who have received the best English and Indian training.

3523. I gather that your evidence is rather that the Indian training is very much better for the Indians than an English training?—I would rather not say that it would be better, though it might be better. It would be somewhat different, but quite as good.

3524. Supposing this scheme of yours were adopted, would you then be willing that the examination in England should be framed solely to suit the requirements of boys educated in English schools and universities?—I would not be anxious that any special consideration should be paid to the needs of Indian students, because that would mean that they would go there when there was an examination here to which they could resort.

3525. It would be possible to eliminate from the examination things which are carried on at the present moment only out of consideration for the Indian candidates?—Yes.

3526. Supposing the system is not changed, would you be in favour of including an Indian vernacular on the same terms as German, French and Italian?—I doubt it. I do not know whether I am competent to pronounce an opinion, but my inclination is against including Indian vernaculars for the first examination on the ground that at the present moment there is not very much of modern literature.

3527. This arises out of answers which one of the witnesses has given me: are you of opinion that it would be possible to give a good modern education in any of the vernaculars of this Presidency?—No.

3528. Do I understand you to say from your note that you think the stigma of inferiority which is

said to attach to the Provincial Civil Service arises out of the fact that they only get two-thirds of the salary when they get to the listed posts, and because they cannot rise to the top posts?—Not on account of the fact that two-thirds salary is given.

3529. That is unimportant?—I do not consider that important. I think the stigma is not due to that.

3530. You do not think that it is important?—No.

3531. How about the fact that there is a limit to their rise?—Am I right in supposing that you mean stigma attached to them even after they rise to the listed-posts?

3532. We have often heard it said in evidence that this branch—the Police Service and the Provincial Service—are regarded as inferior?—Yes, they are regarded as inferior services.

3533. I want to know what the grievances and hardships were from which this impression arose?—There are differences on a number of small points which seem absolutely unnecessary.

3534. You mean a number of little differences?—Yes, that is one thing. My opinion on this matter is only derived from others. The civilians appear to treat the members of the Provincial Service as inferior men who are not entitled to be treated as of their class.

3535. But that is social?—Both in social and in other respects. They do not treat them with proper respect as officers. When they are promoted to listed posts it is regarded as a mere piece of favour; that it is not meant really that they are entitled to rise; that they are not appointed as members of the Indian Civil Service when they are appointed to listed posts, but that they are only appointed to a particular post. It is one of my chief ideas that if people are appointed to listed posts they must, when they are appointed, become members of the Civil Service, with all the rights to subsequent promotion.

3536. Do you think that the behaviour would be very much modified by the method in which they entered?—Not by the method in which they entered. The man's chance is not so good. I know of hardly anything which, in practice, induces an official to treat him as his equal as that he may also rise to the top. Social barriers will still exist. The best thing, I think, which we can do to enable Europeans to overcome that is to make them feel that the Indian is likely to get on as well as they, and to have as much influence as they.

3537. Has the same complaint been made in your hearing with regard to the treatment of members of the Indian Civil Service who enter by the London door?—In a much less degree. It would not be as regards official treatment, but only as regards social treatment.

3538. (*Mr. Chaubal.*) Supposing your scheme of separate examination in India is adopted, do you not think that the present number of Indians who go and avail themselves of study in England would be materially diminished?—Yes. As far as those who go for the Indian Civil Service are concerned, they are now going for a number of other purposes also.

3539. But I am speaking only of what we are now concerned with. You are thinking of having a separate examination here for the purpose of the services; let us, therefore, confine ourselves to that only. Even if that examination, according to your proposal, were started, then you would naturally expect that the number of people who at present go to England to study, and come through the English door, will be materially lessened?—Some would not go, but some people would still go, because they would like to have the coaching there.

3540. That remains to be seen; that is not a thing which we have seen?—I only say what appears to me to be likely.

3541. That is only a guess; but it is certain that some people will not go?—I think that is so.

3542. With respect to what you were speaking about, namely, persons going to England at an advanced age and assimilating the spirit of British administration, is that your own surmise, or have you any instances of people having gone out at advanced ages and assimilated?—A very few.

3543. That is only a surmise?—Yes, but it must be so.

3544. With regard to the question of salary, if you are going to have, according to your scheme, a separate examination for Indians in India, and if, as in answer to another question you admitted, the salary question is not so much a point of discontent, do you not think that it is in the interests of the revenues of the country that the Indians should serve here in this country on a less salary than Europeans do?—According to my scheme the difference would be very little. I do not increase the present number of posts; I only distribute them between Europeans and Indians.

3545. I am speaking only with respect to the salary question. You say in your written answers that you have reserved the higher posts?—You will observe that the higher posts I speak of are exactly the posts which are now reserved to the Civil Service. There is, therefore, no increase of expenditure caused by my scheme.

3546. I am speaking of two-thirds, and one-third?—Yes, there would be a little gain, but the gain would be inappreciably small. I am only asking for the same pay for those who have Collectors' and District Judges' posts and the higher posts.

3547. Let us, first, have the principle clear. Would it not be an advantage to this country, if you got equally efficient men, that the country should be served by those who cost less, equally efficient but less costly?—From a financial point of view alone it would be an advantage, but I think that where the difference is small it is right and proper that all members holding the same posts should be treated equally well. If the difference were large, the question of finance would affect my opinion.

3548. When you propose, as you have done in another part of your answers, that in a certain service the European element should be confined to one-third, and the Native to two-thirds, I do not quite follow what you mean by the difference of two-thirds and one-third?—I intended that it should be the same; but I think I have stated that I do not make this question of pay a matter of the first importance. If it is found that the difference in the expenditure is very large, then the question may very well be considered, and I would not say that the pay must be necessarily the same, because they filled the same office. It is a question whether any feeling on the part of those who get less pay is worth the saving which is effected.

3549. If you will kindly answer my question direct it would be much better. You advise and recommend in a certain service that the proportion of the European and Indian elements should be one-third and two-thirds; is that so?—It is not exactly that. My contention is that Indians should be allowed to get one-third or more. That is what I say.

3550. Indians one-third and Europeans two-thirds?—It may be that Indians may get more.

3551. Assume that it is one-third or two-thirds. Would you be satisfied if they received two-thirds of the salary?—I prefer that they should have the same salary; but if the difference to the Government were large, I would waive the matter.

3552. You prefer that it should be the same salary?—From the post of Collector upward.

3553. So that it is only with regard to the listed-posts that you want the same salaries?—Yes.

3554. In this Presidency some years back the Tahsildars exercised powers, both civil and criminal?—Yes.

3555. How many years back is that?—I should think about 15 years.

3556. Then on this question of the separation of Judicial and Executive in this Presidency I think there has already been a trial as far as the lower magisterial grades go, has there not?—Yes.

3557. In this Presidency there has been, I think, a severance of the criminal and the executive as regards second and third class magistracy by substituting what is called a stationary magistrate?—Deputy Tahsildars are also Sub-Magistrates.

3558. Is he a higher officer?—He is subordinate to the Tahsildar. He is often also a Sub-Magistrate.

3559. That is a second and third class magistrate?—He would generally be a third-class magistrate.

3560. Does a Deputy Tahsildar still have magisterial powers?—Not in all places, I think.

3561. But a commencement of the separation of the two has been tried in the lower branches here?—Yes.

3562. What is your impression with regard to that trial? Did it cost more having the system of a stationary magistrate? Fifteen years ago Tahsildars exercised both civil and magisterial powers. At present magisterial powers are not exercised, but a stationary magistrate is appointed who exercises magisterial powers. Did it cost the Government any additional expenditure?—I think I cannot go into the question of what it did cost; I have not gone into that.

3563. As far as your personal opinion is concerned, you have no objections to the same system being tried in the higher magisterial branches?—I think it should be tried.

3564. Roughly speaking, how long has English and Western education been going on in this Presidency?—For about fifty years.

3565. To what extent has the Western spirit of civilisation and culture taken effect on account of this education?—It has profoundly affected it.

3566. Speaking with reference to the representation of communities, you say that the time will come when these elements may be neglected, because a great advance will be made by these communities?—Yes.

3567. My question to you is this: do you find such an advance made now after fifty years?—I think that the feeling with regard to the representation of the communities is of recent origin, but that it will pass away as all communities reach the same level of advancement.

3568. I want to know how much it has decreased in the last fifty years?—It has increased during the last fifteen years.

3569. But you expect that it will disappear?—I think so.

3570. What are your grounds for that belief?—I am of opinion that the chief members of the community will realise that it is to the advantage of all communities that there should not be such differences, and that the communities which are said to be backward will advance and be able to hold their own.

3571. Is class bias disappearing?—If you mean on the part of officials, I do not think there is class bias, or at any rate, very little of it.

3572. (*Mr. Gokhale.*) Supposing the separate examination which you advocate was to be had only on condition that selected men must proceed to England for a two years' probation, you would have it on these terms?—Yes.

3573. You would not insist upon the men postponing their visit to England until they were 34 or 35?—No.

3574. If you cannot get such an examination you would have a simultaneous examination?—Yes.

3575. Your objection to a simultaneous examination is not that it would swamp the service with Indians, is it?—No; but that it will not be sufficient.

3576. It is really the reverse?—Yes.

3577. And you think that for a long time Indians will not get a fair share; one-third, or whatever it is that you advocate?—That is so.

3578. A question has been put to you about the possible effect of reducing the number of places which are offered for competition in England on the quality of the candidates appearing for that examination?—Yes.

3579. At one time the number was much smaller, was it not?—Yes, that was so.

3580. But the number has gone on increasing?—Yes.

3581. And there was no perceptible falling off in the quality of the men in those days?—That is so.

3582. Taking forty years, and dividing it into periods of five years, are you aware that there were about 34 places offered annually to successful candidates in the five years preceding the year 1879?—Yes.

3583. And then the number fell to about 26?—Yes.

3584. But for the last five years the number has been 54?—Yes.

3585. So that even if you reduced the present number by half—from 54 to 27—it would still be what it was after 1879?—That is so.

3586. Do you expect any falling off in the quality if that happened?—No.

3587. You say you insist on the principle of open competition for the highest posts, whether here or in England?—Yes.

3588. Is not one of your reasons this, that where the work of Indians has to come into comparison with that of Englishmen, only our very best men should be there?—Yes, that is one reason.

3589. Otherwise if inferior men found their way there the whole Indian race would be discredited?—Yes.

3590. That happened in the case of the Statutory Civil Service?—Yes.

3591. In answer to Sir Theodore Morison you said that if a separate examination was established here you would eliminate certain subjects from the London examination which were specially favourable to Indian candidates?—Yes.

3592. About how many subjects are there altogether?—There are 38.

3593. Out of that number how many lean especially towards the Indian student?—I do not know whether there are any except Sanskrit and Arabic.

3594. And to the British candidate who appears at that examination, and has to spend his life in India, would not the study of Sanskrit and Arabic be better than that of any Continental language?—I do not doubt it.

3595. So that from the standpoint of the English candidate himself you would not have to eliminate them?—I would not object to any elimination.

3596. Would your answer be that there are no subjects in the list which are there especially for the sake of Indian candidates?—If I had to decide it I would say not.

3597. With regard to class feeling, is it not your experience that communities which are educationally backward, and which have just begun to come under the influence of higher education, naturally show dissatisfaction with regard to their position?—That is the fact.

3598. When education increases, and they come to an equality with advanced communities, the feeling begins to disappear?—Yes.

3599. Therefore, when higher education spreads among educationally backward communities you do not anticipate that much of this feeling will remain?—No.

3600. (*Mr. Sly.*). Your note is very full, and there seems to be very little to ask, but there are one or two statements upon which I should like to get some further information. In the paragraph on "fitness of Indians for high offices" you say,—"I need hardly add that every kind of administrative work is being performed by them in the Native States constituting a third of the whole country." I want to ask you whether in the large majority of cases the Indians holding high positions in the Native States, and administering them, were not picked men, trained under conditions of British rule in British India?—Yes, but serving as Indians do now.

3601. Then in dealing with simultaneous examinations you say,—"I would abstain from putting an undue strain on the feeling of justice of examiners who have probably never seen India, and are unacquainted with the Indian character and the Indian mind." Will you tell me what you mean by that?—I mean when the examiner is unacquainted with the candidate you would have to depend merely upon his sense of justice. I have no doubt that the English examiners in England would do their best; but supposing some kind of mistake is made by an English candidate, the examiner would know how to regard it. He perhaps would not regard it seriously, knowing, as he does, the students in England. But he would know nothing about the Indian student. Although he would try not to diminish the marks in appraising the paper on account of a slight mistake, in the case of the Indian he might not know what exactly to do.

3602. That being the case, do you not think that if simultaneous examinations were introduced it might leave some such similar feeling of injustice on the part of Indians with regard to their treatment in such an examination?—There would be that difficulty. That might be one of the dangers of introducing it.

3603. Particularly if Indians failed to get in by that method in any substantial number. In that case it would create a certain amount of difficulty?—That particular difficulty will probably exist in a larger degree than it now does, because now students go to England and have lived there for one or two years and made themselves acquainted with the way in which English professors think, and so on, and probably the English examiner would know something of the students who are living there.

3604. You have advocated a scheme for separate examination for the whole of India. As far as I am aware, there is only one examination in India at the present time which is conducted more or less on the lines that you suggest, and to which the same parallel can be drawn with regard to the results which would accrue under your scheme, and that is the open competitive scheme for appointments in the Finance department. We have got some statistics which were given to us yesterday with regard to that, from which it appears that seventeen out of thirty-three vacancies were secured by the inhabitants of Southern India; that is, more than half. Now, if a similar result should follow your scheme of separate examination in India, more than half the admissions would be inhabitants of Southern India. Do you consider that that would have any prejudicial effect upon the Government of the country, particularly with regard to the feelings which would be created amongst the peoples and races of Northern India and other parts?—In the first place, I do not think that that would be the result with regard to the competitive examination I am referring to. The people of some districts in Southern India have a special aptitude in the subjects that are required for a financial examination; but with regard to the subjects for the Civil Service I do not think they would be likely to get in in large numbers; and secondly I do not think that the people in other parts of the country would object to Southern Indians serving there. We have Bengalis serving here, and I do not believe there would be any objection to Madras people being employed in other parts of the country.

3605. Can you tell me how many Bengalis are serving in the service here?—There are four or five, I think.

3606. The percentage is very different?—I do not see why we should object to Bengalis governing while we have got all classes of people governing us.

3607. Another point comes out, namely, that of those seventeen of Southern India who got in, the whole, without any single exception, were Brahmans. Do you think under your separate examination that if, not the whole, but a very large preponderating portion of the successful candidates were Brahmans, that would have

any real effect upon the feelings regarding the Government of the country?—I do not think it will, provided that the feeling is not fostered that people have any claim on the ground of community. That feeling has come into existence recently, and has been fostered, to some extent, by representation of communities being allowed.

3608. Do you not think that one of the reasons why that feeling has come in recently is because some of the more backward classes are now getting to a great extent educated, and to realise more fully the position than they did in the old days under the more strict principles of the Hindu religion?—Those who have been educated have really got quite as large a share as they could possibly get having regard to the numbers that are educated. It may be that some of the educated people of those communities are thinking of the times when their people were kept down. Part of the reason for the race feeling which exists may be due to that.

3609. Part of it?—Yes.

3610. You, I dare say, have heard it stated, as others have heard it stated, that this race feeling, which has increased to a great extent in recent years, has been fostered to some extent by Government action?—I think so.

3611. You think it has?—Yes.

3612. You think that Government has deliberately endeavoured to foster a race feeling?—Ignorantly, I would say.

3613. But it has done so?—Yes, I think so.

3614. With regard to the probationers' course in England, can you tell me whether there would be any difficulty in giving, in this Presidency, a course of instruction in law, including not only Indian law but the general principles of jurisprudence, to probationers out of India?—Absolutely none.

3615. You are acquainted, pretty fairly, I believe, with the Judicial Provincial Service, and its method of recruitment of Munsifs from the Bar?—Yes.

3616. I should like your opinion as to whether you think the class of candidates attracted by the Provincial Civil Service is about the average, or above, or below, the average of the Bar?—We are able to get men of very fair intelligence, and some are very bright.

3617. It does not attract the best talent, does it?—Not the best, if they are able to get business. Some of the best are not able to get business, and that is why I said that we got some very bright men.

3618. In answer to question (37), you say that Provincial Civil Service officers, Indians who are advanced to listed posts, are advanced at too great an age to do themselves justice: at what age do you think an Indian should ordinarily succeed to the responsible post of Collector or District and Sessions Judge?—About 45.

3619. Would you be surprised to hear that the average age of recruitment of officers who have succeeded to those listed posts has been actually 43 years of age, so far as the Judicial and Executive service is concerned?—Those whom you refer to were recruited by competition, I believe.

3620. I mean that so far as the promotion to listed posts in the Provincial Civil Service is concerned, both Executive and Judicial, the average age has been 43?—In order that the figures may give correct information, it is necessary to bear in mind that for some few years there was competition here for the Provincial Civil Service. Then some young men got in. They might have been able to rise early; but those who were merely selected from the service as Collectors, and those who were appointed District Judges, have generally been appointed late.

3621. Therefore the present system does result in their getting appointed at too advanced an age?—Yes.

3622. (*Mr. Madge.*) You have stated that more is absorbed by observation at a later period of life than by instruction at an earlier period of life. May I take it as a corollary to your opinion in this respect that the general opinion that certain moral qualities are better absorbed during the more impressionable years of a man's life is a mistake?—No, the two are quite independent. One speaks of moral dangers, the other of the power of being able to benefit by staying in a foreign country and studying its institutions, comparing them with institutions elsewhere, and in what directions the people of that country are superior. The other is quite different, the people being there at the time when they are particularly susceptible in a moral sense.

3623. Do you not think that moral qualities acquired early in life, which help to mould character, contribute to greater usefulness throughout life?—Eighteen or 19 is too late for that. You must either send a person when he is still very plastic, when his character is not formed, or you must send him later than you send him now. It would be preferable. I have already said that I would waive that point if it is considered necessary to send them as soon as they have passed their examination.

3624. In the paragraph on "Fitness of Indians for high offices" you have said, "I have no doubt that they will realise that to do so is a greater title to glory than to regard their Indian fellow-subjects with contempt as members of an inferior race." You state a conditional thing here: you do not state as a matter of fact that it is your opinion that any European officials do regard their Indian fellow-subjects with contempt?—I see signs of a change for the better.

3625. Do you not think that any feeling that you call "contempt" here may be a kind of recognition of an inferiority as regards particular objects in life than as regards character?—I am sure that it is owing to a want of proper understanding that they regard them as inferior in character too. They do not understand the people: they move so little among them.

3626. A great many Englishmen think that persons of all other races, including French and Germans and Russians, and everybody else, are inferior to them in certain business capacities, and that opinion, whether right or wrong, is extended to this country?—Yes, there is that, I quite agree; but it is more on account of their not having opportunities of understanding them well that they consider them inferior in character. That is my opinion.

3627. As regards simultaneous examination in the two countries, has the state of education in this country been such that you cannot produce the kind of tests adopted by the Civil Service at home? Do you not think that if simultaneous examinations were introduced the result to the

Civil Service would be disastrous?—I do not see that. The people here may not be able to pass in large numbers. I do not quite follow you when you suggest that the result would be disastrous. The result of that would be that many people here would not be able to pass.

3628. Under the heading of "The Provincial Services" you say "It is clear that according to this scheme the Provincial Service will continue to be separate from the Imperial Service as now." I should like to have your opinion as to whether it is desirable to maintain this distinction at all; whether there should not be one Civil Service: I do not mean in the very inferior ranks?—If there is one Civil Service, Indians will not be able to rise to the highest posts. One reason why I do not want them to be amalgamated is that people will not then be able to rise rapidly.

3629. Then you think that it is in the interests of the people of the country rather than of the administration generally that there should be a distinction?—No, in the interests of administration equally, and of justice to the people. It is my opinion that the administration would be improved if there were more Indians.

3630. I gather that you are of opinion that the feeling of certain communities against others in this country is giving way at the present moment?—Just when the climax is reached they are able to understand that all this is a disadvantage to them. The feeling has been rising for some time. I think the people of the communities are beginning to see that it is not to the advantage of any community that there should be this feeling.

3631. You are speaking with reference to Madras?—I am only speaking with reference to Madras.

3632. As regards the feeling of the lowest class of the people, who are supposed to be excluded from the enjoyment of any privileges, what prospect is there of that feeling dying away?—Do you mean that the higher classes do not want them to rise to anything?

3633. That would appear to be a right inference to draw from the fact that people refuse to travel in the same train?—Not at all. Panchamas and the higher castes travel every day together.

3634. Have you not heard of any instance in this Presidency of a demand being made for a separate carriage?—That must be a demand on account of convenience; but at the present day they are both travelling together. I do not think that any of the higher castes have any objection to Panchamas occupying any position for which they are fit.

3635. (*Mr. Abdur Rahim.*) With regard to the feeling of the Muhammadans in this Presidency, am I right in supposing that, so far as the educated portions of the two communities are concerned (I do not mean only those who are educated at the colleges), there is a considerable harmony of feeling between them?—Yes. Perhaps my remarks may have led to an impression that I thought there was some feeling between Hindus and Muhammadans. I rather referred to the different sections of the Hindu communities.

3636. I wanted to clear that up. As regards the masses of the Hindus and Muhammadans, the uneducated portion of the community, can you tell me what is the state of feeling between them?—There is perfect good feeling except to some extent when there is a religious procession.

3637. Do you think that those outbreaks are of a local and temporary nature?—Absolutely.

3638. And not due to any abiding feeling of hostility between the races?—It is not due to any feeling between the races. The religious feeling becomes strong at times and each party becomes unreasonable.

3639. Among the responsible leaders of the communities there is a considerable desire to efface any feeling of difference that may exist?—There is a strong and growing desire, except that Muhammadans think that they may ask for places and that they will get them.

3640. That, I suppose, is more or less natural?—Every one would do that.

3641. I should like to know what your opinion is with regard to the criminal work which is done by the subordinate magistracy in this Presidency; but first I would refer to the Indian Sessions Judges?—Generally it is very good.

3642. What about the subordinate magistrates?—So far as they are concerned, I am not quite satisfied with the class of men that we have, but they are not wanting in capacity.

3643. They have not a very good reputation generally?—Not yet, though their reputation has improved.

3644. Has not there been a very large percentage of reversals of the convictions of submagistrates?—I have not noticed it particularly. There is a considerable percentage of reversals, but I have not noticed that the percentage has increased.

3645. Is it about 44 per cent.?—Possibly it is so, but I do not know that they have increased.

3646. Do you think the combination of the two functions, executive and judicial, tends to the deterioration of the work?—Yes.

3647. Is that your experience at the Bar as well as upon the Bench?—Certainly from experience at the Bar, and from applications I have had on the Bench, the impression is the same, and it exposes magistrates to suspicions on the part of the people. Apart from the fact of their being affected or not, it exposes them to suspicion on the part of the people.

3648. In your experience is that a serious evil which ought to be remedied, if possible?—I think so.

3649. Is there any foundation for the idea, so far as your experience goes, that Indians are not, generally speaking, fit to discharge the duties of a criminal judge efficiently?—So far as I am aware, there is absolutely no foundation whatever; and I am not able to understand how it can be, that if civil judicial functions can be discharged by them properly, why they cannot discharge criminal functions properly also.

3650. Take the work of the Sessions Judges. There are fewer Indian Sessions Judges than European, are there not?—Only a very few.

3651. Taking them as a body, both Civil Service men, as well as the men promoted from the Provincial Civil Service, what do you think of their work as Judges in criminal cases?—It is very good. On the question of punishment the ideas of men are undergoing a change now, and

sometimes we in the High Court may think that the punishment has been rather lenient. On the other hand we sometimes think it is excessive.

3652. Would it be correct to say that the High Court has found the work of Indian Sessions Judges very defective?—Not at all, as far as I am aware.

3653. As comparing their work with the work of European Sessions Judges?—I do not think that there is any difference.

3654. I should like you to assume that I consider the efficiency of the Public Services as the first consideration in dealing with questions of recruitment, and that I do not give the necessity for class representation any extravagant position. You have, I believe, had considerable experience of the recruitment of the Judicial Bench of the Civil Service: I should like to know your opinion as to whether you consider that satisfactory?—Yes, it is satisfactory.

3655. I mean the mode of recruitment?—The mode of recruitment is satisfactory.

3656. District Munsifs are not promoted, or, at any rate, not supposed to be promoted as a matter of course, to Subordinate Judgeships by seniority?—Practically they are people who are excluded on strong grounds. Except theoretically it is by merit: it is generally by seniority.

3657. That is why I said they are "not supposed to be." As regards the listed posts, would you approve of Subordinate Judges being promoted on the ground of seniority?—I would not approve of that. I am afraid, however, that it will be so. Seniority will practically prevail.

3658. Does it prevail at the present time?—I think that practically it does. A man may be excluded sometimes, but generally seniority prevails.

3659. In your opinion it ought not to be like that?—No, I do not think it ought to be.

3660. Bearing these facts in mind, I should like you to apply that to your scheme. The Subordinate Judges exercise much larger jurisdiction than Munsifs, and therefore it is right in principle that Judge's when you make appointments to a Sub- Apply place we ought to be free in our choice. ou know that to the executive administration. logous to that a District Collector's position is a ou are to the District Judge's position. If you would select men for a District Judge's pla le?—Yes, I like to have a free choice on pri would appoint should like that.

3661. That is to say that yo er ranks of the men who have been tried in lo ves fit for that service and have proved thems position?—Yes.

3662. In appointing memb s of the Board of Revenue, the principle is to ppoint men who are the best to be found in t e service from the ranks of Collectors?—Yes.

3663. In your scheme of eparate examination, I understand that you a opt the principle which now prevails in the Ind an Civil Service? —I think I add that inefficien men must be got rid of, and merit must be looke to. lsory retirement

3664. You mean the comp of inefficient men?—Yes. ent principle from

3665. But that is a very diff his reason, that I free selection?—I added it for ciple with regard understood that the present pr tors was that it to the appointment of Colle on seniority. depended upon merit and not u

3666. No; the Collector's place is in the ordinary course of promotion. That is the present basis of the Civil Service?—I am afraid I have been under a misapprehension; in which case I should be ready to add, when it comes to the office of Collector, that a man should not be entitled to it as a matter of course.

3667. With regard to that, applying it to Englishmen, you would be very much knocking the whole system on the head if you excluded Collectorships from the list of posts to which they can rise by gradual promotion. You would not expect English recruits of the class we now get to come out in expectation of being Sub-Collectors?—Merit must be looked to; but if you are not able to apply it on the same scale, you cannot help it.

3668. In the case of English recruits you would have to abandon it?—No, there would be less necessity.

3669. It may be quite reasonable to say to a young recruit that if you are found to be inefficient you shall go on pension or on some other conditions like that. It is very different to tell them, so far as ordinary promotions go, that what they can expect is something below a Collectorship?—I see your point.

3670. Do you see the difference between the two?—Yes.

3671. And that has a very great influ ce on those who come out?—Yes.

3672. As regards Indians need fear no difficulty?—That is so. be quite ready to take

3673. Indians wo You can therefore apply their chance?—X more strictly.

the test of merit would be your objection to

3674. service in India, that is to say, admitformin dians to the Civil Service examination in tingia, and trying to form a service in India beginning, say, at the grade of Deputy Collector?—If you begin with that grade it will take them too long to be able to rise to higher posts, unless you restrict the number which would be just enough to fill the higher posts.

3675. On the other hand, the greater the number of Deputy Collectors that you select after a trial, the better it is for the higher appointments?—I confess that I have no confidence in our being able to overcome the principle of seniority in practice, especially when those who are to make the promotions may be people who really do not know much of the officers.

3676. The difficulty, in your opinion, then is so great of making selections from tried men that you would be content to take the chance of untried recruits?—No; I think these young untried recruits would prove satisfactory; and although many of them may have to be excised, you still would have a large number from which to obtain a good staff for the higher posts.

3677. You say that many of them would have to be excised?—I would do that. I would apply it with more severity than now, but I would not make the right to insist on merit a chief means of doing the thing properly. I would have a staff of men who in themselves are likely to be very good.

3678. I would appeal to your experience at the Bar. Do you know how many are called to the Bar and how few are chosen?—They are enrolled here, they are not "called" to the Bar.

3679. I am simply using a usual phrase Of men who are tried in the service, and are tried at the Bar some are found to be wanting. A large percentage of those who are tried at the Bar are found to fail. Why should you presume that the man tried in the service will not fail but will rise to the highest expectations?—In the first place the Bar supplies an expert service from which you choose. The qualities of men are much more easily discerned. You have also got persons to choose who know more of the people amongst whom they move than probably you would have in the executive service.

3680. Let us test this. You say that at the Bar the Bar supplies a very good test?—Yes.

3681. I go further and say, a most rigorous test. In the service the test is not so rigorous, is it?—I should doubt that in doing the work of a Deputy Collector the test is quite as good.

3682. Is there not a considerable difference between one Deputy Collector and another?—There is; but it is not so easy to see the difference in actual practice in that direction as it is to see the difference between members of the Bar.

3683. Why do you suggest that the Collectors under whom they are serving would not be able to find out the merits of their subordinates, if they have any power of discrimination?—It is because the higher officers have not got a sufficient knowledge of the work of the various people under them.

3684. That is another matter. We are trying to get as competent men in the different places as we possibly can. It is not due to want of confidence, but to the existing conditions. It may be that the difficulties could be got over by an effort. It is the result of the conditions, and not want of ability on their part.

3685. Under your scheme there would be a fairly large number of Indians as Collectors?—One-third.

3686. Would they not be in a position to know their men?—Yes.

3687. As much as the High Court knows the pleaders?—Yes.

3688. What I am suggesting to you is this, that it may be possible to devise one scheme of service, instead of splitting up the service into higher and lower?—I could not answer that question unless I know what the scheme is.

3689. The scheme might comprise Deputy Collectors, and then give those Deputy Collectors certain appointments as Collectors?—I rather feel that practically speaking it would not be possible to work it satisfactorily.

3690. Do you see any other objection to it?—If it would give an opening to the best men of the country to rise to the very highest offices, I see no objection to it.

3691. I understand you would allow equal salaries to Collectors and District Judges?—That is my own opinion.

3692. Would you object to Englishmen recruited from England getting somewhat more than men occupying the same position in the Indian Civil Service?—I said that I regarded it as a subsidiary matter.

3693. Supposing it was one service, would you still insist upon competitive examination?—You might have some places for nomination. I cannot conceive any scheme which would be less objectionable in practice than competition.

3694. What about the selection of District Munsifs by the High Court?—It is because you have got an expert service at the Bar. How are we to recruit the first people to come into the Provincial service.

3695. It is possible to devise a board which would be above the charge of favouritism?—Unconscious favouritism there will be. Such a board might be misled. The result would be favouritism; not on their part, but on the part of somebody else.

3696. (*Sir Valentine Chirol.*) There is one question arising out of your statement I should like to ask you. You made, I think, the somewhat vague statement that a growing mistrust and ill-feeling between the different communities has been fostered by the Government of this country, but you qualified it afterwards by saying that it was done "ignorantly"?—From the beginning, I meant it.

3697. But that is your view?—Yes.

3698. Are you aware that it has been stated on the other hand, that that distrust and jealousy has been fostered by a tendency amongst a very influential class of Brahmans towards a revival which has been aggressive towards all those standing outside caste which tends to discord and strife?—It is an entire mistake.

3699. Are you aware that that statement has been made by a distinguished colleague of yours in the High Court?—He may have said it, but it is not my opinion.

3700. But you will admit that his statement is one which I, as an outsider, am entitled to give the same consideration to, as I do to your statement?—Certainly.

3701. (*Sir Murray Hammick.*) Would you tell me what you exactly mean by a separate Judicial Service under the control of the High Court? What do you mean by control? Do you mean appointment, punishment, and dismissal and suspension?—I have not worked it out thoroughly, but that is what I mean.

3702. What I should like to ask you is this: your knowledge of the Judicial arrangements of other countries is considerable, do you know of any country where the High Court appoints magistrates?—The Lord Chancellor does, but no doubt, he is a member of the Cabinet.

3703. What I want to know is whether the High Court appoints Judges?—The Lord Chancellor is the highest Judge.

3704. And officer. Do you know whether in any country in the world the High Court controls the magistrates?—I do not know; but if there is not I should not consider that an objection.

3705. You would make the experiment here?—Unless I have not myself see any serious objection. I mind. worked it out fully in my own

3706. I understand that the Service you recommend is to be an enlarged set of listed-posts, beginning from the bottom and going to the top, and that you are to introduce Indians by an examination in this country, and give them a right to rise to those posts. You prefer that system to making a proportion, and allowing so many Indians to get into the service by examination in this country, and allowing them to rise with the other civilians on exactly the same footing; do you prefer your scheme to

that one?—I recruit a portion of the Civil Service in that way.

3707. There are two schemes. One is the old statutory service, which, although it failed in its object, was intended to be a service in which one-fifth of the appointments was to be recruited from Indians; they were to be put in the Civil List and their names entered at the bottom of the Civil List, and they were to rise on exactly equal terms with their fellows who came from England. Your system is to separate out of that list the whole set of appointments from the bottom to the top, and introduce Indians into that separate service to the exclusion of others: I suppose you consider yours is the best scheme?—But there is a difference.

3708. I suppose you think yours is the best scheme?—The serious difficulty in the other system is that they belong to a different service. I would recruit members for the same service in two ways. When a person is appointed to a listed-post (it may be that he is promoted) I think that there should be a declaration that on appointment he becomes a member of the Civil Service.

3709. Which do you think would be the best plan, to introduce a certain proportion of recruits to the service out here and place them in the Civil List and let them rise, with exactly the same claims as Indian Civil Service members from England, or, as you propose, to make a separate service to which the Indian civilians who are recruited in England should have no claims, but which appointments should be entirely for the service recruited in this country?—I prefer mine, for this reason; that if you make appointments from the Indian servants here to the listed appointments, they would be appointed at a late age.

3710. If you have an examination here, not a simultaneous examination, but an examination of candidates who would be just about the same age as the candidates who pass in England, you would introduce them into the Civil List as Indian Civil Service members, and they would rise with exactly the same claims to all those superior posts as have now the Indian Civil Service members from England. That is one system. The other system is to make an exclusive service for Indians in this country of a certain number of listed appointments. I want to know why you think the other system could not be carried out?—Except this, that if you have got 50 Europeans and 20 Indians, their promotion must be necessarily slower.

3711. Why?—Because there would be a number of superior posts, and each of the Indians will have a certain chance. That depends upon their proportion to the total number. The proportion of Europeans to the total number would be much larger, and therefore his chance of promotion must be much less.

3712. You would have five assistants recruited from England, and one from India. These men's names would appear at the bottom of the list. There would be a difficulty as to whether Indians should go at the top or the bottom of the list. That could be settled. The Indian would start with exactly the same chance as the other five, as the rest. A post would become vacant, and the first person in those six names would get it. It might be an Indian or an Englishman. I do not see how the Indian would be prejudiced?—What would be the result? Would the Indian be able to get a reasonable proportion of the highest posts?

3713. They would get exactly one-fifth chance if they were efficient?—That may be. I framed my scheme so as to enable them to rise as rapidly as their English brethren. That was my main object in constituting it as I did. I am not able to say at the moment whether what you propose will achieve that object. If it will, I have no objection.

3714. As regards your system, why, when you hand over one-third of the Collectorships to your Indian Service, do you propose to hand over half the members of the Board of Revenue; surely you would give one-third right through?—I wish to have one Indian a member of Council and to have sufficient people to select from, you must have at least two members.

3715. You spoke rather with indifference of the ill-feeling between the different castes and between the Muhammadans and Hindus: has it not been a fact that within the last 30 years in the districts of Salem, Tinnevelly, Coimbatore, Malabar, Trichinopoly, Bellary and Kistna, the position of affairs, has, at intervals, been a matter of the very greatest anxiety to Government as regards the maintenance of public peace owing to the ill-feeling between either different castes or different creeds in those districts?—That is with regard to religious processions. I presume I am right in supposing that they arose out of that.

3716. Some of the disturbances arose from causes such as caste questions, and some arose from inter-creed questions?—There are no means now open to Government officers, at any rate as far as I know none have been devised, of obtaining a knowledge of what is going on in a place. If some means were devised for that, I think these disturbances could be easily stopped. But it does not show that there is any ill-feeling between the communities.

3717. Are you aware that several times during the last 20 years the Muhammadans in Trichinopoly have particularly asked for a Muhammadan Deputy Collector to be sent there?—They may have done so. The Muhammadan candidate may have asked them to do so, but I do not think that the people would do it of their own accord. We have had the case of one community asking for a Munsif because the candidate was not able to make the request.

3718. (*Mr. Oldfield.*) With reference to your scheme for allowing Civil servants one-third of the Judgeships, there are twenty-two District Judges, and that would be seven, would it not?—I think it would be seven now.

3719. As long as there are three Civilian Judges in the High Court, would not that afford rather a small field for recruitment?—It may be so, but I do not think that that rule ought to stand. So far as the High Court is concerned there should be no rule of proportion. They should put the best in.

3720. But, as long as it does stand, one-third would be a rather small number?—Yes.

3721. You are aware of the proposal before the Secretary of State at the present time for the improvement of the judicial knowledge of civilians, are you not?—I do not know what definite proposals there are, but the matter came round to the High Court.

3722. Shortly, they include a year to be spent in England in training in a barrister's chambers. Have you any strong opinion that your scheme is preferable?—I do not think that working for a year in a barrister's chambers will do.

3723. You would prefer actual practical work in the country?—They must first pass their examination in law, and then there would be their practical work in the country. That might be supplemented by working for a year in a barrister's chambers.

3724. With regard to election, you are aware that for the last, I think, three or four years, a system of election has been introduced into this Presidency?—Yes, I believe; after a certain number of years of service.

3725. Do you believe that that, taken with an improved training, would be a very great advantage in the training of a Judge?—What I feel is that eight or nine years would be too long a time after which to think of acquiring a taste for judicial work. I have noticed very few instances in which there has been an ambition on the part of District Judges to become good lawyers. They want to get through their work, which is very heavy. I have noticed in very few a real desire to become good lawyers.

3726. Your scheme is that they should elect after they succeed in the competitive examination?—Yes.

3727. Do you think that they could elect so early if they knew nothing of judicial work?—I think most of them should be fit for both. I would draft a portion of them into one department and the remainder into the other.

3728. It would be necessary for the Government to settle that?—I do not believe that all could be given a choice. That would be impossible.

3729. Government could hardly settle it until it had some experience of their capabilities in the country?—I believe that most of them will be able to do both. There is no want of capacity in District Judges: it is due to the system. They come in too late to their work to have the time or the ambition to study law.

3730. You say that you recognise the fact that a proportion of District and Sessions Judges should be Europeans. What are your reasons?—My reasons are that there should be in all branches of the service a good leaven of Europeans. It is necessary in the interests of the country and of the people.

3731. In this particular service, why do you consider that Europeans would be particularly necessary?—Englishmen have a strong sense of justice. I do not mean to say that the Indian has not an equally strong sense of justice, but I think it is very desirable that there should be a good number of Europeans; and if (as, according to my scheme, they should) they also become barristers, that ensures a knowledge of the best traditions of the English Bench.

3732. One of the witnesses told us that, compared with English lawyers, Indian lawyers appeared to have a spirit of subtlety, which if carried to excess, would be deleterious?—Everything carried to excess would be deleterious; but I do not think that one out of ten Indian lawyers has hair-splitting tendencies. I consider that the best English lawyers are most subtle.

3733. Supposing that the distribution between the judgeships of the Indian Civil Service and the Provincial Civil Service is not carried out, and that they remain as they are between the Indian Civil Service and the Provincial Civil Service, would you still give the appointments to the Bar?—Certainly.

3734. Can you tell us whether you would fix any number of places to be so filled?—I would amongst Judges appoint one-fourth at least, and amongst District Judges one-third.

3735. You would give one-fourth to the Bar?—Yes, and one-third to the District Judges.

3736. We have at present four District Judges: that is to say, you would give between one and two?—With the present number of Judges it would be difficult to work out. If there are six you would give two. I only suggest what would be desirable. I would simply give it to the best.

3737. (*Mr. Ramachandra Rao.*) You have intimate acquaintance with Indian officers?—Yes.

3738. You are the Past-President of the Indian Officers' Association?—Yes.

3739. Is not there a strong feeling, as far as you have gathered among Indian officers, that some of them should be admitted to appointments in the Indian Civil Service?—Yes, there is.

3740. More in number than is now possible under the system of open competition in England?—Yes.

3741. Appointed on precisely similar conditions?—Yes.

3742. Do you think they are satisfied with the present system of listed appointments, that is lower in prestige?—They are not satisfied.

3743. Is there not also a feeling amongst Indian officers that they should be started in their official career exactly on the same conditions, and at the same age as English officers are started?—Yes.

3744. Do you think they should start as early as possible?—Yes.

3745. Some of these aspirations are just and should be met as far as possible?—Yes.

3746. Is it because you think that simultaneous examinations are not sufficient that you recommend a system of separate examination?—Yes.

3747. And if the candidates who pass in the separate examination are not graded in the same rank as those who pass the Civil Service examination, you are not in favour of a separate examination?—There is absolutely no use in it then.

3748. And if a separate examination were to be sanctioned and distinction to be made, you do not want a separate examination?—Certainly not.

3749. Is there also a wide feeling amongst Indians that all distinctions and differences except as to salary should be done away with, so far as the lower and higher posts are concerned?—Yes.

3750. (*Mr. Subrahmanyam Pantulu.*) You said in one of your replies that smart young men who were not able to get good practice have entered the service and have proved intelligent Judicial officers. Does the converse hold good? Is there a possibility of men who are good at the Bar proving failures as Judicial officers?—Yes, there is a possibility.

3751. Do you not think it is desirable that a man's capacity to appreciate evidence and come to proper decisions and conclusions, and that his character, should be tried in a lower grade, such as the first-grade Munsif's place, before you invest him with power to hang men, or to decide disputes relating to estates worth lakhs of rupees?—That would be one way of testing; but the people who are in charge of big cases acquire the same capacity. A pleader would not be worth anything if he could not judge a case judicially. It is one of the functions of the advocate to give advice. He has to study the evidence in the cases which he conducts. I do not think anything could be better than the Bar for recruiting for the Bench.

3752. In this Presidency most of the Civil work in the mufassal is done by Munsifs and Sub-Judges, and the High Court does only the appellate work: is that so?—Except the original side suits.

3753. Would not a very important incentive for good work be removed if, according to your proposal, their promotion were restricted to first-grade Sub-Judges?—It will not be limited. I do not want all the posts to be given to the Bar. I want a good proportion to be given to those who have been Munsifs and Sub-Judges. I do not want Munsifs and Sub-Judges to forget that they went from the Bar.

3754. But you say in your scheme for a separate examination, if sanctioned, that the listed posts should be abolished?—There is the Statute of 1870.

3755. The listed posts are now understood as being the reward which men of merit and ability in the Provincial Service might reasonably expect?—All those who are now in the service would expect it, but others will not.

3756. You said that listed posts must be abolished, and that you want them to get appointments under the Statute of 1870?—I would give the appointments to men who had exceptional merit.

3757. Have you any idea as to how many people would be appointed by the Government?—We have no figures here.

3758. And if you compare the number which have been taken into the higher grades under the Statute during the last forty years, would you think the Provincial Service could reasonably expect any fair number of appointments to be given?—Under my scheme all those who are now in the service will get them. I do not want to prejudice their prospects. I am speaking of their prospects of rising to Judgeships. Under my scheme all Munsifs and Sub-Judges will get posts. The Judicial Service is distinct.

3759. Do you know that in the Provincial Judicial Service there is a feeling that their promotion has been considerably widened by the appointment of one of them for the first time to the High Court Bench?—I think there would be.

3760. That is an appointment made after five appointments had been previously monopolised by the Bar?—After they got them.

3761. Do you not think it a hardship, now at this particular time when they are aspiring to higher things, to remove the little incentives?—I am not removing them by my scheme.

3762. Your chief recommendation for appointing men from the Bar direct as Sub-Judges and District Judges is that men who enter the service may rise to the position of a Judge at an early age. One of the objections for recruiting men from Munsifs, as they are graded now, is because they will become rather old by the time they are made Judges?—I do not think I said that, but it would be the fact that those who join as Munsifs are fagged out. The work of a Munsif is killing. They become fagged out and they would lose their energy.

(The witness withdrew.)

(Adjourned for a short time.)

M.R.Ry. Rao Bahadur K. RAMANUJACHARI Avargal, Maharaja's College, Vizianagram.

Written answers relating to the Indian Civil Service.

3763 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The working of the present system of recruitment by an open competitive examination in England for the Indian Civil Service is satisfactory. The principle is sound except in that it practically excludes Natives of India from its benefits. The present tendency is to cry down examinations, but I am one of those who believe that in a matter so important as recruitment for the Indian Civil Service no other test than an open competitive examination will satisfy the requirements of the case.

3764 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—There are five European languages, excluding English, against two languages which are Indian. Three of them being living languages, they can be easily mastered by Europeans. But as facilities do not exist for their study in India, Natives of this country find themselves at a disadvantage when compared to European candidates. If there is to be equality between European and Indian candidates, French, German and Italian will have to be removed from the list of subjects. In such a case, there will be two European classical languages against two Indian.

3765 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is not suitable for Natives of India who are not of pure or mixed European descent, especially for Hindus, who constitute three-fourths of the population in this country. The customs and habits of our people, particularly of Hindus, which are in many respects different from those of Europeans and Eurasians, stand to some extent in the way of their going freely to England to compete for the Civil Service; but this is not a serious disadvantage. There is another and greater disadvantage under which they labour. They have to go to England and stay there for some time to prepare for the examination. If they are selected well and good; if not, they have to return to India, sadder, wiser and poorer, since other services, excluding the medical, are not open to them. As for the Indian Medical Service, it

requires knowledge of special subjects which those who try for the Civil Service do not acquire. The cost of going to England and a stay of some duration therein, including that of the return journey, is not inconsiderable. As our young men whose ambition is to enter the Civil Service do not belong to the aristocratic or monied classes, their failure to get into the Civil Service seriously affects their financial position on their return to their mother country. Then they find that it is too late to think of any of the liberal professions open to our young men. This, it will be admitted, is a serious disadvantage.

3766 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I think that the combination of the competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is to the advantage of Indian interests as it will allow selection from a wider field.

3767 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—I think the present system of recruitment by an open competitive examination to be satisfactory in principle, provided that the door is kept open for men of acknowledged merit already in the service to enter the Civil Service otherwise than by a competitive examination.

3768 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of holding simultaneous examinations in India and England, open in both cases to all natural-born subjects of His Majesty.

3769 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am in favour of filling a fixed proportion of the vacancies in the Indian Civil Service cadre by all natural-born subjects of His Majesty recruited by means of a separate examination in India as difficult as the examination for the Civil Service, if it is not found feasible to hold simultaneous examinations in India and England. In such a case, there should be only one examination for the whole of India, but not for each province or a group of provinces. I would recommend that two-fifths of the total number of vacancies occurring in each year be so filled up, including those that may be reserved for deserving officers of the Provincial Civil Service.

3770 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—If the idea of holding simultaneous or separate examinations in India open to all natural-born subjects of His Majesty does not commend itself to Government, I would recommend a system of combined nomination and examination. Nominations may be made from all classes of the people; but the appointments should depend entirely upon the results of an examination. However desirable it may be in theory that all classes and communities should be represented in the higher grades of the public service, it is not to the real interests of the country that any but men of high intellectual calibre should get appointments now generally held by members of the Indian Civil Service.

3771 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—As it is my idea that the examination held in India for the part recruitment of the Indian Civil Service should be open to all natural-born subjects of His Majesty but not simply to Natives of India, I do not consider it unreasonable that Natives of India should still be eligible for appointments in England, if they attend the examination held in England and show conspicuous merit.

3772 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—I would regard the system of selections of young men who are Natives of India for the Civil Service by means of a competitive examination as being supplementary to the present system of promoting to listed posts officers of the Provincial Civil Service.

3773 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—In my opinion a separate method of recruitment for the Judicial branch of the Indian Civil Service is not necessary. What is wanted is that Civilians who wish to enter the Judicial branch should receive special training which will enable them to discharge their duties satisfactorily. There is a general complaint that those who are appointed as Judges of District Courts do not possess that knowledge of civil law which is absolutely necessary in order that they may effectively supervise the work of courts subordinate to District Courts.

3774 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any "person born and domiciled within the Dominions "of His Majesty in India, of parents habitually "resident in India, and not established there "for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—Yes.

3775 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I would recommend that the age limit be reduced to 21. As it is, Natives of India who go to England to compete for the Civil Service have practically only one chance. Regard being had to the risk of failure and the consequences resulting therefrom, for which they should be prepared, the present limit is not fair to them. Our young men of parts take their degree when they are about 20. A preliminary study of one year in England is necessary in order that they may appear for the Civil Service Examination with a fair chance of success. If therefore they are allowed to appear when they are 21, they will certainly have two chances.

3776 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Twenty-five would, I think, be a suitable age for young civilians recruited in England to commence their official duties in India. A little more knowledge of the customs, manners and modes of thought of the people they will be called upon to rule than they have under the existing arrangements, will enable them to discharge their duties more smoothly and avoid the mistakes that in the beginning some of them commit in their treatment of those who have to work under them or may have occasion to see them on business or otherwise.

3777 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—I have already stated that twenty-one will suit candidates who are Natives of India better than the present limit. I have no opinion to offer regarding the age limit of other natural-born subjects of His Majesty.

3778 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I have already stated my objections to the present syllabus with regard to the living languages of Europe. While Latin and Greek carry 1,100 marks each, Sanskrit and Arabic carry only 800 marks each. This is manifestly unjust to Natives of India who are Hindus or Muhammadans.

3779 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—If French, German and Italian are removed from the list of subjects, Natives of India will have no room to complain of the syllabus. I do not think that otherwise any differentiation in the subjects is either necessary or desirable.

3780 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—The question of reserving posts for officers of the Indian Civil Service will not arise if simultaneous examinations are held in England and India. If it cannot be done, a separate examination as difficult as the present Civil Service Examination may be held in India. In the latter case, I do not recommend that any posts should be reserved for members of the Civil Service, for the simple reason that the examination held in India would not be less difficult than that held in England whatever name it may be given.

3781 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—In my answer to question (7) I have stated that two-fifths of the vacancies occurring every year may be given to natural-born subjects of His Majesty on the results of a competitive examination held in India, some of these appointments being reserved for deserving members of the Provincial Civil Service.

3782 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England and partly by special arrangement in India?—The appointment of Natives of India to posts in the Indian Civil Service partly through the medium of an open competitive examination held in England and partly by a special arrangement is not satisfactory. No special arrangement is wanted except to do justice to a few deserving officers of the Provincial Civil Service.

3783 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—I do not recommend the revival of the old system of appointments of "Statutory Civilians" under the Statute of 1870, as it was a failure on the whole.

3784 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—I do not consider it necessary to introduce the system of recruiting military officers for posts in the Indian Civil Service cadre into this province, as I see no special reasons for its introduction. People of this province have been happy under the administration as carried on by members of the Indian Civil Service.

3785 (23). Do you consider that such a system should be restricted to the recruitment of military officers, or extended to the recruitment of selected officers from other Indian services?—I see no advantage in giving posts now held by members of the Indian Civil Service either to military officers or to officers of other services.

3786 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—If an examination is held in India simultaneously with that in England, there need not be many listed posts to which members of the Provincial Civil Service may

aspire. The number may be gradually reduced so that it may be much smaller than it is. If the examinations cannot be held simultaneously in India and England, I would recommend that two-fifths of the appointments now held by members of the Civil Service be reserved for Natives of India. Two-thirds of these appointments may be thrown open to competition, the other one-third being reserved for, distinguished members of the Provincial Civil Service.

3787 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—As I am against nomination pure and simple in the case of appointments to the Civil Service, I cannot say that the rule is satisfactory.

3788 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—As the present arrangements go, I am satisfied with the system.

3789 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—I would enlarge the number of listed posts, so that it may include a Member of the Board of Revenue and a Secretary to Government. The reason is simple; if a wide knowledge of the real wants of the people on the part of those who influence the policy of Government is conducive to the efficiency of administration, an Indian Member of the Board of Revenue and an Indian Secretary will be invaluable. As Government are now pleased to appoint Indians to Executive Councils, an Indian Secretary or an Indian Member of the Board may with advantage be taken into the Council. I would further recommend that about a sixth of the total number of Collectors be Indians, so that the best of them may be appointed a Member of the Board of Revenue. More Indians may also be with advantage to the administration appointed as Under Secretaries.

3790 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—The holding of simultaneous examinations in India and England for the Indian Civil Service will be the most statesmanlike way of satisfying the legitimate ambition of the Natives of India to serve their Sovereign as well as their mother country. The opinion that is sometimes expressed in certain quarters that the introduction of Natives into the higher grades of public service on a large scale will change the British character of the administration, and may possibly weaken the foundations of the British rule, is quite groundless. By whatever means it may be accomplished, the introduction of a large number of Natives of ability and character into the Indian Civil Service will add to the popularity of the British rule without diminishing administrative efficiency. But if the idea of holding simultaneous examinations does not commend itself to Government, the number of listed posts may be increased in the manner suggested in my answer to questions (7) and (24). Barring officers of the Provincial Civil Service of proved ability and character, none should be appointed to the posts held by members of the Civil Service except on the result of an open competitive examination. Nominations may be made from different classes of His Majesty's subjects, but I beg to repeat that none should enter the Indian Civil Service except in the manner suggested above.

3791 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Probation for a limited period is very desirable.

3792 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—A period of two years is not too long. As I take it for granted that the general educational qualifications of men who enter the Indian Civil Service by passing the competitive examination are sufficiently high, the training given during the probationary period should be of a more useful character than it seems to be at present.

3793 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—The course relating to law should be common to both. It is desirable that Europeans selected on the results of the competitive examination should spend the whole of their probationary period in India. Part of this period may be usefully spent in the study of Indian languages, manners and customs, the rest of it being devoted to the study of law. Similarly, selected Indians will do well to spend a part of their probationary period in England, devoting their time to the study of English institutions. They may spend the other part of it more usefully in India studying the more important of the general laws of the country, including the most important of the local laws of the province in which they have elected to serve.

3794 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—It is very desirable to start a college in India for the training of probationers of the Indian Civil Service as well as of other Indian Services recruited in England.

3795 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—A college for the whole of India will perhaps be a better arrangement. If a well-equipped college be considered to be a costly thing (it will be well worth the cost), each Provincial Government may select a suitable centre.

3796 (35). Are you satisfied with the present arrangements for the training of junior officers of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Those that choose the Executive branch should, in my opinion, have a longer period of training under Tahsildars and Taluk Magistrates than they are given now. It appears to me that one year is not too long a period for training.

3797 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—As a rule officers of the Indian Civil Service have poor knowledge of Indian languages. The examinations they are required to pass in these languages are easy. If the character of the examination is changed, there may possibly be some improvement. The real cause of the deterioration alluded to in the question is the fact that English is the sole medium of official communication between European officers and their Native subordinates. So far as this province is concerned, persons are found almost everywhere to explain in English what European officers wish to know. I cannot think of any real remedy.

3798 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—It has been suggested in my answer to question (31) that Europeans selected for the Indian Civil Service should spend the whole of their probationary period in India. The greater part of the period should be devoted to study of Law. They should have regular instruction in it. This is applicable to all officers. Those that are selected for the executive branch should study special laws applicable to the province, including land tenures. Those officers that are selected for the judicial branch may be made to sit with District Munsifs and see how original cases are conducted and disposed of.

3799 (38). Do you recommend any special course of study in law in India for officers selected for the judicial branch?—I do. I do not see why officers selected for the judicial branch should not have a course of study in law as wide as that prescribed for the B.L. Degree examination of an Indian University.

3800 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the judicial branch? If so, please give details?—They may be trained as Subordinate Judges.

3801 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Members of the Indian Civil Service, whether they are Natives of India or other, should have the same kind of training so far as the judicial branch is concerned.

3802 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—Those that are directly recruited in India should, in my opinion, have the same training as those who are selected for the Indian Civil Service on the result of an open competitive examination.

3803 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—With regard to probation, Natives of India of unmixed Indian descent as well as those of mixed European and Indian descent should spend part of their probationary period in England and in the study of English institutions. With regard to persons of unmixed European descent, I would recommend that they do spend the whole of their probationary period in India. As regards training, I do not see why there should be any difference.

3804 (44). Do you consider that the numbers of officers authorised for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—I believe that some of the district charges are too heavy for the most energetic district officer. The same remark also applies to divisional charges. Increase in the number of officers appears to be desirable for the efficiency of administration.

3805 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I would not recommend any difference between the members of the Indian Civil Service and Statutory Civilians and officers of the Provincial Civil Service holding listed posts as regards pay. Lower pay somehow carries with it an idea of inferiority. Whatever economical reasons may exist to justify the difference, they should not be made to feel that the public regard them as inferior officers.

3806 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—Without going to details I think that leave rules made for officers of the Indian Civil Service may differ from those made for Statutory Civilians and members of the Provincial Civil Service.

Written answers relating to the Provincial Civil Service.

3807 (51). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions mentioned in the Government of India Resolution referred to in the question are suitable generally. The only modification that I would recommend is, that recruitment for posts of Deputy Collectors should be from among the distinguished graduates of Indian Universities.

3808 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your Province suitable, or have you any recommendations to make for their alteration?—

Nothing short of an open competitive examination for the recruitment of the Provincial Civil Service will be satisfactory Those that have entered the Provincial Civil Service through the door of an open competition are admitted to be superior to those who have got in otherwise, barring a few exceptions. Without overlooking the just claims of those who are in the lower grades of Public Service, only those who have proved their superior intellectual calibre in an open competitive examination should be selected for posts like that of Deputy Collector. The above remarks do not apply to appointments of District Munsifs and Subordinate Judges.

3809 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

3810 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I believe that all classes are fairly represented in our Provincial Civil Service. Whether the work of the representatives of different classes is equally efficient is a matter which need not be discussed here. In my humble opinion, considerations of caste or creed should not overweigh those of fitness in the matter of appointments to the public service.

3811 (55). Are you satisfied with the existing arrangements for the training and probation of officers appointed to the Provincial Civil Service? If not, please state your objections, and what other arrangements you recommend?—The training and probation of officers appointed to the Provincial Civil Service should in many respects be similar to that given to the members of the Indian Civil Service.

3812 (56). Do you consider that the numbers of officers authorised for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—The complaint is very general that the numbers of officers authorised for the various grades are insufficient and that consequently they (officers) are overworked. There is a cry of overwork in every grade of the service and so far as I know it is not unreasonable.

3813 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—The functions of the officers of the Executive and Judicial branches of our Provincial Civil Service are differentiated well enough; but their combination in the same officer sometimes affects the administration of justice in a manner which cannot be considered to be satisfactory. If the finances of the country would permit it, a complete separation of functions would conduce to a more efficient administration of justice.

3814 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I am not satisfied with the present designation. I would call the service after the province.

3815 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886-87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I advocate that there should be one examination for each province for the recruitment of officers like Deputy Collectors and that there should be no difference as regards their pay between one province and another. The same remark applies also to the pay of District Munsifs and Subordinate Judges.

3816 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I would make no difference as regards pay between the members of the Indian Civil Service and those of the Provincial Civil Service holding listed posts. It must be remembered that only those members of the Provincial Civil Service whose abilities and character are acknowledged are appointed to listed posts. When such is the case, I do not consider it fair that they should get less pay than members of the Indian Civil Service.

Mr. K. RAMANUJACHARI, called and examined.

3817. (*Chairman.*) Of what college are you Principal?—The Maharaja's College at Vizianagram.

3818. How long have you occupied that position?—For the last 26 years.

3819. Have you ever occupied a position in the Educational department?—Before that I was Vice-Principal of the same college.

3820. What is your caste?—Brahman.

3821. How many students have you at your college?—In the College department there are 125 to 150, the number varies from year to year.

3822. Is your college a first-grade college?—Yes.

3823. Is it affiliated to the University of Madras?—Yes.

3824. On an average, how many of your students take their degree each year?—From 12 to 20.

3825. At what age do they come to your college?—To the College department from 16 to 18.

3826. What is the average age at which they take their degree?—From 20 to 21.

3827. Have you had graduates from your college of recent years who have gone to England for the competitive examination of the Civil Service?—No.

3828. You know of no students that have been at your college who ultimately got through the examination?—None.

3829. You are in favour of simultaneous examinations?—Yes.

3830. You are also desirous of maintaining a minimum of Europeans in the service?—Yes, in case simultaneous examinations are not held in England and India, two-fifths of the appointments may be reserved for Natives of India.

3831. But if simultaneous examinations are held you say you do not want a minimum?—I do not want a minimum for Natives of India.

3832. Are you anxious to see the retention of the European element in the Civil Service?—Certainly.

3833. How would you ensure that under the system of a simultaneous examination?—I am sure that would be the result. No separate means need be adopted.

3834. You are prepared to leave it to chance?—Yes.

3835. At what age would you like to see the open competition?—From 21 to 23.

3836. Would you also like to see a two years' probation?—Yes.

3837. At what age do you think it is best for a young man to come out and enter the service here?—About 25.

3838. What do you suggest would be the best course for a candidate during those two years of probation in England?—I should like to see candidates spend part of their time in England and the rest of it in India. I would make a difference between Indian and English candidates in that respect.

3839. You would like them to have two years' probation in England?—No, two years' probation.

3840. Not necessarily in England?—Not in England. I should like the European candidates to spend the whole of their time in India.

3841. Is the standard for examination in your college the same as in the University of Madras?—Yes

3842. (*Sir Theodore Morison.*) What sort of probationary system would you like to see adopted for an Englishman when he passes that period, according to your system, in India?—In my opinion they should study law for the greater part of their time, and a portion of their time may be devoted to the study of Indian sociology, customs, manners and modes of thought of the Indians.

3843. Would you describe to me what sort of training you contemplate in law here?—Of course the course does not very much differ from what exists; the general law of India, Evidence, Penal Code, Procedure, and with regard to particular provinces the local laws.

3844. Would you confine your education to the study of the codes or would you include any experience of the practical working of the courts?—Experience of the practical working of the courts would be included in the training course. I would have three years', two years', and one year's training.

3845. Would you explain your probationary period with regard to the study of law?—For Judicial officers I would prescribe the same course as that prescribed for the B.L. degree of one of the Universities, or almost the same.

3846. But the B.L. degree, I think, does not include the reporting of cases, or the actual study of the working?—No; I would add that.

3847. Where would you have the teaching given?—It should be given if possible at one college where the candidates can be specially instructed. If that is not possible one centre for each province may be taken at which regular instruction in law could be given to the candidates.

3848. If you have one centre I suppose you would not give the teaching in the Provincial law?—No, of course that is not possible. After I sent in my replies I changed my opinion. Probably one centre for each province would be better than one college for the whole of India.

3849. You would have lectures given to them at these Provincial centres?—Yes.

3850. Where would you get your teachers from?—The teachers would have to be appointed from the most distinguished men at the Bar.

3851. Have you any law teaching in your college?—No, it is only an Arts College.

3852. In the old days did you have a law class?—No.

3853. You have never had a law class?—No.

3854. You have never had any experience of law classes?—I was myself a student of law in Madras.

3855. In how many colleges in Madras have they law classes?—Only one.

3856. With regard to the study of Indian sociology, have you any teachers at present in the Presidency?—No; there are books, but no teachers.

3857. Could you give me any idea what sort of course of teaching you would recommend?—There are books on the subject which might with advantage be read.

3858. Just outline the course you have in mind?—The books that relate to the customs and manners of the people and their religion and those sort of things.

3859. You cannot give me any indication of the sort of syllabus you have in mind?—I have not a syllabus ready, but one could be framed.

3860. You think there are books?—Yes.

3861. And teachers?—The teachers are available; that is easy enough.

3862. Who are you thinking of?—People who have devoted their time to the study of Sanskrit and the vernacular languages.

3863. What class of persons who are actually serving in our colleges would you recommend? You have in your college a pandit?—Yes, but pandits are not the sort of teachers required. Those who have taken degrees at Universities and who have devoted their time to the subject would, of course, be required for this purpose, not pandits.

3864. That is to say, you require somebody who has had a western education in England?—Yes.

3865. And studied sociology elsewhere?—Yes.

3866. Is there any large class of persons who have that knowledge in this Presidency?—There are some.

3867. (*Lord Ronaldshay.*) You say there is a tendency to cry down examinations; by whom are examinations cried down?—By a good many people, including educational officers.

3868. On what grounds?—They think that examinations do not always show the merit of the pupil, that they cram up subjects, and so on.

3869. But you do not agree with that?—I do not agree with them, especially with regard to an examination like the examination for the Indian Civil Service.

3870. You say that the combination of Executive with Judicial functions in the same officer affects the administration of justice in a manner which cannot be considered satisfactory. Could you give me an example of what you mean by that?—I mean that sometimes an enquiry into revenue matters is held by a magistrate, especially a magistrate of the lower class, sub-magistrates and so on, and it so happens that the man against

whom the enquiry is made is ordered to be prosecuted, and then the people say that is not fair. First of all the enquiry is made by an officer in his revenue capacity, and then the same gentleman enquires into the case as a judicial functionary, and he is prejudiced and takes a certain view with regard to the judicial matter.

3871. The suggestion is that his judgment is influenced by his desire to convict?—Yes.

3872. Do you think there are good grounds for making that accusation?—I think there is ground for it.

3873. (*Mr. Oldfield.*) In such a case as that would not there be strong grounds for applying for a transfer from that officer?—Very often. Transfers are not always given. A transfer petition may be put in before a superior court, but unless the superior officer sees there are very strong and clear grounds he will not order a transfer.

3874. If those grounds were not made clear of course not?—It is not very easy to make them clear sometimes before the officer; they are so subtle.

3875. With regard to your reply to Sir Theodore Morison about a Provincial training centre for young civilians, the revenue system in this province differs from that of others, does it not?—Yes.

3876. In any case there would have to be a Provincial centre and not a centre for all India, unless great expense were incurred?—That is why I said I had changed my opinion.

3877. You have not made any explicit recommendations about the manning of the Judicial office?—I have not made any special recommendation, but I have suggested that candidates might be trained first of all as District Munsifs, or at least they might be made to sit with District Munsifs.

3878. I entirely accept something of that sort, but I was going to ask you this: would you be content to leave things as they are as regards the proportion of Indian Civilians in District Judgeships?—Yes, I have said nothing about that.

(The witness withdrew.)

M.R.Ry. V. S. SRINIVASA SASTRI, Triplicane.

Written answers relating to the Indian Civil Service.

3879 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I have not sufficient experience of civilian officers to hazard an opinion. I accept recruitment by open competition as generally satisfactory in principle.

3880 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—As a system open competition is equally suitable. But see answers to questions (6) and (16).

3881 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—Yes. *Reasons.*—(i) The Indian Civil Service command the same quality of competitors as the other services. (ii) The examination is under the conduct of the Civil Service Commissioners.

3882 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I approve entirely, the examinations being identical.

3883 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I would entertain a proposal of the sort only if simultaneous examinations be ruled out. In that case the examination in India, as well as the one in England, should be open alike to all classes of His Majesty's subjects. The proportion I would recommend is one-half.

3884 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—No. I am not in favour of any of the methods suggested. So far as the Indian Civil Service is concerned, I would not sacrifice efficiency in the least degree to secure the representation of different classes and communities.

3885 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—In lieu of. The listed posts will go back to the Indian Civil Service. As compensation in part, I would create a new grade of Deputy Collectors at the top with two appointments on Rs. 1,000 each.

3886 (11). Do you recommend any separate method of recruitment for the Judicial Branch of the Indian Civil Service? If so, please describe the system which you would propose?—I recommend that the judicial appointments should be constituted into a distinct and separate service. No recruitment would be made to it from the Indian Civil Service. The statutory provision requiring one-third of the High Court Judges to be members of the Indian Civil Service should be repealed. District and Sessions Judgeships should be filled half by promotion from Sub-Judges and half from the Bar.

3887 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Viet., c. 3), as including "any person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I would extend the definition so as to include subjects of Native States and the children of Natives of India born outside India.

3888 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—I would retain the present limits.

3889 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—I do not recommend any differentiation.

3890 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—The classical languages of India must have the same number of marks assigned to them as Greek and Latin.

3891 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No.

3892 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Yes. All appointments now scheduled under 24 and 25 Viet., c. 54, except those under the heading "Judicial." Also similar appointments in the non-regulation provinces.

3893 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—Yes. But as in my opinion this condition will be fulfilled under a system of simultaneous examinations, I do not consider it necessary to secure it by a special provision.

3894 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—No.

3895 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

3896 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—I do not consider it satisfactory and have therefore recommended simultaneous examinations.

3897 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—Yes.

3898 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—Next to a simultaneous and identical examination, I would advocate that half the recruits should be obtained in England by one competitive examination and the other half in India by another competitive examination of equal standard, both examinations being open alike to all classes of His Majesty's subjects. After selection the candidates recruited in India should be compelled to spend a year in England undergoing probation. At the end of the probation, all the recruits should be placed in one cadre and be eligible for promotion on absolutely equal terms.

3899 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

3900 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—One year. The same as now.

3901(31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

3902 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—In England. Yes.

3903 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

3904 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—I would not have a Judicial branch of the Indian Civil Service at all.

3905 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

3906 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No.

3907 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to

officers already employed or be restricted to future entrants?—Yes: but the abolition should be restricted to future entrants.

3908 (46). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—I would not give any compensation as suggested.

3909 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—Yes.

Written answers relating to the Provincial Civil Service.

3910 (51). Please refer to Government of India Resolution No. 1046–1058, dated 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—(i) Rule I must be amended by inserting after "on the other" the words "so far as may be compatible with this aim." (ii) Rule VII must be amended by changing the figure 500 into 600.

3911 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—The Provincial Civil Service should be expanded so as to include Deputy Collectors, Tahsildars, Deputy Tahsildars, and ministerial officers drawing over Rs. 100 a month. At the top a new grade of Deputy Collector with two posts on Rs. 1,000 might be created. Recruitment must be by open competition, except to one-fourth of the appointments, which may be filled up partly by promotion from lower posts and partly by direct nomination. Nomination should be made to the lowest grade only, and promotions should be regulated strictly according to seniority and merit.

3912 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes.

3913 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I am not in a position to say. I should think it would not be possible to represent in any service in India all classes and communities which are conscious of a separate existence. To meet cases of special hardship I have reserved in my answer to question (52) a limited power of nomination to Government. To go further might impair the efficiency of the service.

3914 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—I would differentiate them completely. I am not competent to construct a full scheme for the constitution of the Judicial Service.

3915 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—Yes.

3916 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

3917 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Yes.

Mr. V. S. Srinivasa Sastri, called and examined.

3918. (*Chairman.*) You are member of the Legislative Council, are you not?—Yes.

3919. What other position do you occupy or have you occupied?—I was formerly headmaster of a high school in this place, and I have now joined the society of "Servants of India." I am also an elected Fellow of the Madras University.

3920. What is your caste?—I am a Brahman.

3921. In your written answers you say you have not had sufficient experience of the Civilian officers in the service to form an opinion with regard to them?—Yes, I say so.

3922. But you are in favour of and recommend a system of simultaneous examination?—I do.

3923. You recommend that, then, more on the grounds of abstract justice than of efficiency?—My impression is that the Indian Civilian has turned out very well, and I should think the same mode of recruitment in India would answer. That is my impression, although I have not had a very large personal experience.

3924. If you could not get a simultaneous examination I understand you would like to have an independent examination in India?—Yes.

3925. For half the total number of vacancies?—Yes.

3926. Should that examination be the same as the examination in England or not?—I should prefer that it was not the same.

3927. In what direction would you like to see a difference?—I should like the papers to be different.

3928. I am referring to the subjects of the examination?—The subjects may be different too. We might introduce Indian history, for example, and some vernaculars into the Indian examination.

3929. How would you make your selection of the vernaculars?—There are a very large number of vernaculars in this country and it would be impossible to include them all in any scheme of examination. I should choose a few in each province which were spoken by large numbers of people.

3930. So that each candidate coming up from the respective provinces would be able to select from his own particular vernaculars?—Yes.

3931. In the event of simultaneous examinations being held you would like to see the listed post system abolished?—Yes.

3932. And you would add certain posts to the existing Provincial Service?—At the top.

3933. What would you add?—A new grade of Deputy Collector with two posts of Rs. 1,000.

3934. Do you think that that change would be popular with the Provincial Civil Service?—I am not quite sure that it would be popular with the members of the present Provincial Service, but my scheme if worked out would not touch them at all; their interest would be safeguarded under any scheme I propose. But as regards the members of the future Provincial Civil Service, they would not be of the same high quality as the present members, as the first men in India would then compete for the simultaneous examination and get in there. It is only men of second-rate quality who would get into the Provincial Service.

3935. How would you propose to recruit to the Provincial Civil Service?—By means of a competitive examination.

3936. By nomination as well?—It could be by nomination to the extent of one-fourth.

3937. Why do you suggest nomination to the amount of one-fourth?—For two reasons. I want in the first place to afford some chances of promotion for those in the lower ranks; and in the second place I think Government may have power as regards this service of redressing any inequality that may be felt as regards the representations of classes and communities in the Provincial Civil Service.

3938. You regard it as important in the Provincial Civil Service to consider the matter of communities?—Yes.

3939. But you do not think it is so important in the Indian Civil Service?—For this reason, that I consider that in the Indian Civil Service none but the best men should get in. I am anxious that, where our work is likely to be contrasted with the work done by the best Europeans, our best men should be there.

3940. Have you considered the possible difficulty in your scheme of one or two provinces absorbing all the successful candidates to the exclusion of other provinces?—It is quite possible that that may take place, but it will not be a permanent phenomenon; it will be only for a few years.

3941. You do not think that the appointment of officers of one province to another would raise difficulties; for instance, in Northern India?—I do not think there would be any serious difficulty. There might be a little feeling in certain other provinces that they were not having their share, but it would soon disappear, and the feeling would at no time be intense enough to attract the notice of Government.

3942. In regard to the Provincial Civil Service you suggest the inclusion of other posts, do you not?—Yes. The Provincial Civil Service is now composed only of officers of the grade of Deputy Collector, Subordinate Judge and District Munsif. I propose that the service should be extended so as to include Tahsildars and Deputy Tahsildars and ministerial officers who draw a salary of over Rs. 100. At the same time, however, I propose to exclude the Judicial from the Provincial Civil Service.

3943. You think the Judicial posts are quite outside?—Quite outside.

3944. Are you in favour of the Judicial branch being quite separate from the Executive?—I am.

3945. (*Lord Ronaldshay.*) You are in favour of Indian recruits passing their probation in England?—I am.

3946. Are you personally acquainted with any Indian students at any of the English Universities now?—I cannot think of any at the present moment.

3947. But you have known some?—Yes.

3948. Generally speaking, would you say they are satisfied with their treatment at English Universities?—Yes.

3949. They are quite happy at an English University?—Once they have found admission they have been quite happy.

3950. (*Sir Theodore Morison.*) Will you explain a little what you said just now about the vernaculars. Do I understand that you would admit the vernaculars to the simultaneous examination?—No, I was thinking of the separate examination which, if the simultaneous examination was not adopted, should be instituted for recruitment in India.

3951. So that your proposal has no reference to the simultaneous examination?—No.

3952. You are contemplating a separate examination devised particularly for India?—Yes.

3953. And that would include the vernaculars, or at least some of them, and a certain amount of Indian history?—Yes.

3954. Any other Indian subject?—I have not thought of a scheme.

3955. I do not see why you should not? But I want to follow this up?—I should include, for example, Indian philosophy.

3956. Indian philosophy, Indian history, and a few vernaculars?—Yes.

3957. Do you think it is desirable generally that the separate examination which is held in India should rather represent Indian culture and Indian learning than European?—It would in some aspects represent Indian culture and learning more than European culture.

3958. You would give it a more definitely Indian complexion?—Yes.

3959. Do you think it would be desirable to retain any representation of European thought in the examination?—Yes.

3960. What would you desire to retain?—I would keep English literature, English composition, Roman Law, and the history of European countries.

3961. You would keep European history?—Yes.

3962. As an option, of course?—Yes.

3963. Do you contemplate that the option offered should be such that a man might be successful in the examination with a predominant knowledge of Indian culture and Indian thought, with of course the proviso that he would have to know English?—Do you mean Indian thought exclusively?

3964. Yes. You allow a considerable number of optional subjects which will represent Indian culture and Indian thought?—Yes.

3965. Would the number be so large that it would be possible for a man to be successful in the examination by taking subjects representative of Indian thought alone, with the one qualification that he must know English?—No. I would not make it so exclusively Indian. Ordinarily I should like that anybody who has succeeded in the examination should have read some histories of European countries.

3966. You do not exclude English history?—No.

3967. Turning to your alternative schemes, supposing a simultaneous examination is not accepted you propose an alternative scheme of half recruitments in India and half in England?—Yes.

3968. You would exclude the Judicial branch?—Yes.

3969. By that you would remove from the cadre eighteen officers who are at the present moment members of the Indian Civil Service?—In the Judicial branch, yes.

3970. And I suppose also you would deduct the younger men who are in training for that post, something like thirty?—Yes.

3971. And the English element in the Civil Service by your proposal would be reduced from 173 to 55, something less than one-third?—First of all you will have to deduct one half which I propose to raise in India, and also the appointments for the Judicial.

3972. Also you have to deduct a certain number for the Indians who may be successful in England, because you would keep that door open?—I would keep both doors open.

3973. I make out that there would be something like 118 Indians and 55 English according to your scheme, supposing the number of Indians who got in by the London door is maintained. Is that about the result you contemplated, that the number of Englishmen in the service should be reduced to about one-third of what it is at present?—I did not work it out arithmetically as you have done, but if it were so I should accept it.

3974. Less than a third?—Yes, but may I say that that is one of the disadvantages of the scheme, and I should therefore prefer the simultaneous examinations.

3975. Have you formed any estimate in your mind as to what would be the result of the simultaneous examination?—Yes. For many years I think the Indians would not be very successful.

3976. What are your reasons for saying that?—The standard of instruction here is not quite so high as the standard of instruction in England, and it would be many years before our men learned to come up to that standard.

3977. But the tendency would be progressive?—We expect so, certainly.

3978. And when it had reached a very considerable increase on the present would you contemplate keeping an English nucleus or not?—I would. As soon as the number of Indians threatened to swamp the Europeans I should propose that only a certain proportion should be recruited in India.

3979. It is difficult to define what sort of proportion of Indians would swamp the Englishmen?—I think I should leave the next generation to judge of that.

3980. But it would be surely more difficult to decide that when you disappoint legitimate expectations than before the expectations had been formed, would not it? Suppose for instance you found a very remarkable increase in one year which you thought, according to your standard, would swamp the European element, it certainly would not be fair that year to say, "No my friends, you cannot come in"?—Certainly it would be a difficult matter, but I also think it is unnecessary to make any arrangement which was not rendered absolutely essential by administrative considerations.

3981. I quite understand your reluctance to settle the question in advance, but surely that would not be so great an evil as disappointing these persons who had every reason to expect that they would be admitted and who in fact have passed the examination, and whom you now only send back because they were too good at the examination. It seems rather unfair?—But that would be the case even now.

3982. At least they would know what they are in for?—I see there is something in that.

3983. Supposing you came to the conclusion that it would be wise to decide it in advance, what would your proportion be, about?—One half.

3984. (*Mr. Chaubal.*) I suppose you recognise that at present there is some discontent on the ground that a number of Indian students go in for the Civil Service Examination in England and do not pass; discontent among the failures?—I am not aware of any.

3985. Is not that one of the grounds for proposing simultaneous examinations?—According to some of the answers of some of the witnesses many students spend a large amount for the mere chance of getting through the Indian Civil Service and do not succeed?—That is true.

3986. And if they do not succeed there is disappointment? My question is whether you are not aware that there is that sort of disappointment felt by candidates who fail, and it is on that ground that one of the arguments for simultaneous examinations is based?—I daresay. I was not thinking so much of the grief of the candidates and their families as the necessity of opening a wide door to the Indians themselves.

3987. I quite admit that, but I wanted to know whether you admit that that is one of the grounds on which it is urged that there should be a simultaneous examination, that at present parents are compelled at considerable expense to send boys a great distance, and possibly as events happen, for the mere chance of passing?—Most of the men who so fail get called to the Bar.

3988. That is a different thing. I am speaking of the Indian Civil Service. Do you dispute that there is this ground which is urged amongst others for having a simultaneous examination?—No, I do not.

3989. You also have admitted that for some years to come you do not apprehend any number of Indian students succeeding if a simultaneous examination is introduced?—I said so.

3990. But I suppose you agree that it will not prevent a considerable number from appearing for the examination here?—No, it will not prevent that.

3991. That is to say, a much larger number will appear for the simultaneous examinations, when once they are introduced, although none or very few might get in for some years to come?—I admit that.

3992. Do you admit that as regards these failures there is likely to be a certain amount of discontent on account of that, for the next ten years, say? If a simultaneous examination is held every year in August, as it is in England, and fifty or a hundred candidates appear, and no one gets through, or only one or two get through, do not you think that is likely to cause a considerable amount of discontent and disappointment?—It must cause some disappointment to candidates themselves, but the candidates can console themselves in various ways.

3993. We will look to the consolation afterwards. There will be considerable discontent felt. Do you or do you not admit that that amount of discontent amongst the boys and parents of the most intellectual class in the country might mean some political danger?—I was going to say when you said discontent that that discontent would not be with Government at all, or the administration, but with their own fate. I do not believe it will cause any inconvenience to the administration.

3994. Taking the results of the English examination during the last three or four years, not the last one, was there not a feeling here that Indian students were not getting through, and was it not said that the examination was not fair to Indian students owing to that fact?—I remember the discontent was very great when the age limit was 19.

3995. But latterly, except the last year, say the years 1908, 1909, and 1910?—I am not aware that I heard of any particular complaints in those years.

3996. I suppose the object of suggesting simultaneous examinations is that there might be a larger number of Indian Civil Servants?—No, Indian Civil Servants would not increase by simultaneous examination. You mean the Indian officers in the Civil Service?

3997. Yes, the Indian element. It is because that is wanted to be increased that the simultaneous examinations are suggested, is it not?—Yes.

3998. And that a sufficient number is not coming in by the present door?—Yes.

3999. Do you think that there is really at present (I am not speaking of past times) a wider class of people from different communities who can go to England and get through the English door; is not that gradually increasing?—If you mean that caste and religious scruples are not so strong now as they used to be, I think that is so.

4000. Caste scruples and prejudices are being overcome. Indian parents, such as those who hold high office here and save and have means, are feeling more alive to the advantages of sending their boys to England and getting instruction from English institutions. That is becoming more marked now than it used to be at one time?—Yes.

4001. And after all, as you have said, you do not want to do away with the European element in the Indian Civil Service?—Certainly not.

4002. You want only a certain proportion of Indians. Although you are not able at the present moment to say what proportion it should be, still you are only asking for a certain proportion of the Indian element in the Indian Civil Service?—Yes.

4003. Just as you say that there is no chance, for a certain number of years, of the Indians swamping the Indian Civil Service and that when that comes it might be time enough for the next generation to think of setting any proportion, do not you think that in the same number of years through the English door we might be getting a sufficiently large number of people that will reduce that minimum which you wish the next generation to fix? You have thought it out in this way, that for the next ten or fifteen years very few Indians will get in through the simultaneous examination, and when the result, of which fears are entertained, of Indians swamping the Civil Service comes it is so distant that we need not think about it? If you take that same period and consider the larger facilities and the larger number of people who would be sending students for the English examination, are you not likely to get the possible proportion which you ask the next generation to fix? You want to shirk the responsibility of fixing it yourself, but would not that proportion be likely to be obtained during that period?—I do not at all expect that that result will follow. The mere fact that more go from India to compete in England does not guarantee that more will succeed in the examination. There is also another point. It is not alone that we want a certain proportion, but we want the whole country to feel that the best men in this land have opportunities open to them for entering the highest service in the country. In any case the best men in the country cannot all hope to go to England on the mere chance that they might succeed in their examination. There are considerations of wealth and health which mere time could not overcome.

4004. Then you do not attach much importance to the fact of boys residing in England and European countries?—Yes. After the examination is over I propose a period of probation.

4005. What period do you propose?—I have proposed one year.

4006. And you think that is sufficient?—I think it would be sufficient, but I am willing that it should be two years. May I explain why I said one year. I thought that the European members of the service who pass the same year have only one year's probation now, and it might be inconvenient for the Indian candidates to have two years' probation.

4007. So that it is for the purpose of uniformity of both nations that you propose one year?—If for the purpose of uniformity the period could be made two years, I should be more pleased.

4008. There is no doubt about the immediate result of your proposal. The immediate result of your proposal to institute simultaneous examination will be that some of those who at present go to England will not go and very few will come in through the door of the simultaneous examination. You admit the first?—I admit the first.

4009. If simultaneous examinations are introduced there will not be so many people going to England as there are now, and you have admitted that simultaneous examinations for some years to come will bring in very few?—I did not say very few.

4010. Will bring in only a few. Can you give us any proportion as to what it will be as compared with the present results?—I do not like to be precise, but I should be very much surprised if after the institution of the simultaneous examinations we had more than two men succeeding in Madras.

4011. You cannot say anything with respect to the other Provinces, can you?—I would not say so much. Possibly in Bombay and Bengal there might be two apiece.

4012. So that you do not expect more than six?—I do not want to be precise.

4013. But about?—Something under 10, say 8 or 9.

4014. Supposing through the English door 8 or 9 or 10 come in each year, simultaneous examinations would not be necessary?—No. I gave you the other consideration that I want the whole of India to feel that the examination is open to them.

4015. Do you admit that the sort of examination which you propose to be held in India would change the character of the examination, whether for the better or the worse we will not discuss, that it is a distinct change from the curriculum which at present obtains?—It is not a distinct change. It is a change no doubt in the direction of Indianising the examination.

4016. But the object of those who started that curriculum was more to keep up the Western ideal of education than Orientalising it?—I do not object to it at all. I would not have any change made if the examinations were identical and simultaneous in India and England. It is only in case we propose to raise distinct proportions by distinct examinations that I thought it would be advantageous.

4017. Do I understand you correctly that if the same examination is to be held here you do not want any other examination? If there is the simultaneous examination in England and in India, you are not anxious for any other examination, are you?—Not for the Indian Civil Service.

4018. What is the other examination which you want in India separately?—I was thinking of a competitive examination for the Provincial Civil Service.

4019. Entirely for the Provincial?—Yes.

4020. (*Mr. Gokhale.*) Your object in advocating a simultaneous examination is that our best young men should have fair play?—Yes.

4021. Even if as a result of the simultaneous examination fewer men got in than the proportion that might be allotted to us with a separate examination, you would accept a simultaneous examination?—Quite so.

4022. Do you think that the discontent among the candidates that may fail in a simultaneous examination would be in any way comparable with the feeling of soreness and wrong from which the whole country suffers more or less because our young men have to go to England for the examination?—Of course not.

4023. Would it be comparable in any way?—Of course not.

4024. You said that, supposing simultaneous examinations were instituted, you did not anticipate, for about a generation, that any position which need cause apprehension to a European would arise. After that supposing the situation is reached when there was a tendency on the part of Indians to swamp the service you say a remedy could then be found?—Yes.

4025. It was put to you that it might then be difficult to find a remedy. Are you aware that there have been instances in the past when what was conceded first was afterwards withdrawn because other ideas came to prevail with the authorities? Can you recall any instances when a definite share of appointments which had been given to our people was afterwards curtailed because the ideas at head-quarters underwent a change?—I cannot at once think of any.

4026. You remember the rules of 1879?—Yes.

4027. What proportion was practically assured to us under those rules?—It was proposed to appoint one statutory civilian to every five men raised in England.

4028. Which meant a proportion of one-sixth?—Yes.

4029. Today in the Madras Presidency the proportion is one-thirteenth?—Yes.

4030. And the arrangement of listed posts came into existence as a result of the labours of the last Public Service Commission with the orders of the Secretary of State thereon?—Yes.

4031. So that there you have an instance where, with a change of views on the part of the authorities, we have been actually put back after having been promised something more?—Yes, the result is so, but I am not aware that it was brought about . . .

4032. But there it is. From one-sixth we have been now reduced to one-thirteenth. If, therefore, after another generation has elapsed, it is found that the number of Englishmen who get in by the competitive door is not sufficient, it would not be a very difficult matter to impose a limit on the number of Indians coming in?—No.

4033. (*Mr. Madge.*) I understood you to say that the standard of education here is not as high as the Civil Service requires, and you said that comparatively few would enter, and afterwards you said two would enter from this Presidency and two from each of the others?—I said so tentatively. I said I did not want to be precise.

4034. If the standard of education in the country is recognisably lower, I do not understand how you can expect anybody at all to pass a higher standard. It is like requiring a man six foot high to stand upright in nine or twelve feet of water?—I am thinking only of our best men as possible candidates for the simultaneous examination. The fact that our best men got through in a local examination however high does not mean that they could not get through if they took pains in a still higher examination.

4035. But the best men, however naturally qualified they may be, are required to be qualified to given standards, and if the standard does not exist talent cannot qualify for a non-existing standard?—If the standard is presented, I think talent could rise to it.

4036. (*Mr. Abdur Rahim.*) You are rather partial to examinations; are you not?—As a mode of recruitment.

4037. I suppose you have given some thought to the best way of developing national character?—Yes.

4038. Have you considered in that connection what would be the result on young men of an undue multiplication of examinations?—I should consider it under several aspects. In the first place I am greatly impressed by the thought that this appeals only to a very select few, and the educational world need not be perturbed at the advent of a new examination by the Civil Service examiners.

4039. Would you agree with me that too many examinations are likely injuriously to affect the growth of character in young men?—Certainly.

4040. (*Sir Valentine Chirol.*) You suggest that simultaneous examinations will result only in a very small increase for a considerable time to the number of Indians in the Civil Service, and on the other hand you suggest, as an alternative, a scheme which would at once reduce the number of Englishmen employed in the Indian Civil Service to about one-third of the existing number?—Yes.

4041. Can you really call those two schemes alternative schemes when they produce such extremely different results as to the future position with which we may be called upon to deal?—With regard to simultaneous examinations, I was thinking only of the results in the next few years. In the case of the other, since the proportions are to be fixed now, I think we should take a wide margin.

4042. Do you think that if you put before a given number of young men in this country two alternatives, one which would give them at once a very considerable increase in the chances of employment, an increase that would materially affect their immediate prospects in life and another a scheme which only presents more or less distant advantages of the same character, they would prefer the first scheme to the latter or the latter scheme to the first?—I should divide the class of people to whom this matter appeals into two classes. The higher minds of India would probably accept the alternative of simultaneous examinations, as it offers to them a guarantee of perfect equality of treatment and recognition as perfectly competent to stand as members of the highest service in the world. The other would appeal to a very much larger number of people. If I had the option I would choose the simultaneous examination.

4043. It seems to me rather dangerous to put forward two alternatives which are likely to create two such very different tendencies? May I suggest one qualification?—You are now taking my scheme along with the proposal I have made for the removal of Judicial appointments from the Indian Civil Service cadre. You have reduced the number of Europeans likely to form the residue by a third by making the other calculation; but even if this question did not come up now, I should have advocated the removal of the Judicial appointments from the Indian Civil Service cadre, so that really the evil of my scheme is not so great.

4044 (*Sir Murray Hammick.*) In the case of the simultaneous examination, do you intend the same examiners to mark the percentages which are given to candidates in India as well as to candidates in England?—Yes.

4045. Mr. Gokhale put before you as a reason for supposing that there would be little or no political danger in withdrawing this concession of simultaneous examination, supposing Indians were found some years hence to swamp the country through these examinations, that it was unreasonable to suppose that it would be politically dangerous to withdraw those concessions, because certain concessions had been given in 1879 and had been subsequently withdrawn. Do you not think that the very dangerous unrest which has existed in India during the past ten or twelve years has had something to do with the disappointment which the withdrawal of those concessions caused in India?—It may be a very small extent, but to some extent the dangerous unrest which has been a matter of common talk in India for some years was partly caused by the very disappointment felt by the withdrawal of concessions which were made in 1879 . . .

4046. (*Mr. Gokhale.*) May I correct a misapprehension; I did not say the withdrawal of the concession but the limiting of the number.

4047. (*Sir Murray Hammick.*) The point is whether, if the Indians become predominant in this examination, and you wish to limit afterwards, it would not be dangerous to do so. Do you not think that the disappointment which was generally caused throughout India by the withdrawal of the concessions given in 1879 is not to some small extent one of the causes which brought about the dangerous unrest which has been common talk in India for several years past?—I do not think I could tell you that that was in any appreciable degree a contributory factor.

4048. But it is possible it was?—It is just possible.

4049. (*Mr. Oldfield.*) How long have you been headmaster at Triplicane?—Eight years.

4050. And before that?—I was assistant master in various schools for a period of about ten years.

4051. Where?—In Madras for four years, and in the mufassal for six.

4052. You have not had a very large mufassal experience?—Six years, and I am a native of Tanjore.

4053. Have you any particular qualifications to speak with regard to legal matters?—Not at all.

4054. Your opposition to the Indian Civilians holding judgeships is rather comprehensive. What is it based on?—On two considerations. First of all, I have heard opinions expressed that the Civilians holding the appointments of District and Sessions Judge were not absolutely up to the mark in their work, and in the second place, I think that the recruitment might be more economical if members of the Bar who had qualified themselves for such posts were chosen.

4055. With regard to the first point, do you know that the Government of India has forbidden the practice of transferring men who are failures in the Revenue department to the Judicial?—I have heard so.

4056. Do you know there is a principle now by which men are invited to elect for the Judicial, and therefore there is some reason to expect men will go into it who have some slight enthusiasm for that kind of work. Would that qualify your opinion?—I have no doubt to that extent the evil would be minimised, but still there is the other thing.

4057. Would you propose the appointment of Indian Civilians who had been called to the Bar as Judges?—Not if they had not practised for some years here.

4058. You consider practice essential?—Yes.

4059. You think that the practice of District Munsifs is an asset of value to them before they are appointed District Judges?—Certainly.

4060. It is not a very long practice, generally?—Five years, I think.

4061. And not in very important cases as a rule?—I think it could not be in the first five years.

4062. Men do not get engagements in big cases in the first five years. What about criminal work? The Indian Civilian has a good deal of practice in criminal work as a Magistrate, and has occasion to know something about the Procedure Code, investigating crime, and so on?—The others could acquire that as well.

4063. Where would they acquire it?—Not under the present arrangement under which Munsifs and Subordinate Judges do very little criminal work, but we could tack it on to their work. I said I was not competent to construct a whole scheme.

4064. I am contrasting the Indian Civilian with the Indian Judges at present. At present the Indian Civilian has the advantage of knowing something about criminal practice, although he has never practised at the Bar, but it is not so with the English Judge. How do you compare those two things? Do you think they counterbalance?—I do not think so at all.

4065. You recognise that a good deal is said about the doings of the Police in criminal cases?—Yes.

4066. Do not you think it is of the very utmost importance that a Judge should have some knowledge of investigation and police procedure and the work of village officers, and so on?—Yes.

(The witness withdrew.)

M.R.Ry. S. Kasturi Ranga Aiyangar Avargal, Editor, *The Hindu.*

Written answers relating to the Indian Civil Service.

4067 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—In my opinion, the present system of recruitment by open competitive examination in England generally secures a class of intellectually efficient men. They are, however, essentially wanting in the characteristics which would make the administration of a Government department a popular one or a successful one in the true sense of the term. This class of officers under the present system are mainly composed of men of British birth and descent. With rare exceptions, they never get into touch with the people of the country, the educated as well as the uneducated, and the administration is carried on as if it were a machinery devised by a foreign authority and imposed from without. They act as if they felt that there should always be a gulf separating those who were in charge of the administration and the people of the country. Both in respect of social relations and when discharging the duties of their office, they consider themselves as an exclusive and a privileged class. They are generally wanting in consideration for the feelings, habits and traditions of the people. They are devoid of sympathy with and are usually jealous of the larger aspirations in respect of their national development which animate the educated Indians. They do not care to cultivate a friendly and sympathetic understanding with the people and rarely acquire a deep and real insight into the actual conditions of the country and the felt needs of the people. The members of the service set far too great a store upon the prestige attending it and are too generously disposed to be tolerant towards the lapses from duty of those belonging to the service. In my opinion, the general spirit and attitude of the members of the Civil Service act as a standing block to the co-operation of the people with the Government. They feel and act as if they were temporary sojourners in a foreign land. The Indian bureaucracy is in short what has been termed "a soulless machinery," so far as the larger interests of the country are concerned.

I consider that the system of recruitment by open competitive examination is a satisfactory one in principle, being the best that can be devised to secure men of merit and character and efficiency for the posts in the Civil Service

4068 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—The present system of competitive examination does not, in my opinion, make available for service in this country the best men either among the British or the Indians. I consider that the former preponderate to an unduly large extent, and the latter have a minimum chance. I would urge that a simultaneous examination for the Indian Civil Service be held in India as in England. In my opinion, only graduates of British or Indian Universities should be eligible to compete in the examinations. In regard to the subjects for examination, the marks assigned for the classical languages of India should be the same as for Greek and Latin.

4069 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I consider that the system of competitive examination is as much suitable to the Natives of India as to other natural-born subjects of His Majesty, but the former are heavily handicapped and labour under great disadvantages by the examination being held in England. The best Indian youths are unable to compete under the present conditions and as large a number of Indians as are desirable and necessary to be enlisted in the service in the interests of good Government are not obtained under the existing system.

4070 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—In my opinion, the combination of the open competitive examination for Indian Civil Service with that of the Home Civil Service will be to the advantage of Indian interests, but not its combination with the Colonial Civil Service. It seems to me that the former would promote a sense of equality and of fraternity among the Natives of Great Britain and of India

which would be largely conducive to the establishment of a cordial understanding between the British Government and the Indian people. If Indians obtain employment in the Home Civil Service by entering through the door of open competitive examination, the sense of racial superiority which animates the Englishmen who hold offices in the Indian Civil Service will largely disappear, and Indians would feel that they in common with the British born subjects are in fact, as in the eye of the law, fellow-citizens of the Empire. By reason of the laws prevailing in the Colonies, which exclude all Asiatics, including those Indians who are British subjects, from the rights of fellow-citizens, there is no reason or justice, in my opinion, in holding an open competitive examination for the Indian Civil Service in combination with that for the Colonial Civil Service.

4071 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—In my opinion a system of simultaneous examinations in India and in England for admission into the Indian Civil Service is a necessary measure. For the reason referred to in my answer to question (4), I would exclude those who are domiciled in the British Colonies from being eligible to appear as candidates in the examinations. As already stated, I would have only graduates of British or Indian Universities as candidates and those who pass the examination in India and are not graduates of a British University should undergo a period of training and residence in England for not less than one year.

4072 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of a scheme fixing a proportion for filling the vacancies in the Indian Civil Service cadre by Natives of India. Nor am I for a separate examination in India either for each province or for a group of provinces. On the other hand, I am in favour of one examination for all India, and for the officers in each province being freely transferable for duty to other provinces. In respect of certain grades of offices in the State carrying fairly high emoluments, whether executive or judicial, I would strongly urge the appointment of Indians or other Statutory Natives of India in provinces to which they do not belong by birth.

4073 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—My answer is in the affirmative.

4074 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed-posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—Please see answer to question (64).

4075 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I would recommend that Judicial appointments from the grade of District and Sessions Judge and upwards should be recruited from the members of the legal profession both in England and in India. The members of the Judicial service below the rank of District and Sessions Judge should be recruited from the members of the legal profession in India, and a small proportion of appointments in the grade of District and Sessions, Judge may be thrown open to them.

4076 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—The existing rule seems sufficient.

4077 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—I should say, twenty-five.

4078 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—I see no sufficient grounds for making a distinction between Indians and Europeans in this respect.

4079 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I have no remarks to offer except that the marks assigned for Sanskrit and Arabic should be the same as for Greek and Latin.

4080 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—I am of opinion that Indian candidates must have the option of taking up Indian languages for examination in lieu of Greek, Latin and French.

4081 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—My answer is in the negative.

4082 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—I consider it desirable that European subjects of His Majesty should be continued to be employed in the higher parts of the civil administration, but do not consider it necessary that any minimum should be fixed. Even with the institution of simultaneous examinations in India and in England for the Indian Civil Service, I think that a much larger number of Europeans would normally come out successful in the examination than Indians. This would be the case for a long time to come. I may here

draw attention to the remarks, with which I agree, contained in the Indian Public Service Commission Report of 1885–86, paragraph 64, in regard to the fixing of a proportion and the institution of a separate examination for Natives of India :—

"This suggestion does not commend itself to the Commission. In the first place, it involves a differential mode of treatment which would certainly be distasteful to the Native community, whose desire is to be permitted to compete on equal terms with the educated youth of England. In the next place, the adoption of any suggestion which involves separate standards of examination for Europeans and Natives is open to many of the objections which have been taken in the evidence before the Commission to the Statutory Service, and to which reference will be made in the following chapter of this report. Not the least prominent of these is the fact that persons appointed otherwise than by a common test and under a common standard are liable to be regarded as not possessing the same qualifica tions. Moreover, the system of allotting a certain number of appointments to be competed for by Natives and Europeans respectively is a departure from the principles of the Statute of 1833 and the Queen's Proclamation, inasmuch as it involves an artificial exclusion of candidates on grounds of race from appointments for which they may be in other respects the best qualified persons. It has, indeed, been suggested that if increased facilities are given to Natives in connection with the open competition in England, it is desirable to fix such a limit in order to guard against Natives gaining admission to the service by the competitive examination to an extent which may prove a source of difficulty or embarrassment. But when the disadvantages are considered under which Natives labour in competing in a foreign country, in subjects of study peculiarly English, and against the flower of English schools and colleges, the hypothesis involves so violent an improbability that it may be dismissed without serious discussion."

4083 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—I do not consider it satisfactory.

4084 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and, if so, what method of recruitment would you recommend?—I do not think so.

4085 (22). If the system of recruiting military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent, in your opinion, should it be adopted?—No.

4086 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—The system has not worked satisfactorily. It has produced much dissatisfaction among the members of the Provincial Civil Service as well as the general public. In the first place, the listed posts are too few. Secondly, the appointment to them by the Local Government partakes of the system of nomination, both in respect of the method of recruitment and selection of the individual officer. The abolition of a competitive examination for recruitment to these offices has tended greatly to cripple the system.

4087 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—If simultaneous examinations are not to be held for the Indian Civil Service, the present class of listed posts is quite unsuitable and inadequate. I consider that then one half of the several posts reserved to the Indian Civil Service should be listed to the Provincial Civil Service.

4088 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—I am against the idea of incorporating the principle of communal representation in any scheme relating to the recruitment of offices, whether executive or judicial. Fitness and efficiency must be the sole criteria by which posts in the Government service should be filled. There is great inequality in the educational qualifications and capacity to fill high offices among the members of the different communities inhabiting the various parts of India. If any one community is found to be very weak in one part of the country, it should be easy to import persons belonging to that community and possessing the requisite qualifications from another province. As I have stated before, I should prefer as a general rule that to all important offices in the Government service persons belonging to one province should be appointed in a province other than their own.

4089 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the service?—Yes.

4090 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—I consider that those Indians who have not graduated in any British University and who pass the competitive examination in India under a system of simultaneous examinations for the Indian Civil Service should spend one year of probation and training in England.

4091 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

4092 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—No.

4093 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—I consider that there is much deterioration in the knowledge of the Indian languages possessed by the European members of the Indian Civil Service. They rarely acquire adequate proficiency in them. The liberal leave and furlough allowances enable the European members frequently to leave the country and lose touch with it. The small social circle composed of Europeans in which they move out of office hours, gives them no opportunity to mix freely with Indians and learn their vernaculars. I am unable to say how this state of things can be remedied. By the large leavening of the Civil Service with the Indian element, the necessity of the European members acquiring any large acquaintance with the Indian languages will, I believe, not be felt very much in the administration of the country.

4094 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judical branch?—In my opinion, the members of the Indian Civil Service should not be eligible for employment in the Judicial Service, but must be reserved for the Executive branch of the public service.

4095 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Natives of India who are not graduates of a British University who pass the competitive examination in India should undergo a year's training and residence in England.

4096 (41) If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—*Vide* answer to question (40).

4097 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so please state your proposals?—I consider that persons recruited for the Indian Civil Service should be free from the prejudice to foreign travel and should either before or after passing the competitive examination have resided in England for a sufficiently long time to acquire a knowledge of Great Britain and of its institutions and people.

4098 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—I do not approve of the present arrangement and I think there should be no difference in pay between one person and another who happen to hold the same office discharging the same functions.

Written answers relating to the Provincial Civil Service.

4099 (51). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The conditions laid down in the resolution are not suitable in that they have not made it obligatory on Local Governments to institute a system of competitive examinations for recruitment in the several Provincial Services.

4100 (52). In particular, are the rules for the recruitment of the Provincial Civil Service in force in your province suitable, or have you any recommendations to make for their alteration?—The rules now in force for the recruitment of the Provincial Civil Service in this Presidency are not suitable. They have dispensed with the system of competitive examinations, which is a fatal defect in any system of recruitment for public offices.

4101 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—In my opinion, recruitment for the Provincial Civil Service should ordinarily be thrown open to residents of all the provinces in India.

4102 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I believe they are, by the system of nomination and selection adopted by the Government. In a system of competitive examination, all classes and communities are not likely to be represented in the Provincial Civil Service. In my opinion, however, the principle of representation of classes and communities is not a fit one to act upon in the recruitment for public offices. Capacity, merit and efficiency should be the sole criteria. I may observe, however, that in different parts of the country there are classes and communities containing individuals of varying degrees of education, talent and capacity. By an adjustable method of transfer of officers, it would be easy to redress the seeming inadequacy in the numbers of persons belonging to one class or community in one province by importing qualified men belonging to that class or community from another province.

4103 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—I am in favour of a complete separation of judicial and executive functions in the holder of an office. Purity of the administration of justice and the confidence of the people in the same demand the adoption of this measure.

4104 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—In view of the desirability of the residents of all the provinces in India being eligible for recruitment for the service, I would drop the expression "Provincial."

4105 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I am not satisfied that the principle referred to should be accepted in the matter. The governing considerations should be the nature of the duties to be discharged, the prestige attaching to the office and the class of men whom it is desirable that it should attract.

4106 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I would deprecate any inequality in the rates of pay of men holding the same office and discharging similar duties, whether they belong to the Indian Civil Service or the Provincial Service.

4107 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am not satisfied with the existing organisation of the Provincial Civil Service, as it is now recruited mainly from those who start life from clerical posts carrying a salary of Rs. 35. The alternative organisation which I would recommend is on the basis that the superior posts of the Executive branches of the service should be thrown open for competition by a system of simultaneous examinations held in England and in India. The Provincial executive service should be recruited by open competition on a scheme similar to that which Sir Gabriel Stokes proposed to the Madras Government some time ago, and which was commended for adoption by the Royal Commission on Decentralization, with one important difference. Sir Gabriel Stokes said:—

"My idea and a proposal which I actually made is that the executive service of the Revenue department should be divided at the grade of a Deputy Tahsildar, that the service above that should be made into a superior service with a lower subordinate clerical service, that the superior service should be recruited by a combination of nomination with competition. For example, you should make a Selection Committee who would receive applications from any body who wanted an appointment, who would actually personally interview the applicant, ascertain particulars of his family and his connections and everything of that sort, whether he was in good health and so on and finally passing as a candidate; then you would pass in that way, say, three hundred men; there would be about thirty vacancies; then you would have a competitive examination amongst the three hundred men for the thirty vacancies."

I would accept his scheme with this important difference,—that the selection should be by open and free competition and not by the system of modified competition which he advocates.

Mr. S. KASTURI RANGA AIYANGAR, called and examined.

4108. (*Chairman.*) You are the Editor of the *Hindu* paper, are you not?—Yes.

4109. Can you tell us what other positions you have occupied?—About 30 years ago I was Sub-Registrar for some time, and I was enrolled as a Vakil of the High Court and practised in the districts for about ten years, and for about ten years in the Madras High Court. I have been a member of the local municipality of Coimbatore and also of the District Board, and also an Honorary Magistrate in Coimbatore and an official visitor of the central gaol there.

4110. What is your caste?—I am a Brahman.

4111. In your first answer you state that the European members of the Indian Civil Service are generally wanting in consideration for the feelings, habits and traditions of the people. On what ground do you base that statement?—It is based upon my personal experience of these officers as well as the information which I have derived from various sources. I have held the present position for eight years and have had access to information from various quarters regarding the nature of these officers, the way in which they perform their work, and the relations which they stand in towards the people; and I have also been personally acquainted with them when practising in the districts and here. The remarks which I have made are based upon that experience and knowledge.

4112. Is your general statement based on the experience you have personally received from visits in the country districts?—It is based upon personal experience and upon information which I have derived from people who are in a position to know the state of things.

4113. Is it based upon one or two instances?—Several instances. I could mention any number of instances to substantiate every one of those assertions.

4114. Do you confine that statement to the Presidency of Madras?—Entirely to the Presidency of Madras.

4115. You say, "The members of the service set far too great a store upon the prestige attending it and are too generously disposed to be tolerant towards the lapses from duty of those belonging to the service." Could you give us a little further information on that point?—What I mean is that they regard it as a close preserve, and the *esprit de corps* which attaches in their opinion to the service makes them very tolerant towards the faults of the members of the service.

4116. I gather from that statement that you are in a position to know of faults which have occurred and faults which have not been dealt with by the service?—By the service, yes. When faults are brought to the notice of other persons, they are very prone to excuse them rather than deal with them in an efficient manner.

4117. You are anxious to see the establishment of simultaneous examinations?—Yes.

4118. Do you apprehend any difficulty, as the result of success in those examinations, in regard

to the various traditions obtaining in the different provinces and the officers who would be appointed to those provinces?—I do not apprehend any difficulty. I have stated in my answers that although from some provinces there may be candidates who would pass in larger numbers than in other provinces I would generally like that these officers should be employed in places other than their own, and it is therefore capable of being adjusted in that manner.

4119. You think it will be a good thing?—I think it will be a good thing, and I think it is a necessary thing in the case of almost all officers who can afford to live away from their own province.

4120. You think it would be a good thing to develop a free interchange of officers for the whole of India?—Yes.

4121. And you do not apprehend any difficulty with regard to the varying and diverse conditions which at present exist as between one province and another?—I do not.

4122. Do you think it would be good for the officer?—Yes.

4123. And you think it would be in the best interests of administrative efficiency?—I do think so.

4124. I take it there are very wide differences in the provinces of India?—Not essential differences. As a matter of fact men who pass the Indian Civil Service from one province are posted to very different provinces. My own view is that the great advantage which the Englishman has in this country is that he is entirely foreign to all, with no local associations or prepossessions or prejudices. It is that which makes him shine better than the local officers in various cases.

4125. There are different vernaculars, are there not?—Yes.

4126. You do not think there would be any difficulty in an official going from one province to another where an entirely different vernacular is spoken?—I do not think there would be much difficulty at all. I think a Native of this country can easily pick up a vernacular of any other province to which he does not belong.

4127. And with your free system of interchange the officer in the course of his term would have to pick up a good many?—It is not necessary that the officer should be sent to numerous places where he is not acquainted with the local language.

4128. But would he easily pick it up in his spare moments?—If a Madras man is sent to Bengal or Bombay, it is not necessary that he should learn all the languages of India.

4129. It would be necessary for him to learn the language of the province to which he is appointed, would it not?—It would be no more difficult for the Indian than for the Englishman to be employed in various places in this country.

4130. You attach value to the Indian officer having British training?—I do.

4131. What do you suggest in that connection?—If the examination is passed in India, he should go to England and spend one year there at least.

4132. What do you suggest he should do during that year; should he be attached to a University?—He should attach himself to a University and attend Parliamentary proceedings and make himself acquainted with British institutions.

4133. What age do you think is the most favourable for him to go to England to get this British training?—About 21 to 22.

4134. You are also anxious to see free interchange between officers of the Provincial Service?—Yes.

4135. And you do not apprehend any difficulty in that connection in regard to the Provincial Civil Service, any more than you do in regard to the Indian Civil Service?—I do not apprehend any difficulty; I consider it a necessary measure.

4136. If your proposal regarding the Provincial Service were accepted, do you advocate the retention of the listed posts?—I do not.

4137. You would abolish them?—Yes.

4138. You would like to see the Provincial Civil Service quite detached from the Indian Civil Service?—Yes.

4139. Regarding it as an inferior service?—Yes.

4140. You are in favour of uniformity of salaries?—I am in favour of uniformity. Under the present system the Provincial Civil Service man and District Judge gets a much lower pay than a Civilian Collector, although he hears appeals. If the Magistrate gives a decision, the Indian Judge, whose pay is much lower than his, has to hear appeals from his decision.

4141. Do you not think the expenses of a European may be somewhat in excess of the expenses of an Indian living in his own country?—Nowadays, in my view, Europeans are not spending as much money upon their establishments in India as they did in former days. I think they have gradually curtailed their expenses at the present day. I do not think it will be a great disadvantage to them.

4142. Do you think the cost of living has increased in recent years in India?—It has increased, but if the pay of these officers is to be increased it ought to be increased all round. It seems to me invidious to have a distinction of salaries as regards persons who discharge the same duties and perform the same functions.

4143. You are in favour of separating the Judicial from the Executive?—Yes.

4144. What proportion of Judicial posts would you leave to Europeans?—I advocate that all the Judicial appointments, from the District Judge upwards, should be recruited from members of the Bar, English and Indian.

4145. (*Sir Murray Hammick.*) In the first of your written answers when you say that the administration is carried on as a "soulless machinery" so far as the larger interests of the country are concerned, do you refer to the Indian Civil Service officers generally or only to the European members of the Indian Civil Service?—I refer to the European members only.

4146. What has been your experience of the work of the European officer up-country?—I was a member of the Coimbatore District Board from 1885 up to 1892. I do not say I was there exactly all the time.

4147. Were you living in Coimbatore then?—Yes. I was also at the time a member of the municipality and an honorary magistrate of Coimbatore.

4148. Were you then a Registrar?—No, I was then a practising High Court Vakil.

4149. Have you had any personal experience since that time of the work of a District officer of the Indian Civil Service up-country, since the year 1892 and outside Coimbatore?—I was in Coimbatore until 1894 and subsequently I came to Madras. I was practising as a Vakil in Madras.

4150. Have you had any personal experience of the work of a European officer up-country in the mufassal since the time you left Coimbatore?—No, not personally; I was not actually engaged with European officers.

4151. Have you ever seen a European officer in camp, for instance at Jamabandi, or doing his work in camp, in a district, since the time you left Coimbatore?—I have been to European officers in the course of my professional duty.

4152. Which European officers have you been to?—Magistrates and Collectors.

4153. Where?—In several districts.

4154. How often have you seen these European officers?—I cannot exactly say, but I have been to them several times when appearing in cases.

4155. Do you think that this want of touch with the people of the country is increasing or diminishing since the time you saw them in Coimbatore twenty years ago?—My impression is that it has been increasing.

4156. Do you know Mr. Rajagopala Chariar of Travancore?—Yes.

4157. Do you consider he is a person of reasonable judgment?—He is a very clever man and a very able officer.

4158. As Manager of the Co-operative branch Mr. Rajagopala Chariar moved all over the Presidency, did he not?—He did.

4159. He is not an Indian Civil Service man?—He is not.

4160. So he is not likely to be prejudiced against Indian Civil Service officers?—I cannot say anything about that.

4161. Would you be surprised to hear that in his evidence in answer to question (16) he says: "My direct experience has not been large, but I have generally found on enquiry that the men we have been getting latterly, that is, after 1891, have been much more satisfactory in the sense that they have commanded more public respect and the confidence of the people." Do you agree with that view?—That is a general statement.

4162. Do you agree with that view or not?—I cannot say. Those terms are general. I have myself stated that they are an intellectually efficient class.

4163. That is not the point. Have they the public confidence at least as much as they had before 1891?—I have given my opinion.

4164. Cannot you answer my question? Do you think they have the same public confidence now as they had before 1891?—I do not agree with him there.

4165. You do not agree with him?—No.

4166. Have you ever been up-country during the time of a famine?—No.

4167. Have you ever seen an Indian Civil Service officer up-country managing plague?—I have not actually seen it.

4168. Have you ever been up-country and seen a District officer managing an epidemic of cholera?—No.

4169. So that you cannot speak with regard to the sympathy of the District officer of the country when he is managing matters of that kind?—I do not think it follows.

4170. I say you cannot speak from experience of having seen whether a District officer shows sympathy or not to the people of this country when he is managing matters of that kind?—Sympathy is shown in various directions and embraces a large number of subjects. It is a very general term. There may be directions in which an officer may show sympathy and other directions in which he may show a want of sympathy. I cannot say that because a particular officer showed himself active in plague proceedings he was all an officer should be. He may have been in that particular instance sympathetic. I have myself heard of an officer in the Salem Collectorate who showed a great deal of sympathy, and it was noted in the Press. If an officer is shown to be of a sympathetic nature that is so much to his credit. I cannot lay down any general proposition.

4171. If an officer shows sympathy during a plague epidemic, during a period of famine, and during a cholera epidemic, would it not be reasonable to draw the conclusion that he was generally a sympathetic officer with the people of this country?—To that extent I will say he was a very sympathetic officer.

4172. You propose to replace the officers of the Civil Service to a large extent by officers recruited in this country?—Yes.

4173. Most of those would be Brahmans at first?—Not necessarily.

4174. You know that the competitive examinations we have hitherto had in this Presidency have resulted in a very large majority of Brahmans getting into the service?—That is so.

4175. So that it is probable that simultaneous examinations will produce a considerable proportion of Brahmans to send up as Indian Civil Service officers in the first instance. I would ask you to put yourself in the position of a Panchama or very low caste man up-country who wishes to approach the Brahman officer: can he go into his house without first of all asking for permission and arrangements being made that he should not defile the house?—It is not necessary for a Panchama to go into the Brahman's house.

4176. I am only asking whether he can go into the house?—You prefaced it by another observation. If you put the question of whether he can go I will say he cannot go.

4177. You have never seen it, but I suppose you will admit that a Pariah, during his time with a European officer, is doing his work with absolute access into the officer's tent, his office room, and, as far as that goes, his dining room?—My own experience is that menial servants have no access, even in European households, to the better quarters of the household.

4178. To my mind you do not know much about it, because they have complete access everywhere. Do you think a Panchama would say that a European District officer was less accessible to him than the Brahman Collector, if such a person exists? Which is most probable?—I think the Panchama would prefer a Brahman because he can go quite easily and tell his wants to him and the Brahman would understand them much more readily than the European would. In most cases the European would deny access to people of that low degree.

4179. You say that this has been getting worse. When did this deterioration of the service, which you say is so marked now, first set in?—I cannot say when it did set in. I have found it most marked during the time when there was the so-called political unrest in this country. I had reason to believe that every civilian officer distrusted, without any discrimination, any Indian whoever he might be. If, for instance, a political outrage happened in the remotest Province of Bengal, no Indian was safe from the suspicion of civilians. Every respectable man was viewed with suspicion as regards this political unrest.

4180. Every respectable man was regarded with suspicion?—Yes. No man could free himself from the suspicion with which a European officer always looked upon him.

4181. Are you talking of Madras?—I am talking generally. When I say every man, I mean that in the vast majority of cases every European officer believed that an Indian, however respectable he might be, would be connected with sedition.

4182. Do you think that is the generally prevalent opinion of intellectual persons in this Presidency, that after the unrest set in every European officer considered that the great majority of educated Indians he associated with were seditious?—The large majority of Indians.

4183. I am glad to say I never thought that before. It may be so, but it never occurred to me before. You read your own paper, I suppose, the *Hindu*?—I do not think that is a question you ought to put to me; that is the answer I will give you.

4184. But it is a perfectly harmless question?—It is a very objectionable question I should say for you to ask me whether I read my own paper, the paper of which I am the Editor.

4185. (*Chairman.*) I am sure Sir Murray Hammick did not intend any offence?—It is the paper of which I am Editor.

4186. (*Sir Murray Hammick.*) I had no intention whatever of hurting your feelings and I apologise profoundly. What I wanted to go on to say was this. I have read your paper very carefully for very many years and what I always noted in your paper was that, although your leading articles and your face page very often contained very strong criticisms on our service, which I never resented, when I turned over the page I generally saw that four or five correspondents were writing from various districts, and I do not think it is an exaggeration to say that out of those letters at least three out of six contained most laudatory accounts of the Indian Civil Service officers of the district. Generally the Indian Civil Service officer was described as being most courteous, and it was said:—"We are exceedingly delighted to have such a pleasant gentleman in our midst," or "Mr. Somebody was received with acclamation at the station as our most popular Collector." Do you read those articles?—I do not mean to say there are not officers who deserve well of the people; at the same time I would say that those letters are written by people who are on the spot with those officers and generally want to curry favour with them. That is a matter that you ought to be acquainted with as much as with the other.

4187. (*Sir Valentine Chirol.*) You began with certain very general and sweeping statements with regard to English Civilians, mostly based, according to the answers you have given to Sir Murray Hammick, not on your personal experience, and you have said to him that you believe a Panchama would prefer to have to deal with a Brahman rather than an English officer, because he would be more accessible. Would you be surprised to hear that not a Panchama but a non-Brahman Hindu gentleman came to me yesterday to make me a statement the whole character of which would correspond exactly with your statement with regard to the English Civilian if you substituted for the "English Civilian" the word "Brahman?"—I am not surprised. I would say this, that not one non-Brahman would come to you in that way, but any number of non-Brahmans would come if they knew such statement would be received with much approval and consideration. A great deal depends on what a person thinks of the source he ought to go to for a statement of that sort. I myself would not attach the slightest value to the statement of a man who comes to you solitarily and gives you some information in private. It is open to a non-Brahman gentleman of that kind to come and give evidence before this Commission and subject himself to cross-examination.

4188. You advocate the establishment of competitive examinations in England and India for the Indian Civil Service?—Yes.

4189. And you do so in the hope and belief that it will lead to an increase of Indians and a diminishing of Englishmen in the service?—Yes.

4190. Do you think that that desire is very widely entertained by the people of India?—I think 99 per cent. of the people of India entertain that. You must be aware of the political agitation since the time of the Congress; I think you have referred to it in your own book on the Indian unrest.

4191. The result of that new system of competition will be, you hope, ultimately to lead to a large substitution of the Indian agency for British agency in the administration of this country?—I do not say a large substitution; I say a reasonable substitution of Indian agency for British agency. I am not advocating a large substitution of Indian agency for British agency. You would see from an answer to one of the questions that if a system of simultaneous examinations is not given to the people, but if the listed posts are to be increased, to what proportion they should be given, I have said 50 per cent.

4192. You look to that increase at any rate?—Yes, I do look to that.

4193. And you think that that increase would be very generally welcome?—It would be, I believe.

4194. Are you aware that when, for purposes of administrative convenience, there is a desire to effect an exchange of territory between British administered provinces and an adjoining native province, there is generally very strong protest by the inhabitants of the villages which are to be transferred against the prospects of being withdrawn from British and placed under Native administration?—I would generally say that a

British Province is better administered than most Native States.

4195. You do not think that is in consequence of any predominance of the British agency?—I believe the British Government is a sound and just one although I may take exception to individual officers.

4196. You are in favour of complete separation of judicial and executive functions?—Yes.

4197. And the withdrawal of all judicial functions from the Indian Civil Service?—Yes.

4198. You say that this is necessary on account of the purity of the administration of justice?—Yes.

4199. Do you mean to say that the employment of civilians in the administration of justice is detrimental to the purity of the administration of justice?—I mean that if the officer is both an executive officer and a judicial officer it is detrimental.

4200. To the purity of the administration of justice?—Yes.

4201. What do you mean by the purity of the administration of justice?—Impartiality.

4202. That is not a matter of purity; that is partiality?—Purity includes impartiality.

4203. You are in favour of the employment of Indian executive officers outside the provinces of their birth?—Yes.

4204. Do you really suggest that it would be either to the benefit of efficient administration or to the benefit of the good relations between the administered and the administrator that, for instance, a Muhammadan from Northern India or a Lingayyat from the Bombay Presidency should be appointed to executive office in this province where he would be entirely unfamiliar with the habits, customs, and language of the country?—A Muhammadan from whatever part of India he may come would be much more acquainted with the people and ways here, or get to know better their customs and habits, than an Englishman.

4205. Are you acquainted with many other parts of India?—I have travelled over many parts of India.

4206. And you think that any Indian would be more acceptable?—Yes

4207. (*Mr. Abdur Rahim.*) You say in answer to question (1) that the present system of recruitment secures a class of intellectually efficient men, and then you proceed to set out a list of what I consider very grave defects in a considerable number of men who have satisfied that test?—Yes.

4208. And you still uphold the system. I should like to understand how that is?—It is not the competitive system which is the cause of it; it is because the service is kept as a close preserve to which only people of British descent can aspire. They consider it ought to be kept especially for their class. It is only by giving them that provision that the British Government can have their own prestige kept up. My own impression is that the European Civilians themselves are vastly improved by contact with Indian Civilians. There will be a feeling of comradeship and emulation between the Indian and European members of the service, and things would adjust themselves to a footing of proper equality, and the administration would improve. They consider now that they are aloof from the actual interests of the people.

4209. What you really mean is that the predominance of the British element seems to create a sort of bureaucracy?—My impression is that the Indians who enter into the Indian Civil Service are looked upon as a sort of intruders who have come into the sacred precincts. That is the impression the English members of the Civil Service create on observers.

4210. Then your satisfaction with this system is more or less a matter not based on actual experience?—I cannot say it is from actual experience. I expect certain results to follow from the simultaneous examination scheme. By a large number of Indians being in the Indian Civil Service the tone of the service would be improved and they would more identify themselves with the interests of the people of the country, with the institutions of the country, and with its progress.

4211. (*Mr. Madge.*) You have said that about 99 per cent. of the people of India would approve of simultaneous examinations?—Of course I meant educated Indians. Probably some belonging to a class of people who are called statutory Natives of India may not agree with that proposition.

4212. What proportion do you think the class that you call educated bear to the people at large?—I have not calculated the figures.

4213. Approximately? The literate classes are given in the census returns?—I know. It is impossible to say what proportion of the people of India are literate, but I say all those who have had access to high English education are of this opinion; in fact, the large majority of them.

4214. I do not want to seem discourteous to you. My question is what proportion does the class you consider qualified to give the opinion you have expressed, bear to the whole of the country?—I cannot tell you the proportion.

4215. Then it is an unknown quantity?—You may take it so if you like.

4216. Do you accept the opinion of an unknown quantity that you decline to define?—The class of educated Indians is a well-known description. It is easily intelligible to people. I admit it would be a small minority in comparison with the vast population of India.

4217. My reason for asking you this question is that I have had the advantage of consulting men in Bengal who differ entirely from you, and according to your own standard would rank amongst the highest educated class in this country, and who would establish some difference between you and others. Apparently from your answers you do not attach much importance to opinions in the Press in favour of British officers. But in Bengal statements are constantly appearing in the Press expressing great satisfaction with the conduct of British officers, not when they are in the district and any further favours can be expected from them, but when they are going away. Indeed proposals to raise testimonials and memorials to them have not infrequently been put forward?—I myself know of some British officers for whom I have great admiration.

4218. I have not finished my question. I simply want to ask you why your Province differs so much from Bengal and other Provinces with which I am somewhat familiar?—I cannot say it differs because in the first place I do not know the difference. How can I explain the reason when I do not know it is a fact that in other provinces there is such universal recognition.

4219. I have called your attention to the fact that public reports appear to the effect I have already stated?—I should like to be satisfied much more than from a mere statement of that kind.

4220. You would recommend that Judicial appointments from the grade of District and Sessions Judge upwards should be recruited from the members of the legal profession both in England and in India. I suppose you mean Barristers?—Yes.

4221. In the case of Barristers coming out straight from England, they would as Sessions Judges have to decide a class of cases in which the habits and customs and thought of the people of this country are involved to a large extent, and you think all this should be excluded from the view of a Judge in deciding cases? I am not referring to Indian Barristers who may be supposed to know something of the country, but British Barristers who are entire strangers to the country?—British Barristers as a matter of fact are brought into the High Court and do take up Sessions cases without any previous acquaintance with the country. Therefore I say there is no objection to British Barristers coming out here as District Judges.

4222. There may be a practice which may or may not be perfect; I am not asking what exists and whether you approve of it or not. But I am asking whether you think, in the case of a Sessions Judge, who does not go out into the mufassal but has to deal with the people, that cases that come before him would not require some knowledge of the people, their habits of thought and feeling, and local customs and practices?—They would be undoubtedly better with some knowledge, but I do not think that a serious drawback to them as Judges, considering that they would have superior legal training. Men who have had some practice in England and who have had a legal training I conside rsuperior to persons in the Civil Service who have had executive work to perform and who after that get themselves transferred to the Judicial branch.

4223. Besides being entire strangers to the country they would be entire strangers to the language. In all these respects do you think a civilian makes a worse judge, with all his knowledge of the country and his long experience of it?—Yes, I do think so.

4224. In answer to question (54) as to whether all classes and communities are duly represented in the Provincial Civil Service, you say that they are by a system of selection and nomination adopted by the Government. Do you believe at the present moment that all classes and communities are represented?—Yes, that is the answer which I have given.

4225. Then according to that there should be no dissatisfaction anywhere as to the constitution of the Provincial Civil Service. Strangers coming in here have heard that a particular class monopolises most of the appointments, but you believe that is a mistaken statement?—If you can point me out any such statement, I will look at it. I do not know what that statement is.

4226. (*Mr. Gokhale.*) As regards the greater accessibility claimed for European officers, do cases occur in this Presidency from time to time in which Indians of education and position have had reason to complain of the treatment they receive from European officers?—There are such cases.

4227. Cases for instance of being kept waiting, standing outside the house before being called in?—I heard of a case of this sort only the other day in which a Magistrate, when a vakil of the High Court went to prefer a criminal appeal to him, had two chairs placed at the entrance of the compound, not within his verandah. When he came into the house he found the vakil with his papers applying for bail and his petition for appeal and simply asked him what the thing was, and when told said: "The application for bail is rejected; I will post a date for hearing the appeal." He fixed a day for hearing the appeal at that very place. When the vakil went to him on that day the Magistrate was not there. The vakil sat in the open air for half an hour, and then the Magistrate sent word to him that he would hear it in the office about half a mile away. He had to wait until 5-30. Then he heard the case and said he would deliver judgment subsequently. It was a case in which three months' rigorous imprisonment had been ordered.

4228. As regards the uneducated countrymen, what is their average attitude of mind towards the average European officer?—It is one of fear.

4229. Is it not one of fear?—Yes.

4230. If an uneducated Indian wants to go to a European officer, will he go to him direct or to some peon, or some petty clerk?—He cannot. He has to satisfy servants before he can get access, and most often he does not get access to a European officer.

4231. I have an impression that instructions were issued by the Madras Government some time ago calling upon European officers to treat Indian visitors better?—Yes, they framed a code of manners for European officers.

4232. When was this code published?—Last year, specifically asking that certain things should be observed. It was a code of etiquette in reference to Indians of respectability.

4233. Because complaints had reached the Government that Indians were not being properly treated?—Yes.

4234. You are the editor of a daily paper and you get exchanges from other provinces?—Yes.

4235. And you glance through them?—I go through them.

4236. You get exchanges from Bengal?—Yes.

4237. Do you notice letters from time to time in the Bengal papers complaining of the ill-treatment of Indians at the hands of Europeans?—I have read most scandalous cases of ill-treatment.

4238. Your province is not therefore singular in that respect?—By no means.

4239. (*Mr Chaubal.*) That code of instructions that Mr. Gokhale referred to, have you read it yourself?—I have.

4240. Do not you think that it was issued in order to give the young junior civilians an idea of what forms of etiquette there are which he may not be conversant with and which if he broke he might offend Native feeling?—It is not only intended for guidance, but it is based on previous experience that such things have not been observed.

4241. But they are intended to prevent a junior officer through ignorance offending the feelings of particular communities—forms of address and such other things?—Yes.

4242. (*Sir Valentine Chirol.*) I should like to ask you one question arising out of your reply to Mr. Gokhale. You said you read letters in the papers from other provinces and you have told us yourself that you as editor are quite willing that correspondence should be published in your own paper which is entirely misleading with regard to the friendliness and good qualities of English officials, knowing that they are written simply in order to curry favour?—I said in some particular cases it may have been introduced by a desire to satisfy the European superior. I did not say that in every case misleading statements have been put forward.

4243. It is a very remarkable statement for an editor of a paper to make, I must say, as a journalist?—I am not here to receive any judgment from you as to my conduct as editor.

(The witness withdrew.)

(Adjourned to Monday, January 13, 1913.)

At Fort St. George, Madras.

Monday, 13th January 1913.

FIFTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. OLDFIELD, Esq., Acting Judge of the High Court of Judicature, Madras.
M.R.Ry. Diwan Bahadur R. RAMACHANDRA RAO Avargal, Collector, Nellore.
M.R.Ry. V. SUBRAHMANYAM PANTULU Garu, District Judge, Cuddapah.

M. S. D. BUTLER, Esq., C.V.O., C.I.E.
R. R. SCOTT, Esq. } (*Joint Secretaries.*)

M.R.Ry. Diwan Bahadur, P. RAJAGOPALA CHARIYAR Avargal, C.I.E., Diwan of Travancore.

Written answers relating to the Indian Civil Service.

4244 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The system of recruitment by open competitive examination works well for the *Revenue* department. It was probably never really satisfactory in regard to the *Judicial* department; with the great improvement in the Bar that has taken place in recent years, the average Civilian has become increasingly unfit to hold his own in judicial work. The first need, therefore, in my opinion, is the complete separation of the Revenue and Judicial departments. The recruitment for the *Revenue* department may continue by open competition.

4245 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I would recommend that the Judicial department be completely separated from the Revenue and recruited almost wholly from the Bar direct. Should this principle be adopted, recruitment by competitive examination for the Judicial department is hardly practicable. The conditions of recruitment, service, etc., for the Judicial department will have to be framed on quite different lines.

4246 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is now unsuitable in the sense that the large majority of capable Indian youths are practically shut out from the competition, because the examination is held only in England. I see no other unsuitability, so far as "Natives of India" are concerned.

4247 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection

under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—As I have no objection to the present system of recruitment by open competitive examination, so far as the *Revenue* department is concerned, I have no alternative to propose. In regard to the *Judicial* department, my view is that recruitment must be almost wholly from the Bar. Provided that a man has come from the Bar, I have no objection to his being promoted from a lower judicial appointment to a higher one.

4248 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—A system of simultaneous examination, in my opinion, will be the only solution having any finality, so far as the claims of Natives of India are concerned.

4249 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—I see no need for the simultaneous examination being held outside the United Kingdom and India. At present, Natives of India are not, I believe, eligible for appointments in the self-governing colonies, and I do not think that the latter could, with any show of reason, ask for special facilities being given them for appointment to the Indian Civil Service.

4250 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am against a system of separate examinations. The result will be that the men coming in by the examination held in India will, in the end, be considered by the Governments, and also by their own countrymen, as belonging to an inferior species. This will prejudice them and affect their work.

4251 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—As I am for simultaneous examinations, I am not in favour of any system by which "Natives of India" will gain admission by means of nomination or even part nomination. Experience has shown that, when once nomination is allowed in any form, it is difficult for the nominating authority to resist the pressure brought to bear upon it to appoint the less qualified in preference to the more qualified. It is, of course, desirable that all classes should be represented in the public service, and it may appear that nomination is the *only* way open of securing this object in the case of the educationally very backward communities. The dangers of jobbery, consequent on giving the power of nomination, are, however, so great that I would consider the exclusion of one or two communities, for a time, as the lesser evil. Also, it has to be remembered that communities once considered educationally backward have improved considerably in recent years. It would probably be to the interest of those communities themselves to take away from them this temptation of getting their men in otherwise than by the open door. Further, it has to be remembered that the Indian Civil Service is intended to be a *corps d'élite*, and for admission to a service like that efficiency should be the only test. The legitimate aspirations of the more backward classes for a share in the Government of their country can be met through the Provincial Civil Service. Nomination will, I take it, always play a large part in admission to the Provincial Civil Service, and it will be open to each Provincial Government to give due weight to racial considerations in recruiting for the local service. If promotion to listed appointments from the Provincial Civil Service is allowed to continue, as I propose that it should, it will be open to a member of a backward community to rise to the Indian Civil Service through that door, after proving his fitness in a subordinate appointment.

4252 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—I am not in favour of a system for the *part* recruitment of the Indian Civil Service by "Natives of India" in India. The provision of simultaneous examinations should, I think, meet all reasonable requirements, so far as the "Natives of India" are concerned.

4253 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—The provision for the promotion to appointments in the Indian Civil Service, of officers in what are known as the Provincial Civil Services, should, I think, continue; provided that this is done, I would wholly confine the admission of "Natives of India" to the Indian Civil Service to the door of open competition.

4254 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I have already said that the Judicial department should, in my opinion, be wholly separated from the Revenue department. The system that I would propose is to have a separate Judicial department for each province, composed of the entire judiciary of the province with salaries of Rs. 200 and upwards. This department should, in my opinion, be recruited from men having some knowledge of law and also experience at the Bar—either Barristers or Pleaders of the High Court. At present, in the Madras Presidency, the class of Munsifs is recruited almost wholly from the vakils of the Madras High Court. The Sub-Judges are almost wholly appointed by promotion from among the Munsifs.

But only four, out of about twenty-two District Judgeships, are open to these men, the other eighteen being held by men of the Indian Civil Service whose whole previous experience has been obtained in the Revenue department. It is true that, on account of the combination of Land Revenue and Criminal Judicial functions that now prevails, these officers have had some experience as Magistrates, but it has been generally found that this experience does not avail them much. It is notorious that many of the men appointed to the District and Sessions Judgeships are, for some years at least after their appointment, unfit for their work, and they pick up their experience at the expense of the litigant public. Also, the evil is accentuated by the unfortunate practice that sometimes prevails of relegating to the Judicial department those who have been found unfit for the Executive, under the erroneous impression that an incompetent man can do less harm at the head of a Court than at the head of a district. Not only is all this not fair to the public, but it is injurious to the administration, by constantly exhibiting members of what is supposed to be a *corps d'élite* as palpably inferior in attainments to their own subordinates and also as inferior to the members of the Bar practising before them. When once the Revenue department is constituted separate from the Judicial, the former may be relieved wholly of judicial work and confined to the important work of administering the Revenue and promoting agriculture, etc. I recognise that a European element will be necessary in the Judicial department. This element may be provided by the appointment of European Barristers (of some experience at the Bar) straight to a certain number of the higher posts in the Judicial department. Also a similar course may be pursued for obtaining for service in the higher ranks of the Judicial department more seasoned vakils than are likely to care to enter in the lowest rung.

4255 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—I am of opinion that candidates who have completed a *University* course should, as far as possible, be obtained. I would, therefore, maintain the present age limit for the competitive examination—22 to 24 years.

4256 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21–23 or 22–24 years, followed by one year's probation)?—My *direct* experience has not been much, but I have generally found, on enquiry, that the men we have been getting latterly—after 1891—have been more satisfactory in the sense that they have commanded more of public respect and confidence.

4257 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—The recent recruits cannot be said to be inferior to those of any previous period. I have seen a great many Civil Servants in my time, and my opinion is that, during the last 10 or 15 years, the service has been *improving*. I know that a different opinion is held and expressed by several people, and I would therefore give my reasons at some length. I made it a point during my tours, when I was Registrar of Co-operative Credit Societies, to enquire and find out what exactly the *ordinary* people were thinking. So far as I was able to gather, the opinion was that, in more recent times, the men coming in were of a superior type. It has to be remembered that administrative work is more difficult now than before; public servants are exposed to a more searching, sometimes a more unreasonable, criticism than before; the Civil Servant nowadays is expected, on the one hand, to carry out loyally the policy and the orders of his Government; he is *also* at the same time expected to get on smoothly with the non-official public and win the approbation of the latter. It is not always possible to reconcile the two things; the modern Collector is much more tied down by laws and rules, and has often very much less of discretion, either in the matter of spending money or in other respects, than his predecessors of 30 or 40 years ago; for all these reasons, his task is harder; one is apt, under these circumstances, to say that the men coming out latterly are not so good as those who came out a generation or two ago. I have given some thought to this aspect of the matter, and my conclusion is that there has been no deterioration.

4258 (18). What is the most suitable age at which junior Civilians should arrive in India?—About 24.

4259 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—The same age limits as for Englishmen should, I think, suffice for "Natives of India".

4260 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail "shall, to whatever calling he may devote himself, "have any reason to regret the time and labour "which he had spent in preparing himself to be "examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—While the principle laid down by Lord Macaulay may continue to be accepted as generally correct, it seems to me that the time has come when some specialisation may, with advantage, be aimed at. If the proposal to separate the Judicial department wholly from the Revenue department and to organise it as a separate department, be accepted, the subjects for the open competition for recruitment to the Revenue department may, with some advantage, be specialised by the addition of subjects such as, say, agriculture. At present, the Agricultural department makes so little headway, because the staff is comparatively small for a large

province. If the average Civilian has a knowledge of agriculture, not only would he be able to administer the Land Revenue department more satisfactorily, but he should be in a position to do a great deal for popularising improved methods of cultivation, etc., in his district. Also, I would manipulate the syllabus so as to encourage the acquisition of some knowledge of the classical and spoken languages of India.

4261 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—It seems to me that the present syllabus handicaps Indian youths. Greek and Latin are taught, I believe, in almost every English school, and they play an important part, I am told, in the English Universities; at any rate in the older ones. The syllabus assigns 1,600 marks to Greek and 1,600 marks to Latin. Very few Indian youths are likely to take either. Sanskrit and Arabic are assigned only 800 marks each. I would rectify this disparity by amplifying the Sanskrit and Arabic on the lines adopted for Greek and Latin and assigning to each of them 1,600 marks. Not only is this necessary in fairness to the Indian candidates, but it seems to me that a knowledge of Sanskrit and Arabic would enable the possessor thereof to pick up the Indian languages very much more than a knowledge of Latin and Greek. With the exception of Tamil, I believe that almost every one of the present spoken languages of India is based on Sanskrit and Arabic in varying degrees. I would also provide for Persian, and assign 1,600 marks to it. This would be an advantage to the Muhammadan community, whose admission into the Civil Service in adequate numbers is alleged to be one of the chief difficulties in the way of a rigorous open competition. I also think that the principal Indian Vernaculars should be placed on the same level as French, German and Italian, and assigned 600 marks each. I take it that a knowledge of an Indian Vernacular cannot be of less value to an Indian Civil Servant than German, French or Italian. For reasons already stated, I would add Agriculture to the list and assign an adequate number of marks to it, so as to induce as many young men as possible to take it up.

4262 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—I do not think that any differentiation is either necessary or desirable. If Sanskrit and Arabic are given the same position as Greek and Latin, if Persian were added and assigned equal rank, and if the principal Vernacular languages of India are treated on a par with the spoken languages of Europe, the Indian candidates would have the same opportunities as English candidates. That should, in my opinion, suffice.

4263 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—I would remove from the Schedule all the *Judicial* appointments, for the reason that I advocate the organisation of a separate Judicial department. I would also remove from the Schedule the appointments attached to the several Governments, the Accountant-Generalships, and the Controller-Generalship, as I see no reason why these appointments should be reserved to any one branch of the Public Service. The appointments 1 to 10 under "Revenue" may continue to be reserved for the Indian Civil Service, and to bring the title of the service more into accord with its work—in case the suggestion made by me is adopted—I would call it the Indian Revenue Service.

4264 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I certainly think that a minimum proportion of European officers is necessary in the higher posts of the Civil Administration. But I would not prescribe any proportion by rule just now, as it is not necessary. A proportion like that, even if fixed, can hardly be a permanent thing. So long as admission is made on the strength of a competitive examination, for which an *English* education is necessary, it will be found, I believe, that the majority of the successful candidates are Englishmen. [I use the term *English* education in its broad sense. I would call the education given in the Universities in India an English education.] The term Civil Administration is presumably intended to cover all departments other than the Military department. Should a separate Judicial department be organised for each province, the question will naturally arise what proportion of the higher appointments should be held by Europeans in it. I would fix the proportion equally between Europeans and Indians. I take it that the departments other than the Revenue and Judicial are not now under consideration.

4265 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I accept it as generally satisfactory.

4266 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service, of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—I do not think that the "Natives of

India" who have entered the service in Madras have been less efficient than their English brethren. The majority of them have gone into the Judicial department as District Judges, for which their previous training had not fitted them. Their work may not, therefore, compare favourably with that of the members of the Provincial Civil Service who have attained the rank of District (and Sessions) Judges after a great deal of judicial training: but for that matter, they share the disadvantage with their English brethren.

4267 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—I am against the revival of the old system of "Statutory Civilians." As I am myself a Statutory Civilian, being the only one now remaining in Madras, I may mention my reasons at some length. Though the idea originally was that the Statutory Civilians, except in the matter of their emoluments, should be treated as members of the Covenanted Civil Service and put on terms of perfect equality with the English members of that service, this idea was never carried out in practice. Many of the Statutory Civilians were appointed for reasons among which a consideration of efficiency was not the main one. Further, the members of the (old) Uncovenanted Service—now called the Provincial Service—viewed the appointment of the Statutory Civilians with considerable hostility. The Statutory Civilians found themselves from the very outset, in an uncomfortable position, with the Government, with their countrymen in other branches of the public service, and with the public generally. The system broke down, and was condemned by the late Public Service Commission. It would be a great mistake to revive the old Statutory Service in any form. The causes which brought about the breakdown of that service, would again operate the moment it is revived, and a second breakdown is a foregone conclusion.

4268 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV, and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments, commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your province?—The figures are correct with one exception. The number of headships of districts, open to the Provincial Civil Service, is now 3, not 2; the additional appointment is that of the Registrar of Co-operative Credit Societies.

4269 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—I believe that, with the exception of the Under Secretary to Government, the other appointments have generally been held by "Natives of India." I believe that the Under Secretaryship to Government is being held by a Provincial Civil Servant for the last one or two years.

4270 (35). To what extent also during the last five years have these listed posts been filled—(*a*) by members of the Provincial Civil Service; (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any?—During the last five years, the listed posts have been held *mainly* by Statutory Civilians and Provincial Civil Servants. There have been two instances of the appointments of "Natives of India" other than Statutory and Provincial Civil Servants. I allude to the two District and Sessions Judgeships held during the last five years by Messrs. M. O. Parthasarathi Aiyangar and C. V. Kumaraswami Sastri, who rose to the listed appointments from the City Civil Court Judgeship. I speak under the impression that the City Civil Court Judgeship is not considered a Provincial Civil Service appointment.

4271 (36). Has the power to fill one-quarter of the listed posts with "Natives of India" other than members of the Provincial Civil Service or Statutory Civilians been ordinarily and regularly exercised? If not, can you give the reasons for this, and do you think it advisable that the power should be utilised and in what directions?—The power has been exercised—*vide* answer to the previous question.

4272 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—So far as I can gather, there is no feeling about it, one way or the other.

4273 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—The *class* of listed posts is suitable, but the number is inadequate. On account of the comparatively large numbers of members of the Provincial Services, and the very small number of the listed posts, the tendency has been for a Provincial Civil Servant to get into a listed post towards the closing period of his official career. Under circumstances like that, the officer does not get much benefit from his promotion, and the work he can perform also loses to a certain extent in efficiency. Unless the number of the listed appointments in any department bears some reasonable proportion to the numbers lower down, there is bound to be dissatisfaction and also loss of efficiency.

4274. (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—In the *Executive* line, the Provincial men have not been less efficient than the Indian Civil Service men. In the *Judicial* line, they have been more efficient.

4275 (42). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—At the risk of being blamed for repetition, I would reiterate the need for separating the Revenue and Judicial departments. The requirements for the two departments are fundamentally different, and the divergency is getting wider day by day. A single

system by which young men are recruited for two such divergent branches is bound to be difficult to work. If the Judicial department is wholly taken out, and organised by itself, with special reference to its own needs, it should be possible so to reorganise the Civil Service as to confine it to the important work of Revenue Administration. Also, it should be possible to specialise considerably in the training of the civilian when it is settled that he would have to devote himself wholly to Revenue work. There are one or two Revenue departments now to which Europeans are appointed in the higher ranks *by nomination*. These appointments may also be transferred to the Civil Service, which would then cover the entire field of the Revenue Administration, with the Board of Revenue at the head.

4276 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—I have had no personal experience of the results of the system. It strikes me, however, that, when *university* men are recruited, a year's probation should suffice, and the period might probably, with more advantage, be spent in India at the head-quarters of each province than in England.

4277 (51). Please examine the statement printed as Appendix VI to these questions, showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—If the Indian Civil Servants are confined to the Revenue department, it follows that the only remaining subjects in the list for them will be the vernacular and classical languages of India and Indian History. These may probably, with more advantage, be studied in India than in England. A portion of the one year's probation, if it is decided to spend it in India, may probably with advantage, be spent at the Agricultural Institute at Pusa. I would add "The Indian Land Tenures" as a compulsory subject for probationers.

4278 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—As already stated, I feel that the probationer's course of instruction can, with more advantage, be spent in India than in England, so far as those who pass the competitive examination in England are concerned.

4279 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I am against a Central Training College, but would leave each province to arrange for the training of its men.

4280 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—A year's course of probation under the supervision of the Provincial Government would, in my opinion, best meet the case.

4281 (56). In the report of the Treasury Committee appointed to consider the organisation of oriental studies in London (1909), the view is taken that the preliminary training in oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—The objections to training in India, given by the Treasury Committee, do not appear to me convincing. In learning languages, I believe that it is the generally accepted view that one would learn it better in the country where it is spoken than elsewhere. If the training is given at the Provincial head-quarters, it should not be difficult to arrange for good teachers, etc. And as for arduous work in a tropical climate, as the Indian Civilian is going to have 21 years of it, I do not quite see the need for being anxious about the extra one year.

4282 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—I have made no proposal for the direct recruitment in India for "Natives of India" in lieu of or supplementary to the system of recruitment by open competition, my view being that a simultaneous examination would satisfy all reasonable Indian aspirations. In regard to the probation, however, I would make it quite different for the Indian successful candidates. The great thing in regard to the Englishman will be to enable him to pick up a knowledge of the vernaculars and otherwise understand the country. In the case of the Indian, that difficulty practically will not exist, or where it does, it could be easily surmounted. The great thing will be to inoculate him with what may be called the English standpoint of view of most questions. I would, in the case of Natives of India succeeding in the simultaneous examination held in India enforce a compulsory one year's probation to be spent in England.

4283 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—As stated in my answer to question (57), a differentiation *is* necessary in regard to the probation between Englishmen and Natives of India. I consider that, for a Native of India obtaining admission into the Indian Civil Service, it is desirable that the probationary period should be spent in England, whereas for the Englishman, it should be the other way.

4284 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what

change should, in your opinion, be introduced?—The training is mostly nominal. They pick up their experience, as other people do, by making mistakes and getting corrected; and the need for passing the departmental examinations enforces a certain volume of study. There is very little more in the training I believe.

4285 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—The departmental examinations may be left alone, provided however that, if the Judicial department is separately organised and law omitted, the departmental examinations may be amplified in the direction of revenue and confined to that and the vernacular languages.

4286 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—It is difficult to say if Indian Civil Servants have deteriorated in their knowledge of the vernacular languages. Probably they have. But I hardly think that they are to blame. A knowledge of English has spread in recent years (in Madras) to an extent which has made a knowledge of the Indian languages on the part of the Indian Civil Servant less of a need. The correspondence in mufassal public offices, down to and including the taluk offices, is now conducted a great deal in English, so much so, that when there is any report to draft, it is often easier to get it done in English by a Rs. 25 clerk than in the man's own vernacular. This was not so 26 years ago when I entered the service. If, as the result, the Indian Civil Servant has been feeling less the need for knowing the vernacular of his district, it is not a matter for surprise.

4287 (63). Do you recommend any changes in the rules for the encouragement of the study of oriental languages, and if so, what changes?—I have no changes to recommend. I would, however, mention a circumstance which is probably peculiar to Madras. We have here not one, but four vernacular languages. Some of them are akin to one another, for example, Tamil and Malayalam. But others are not, for example, Tamil and Telugu. In some of the cases where it was alleged that ignorance of the vernacular had handicapped the Indian Civil Servant, the evil could probably have been obviated if the man had been posted to a district whose vernacular he knew. We have had more than one case in Madras where a junior civilian, after spending years in learning a particular language, has had in the end to spend a great deal of his service in a district whose vernacular was not the one he had learnt. This, however, is a matter of detail.

4288 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I think that the whole system of recruitment, so far as the Judicial department is concerned, is wrong. No amount of patching it will, in my opinion, do good. A good *working* knowledge of law, such as will make a good judge, can best be gained by practice at the Bar. The whole training of a junior Civil Servant (I speak of course only of Madras of which alone I have direct knowledge) unfits him, in my opinion, for higher judicial work. That, notwithstanding this drawback, we have had occasionally Indian Civil Servant Judges who were really good Judges, speaks much in favour of the particular men. All the same, the system is wrong. Merely passing a Law examination would not carry the Indian Civil Servant far.

4289 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—I do not think that this is quite practicable. Should, however, the proposal to form a separate Judicial department be considered quite impracticable, and the country *has* to get on with a judiciary whose higher ranks are recruited almost wholly from the Revenue department (that is what it really is now) it is of course desirable that the Indian Civil Servant should pick up his judicial experience with the minimum amount of miscarriage of justice and loss to the litigant public. I would, therefore, propose that he be started *as a Munsif*, no higher. The training for judicial work given in a Munsif's Court is by no means bad, and the value of a suit does not exceed Rs. 2,000 or Rs. 2,500. This will be the least injurious course.

4290 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of oriental languages?—It will probably do very little good so far as the administration of justice by the Indian Civil Servant is concerned. Law is one of those things where *theoretical* knowledge, however wide, cannot obviate the need for *practice*.

4291 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—When once the men have joined their appointments, there is no need to differentiate in the matter of training between "Natives of India" and Europeans.

4292 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if

the age of recruitment were lowered?—My only objection to the theory noted above is that it is assumed (and the assumption has also been carried out in practice) that every Indian Civil Servant, after getting his training, eight years or any other period, is bound to become fit for one of the higher appointments, the headship of a district or the headship of a court. The assumption is erroneous. There have been instances (not many of course) when officers, after completing their Sub-Collectorships (Joint Magistrateships) did *not* become fit to rise either to a Collectorship or a District Judgeship. All the same, the men had to be promoted and were promoted. The result was that the public had to suffer and the prestige of the Administration was also lowered. I think that the first need in any scheme is to make a provision for obviating this evil. However careful the recruitment may be, and whatever attention may be paid to subsequent training, it is inevitable that a few men should turn up, from time to time, whom it is a puzzle to the Government to know what to do with. I would, therefore, propose some arrangement by which, at the end of five or six years, the absolutely unfit may be sent away on a gratuity or some such thing.

In regard to the period of eight years mentioned in the question, I consider it far too low. The headship of a district or of a court is a very responsible appointment, and I consider that no Civil Servant should aspire to it till he has put in, say, twelve years in a subordinate appointment.

4293 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons?—I consider this a suitable arrangement.

4294 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—The interests of individual officers are now fully considered; every Indian Civil Servant, so far as I remember, has risen to a Collectorship or a Judgeship when his turn came. It is unlikely that *every one* of them was fit for it. On the other hand, there have been cases (a few of course) when the men promoted should not have been allowed to go up above a Sub-Collectorship. The compulsory retirement of inefficient officers should, in my opinion, take place, *not after* they have put in their full service for pension—when they have done all the harm that they could—but *before* they rise to the responsible appointments of headships of districts and courts. Some provision for weeding out the unfit at a preliminary stage, is, in my opinion, necessary.

In regard to selection for higher appointments, the evil in Madras has been far too rigid an adherence to seniority; almost up to the top of the tree. I cannot help feeling that, when once a Collectorship or a Judgeship has been reached, seniority should play *quite* a subordinate part in choosing for the appointments above. In the Judicial branch, the promotion of an Indian Civil Servant District Judge, over the heads of his seniors, to a High Court Judgeship, is by no means infrequent. In the Executive line, we seldom see a Collector being promoted over the heads of his seniors, to a Membership of the Board. It means either that the men who have gone into the Revenue line are probably very much more fit for promotion than those who have gone into the Judicial line, *or* that a more rigorous selection for promotion and less of consideration for seniority is shown in the Judicial line than in the Revenue. The latter is, I fear, more in accord with fact.

Again, it seems to me that it would be to the advantage of the Administration if at least one seat in the Executive Council is assigned to the special departments (I mean the departments other than the Revenue) which play an increasing part in the Government of the country. Since Sir Philip Hutchins left the Council, and till the other day when a "Native of India" was appointed to the Council, the Councillors have been chosen wholly from Indian Civil Servants *of the Revenue line*. The Judicial branch of the same service never supplied a Member; and such important departments as Public Works, Education, and Medical and Sanitary, have never supplied a Member to the Council. A Membership of the Executive Council is *not*, I believe, one of the appointments reserved *by Statute* for the "Covenanted Civil Service." In view to the increasing importance of the departments other than the Land Revenue, and the increasing part that they play in the administration of the country, I would propose that one of the seats in the Council be assigned, by rotation, to the Judicial, Educational, Public Works, etc., departments.

4295 (88). To what extent are the functions of the officers of the Executive and Judicial branches of the Indian Civil Service differentiated? Is any change desirable, and, if so, in what directions?—At present there is no differentiation, till the time comes for promoting an officer to the headship of a district or the headship of a court. Then an oscillation takes place, an officer not unusually changing several times from the Executive to the Judicial, and *vice versâ*, before he settles down in one of the two departments. The only effective remedy, in my opinion, is the complete separation of the Judicial department from the Revenue.

4296 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—I have no changes to propose.

4297 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts, or to both?—I have not heard of any dissatisfaction.

4298 (95). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and, if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—I think that the exchange compensation allowance should be abolished. The abolition, if made, can hardly be made retrospectively; I mean, that it will suffice if the abolition is restricted to future entrants.

4299 (96). If abolition is recommended with compensation in the form of increased salaries, what is your opinion regarding the grant of a similar increase of salary to those members of the service who now draw no exchange compensation allowance?—I do not propose an increase of salary in lieu of the exchange compensation. Assuming that such an increase of salary *is* contemplated, it will be a serious mistake to make a difference between "Natives of India" and Europeans. I know that several of the "Natives of India" in the Indian Civil Service resent the line drawn between them and their European brethren in the matter of the exchange compensation allowance; and I would not accentuate that difference.

4300 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I am against a time-scale.

4301 (100). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—I am wholly against a time-scale.

4302 (101). What is your experience of the practical working of time-scales of pay in other Indian services?—The time-scales have been introduced in several other departments only in recent years; and it is probably premature to judge of the result.

4303 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—As already stated, the Statutory Civil Service has practically ceased to exist in Madras, and I have no remarks to offer in regard to its pay. So far as the Provincial men are concerned, however, I think that it is a mistake to fix their scale of pay —*when they are holding listed appointments*—on a markedly lower level than for Indian Civil Servants. The number of the listed appointments open to the Provincial Civil Services is comparatively small; the additional expenditure involved by giving them the same scale of pay as for the European officers doing the same work may not be much. After all, the pay of an appointment should have reference to the *work* to be performed, not to the *nationality* of the man holding it. The concession given to the Provincial Services by allowing some of their members to rise to a few of the higher posts (*i.e.*, the listed posts) is robbed of much of its value by the differential treatment shown in the matter of the pay. I know that this differential treatment is resented as a badge of inferiority. It seems to me that it would be a politic thing to do away with it.

4304 (116). Do the present leave rules applicable to Statutory Civilians, or to officers of the Provincial Civil Services employed in listed posts, cause any inconvenience to the Administration or press hardly on the officers themselves, and in what respects? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—So far as the Statutory Civil Service is concerned, for reasons already stated, I offer no remarks. In regard to the Provincial Civil Services, however, I consider that, when the officers belonging to these services rise to the listed posts, they should have the same concession in the matter of their leave as the Indian Civil Servants. The present leave rules of the Provincial Civil Service (and for the matter of that of the Statutory Service) press hard on the officers in several respects. For example, an officer cannot take any furlough till he has put in ten years' service, and subsequent to that, he can take furlough only once in eight years. The result is that an officer is afraid to take furlough, for fear that he may not be in a position to take it again for another eight years. The private affairs leave does not carry one far, as only six months could be taken and private affairs leave cancels furlough. In many cases officers are unable to take long leave except on medical certificate. Again, only *one* year's long leave out of twenty-five years' service counts for pension, whereas, in the case of the Indian Civil Servant, four years so count out of twenty-five years' service. It is true that, if a Statutory Civilian or Provincial Civilian spends his leave out of India, he can count *two* years out of twenty-five years; but it is hardly fair to expect a man whose interests are all in India to go out of the country to spend his leave for the sake of getting the leave counted as service for pension. I can mention some other points also, but they are matters of detail. When a Provincial Civil Servant has attained the high rank of the head of a district or the head of a court (and only a *very few* reach that position) there is no reason why, in the matter of leave, as well as of pay, he should not be put on the same level as his European colleagues. In the High Court, no distinction is drawn in the matter of pay and leave between the European Judges and the Indian Judges. I would apply a similar principle to the few high appointments to which alone, under existing conditions, Natives of India could aspire.

4305 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and, if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—I see no need for extending the special pension to any Executive office. I take it that work in the High Courts is particularly arduous and that the special pension is provided for all Judges including the Indian Civil Servant Judges.

4306 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—The retirement for inefficiency, while of course, it is necessary, should be quite at an early stage. It should not be difficult for the Government to find out, within *six or seven years* after an Indian Civil Servant comes in, whether he is suited to the work, or is hopelessly unsuitable. There should be no hesitation in retiring the latter class of officers. A gratuity would probably be better than a pension. The danger of a *regular* scale of reduced pensions, supposed to provide for inefficiency at all stages, is that many people who want to get away would consider a development of inefficiency as a *sine qud non*.

4307 (127). Do you approve of the present system regulating the pensions of Statutory Civilians? If not, what do you suggest?—It has always struck me that the minimum period of *thirty* years of active service to enable a Statutory Civilian to get his full pension of Rs. 6,000 *per annum* is excessive. It should, I think, be reduced to twenty-five years. The question is not, however, one of practical politics so far as Madras is concerned.

4308 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—I think that the officers of the Provincial Civil Services holding listed posts must be allowed a pension of Rs. 6,000 *per annum*. They can now claim a maximum of only Rs. 5,000 *per annum*.

Written answers relating to the Provincial Civil Service.

4309 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—For *direct* recruitment I would recommend open competition in the case of the Executive Department, and nomination from the Bar in the case of the Judicial Department, as now.

4310 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—It is necessary to give adequate representations to all classes in the *Provincial* Services. I believe that all classes *are* pretty fairly represented in Madras now, in both departments.

4311 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I think that the interests of individual officers and of the Administration are fairly reconciled now.

4312 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and, if so, in what direction?—The Revenue and the Criminal Judiciary are now combined in one set of officers, and the Civil Judiciary in another set. I would separate the Revenue and the Criminal Judiciary and organise the Judicial department, both Civil and Criminal, as one.

4313 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I think that the principle is all right.

4314 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your Province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—I would have—(i) An extra grade of Deputy Collectors on Rs. 1,000; (ii) An extra grade of Sub-Judges on Rs. 1,000; (iii) the minimum pay of the Munsifs raised from Rs. 200 to Rs. 250.

4315 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am against a time-scale.

4316 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—I am wholly against a time-scale.

4317 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—When an officer of the Provincial Service rises to a *listed* appointment, he should draw the same pay, I think, as his European colleagues in the Indian Civil Service.

4318 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did five, ten, fifteen or twenty years ago? If so, to what is this due?—They are taking more leave now, I believe, than before.

4319 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—I think that the two years' furlough now allowed is not excessive and should continue.

4320 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—For a *portion* of the *sick* leave, *one-fourth* average salary is now given. I would give *one-half* the average salary for the entire sick leave (three years).

4321 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the Administration, and, if so, what; and what remedy do you suggest?—The first furlough comes after *ten* years, and afterwards furlough can be taken at intervals of *eight* years. I would reduce the *ten* years to *eight* years and the *eight* years to *four* years. [Please view this as an answer to question (39).]

4322 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and, if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—At present only *one* year of leave (out of *twenty-five* years) counts for pension. I would allow the officer to count *two* years of leave with allowances to count for pension in *twenty-five* years—whether the leave is spent in India or outside India—*vide* also annexure to question (37).

4323 (40). Is the present system of superannuation pensions satisfactory in the interests both of

the Government and the members of the Provincial Civil Service?—Fair. I would allow *voluntary* retirement (on half pay) after *twenty-five* years of service. It is now *thirty* years.

4324 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—The Government should have the power to direct the *compulsory* retirement of an officer for inefficiency; and he should, in that case, be deemed to have been *invalided* and given the pension due under the rules.

4325 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—I would raise the maximum pension from Rs. 5,000 to Rs. 6,000 *per annum* in the case of those officers.

4326 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—The period for *voluntary* retirement may be reduced from *thirty* to *twenty-five* years.

Mr. P. Rajagopala Chariyar, called and examined.

4327. (*Chairman.*) You are a permanent Collector and District Magistrate in the Madras Presidency?—I am.

4328. And a member of the Statutory Civil Service?—Yes.

4329. And you are now on foreign employment as Diwan of Travancore?—Yes.

4330. I understand from your answers to questions that you are the last survivor in Madras of the old statutory system?—Yes, I am.

4331. Although you hold that proud position, you condemn the system and do not desire to see it revived?—I do not want to see it revived.

4332. You recommend a scheme of simultaneous examinations?—Yes.

4333. But you consider at the same time that there should be a limited proportion of European officers in the high posts?—Yes.

4334. Do you regard it as of vital importance to retain a European element in the service of India?—I feel strongly that a substantial European staff should be maintained in India for very many years.

4335. I notice that, whilst holding that view and advocating simultaneous examinations, you do not propose any restriction to carry out that end?—I do not. It is not necessary.

4336. Why do you say it is not necessary?—The present European staff may be capable of reduction, but the reduction should be gradual and not sudden. If we give up the simultaneous examination and go in for a separate examination, we will have to fix at once the irreducible European minimum and assign the balance of the present cadre to the separate examination.

4337. Do you prefer a separate examination to a simultaneous examination?—I am against that. I would either have a simultaneous examination or leave things alone.

4338. At the same time you say that a separate examination could ensure automatically the maintenance of a European element?—Do you mean a separate examination in India?

4339. A separate examination in India, of course?—I do not see quite how that would ensure a European element.

4340. I thought you said that with a separate examination you would have a limited number going up for that examination?—That will be in addition to the other door.

4341. If successful in that examination, I mean?—That will be in addition to the other door being kept open in England. At present we have only two channels, namely, the competition in London, to which all Natives of India are eligible, and what is called promotion to listed appointments in India. If you have three channels it will increase the volume of Natives of India entering the Indian Civil Service. The effect of a separate examination in India will be probably a far too sudden and rapid diminution of the European element than the framers of the scheme contemplate. When we fix a separate examination in India we have to say at once what portion of the cadre is assigned or could be assigned to the people coming in by that door.

4342. You would consider that to be an essential element of the proposal?—Otherwise what is the object of the separate examination? We shall have to say how many appointments are to be thrown open to them. There will be no meaning in having a separate examination if we have no appointments to give to the people competing in it. Before doing that we shall have to determine how much reduction could be made in the cadre of the Indian Civil Service and transfer that to the separate examination. My impression is that when we do that we shall probably find Natives of India coming in more largely than they would if simultaneous examinations are held. That is one of the points which I take.

4343. Do you think that more Indians would come forward for a separate examination than for a simultaneous examination?—It is not a question of coming forward. More Indians will succeed in getting in because it is entirely confined to Indians. The competition will be confined to Natives of India and only Indians will succeed. Now, when we go to England, our boys have to compete with English youths, and the chances are that, when we have a simultaneous examination, although it is held in both countries,—the final list being only one—when the Indian youths in a particular year are not quite up to the mark, they cannot get in, but when you have a separate examination and you have ten men every year and those ten men are not as good as Europeans even then you have to admit them.

4344. If I follow your argument, you are in favour of simultaneous examinations?—Yes.

4345. Mainly for the reason that by carrying out that proposal you will better ensure a European element than you would by a separate examination?—That is one of the reasons.

4346. At the same time could not you conceive that, in a certain number of years in the future, even under simultaneous examinations, the volume of successful Indian candidates might have appreciably increased?—Well, I do not mean to say it is an impossible contingency, but

I consider it is a remote contingency, and when the time comes when the number of Indians in the Indian Civil Service is so large that the interests of the country require action to be taken, I take it action should be taken, and the question would have to be grappled with, and another Commission could come in and deal with the whole subject. There is nothing to prevent that.

4347. Regarded from a political point of view you think that would be the psychological juncture to interpose that restriction?—Yes. I would rather not meet that evil until we are face to face with it.

4348. At the time when you are face to face with it?—We could always do it then because we should have a larger volume of public support and should be able to cope with the evil.

4349. Do you think you would have a larger body of Indian support at that juncture than you would at a time when there are not so many candidates who have been successful in the examination?—The Government could very well then say: "We have given you these opportunities and you are now swamping us, and it is not good for the country," and probably a large body of Indian opinion will support them in taking action.

4350. Are you satisfied that an open competition in India will produce the best type of candidate?—Yes, I should think so if the prospects are good.

4351. In your reply to question (13), I see you are in favour of a complete separation of the Judicial and Executive Branches?—Yes, I am.

4352. Would your objections to the present system in any way be met if the Indian Civil Service officers selected for the Judicial Branch had got a proper training before they began to officiate as District and Sessions Judges?—I do not quite understand what the proper training contemplated is.

4353. I will not go into details as to that, but just say that class of training which would fit them for that position?—I do not think it will go far.

4354. You would rather see the two branches, the Judicial and Executive, completely separated?—Yes, I would.

4355. Would you by that proposal withdraw from the Collector, the Revenue Officer, all magisterial powers?—Yes.

4356. Can you conceive that in the course of his daily work as a Revenue Officer it might be necessary from time to time for him to enforce his authority, his magisterial power?—I do not quite understand why it should be. The Collector of course is governed by laws in connection with his Revenue work as well as in other things.

4357. I will put it in this way as a concrete case. A Collector in the ordinary course of his work goes down to a district for Revenue purposes, say to collect rent, and there might be a disturbance incidental to the discharge of that duty. If he was deprived entirely of all magisterial work, might it not put him in a somewhat difficult position to carry out his work as a Revenue Officer?—I do not think so; I do not think there is any danger.

4358. You are not prepared to say that there is any danger of that?—No, absolutely none.

4359. But supposing he was faced with that trouble?—It would be all right; he could appeal to the Magistrate, as other people appeal.

4360. But would not that take some time?—Yes.

4361. But I am talking of an emergency case?—I do not quite see the kind of emergency you refer to. Even as a Collector he cannot decide his own cases as a Magistrate.

4362. But I am suggesting that he could have power in emergency to enforce his authority as a Revenue Officer if in the discharge of his work certain disturbances took place in the district?—He could be given that power by special legislation.

4363. You would not object to that?—No, I would not object to it.

4364. I notice that you say, in answer to question (104), that the pay of Indians and Europeans should be similar?—Yes, I do.

4365. Do you think that the expenses of an Indian, looked at all round, are as great to-day as those of a European?—I have no minute knowledge of what the expenses of a European are, but certainly our expenses have gone up by about 100 per cent. within the last twenty years.

4366. I am not so much thinking of those expenses, although of course they are a very important element. I am thinking of the expenses which are due to climatic conditions and to the effect those conditions may have on a European as distinguished from an Indian. It is a question of the residence and health of the family of the European civilian. Would not that tend towards a more expensive existence for a European than for a Native of India?—As I know so little of European habits, I am not able to say much about that.

4367. In the State of which you are Diwan can you tell us what European officers are employed there, if any?—In certain departments we have a number of them.

4368. What departments?—Educational and Public Works mainly. In them we have a strong European element.

4369. Have you any European Magistrates?—We have two European Magistrates in what they call the planting districts. We have a large European population in Travancore, and for that area we have to provide European Magistrates as otherwise they could not try offences committed by other Europeans there.

4370. (*Lord Ronaldshay.*) In the Public Works Department in your State are the European officers serving under superior Indian officers or not?—Yes, they are.

4371. And do you find that that is quite a satisfactory arrangement, that there is no difficulty?—It is very satisfactory; they get on very well together.

4372. I want to be quite clear as to what your objection to a separate examination is? If I understand you rightly it is this. If a separate examination was held in India it would be necessary to lay down the number of recruits that were to be obtained by means of that examination, would it not?—That is one of the things.

4373. And your fear is that the examination might not produce the necessary number of recruits up to the proper standard of efficiency, that there might not be a sufficient number of candidates who pass the separate examination with those

qualifications which are necessary to make satisfactory officers?—I do not say that. What I say is that when you have a separate examination you must take the best that come up to that examination; whereas if you have a simultaneous examination, even though they may be the best that come up locally, unless they are good as compared with the English candidates they will be eliminated.

4374. (*Sir Theodore Morison.*) In your answer to question (21) you advocate, I understand, certain changes?—I advocate certain changes in the syllabus.

4375. On the ground that they are not fair to Indian candidates?—On the ground that the present syllabus handicaps our young men.

4376. How are the 1,600 marks made up which you would assign to the Indians?—That includes 500 for history.

4377. In this case the 500 for history would not be connected with Arabic history but Indian history?—I would have it Indian history and the history of Oriental countries. Greek history and Roman history, I believe, to be answered satisfactorily, require a knowledge of Latin and Greek, and I understand that we really cannot dispense with that knowledge; we cannot really study history unless we are able to read the originals in those languages. Therefore I would leave that alone. I would not say you must set Greek and Roman history papers such as our boys, not knowing Latin and Greek, could answer; but I would amplify Sanskrit especially to include ancient Indian history, the history of the pre-Mussalman period. A lot of that is in Sanskrit and could be read. I have no objection to the history of other Oriental countries.

4378. With regard to that, you would of course admit quotations from Sanskrit in the same way as you would admit quotations from Greek?—I suppose so.

4379. It is to be exactly the same?—I want to give our men equal opportunities, nothing more.

4380. Then you would also add the principal Indian vernaculars?—Yes.

4381. That again, I understand, is on the ground that the present system places Indian students at a disadvantage, is it not?—Yes, at some disadvantage.

4382. Is it on the ground that it is right to equalise opportunities or on the ground that you think the Indian vernaculars are in themselves good subjects for education?—The Indian vernaculars are very good; I know one of them. If they were not, I would not, for the sake of equal opportunities, ask for a subject which is not worth while being studied for the examination.

4383. There are two considerations, are there not? There is the equality of opportunity and also the other?—Yes.

4384. Do you think that you could give a good modern education in some of the vernaculars of this Presidency? We have had evidence to the contrary?—I know Tamil very well and the literature is excellent.

4385. But is the modern literature very large?—There is not much difference between old Tamil and modern Tamil; it is one of those things in which there is not very much difference.

4386. For instance, would it be possible to give an education up to what we call the B.A. standard in the Tamil language?—For the M.A. we have got Tamil.

4387. But could you give a complete examination in Tamil?—Do you mean without reading anything else?

4388. Yes?—If you educate a man solely in Tamil and he knows nothing else, and you ask whether he can have the whole volume of science, mathematics, and literature in Tamil, I say no.

4389. Mathematics you clearly could have, could not you?—No. Our Indian vernaculars are more literary languages; we have not got scientific books in those languages.

4390. Your science would have to be read in a European language?—The scientific subjects I am not interfering with; I am leaving them alone. I only ask for the vernaculars to be put in the same position as French and German, and those kind of things.

4391. On the ground that at present the Indian students are unfairly handicapped?—Yes, and on the ground also that these languages are worth while studying, that they do give a certain volume of culture.

4392. Could you suggest any European language which you think at the present moment is about in the same stage of development and richness of literature as Tamil?—I do not myself know any European language except English.

4393. Of course we put the French and German languages on the same plane of culture as English?—I do not know anything about that, and my hearsay evidence would be of no value to you.

4394. Supposing we had a simultaneous examination, are there any other subjects which are particularly studied in Indian universities which it would be necessary to introduce?—I am not for any more changes than I have mentioned in my written evidence. I would leave it there.

4395. But I take it as a matter of fact, owing to the difference in the system of education in India and in England, certain other disparities would appear, would not they?—May I know what the disparities are that you contemplate and then I can answer the question.

4396. Certain things are more emphasised in India and certain things more emphasised in England. Indian history, of course, is one of them?—It is at any rate only latterly. At one time we took a pride in neglecting Indian history; now we do not. That attitude has ceased.

4397. Indian philosophy, I hope, is studied here?—Yes, in a way, but when we do turn our attention to philosophy we generally study English philosophy and German philosophy in English translations, and that kind of thing.

4398. Is that quite fair? I should have thought the tendency would be to accentuate and develop Indian culture in an Indian university?—I do not think the separate examination will do all that.

4399. In that case you would also have to represent it in your simultaneous examination?—I would rather not do that. I would just modify one or two marked inequalities in the present syllabus and then leave it alone. After all is said and done, the tone of the administration has to be English, and where an Indian desires to have a share in the administration of the country, and is prepared to assimilate the tone to an adequate extent, I say give him the opportunity. Let him have fair opportunity. But I would not go

out of my way to stimulate his coming in or to put special opportunities in his way. I do not think it is necessary.

4400. I gather you would like the examination to remain predominantly representative of Western ideals?—Certainly.

4401. (*Mr. Chaubal.*) If there is a simultaneous examination, you do not want anything except the present listed posts?—I want the listed posts to continue.

4402. You want the listed posts and simultaneous examinations?—Yes.

4403 You do not care for the separate examination?—I am against the separate examination; I do not care for it.

4404. You said that there must be a certain proportion of European servants in India?—I did not say a proportion; I am not fixing a proportion. I say that there must be a substantial European staff in all departments for very many years to come.

4405. And the rest may be filled by the Indians?—Yes; I would throw open the other things to Indians.

4406. Can you give us some definite idea of what you would consider a sufficient or substantial equipment of the European Service in India in the present condition of the country?—A thing like that will vary from time to time, but taking the condition of the country as it is now, I have said in one place that half the number of the Judicial appointments could be transferred to Indians.

4407. And the others? Speaking about the recruitment, say for any year, if men are wanted for fifty vacancies what would you consider to be a substantial representation of the European element in those fifty vacancies?—I am proposing that the Judicial Department should be quite separate. I can only speak of the Judicial.

4408. I am not taking you into the question of separate departments; we are now on the question of examination and what they should try to get. Supposing there are fifty vacancies for any year, and, as you say, a substantial equipment of the European element is necessary, I want to have your idea as to what you consider to be a substantial equipment of Europeans?—With your permission I must say that I could answer that question only for the two departments separately.

4409. Then let us have it in your own way?—According to my proposal the whole Judiciary must be taken out of it.

4410. May I put it in this way. When it is said that this year there are fifty vacancies, they do not fix the vacancies by so many in the Judicial and so many in the Executive?—That is what I find fault with.

4411. I want you to tell me this, if you can possibly do so. Supposing there are fifty vacancies, and you admit there ought to be a substantial equipment of the European element, then out of fifty vacancies, or sixty or forty, what would you consider to be a substantial proportion of the European element?—I am speaking of the European element in the Service, not in the recruitment.

4412. Then I will say that there are fifty Civil Servants wanted in the Service: how many of them should be European?—In the Judiciary I would have, say, half the number Europeans, and in the Executive I would say two-thirds.

4413. Why do you separate the Executive and Judicial in connection with this matter?—I am unable to give you an answer to cover both.

4414. You are not able to say frankly what proportion you would fix for the European element and what proportion you would fix for the Indian element in the Indian Civil Service generally?—I cannot say that unless you allow me to go into detail.

4415. When you speak about simultaneous examinations you admit, I suppose, that the immediate result in the near future would not be to give any substantial addition to the Indian successful candidates?—I feel that it would not do us any immediate good.

4416. Do you also admit that if there was a simultaneous examination in India, the number of candidates at present going to England and trying to enter by the competition door would lessen?—I do not think so.

4417. You think it will remain as it is?—I do not think it would reduce that number.

4418. You seriously think that if a simultaneous examination for the Indian Civil Service were held every year in India, the number of people going to England and trying to come into the service through the English door will not be lessened?—It will not lessen.

4419. That means that a sufficient number now appears for the examination?—It does not.

4420. If you say that the simultaneous examination is not likely to reduce the number of people who go to England, do I understand you to say that a sufficient number of people is going in now for that examination?—I do not say that. Very few people go now, and those few people will continue to go.

4421. You mean that those few alone will continue to go?—Yes.

4422. What is the object of having this examination if in the near future you do not expect any appreciable number to come in?—There are two or three things to be considered. Firstly, it is a question of equal opportunity. Secondly, in the present condition of our country, it so happens that the boys who have got brains have not got money, and the boys who have got money have not got brains. I do not say it is a general rule, but unfortunately it is so in a large number of cases in the present state of the country. Naturally in the Indian Civil Service we want to be represented by the best youths we can produce, and when you have simultaneous examinations you will probably find a substantial improvement, at any rate, some improvement, in the quality of the Indian youths who get into the Civil Service.

4423. I quite follow. At present, as you say, it is very unfortunate that brains do not carry wealth and wealth does not carry brains, but I suppose those candidates who now appear for the examination in England have a little of each?—Many of them have more of wealth than of brains.

4424. Those that come out successful?—I would not say, so far as my own experience of young men goes, that the men who have come out are quite the brightest of our young men. I believe there has been one instance in which a man failed for the Provincial Civil Service here and came out in the Indian Civil Service.

4425. I do not think that proves much, does it?—No, it need not; I am simply mentioning it.

4426. I want to have your considered opinion about one point. If, as you expect, in the near future, by having an examination of the same stiff character out here as the Indian Civil Service examination in England, and if, as you say, very few will get in in the near future, do not you apprehend any serious discontent on account of having an examination at which many appear and very few get in? Supposing a simultaneous examination were introduced and that, as you admit, simultaneous examinations in the near future are not likely to bring in any appreciable number of students, at least for some time to come, then do you or do you not apprehend that amongst the failures in these simultaneous examinations held in India there will be some discontent?—No. I do not think so, because they do not lose anything by it. They pass or they fail and they go out.

4427. But you admit there is some discontent on account of their not getting through?—When a man goes to England and spends a lot of money and fails to pass, his parents get discontented, he himself is discontented, his wife and family get discontented, and everybody is discontented.

4428. You think there will be no such discontent here?—No. If he goes and gets ploughed he comes home and he settles down to something else.

4429. You would consider that to be a feather in his cap?—No, not a feather in his cap, but he has not invested money in it and therefore he would not consider it so very bad after all.

4430. This may appear to be a very strange question to put but I will put it. Is it very good in the interests of the country that merely brains without any other qualification should go and pass?—I do not say that it is good.

4431. In answer to question (43), you say: "I have had no personal experience of the results of the system. It strikes me, however, that when University men are recruited, a year's probation should suffice." For university men you consider that a year's probation is sufficient?—Yes.

4432. Do you think the same as regards simultaneous examination?—Yes.

4433. Candidates who pass in a simultaneous examination held in India should have one year's residence in England on probation; that is enough?—I could not say that, because I have no experience.

4434. Then that answer does not apply?—No. The probation should be sufficiently long to enable our youths to assimilate English ideas such as are needed for this country.

4435. Would you say what period that should be, whether two, three, or four years?—Unfortunately I am not in a position to say; I am not a great authority on the subject.

4436. But you do say that it ought to be longer?—It may be longer if you think that one year is not sufficient.

4437. In the case of those who take the simultaneous examination here, is one year enough or do you say it must be more, and if so how much more?—If one year is not enough let it be as long as it is necessary.

4438. (*Mr. Gokhale.*) While it may be agreed that in the present circumstances, and for many years to come, there must be a considerable European element in the Public Service, do you think that the laying down of a definite number as the irreducible minimum of Europeans would be consistent with the Parliamentary Act of 1833?—I have not read it.

4439. The Parliamentary Act of 1833 says that no one shall be disqualified?—Yes, by reason of age, colour, and that kind of thing, from holding any office.

4440. Statute 3 and 4 of William IV enacted that "No native of the said Territories, nor any natural-born subject of His Majesty resident therein, shall, by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office, or employment under the said Company." If a definite number is laid down as an irreducible minimum would that be consistent with this Parliamentary statute from which I have quoted?—It is a question of construction, I suppose, and a man of law must answer that. I could not say. It does not *look* consistent, but of course these things have to be interpreted.

4441. I am not asking you to express a lawyer's opinion?—It does not look very consistent, but sometimes lawyers give an opinion very different from ourselves.

4442. Do you think it would be consistent?—It does not look consistent.

4443. Would it be consistent with the Queen's Proclamation of 1858?—The Queen's Proclamation does not say anything about the appointments in the Civil Service.

4444. It says that the people of India should be freely and impartially admitted to all offices for which they are qualified. If you say there should be an irreducible minimum, does it not follow that that minimum must be maintained even when qualified Englishmen are not available. You cannot reduce a minimum?—No.

4445. Even when better qualified Indians are available?—No.

4446. Therefore to that extent the laying down of an irreducible minimum would be inconsistent with the Queen's Proclamation?—I confess I do not see how the Queen's Proclamation comes in, if you will excuse me saying so.

4447. Do you know what the Queen's Proclamation is?—Yes, but it is a Proclamation in a general way. I do not think it contemplated all these details.

4448. It is a solemn promise given by the Sovereign to the people?—We are engaged in getting them to fulfil the promise, and they are fulfilling it from time to time.

4449. Let me put it to you in this way. The Proclamation says: "It is our further will that "so far as may be our subjects, of whatever race "or creed, be freely and impartially admitted to offices in our service, etc." Of course it is a very improbable contingency, you may say it is an almost impossible contingency, but supposing that at any time after you have laid down a certain number as the irreducible minimum, a stage arrives when more qualified Indians are available than Europeans, from the standpoint of the European standard itself, if you say that a certain number shall be Europeans would that be consistent with this?—That will go on being altered from time to time.

4450. If it is an irreducible minimum?—It does not mean irreducible for all time.

4451. If you lay it down as a minimum that may be reducible at some time or other it is not irreducible. An irreducible minimum means a minimum that cannot be altered?—I do not contemplate an unalterable state of affairs.

4452. Therefore you would not lay down an irreducible minimum which is irreducible as long as you can see it?—I would not commit myself to an opinion that whatever we do must stand for all time. There is not the ghost of a chance of it.

4453. Would it not be better to secure the number of Europeans we want in the Public Service by a practical arrangement rather than by doing open and express violence to the Statute of 1833 and the Queen's Proclamation?—That is a matter of policy, I suppose.

4454. I will put it to you like this. As long as a sufficient number of Englishmen get into the service, is it wise that this question should be raised?—I think it is not wise.

4455. It is not wise that anybody should say that the number of Europeans in the service shall be so and so?—When we have a sufficient number of Europeans, and we can keep that state of affairs going, I would not parade this difficulty and make a discussion of the question.

4456. Would it not be wiser to secure the object of having a certain number of Europeans by practical arrangements rather than by laying down in black and white a definite number which many will regard as inconsistent with the Queen's Proclamation?—Yes.

4457. If simultaneous examinations are instituted you do not apprehend that there will be at once an influx of Indians into the service?—No, there is not much chance of it.

4458. It will be slow?—It will be very slow. One of the reasons for my advocating it is that it will be slow, and I want it to be slow.

4459. I have read your evidence carefully and I know that. If simultaneous examinations are instituted, you do not apprehend that there will be a sudden influx of Indians?—No.

4460. If any increase takes place it will be only gradual?—It will be very gradual.

4461. In all probability, unless English intellect deteriorates seriously, Englishmen will be able to hold their own?—I should think so.

4462. If the stage does not arise when the service is swamped by Indians the question need not be raised at all?—No.

4463. The question of a minimum need not then be raised at all?—The question of a minimum is not an imminent question at all, nor is it a question of practical politics.

4464. Perhaps I have not made myself clear. The proposal has come forward that a certain number should be laid down as the irreducible minimum of Europeans in the service practically for all time, and I am dealing with that. We all want a certain number of Europeans in the service?—Yes.

4465. But we could secure that by a practical arrangement.—Yes.

4466. If simultaneous examinations are instituted, and the number of Englishmen that come into the service continues to be satisfactory, then the question of an irreducible minimum need not be raised?—No.

4467. If, on the other hand, a serious situation does arise, and we all feel that the interests of the country are being jeopardised, or the interests of British administration, the two being identical, the question will have to be taken up?—Yes, it will have to be taken up.

4468. And therefore you would leave each generation to deal with its own difficulties?—I should think so.

4469. Taking into consideration the nature of the examination, the character of the subjects, and the educational facilities existing in England and here, you have no fear that for as long as you can see the Indians will swamp the service?—Absolutely no fear, so far as I am able to see it.

4470. Do those parents who send their children to England for education send them necessarily for the Civil Service or because they value an English education?—I think more because they value the English education, and they compete for the service incidentally.

4471. Therefore those who value an English education will continue to send their children in spite of simultaneous examinations?—Yes.

4472. Those who fail in the simultaneous examinations here can go for other University examinations?—Yes.

4473. There is no age-limit for our degrees?—I think the simultaneous examination will be held after a man finishes his University examination.

4474. It will depend on the age-limit. There is no age-limit for the B.A. or M.A. here, is there?—No.

4475. So that a man's career would not be sacrificed even if he failed?—No.

4476. (*Mr. Sly.*) You have made certain suggestions in regard to the recruitment of a separate Judicial service. Throughout your long course of service as a Statutory Civilian have you spent any proportion of it in the Judicial branch?—Yes, as a District and Sessions Judge.

4477. Then you have had practical experience of Judicial work?—Yes.

4478. Can you give us any idea as to what age for recruitment you suggest for the separate service that you propose to create?—I want it to be recruited in all branches. I do not want to begin wholly at the bottom and then work up. I want the recruitment to be straight into all ranks. At the bottom we shall have a certain recruitment, and at the stage above we must have recruitment from the Bar and also from the ranks, and also in the stage above similarly, recruitment from the Bar and rising from the ranks.

4479. What stages?—Magistrates and Munsifs, and when it comes to Sub-Judges and District and Sessions Judges, I would have a certain number promoted, and also take some from the Bar, and so on.

4480. Do you want that recruitment to be in India?—So far as the Indian is concerned it would have to be in India; so far as the European is concerned probably it will be more advantageous to have it in India than elsewhere because he has been practising in India and the Government know him.

4481. Can you give me any idea as to how many European Barristers are practising in Madras?—I have no idea.

4482. Do you think that half the Judicial service could be recruited from European Barristers practising in India?—When this channel is open probably a certain number will settle down in practice.

4483. You are the Diwan of the State of Travancore. Can you tell us what are the principal conditions for the recruitment to the Civil Service of that State?—We have no Civil Service.

4484. Then to the State Service?—So far as the Judicial department is concerned we recruit from the Bar. We recruit Munsifs from the Bar and promote some of the Munsifs to the District Judgeships, and we recruit District Judges from the Bar and we promote District Judges, and sometimes recruit from the Bar for our High Court. In the Executive they rise to Tahsildars and what are called Assistant Diwan Peishkars and Diwan Peishkars, which latter corresponds to what you call a Collector in the British territory.

4485. Is your recruitment restricted to residents in Travancore?—At present we have a rule that only the subjects of His Highness the Maharaja can enter the service excepting where we cannot find a local man fit for the post.

4486. Can you tell us the reason why that rule was passed?—There was a great deal of complaint that people were being brought in from outside without sufficient ground and that kind of thing, and we wanted to lay down the principle, not as a principle which should never be deviated from, but that as each case came up for consideration the necessity for a non-Travancore man might be proved before one was entertained.

4487. That is to say, the rule was passed in response to public complaint?—Yes, the public had been complaining about it for a very long time. I do not say it was wholly reasonable, but we wanted to take the wind out of their sails, and so we passed this rule.

4488. In answer to question (42) you refer to some Revenue department being still recruited from Europeans by nomination?—I am speaking of the Separate Revenue department where we have a certain number of Assistant Commissioners of Salt and Abkâri Revenue who are Europeans, and we have two or three Deputy Commissioners. I would confine those appointments to Civil Servants.

4489. Do you know whether those recruits are Europeans or Statutory Natives of India?—I did not consider it from that point of view.

4490. Your authority for stating that the Europeans are recruited to that service is simply a general impression?—Yes.

4491. If it should be proved incorrect, you have no other instance to offer in support of it?—No, I should still, however, say I want a certain number of Indian Civil Servants to go into that department, and I should say that the non-Civil Servants should come up by way of listed appointments, as in other branches.

4492. In answer to question (51), in regard to the probation of the Indian Civil Service, you have suggested, if a separate Judicial Civil Service is recruited, there would be practically no necessity to teach any law to the Executive officers?—Yes.

4493. Do you consider that an Executive officer of this country who has to deal with laws every day of his life should have no probation whatever in law?—He would have to learn it of course. What I meant was that, when you remove the Judicial appointments, the need for that kind of thing will be very much less. I did not think about it from your aspect.

4494. As a Statutory Civilian I suppose you have been brought into fairly close touch with officers of the Provincial Civil Service?—Yes.

4495. How long have you been absent on duty under a Foreign State?—I have been about five years in Travancore.

4496. And before that?—I was five years in Cochin, also as Diwan.

4497. Then for the past ten years you have been out of touch?—Not continuously.

4498. Although you have been in a Native State have you kept in touch with the officers of the Provincial Civil Service?—Yes.

4499. And you think you are fairly well qualified to speak in regard to them?—It is not for me to say how far I am qualified to speak in regard to anything, but I believe I should be justified in speaking for them.

4500. In answer to question (93) you stated that you have heard of no dissatisfaction whatever in regard to the pay and grading of the Provincial Civil Service?—I was asked: "If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts, or to both," and I answered "I have not heard of any dissatisfaction."

4501. All the evidence we have received here from almost all the Provincial Civil Service has been to the effect that there is grave dissatisfaction, both in regard to their pay and their grading?—Unless I am told what their evidence is I would not be in a position to offer any remarks in regard to it.

4502. I do not wish to go into details. You say you have heard of no dissatisfaction, but we have heard of a very great deal of dissatisfaction. Do you think that their evidence dealing with this dissatisfaction has simply been manufactured for the purposes of this Commission?—By whom?

4503. By the Provincial Civil Service?—I am not aware that any attempt to manufacture evidence has been made.

4504. Then the evidence we have received with regard to dissatisfaction is genuine?—It may be.

4505. Therefore how do you account for not having heard of it?—Several things take place of which I do not hear, and this may be one.

4506. (*Mr. Macdonald.*) You have stated that in the State of Travancore you have had experience of English officers working under Indian superiors?—European Engineers working under Indian Engineers.

4507. Is the head of the department an Indian?—He is a European Engineer.

4508. Have you examples in your State of any large department, either Executive or Judicial, being under the control of an Indian with subordinate European officers?—We recruit Europeans practically only for two departments—Education and Public Works—because we cannot get sufficient Indians for those departments.

4509. But at the head of both these departments you have Europeans?—We have a European Director of Public Instruction and a European Chief Engineer.

4510. Do you pay the same grade of salary to Europeans as you do to Indians?—In the Public Works department, yes.

4511. And in Education?—In Education, following the Madras precedent, they fixed a different scale some time ago.

4512. In your Public Works department is the scale of salary an Indian scale or is it a European scale?—I suppose it is something midway. I do not know what an Indian or a European scale is, nor do I know the details of the Public Works department organisation in Madras just now; but our scale of pay is pretty fair, and we get very good men.

4513. With regard to leave, do you give your officers in Travancore as ample leave as the European officers?—They have all got the same leave except those who come under covenants, who have less leave than those under the ordinary rules.

4514. Have they as much leave as the European Civilian in Madras has got?—Yes, they have two years' furlough and three additional; five years altogether.

4515. Your Indian officials?—Indian, European, and everybody can take five years. I believe in the Civil Service they can take about four years.

4516. In your minor offices do you require to degrade many men for inefficiency?—Yes, we have had to do it.

4517. Would you say that you do more of that than they do in Madras?—It is difficult for me to say because I do not know much about it here. When you punish one man for inefficiency the effect is so good that for about a couple of years afterwards the service works very well, and then slackness begins again, and we have to take hold of another man. That is how it goes on.

4518. Have you seen any of the evidence that has been submitted to us by important officials of the Madras Government to the effect that the Public Service of Madras would be very much improved if there was less promotion by seniority and more promotion by merit, and if there was more punishment in the form of degradation, or discharge as a last resort, meted out to inefficient officers?—I saw Sir Ralph Benson's evidence to that effect.

4519. If your experience in Travancore is that one or two discharges or degradations have such a good effect on the *morale* of your service, then if an important official of Madras comes with that evidence is it your conclusion that they are exceedingly lax in Madras?—I cannot say that.

4520. Supposing that it was the State of Travancore that was under examination by a Royal Commission, do you think that we would get evidence from your officials that it would be necessary to degrade and to punish for inefficiency?—No, I do not think so.

4521. Is that because evidence would be required but not given?—Of course the conditions are very different there from what they are here. There of course the aim at efficiency and all that is practically confined to the Darbar, but even there you would find that this kind of punishment you could mete out only to the comparatively lower grades. When a man comes to the position of the District Collector and District Judge, even though he is not quite efficient, we have to bear with him.

4522. So that you do not think, so far as the higher officers are concerned, that there is very much in the proposal to discipline your service better by degradation and discharge if necessary?—I do not attach much importance to punishing a man after he has become a Collector or Judge; what I am pressing for is that he should not be promoted to that rank, that there should be more discipline before promoting him.

4523. What is the condition of caste and community representation in Travancore; do you find any difficulty under that?—Yes, we have a number of castes.

4524. In the service?—Yes.

4525. In the higher service?—Yes, we have Christians, Brahmans, Nairs and others.

4526. How do they get there, by examination or by nomination?—We have no competitive examination.

4527. It is exclusively by nomination?—Nomination and promotion.

4528. Do you deliberately appoint men so that your communities are properly represented in your high offices?—Sometimes we do.

4529. Is that a consideration that is always present in your mind?—Not always but sometimes.

4530. As a matter of practical working do you secure that as far as possible?—If any particular branch gets monopolised by a particular community, there is a hue and cry, and we make a few appointments to tone it down and then go on.

4531. Being good politicians you sometimes sacrifice efficiency for peace?—Sometimes. I do not think that is confined to us.

4532. Have you separated the Judicial from the Executive functions in your officers?—No.

4533. Would you like to do it?—Personally I should like to do it very much.

4534. Do you find there is any great convenience enjoyed by your Executive officers in having a certain amount of magisterial duties and powers?—None whatever.

4535. With reference to what you say about the statutory minimum or the irreducible nucleus, or whatever phrase is to be used, of the European staff, your proposal is that at present it is unnecessary to fix anything?—Yes.

4536. Because in the ordinary working out of any examination imposing a high test there will always be what at any rate will be equivalent to any irreducible minimum that might be fixed?—Much more than an equivalent.

4537. But in reply to Mr. Gokhale you said that by a very wide stretch of the imagination we might conceive of a time when that irreducible minimum was entrenched upon by clever Indian youths?—Yes, it is not inconceivable.

4538. And then you propose that the situation should be reviewed again?—Yes.

4539. And you tell the Commission that that is the time to fix this minimum?—Not to fix the minimum but to go into the whole question and find out whether it has come to that stage, and how the people have been considering it and so on; to diagnose the evil and then grapple with it.

4540. Do you think you are ever likely to admit that it is an evil under those circumstances; that the public opinion of India will admit it is an evil, that more than one-half of the higher offices are filled by Indians?—I am not in a position to speak for public opinion in India; it changes so often; it is in a very fluid condition.

4541. Have you not spoken for public opinion in India in answering that question in the way you have done? You say that when the evil has been experienced then we can settle it?—I was asked what I thought and I said that was my opinion.

4542. Will you reply to my question from the point of view of your own opinion? Do you

think the public opinion of India would recognise that a progressive increase in the Indian staff, which was threatening to become a monopoly, would be regarded as an evil?—I think they would when they see the evil is imminent.

4543. Do you think that the public of India, as they look at the results of the examinations year after year, and see that the first thirty is growing to forty and forty growing to fifty places in these examinations, places held by Indians, would say "This is going too far, let us agree to fixing a minimum below which the European staff must not go."?—Not exactly. I do not think that public opinion will come forward and say that. But it will be for the Government then to say: "We have got this particular state of affairs, this evil has come, and we want to take action upon it," and then if witnesses are examined just as I and others are examined now, I am certain, so far as I can see now, that large numbers of people will say they have no objection.

4544. Do you think that any Government in India, under conditions such as then would exist, would deliberately establish a rule which would prevent Indian youths, who could pass examinations better than Europeans, being deprived of the posts to which they are entitled as the result of the examination, and those posts given to Europeans who have failed?—I could not very well say.

4545. As Diwan of Travancore would you do it yourself?—I would certainly do it if I considered it necessary.

4546. One of your objections to the proposal of fixing a minimum is that you are not quite sure whether it is in accordance with the Act of 1833 and the Proclamation?—That is so.

4547. You think it is very undesirable to do anything against the spirit or the letter of the Act and the Proclamation at the present moment?—I think it is inexpedient.

4548. But you are not so particular about the next generation?—I would leave the next generation alone.

4549. You think that the next generation, if it is necessary, can upset that law and break the spirit of the Proclamation?—They can do as they like and settle their own troubles. We can settle our own troubles and be done with them.

4550. Would it not be more in accordance with that good commonsense view of yours that as there is some fear, and you yourself admit that this nucleus must be maintained, you should fix that nucleus now, not for ever certainly, but fix it and let it be the subject of revision some ten or twelve years hence?—I would not do it. I am very much against it, because I consider it most impolitic.

4551. Impolitic from what point of view?—Impolitic from every point of view, impolitic from the Government point of view, from our own point of view, and from the point of view of peace. If the evil ever assumes dimensions we will do it, but I would rather leave it alone now.

4552. I do not press you on the point; I wanted just to see exactly what you meant by some of the opinions you express. You say in answer to question (88) that some sort of officers shillyshally and wigglewaggle between the Judicial side and the other side?—I do not say they shillyshally. For a time they get a little uncertain and finally settle down in one of the two grooves.

4553. First on one side of the rut and then on the other, uncertain of which they are going to choose?—It is not they who choose but the Government.

4554. Is that because the officer himself is uncertain or because the Government finds it impossible to fix it? I think as a matter of fact you have just said the Government is to blame?—It is done for administrative needs. A man's turn may come, and when his turn for promotion comes sometimes he becomes a Collector and sometimes a Judge.

4555. You do not mean to say that the individual uses the possibility to suit his own convenience?—No. Sometimes, when he says what he prefers, Government agrees, and sometimes they do not.

4556. Is this a common experience?—I cannot say. I have been out of the service now for about five years and there has been a big reorganisation.

4557. Do you make this statement on the experience you had when you were in the service?—Yes.

4558. Or upon what you hear now?—I have not taken very much interest latterly in these things.

4559. So that this is rather old information?—I would not say it is rather old information. I believe things are now a little different. There has been some reorganisation and the men are chosen definitely for one or the other.

4560. In answer to question (99) you say you are opposed to a time-scale? Why?—I feel that even as it is men are promoted in a sort of mechanical way and a time-scal accentuates the evil.

4561. You do not think it would have this effect, that if the Government have to pay a man who is inefficient a salary which increases automatically by increments it will be far more careful about the efficiency of the man who is getting this increased rate?—I do not think much of that aspect.

4562. If you were a private employer, having a staff of your own, would not that view operate in your mind?—It is difficult to say. As far as a time-scale is concerned my impression is that it will probably accentuate the evils of the present situation to some extent. It will ensure a man promotion automatically and that kind of thing.

4563. Do you know that the proposal of a time-scale is not that it should go through the man's service but that it should only operate while he is in the grade below the Collector. The lower-paid man has to wait to jump from grade to grade and his chances of jumping do not depend upon his efficiency but mainly upon his luck. The proposal is made that these men, whilst waiting for their proper advances in grade, should not suffer in pay but should receive small annual increments?—I am against that proposal.

4564. (*Mr. Madge.*) Question (72) postulates certain fundamental conditions of service in the Indian Civil Service, and amongst these is one that the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of the higher ones. In your

answer to that question you say "My only objection to the theory noted above is so and so;" and then you refer to certain consequences which are either accidental or incidental, but do not appear to me to touch the fundamental character of the conditions postulated. Is that so?—You have my answer there.

4565. No. The question postulated certain fundamental conditions, and in your answers you refer to certain accidental or incidental consequences which do not seem to me to affect the fundamental character?—Probably they do not.

4566. Would you qualify your answer to any extent?—I do not want to alter my answer.

4567. There seems to me some slight inconsistency between that answer and your answer to question (42) in which you say "At the risk of being blamed for repetition I would reiterate the need for separating the Revenue and Judicial departments. The requirements for the two departments are fundamentally different." Is there nothing in common between the judicial and the executive services to the extent of requiring, in the fulfilment of judicial duties, an experience that can only be gained in executive office?—There is something, but I do not attach much importance to it.

4568. Is it not a great deal?—I do not think so. I can see that an executive man does pick up some amount of executive experience which to some extent probably helps him later on, but the balance of advantage would be decidedly in favour of the recruitment from the Bar direct. Where a pleader handles cases in court he understands the machinery very much better than a man who rises in executive appointments.

4569. We are not referring exclusively or even chiefly to pleaders who are appointed?—I am speaking of practitioners.

4570. We are referring generally to the experience gained in executive duty in the early years of a civilian's career. Is it or is it not your opinion that a civilian during that period acquires valuable knowledge of the various conditions existing in this country which are very valuable to him in his judicial duties?—He does acquire a certain amount, I do not deny that.

4571. I am not comparing one thing with another but simply asking whether it is valuable or not?—Whether it is valuable or not depends upon what he does. There are civilians and civilians. Some do acquire a lot of valuable information and some go through their whole career without acquiring any information.

4572. No European coming to this country and being pitch-forked into a judicial appointment could acquire that experience only in an executive office?—I do not say that he should come straight from Europe and be pitchforked into an official appointment.

4573. I do not say you say it, but I want to bring it home to you that the knowledge acquired in executive practice is very valuable whether to the executive officer or later in life to the judicial officer?—I am not quite in a position to take the same view as you. I see the point.

4574. Do you admit that the experience is valuable?—The experience is of some use.

4575. But in your opinion not of much?—It does not carry far.

4576. At what period in a civilian's career would you fix the bifurcation between executive and judicial?—I do not want to fix the period at all. I want the judiciary to be wholly outside.

4577. But as the Civil Service is at present constituted, supposing your view was not adopted and the Civil Service went on as it is, and bifurcation were introduced at a particular period, at what period would you fix it?—I would fix it pretty early, after about three years or so.

4578. Only three years?—Yes.

4579. Do you think an Assistant Collector acquires it within the first three years of his experience, when probably he has not even mastered thoroughly a knowledge of the people and of the prevailing conditions in rural areas?—I propose elsewhere that if we have to go on with the present system the civilian should be started as a Munsif. I would rather start them early so that they can pick up a knowledge of the vernacular and all that as a munsif by coming in contact with cases.

4580. You think that within three years he will have acquired all the knowledge that will be of use to him later in life as a Judicial officer?—I do not say that. I say, if you insist on that system and ask me to fix a period, I would fix that as the most convenient.

4581. As regards simultaneous examinations, if I understood you rightly, you think that when the Government wanted a certain number of Indian officers here it would state the number it wanted, and have the examinations with a view to filling those offices. You propose simultaneous examinations from year to year?—Yes, I want an examination held in London and also held in India.

4582. As to the examination here, supposing there were no vacancies in a particular year, you would have no simultaneous examinations in that year?—That is so.

4583. Then to go back to my first question, you would have the examination in a particular year because a certain number of vacancies exist in that year?—Yes.

4584. Would you accept the man who passed at the top as a matter of course?—Yes. I want the same examination and the men to be all brought into one list.

4585. The same examination as for the Civil Service at Home?—Yes.

4586. Do you think the standard of education in this country is such, or will be such for a long time to come, that it will equal the Civil Service tests?—It will not. That is why I say you can give the concession with great ease.

4587. That is to say, you would have the concession, fully expecting that nothing would come out of it for some years to come?—That is one of the grounds on which I am putting it.

4588. Absolutely expecting nothing from it?—I do not say nothing, but very little will come out of it.

4589. If the standard of examination does not rise to the standard of the Civil Service, how do you expect anything at all?—It will take a long time for it to rise and in the meantime it will be a satisfaction to the people that you have given them equal opportunities and a concession. The Natives would not swamp the service and the matter would go on all right.

4590. The question of swamping is not present to my mind at all. I want you to say whether you think that if three or four men were appointed, and that education had not risen to the

necessary standard, you would still appoint them in India?—I would not appoint them.

4591. You would not appoint them at all?—No. Under simultaneous examinations, if these gentlemen are not up to the mark they will have to remain outside.

4592. What satisfaction will the country as a whole derive from the fact that a concession had been made which produced no practical result at all and was not likely to produce one for some time to come?—The country would be stopped from urging it; the demand which the country made with a pretty unanimous voice having been granted, they would be stopped from further complaint. They would feel "We have asked for a thing and we have got it, and it does not pay." It will serve the object of peace.

4593. They will be satisfied with the theory without any practical result?—They will discover what it means and will have to hold their tongue.

4594. You say the country universally demands this?—When I speak of the country I am speaking of the people dealing with this question. I do not mean the whole country.

4595. What proportion do you think they are to the masses?—I mean the large number of people represented by myself and others, the *literati*.

4596. It is quite possible that the *literati* may hold an opinion that is not only opposed to you but opposed to the feelings of the great masses?—Ignorant men have no opinion the one way or the other. They do not know that this Commission is sitting and that we are discussing the matter.

4597. Nevertheless, because they are voiceless, the Government is bound to consider their interests?—Of course they are.

4598. With reference to the optional languages, you would substitute Tamil for French and German?—No, not substitute; I would allow a choice.

4599. Of course you are aware that there exist, both in French and in German, scientific works of which there has been no translation?—I have not read French and German so that I have no experience.

4600. You need not be an authority to answer a question like this, which is, that certain scientific works exist in French and German which are of great use to candidates who can read those languages, but which would be denied to men who had not studied those languages?—I have heard of them. I have read translations of French and German books and I sometimes felt very sorry that I did not know the original languages. I have only read translations.

4601. I am speaking of works of which there are no translations?—There must be a great many works like that.

4602. Which would be lost to officers who did not know those languages?—Yes.

4603. (*Mr. Abdur Rahim.*) I want to understand your position with regard to simultaneous examinations. As I understand you, it is likely to be barren of all practical results for some time to come?—Yes.

4604. I also understood you to say in answer to a previous question that you consider Indian boys who pass successfully the Indian Civil Service examination in England at present are as a class inferior to the boys who would attempt the examination if it were held in India?—Yes. I think the type of boy who will appear and pass when the examination is held in India will be of a more capable type.

4605. Then these men ought to get in?—They must get in I think.

4606. Then you have the men here who will get in as well as the men who at present go to England, and will continue to go, according to you, if simultaneous examinations are held?—I believe some of these people will probably elbow out the others.

4607. In elbowing out the others they will be elbowing out those Englishmen who are below the Indians who succeed in England now. That is to say, the boys who appear here will elbow out the Indian youths who are now successful in England, but they will at the same time elbow out the English youths who come below the Indians?—They may.

4608. So that the result must be that more Indians will get in?—Yes, there would be more Indians. All I can say is that it will be a small number.

4609. So it will not be barren of results?—It would not be barren of results in the sense that nobody would get in.

4610. I put it to you that no large body of Indian public opinion would make a demand for simultaneous examination unless it was to result in practical benefit to Indians?—I rather think that the practical benefit is very much overrated.

4611. That may be, but they do expect substantial practical benefit?—I think there is a great deal of sentiment in it.

4612. Is it your opinion that for years there has been a cry for a simultaneous examination all from mere sentiment?—There is a substantial volume of sentiment in the demand.

4613. I put it to you that you yourself as a practical man with a large experience of the world would not advocate the measure simply for the pleasure of seeing our boys sit at certain examinations, in addition to the examinations they sit at at the present?—I do not mean to say that we would not have any boys coming in. We should have a certain number. I advocate it because it would give us equal opportunities, and although the results may not be very great for very many years, still it is better than having a separate examination.

4614. Is it not clearly better to face the facts and devise a remedy which will suit those facts? You recognise that a certain element of English people is necessary?—Yes.

4615. Would it not be wiser statesmanship to define that element as far as practicable, I do not say for all time to come but having regard to the present condition of things?—I think the statesmanship lies in this point, in not attempting the thing now.

4616. You have had experience of the two largest Native States in this Presidency as Diwan?—Yes.

4617. The Diwan is the principal officer?—Yes, the Chief Minister.

4618. How does this office compare in point of responsibility with the office of a Collector of a district here?—It is very much more responsible.

4619. You have told us that you have very many sections of people in the Travancore State?—Yes.

4620. How many divisions are there of this State corresponding to the districts in this Presidency?—We have five land revenue divisions.

4621. Are the magisterial divisions separate?—They are the same.

4622. I suppose they are much smaller than those here?—One or two of them are smaller, but some of them are not small. On the whole the average is decidedly smaller than the Madras district.

4623. Are they larger than the largest of the divisions here?—I have no idea what the largest division in Madras is. Two of our districts cover over 2,000 square miles each.

4624. They are considerable in extent?—They are quite large enough for all purposes.

4625. Did I understand from your answers that most District officers there are Indians?—All of them are Indians except in the planting districts.

4626. What is your opinion regarding the way in which they manage their districts?—Fair.

4627. Are they efficient officers as a class?—Of course when they know that efficiency is expected they work up to efficiency; when they do not know it, they may relax a bit.

4628. I want your opinion. Are they efficient as a body?—The District officers on the whole are an efficient body.

4629. Have you many serious riots and disturbances?—Yes, sometimes we have.

4630. Do you find these officers able to cope with them when they arise?—The riot generally ends before we know where we stand. We had one riot when the mob burned down a police station and threw stones at the Palace of the Maharaja, and the whole thing was over before we could get the military, who were only a few hundred yards off.

4631. I want to know have they got to deal with riots either themselves or through their subordinates?—Yes, when they do take place.

4632. Do they run away when there is a riot and leave their subordinates to be killed or burned?—No, they have not the chance. We had one man who did keep clear of a riot and so we dismissed him, and ever since they find it much safer to go into the riot and get beaten there than to get out of it. It is more politic.

4633. When a possibility of a big disturbance arises, do you find that these officers are generally satisfactory in trying to prevent riots?—Quite; the great point is that they prevent it before it comes to a head like that. That is the great point I see in Native States, that they prevent the thing from developing into that position.

4634. Is there anything in the circumstances of this Presidency different from the circumstances in Travancore which would not allow of riots being prevented in time if the officers are vigilant enough? I do not of course mean that riots can be prevented in all cases, because there are disturbances which nobody can prevent?—The bother of most riots is that they come without notice, and that is the real difficulty.

4635. Do you know that in this Presidency there are riots arising out of processions?—They can be prevented to some extent.

4636. You mean that people ought to know what is brewing and take measures, such as riots connected with plague where officers ought to know if they are likely to arise or not?—Yes.

4637. Do you think an Indian officer is in a position to be in touch with the people, and to prevent riots occurring under circumstances I have mentioned?—An Indian officer should be in a position to do so.

4638. Were they so in touch in this Presidency when you were in the service?—They have been fairly good I should say; they have anticipated things and tried to keep things quiet and all that.

4639. Have they failed in that respect more than you might expect from a large class of people?—Personally I have not known any failures worth mentioning.

4640. In your experience do they compare unfavourably with European officers in that respect?—It is difficult to say that kind of thing unless we take careful analysis of all the riots we have ever had.

4641. You would not generalise?—No, I would not add to the volume of generalisation.

4642. I see you are rather strong on the question of the separation of the two branches of the service, the executive and judicial. Do you say that upon mere theory or from experience?—More from experience than from theory.

4643. What is the chief evil of the present combination of the two functions and the amalgamation of the two services?—The judicial work, I believe, is not quite up to the mark now. There is a strong feeling in most districts that the judicial administration is not up to the mark. The great point in favour of the British Government has always been its pure and efficient administration of justice. It is certainly as pure as ever it was and probably purer; but so far as efficiency goes there is an impression in most of the Madras districts—an impression not of a few people but a large body of opinion—to the effect that justice is getting less and less efficient. After studying the question with some care I have most reluctantly come to the conclusion that the only way in which the administration of justice could improve is to specialise the department. That is why I have proposed it like that.

4644. As you know, the District Collector is the head of the Police, and also the Chief Magistrate of the district, and as such the head of other Judicial officers, who try criminal cases: does this combination of functions in your experience result in any practical harm?—I do not think it actually results in a miscarriage of justice, but there is a general impression in the minds of the people that it is not quite safe; that is to say the two are allowed to weigh mutually.

4645. What you mean is that it does raise a sort of distrust which may not be justified?—Which, I believe, is mostly unjustified.

4646. But all the same it tends to lower the reputation of the judiciary?—It does.

4647. (*Sir Valentine Chirol.*) You recommend the introduction of the system of simultaneous examinations from which you do not anticipate that the danger, as it has been called, of swamping is likely to arise in your time and my time, and therefore you say for the sake of peace and to avoid all the trouble and difficulty of dealing with that question at present and averting any possible danger in future, you would leave it to the next generation?—Yes.

4648. Might I ask you whether in proposing a settlement that affects the material interests of your own children you would also advocate that,

for the sake of saving yourself inconvenience, you would leave them to take care of dangers that were remote?—I would leave them alone.

4649. (*Sir Murray Hammick.*) I think it would be as well to get on record a short history of your own services. You joined the Statutory service in what year?—I became a Deputy Collector in 1886.

4650. What was your next appointment?—Then I was Treasury Deputy Collector, and General Deputy Collector, and then I went into the Statutory Civil Service as an Assistant Collector.

4651. When did you become an Assistant Collector?—Early in 1888.

4652. Were you ever a Collector?—Yes.

4653. When did you first become a Collector?—When my turn for the Collectorship came I was in Cochin as Diwan and so I had to wait until I came back, and then I was a Collector.

4654. And you were in Cochin as Diwan for five years?—Yes.

4655. And when you came back you became a Collector?—I became a Judge and afterwards became a Collector.

4656. And you were head of the Co-operative Branch?—I was Collector twice and then Registrar of the Co-operative Societies.

4657. How long were you Registrar?—Three years.

4658. That took you over the Presidency?—Yes.

4659. Since then you have been Diwan?—Yes.

4660. You said your largest district in Travancore was about 2,000 square miles?—A little more than that, 2,000 odd.

4661. Beyond the two districts of Nilgiris and Madras there are no districts in Madras which do not exceed in area very much more than 2,000 square miles?—I believe the Madras districts are very much bigger.

4662. Is not the Diwan of Travancore on very much more intimate relations with his District officers than either the Chief Secretary or the Members of the Council in Madras could possibly be?—I have no idea as to the relationship existing between the Chief Secretary and Members of the Council and District officers here, but certainly the Diwan has to be in touch with his District officers.

4663. Very close touch?—Yes, he has to be.

4664. Do not you think that, if you had simultaneous examinations introduced now, in a very short time there would be special educational classes in most of our schools, and also special educational institutions started for the purpose of giving students special training for these examinations?—I do not think so; I do not contemplate that.

4665. That has happened in England, but you do not think it would happen in India?—I do not think it would happen here.

4666. You think a European element is necessary in the judicial service?—Yes.

4667. Your proposal is to bring in English Barristers, by which I suppose you mean Barristers who are English in origin but practising in India?—Englishmen practising in India.

4668. You would bring them in as Sub-Judges or District Judges?—If they were men of standing and experience I would put them in as District and Sessions Judges.

4669. I suppose you know, as far as this Presidency is concerned, that the proportion of English-born Barristers at the Bar is decreasing very much?—Yes.

4670. There are very few left in Madras now?—I know, but you can bring them in from other Provinces. My own impression is that when this opening is made you will probably have a large number of practising Barristers.

4671. Barristers would come out attracted by the belief that they would get these appointments?—Yes.

4672. In answer to question (67) you say "It will probably do very little good so far as the administration of justice by the Indian Civil Servant is concerned. Law is one of those things where theoretical knowledge, however wide, cannot obviate the need for practice"?—That is my feeling.

4673. Do not you mean by practice such practice as the Indian Civil Service officer derives from his constant trial of criminal cases, rent cases, water disputes, and the various disputes that come before him, which are *quasi*-judicial, in the course of his revenue career?—No, that is not the practice I contemplate. The practice I contemplate is practising at the bar.

4674. You do not think the practice that the civilian gets in the courts that he presides over gives him that knowledge?—I made the whole thing so strong on account of my own personal experience. The divisions I was in were divisions where the Revenue officer had a good deal of *quasi*-judicial work, and yet when I became Judge I felt as if I had been blindfolded and made to run about. That is the feeling I had. That feeling has been sitting as a nightmare on me ever since.

4675. You object to the revival of the Statutory service?—Yes.

4676. But do not you think that the Statutory Service never had a proper trial?—It was in force for about nine years and nine years is a sufficiently long period to try a thing like that.

4677. I take it the chief reason the Statutory Service broke down was, firstly, that incompetent persons were put into it—I am not of course referring to you—and, secondly, that they were put in a distinctly inferior position?—The Statutory Civil Service probably had not much of a fair chance. I was at one time of opinion that it would probably have solved some of our troubles, but after my somewhat wider experience now, I feel it was good it went overboard, and I am against its being resuscitated. The moment you have anything like that here some amount of nomination will be inevitable, and once you have any power of nomination there are two things to be considered. My countrymen, those who have sons and all that, will be very persistent in asking for favours. The average Englishman is a pretty good-natured man and stands a good deal of nagging, but the result will be that all those old evils will re-appear.

4678. Could you not revive the Statutory Service without nomination?—Then there is always the feeling that it is an inferior service.

4679. Was not that feeling very much due to the fact that, first of all, the holders of offices got less pay than Indian Civil Service men and, secondly, that they were placed in a separate list and labelled "Statutory Civil Servants"?—

We were *not* placed in a separate list at the beginning. The point you mention would be all right if it were so, but until the Public Service Commission came we were recognised to be members of the Covenanted Civil Service and were given gradation numbers and assigned equal positions, but somehow a sort of curse was upon the wretched thing from the very beginning. I did not think it could survive that.

4680. Do not you think that curse came upon it because Statutory Civilians were appointed by nomination and were many of them very inefficient?—There were some competitive examinations. I did not get in by examination, but I had to begin my service as Deputy Collector and work up to the Statutory Civil Service. I am rather against it.

4681. You still do not think you could work it?—I am against it.

4682. In answer to question (64) you say "The whole training of a Junior Civil Servant unfits him in my opinion for higher judicial work." What exactly do you mean by that?—There is a certain amount of *quasi*-judicial work which Revenue officers do; it is all right, but what I have seen is that the whole training of executive work takes you further and further away from a judicial frame of mind. For instance, as an executive officer, 90 per cent. of our work is done by what the lawyers would call *ex-parte*; we always only hear one statement in a case, and if we waited to hear the other statement the whole machine would come to a stop. Therefore we ask ourselves what the other side of the case is likely to be and go on and do the work. By the time the whole thing is over we get a sort of feeling that we are omniscient and never likely to commit mistakes, and one side of the case is always sufficient for us to decide. When I became Judge I wanted to dispose of a number of matters to which my sheristadar objected on the ground that notice had to be given to the other side, and then I looked up the Code and deferred to him. But still it was an eye-opener.

4683. But do you think, that supposing after six or eight years' service an Indian Civil Service officer was sent Home and made to read Law in England for 18 months, and when he came out was made to work first as a munsif and then as an additional Sessions Judge and Sub-Judge for, say, a period of three or four years before he took up the Judgeship, that training would be sufficient to get rid of that idea of omniscience and *ex-parte* opinion?—I do not think so. The one thing we cannot get rid of is omniscience.

4684. With regard to your answer to question (88), you have had no experience of the new rules on the subject?—No, I have not. That is why I mentioned it to Mr. Macdonald.

4685. With regard to questions (116) and (122), do you know how the leave arrangements in Travancore, which you say apply both to Europeans and Indians, compare in liberality with the leave arrangements in Madras?—Some of the proposals I am making for the services here have been already made there. That is where I got my inspiration from.

4686. Your leave arrangements in Travancore are much more liberal than ours?—Much more.

4687. Do not you think that a European serving in this country, 5,000 miles away, perhaps, from his wife and family, naturally requires some different furlough arrangements from an officer who lives 50 miles away, it may be?—Yes.

4688. You do not want to make any serious point of that at all?—No.

4689. Have you had any experience in Travancore of the time-scale?—Much of my objection to this time scale is that it has been working there much more than at any other place, with bad results.

4690. Where has it worked?—In a number of departments. A time-scale is somewhat of a refuge from troubles. Whenever we cannot regulate promotion in any department and do not want to take responsibility we institute a time-scale. The time-scale distinctly lowers efficiency, as I found in a number of departments.

4691. (*Mr. Oldfield.*) You told Mr. Sly that you had Judicial experience; how long did that experience last?—I was there for three months.

4692. You have never acted as a Judge since?—I wanted to be kept on, but Government refused me permission.

4693. With reference to one of Sir Theodore Morison's questions about the existence of a vernacular literature at present, can it be put fairly in this way, that there is a little fiction?—Yes; I am speaking of Tamil.

4694. A little religious poetry?—Yes.

4695. What more would you say there was of any value?—A great deal, but I could not answer off-hand a question regarding the value of a thing like Tamil literature.

4696. With reference to this period of nightmare tempered with omniscience, I understand it arose from your being exclusively occupied with revenue work?—I think so, and exclusively accustomed to dealing with one side of a case and disposing of things in that way.

4697. Were you doing any magisterial work?—I was.

4698. And dealing with it on those lines?—No, but it was not a sufficient antidote.

4699. (*Mr. Ramachandra Rao.*) You are the senior Indian officer in the service?—Yes.

4700. And you are in considerable touch with the opinions and feelings and wishes of the Provincial Civil Service officers?—Yes.

4701. Do you think one of their great wishes is that some of them could get into the ranks of the Indian Civil Service and be treated on exactly the same footing?—Yes, I suppose that is their ambition.

4702. That an opportunity should be given to them, an opportunity which is now denied to them, by having the competition solely confined to London. They want greater opportunities of getting into the ranks of the Indian Civil Service?—Yes.

4703. Even if they could, it is not their wish that they should eliminate the entire European element?—I do not think anybody contemplated ousting the European element.

4704. You have considerable acquaintance with the functions of the Provincial officers?—I was a Provincial officer myself for some time.

4705. Do not you think they are treated as an inferior service by having an inferior scale of pay than the European officer?—It is difficult to say.

4706. I mean in such ways as providing allowances, etc.?—In regard to those small matters I think some of them are.

4707. Is not that going a great way towards increasing the bitterness of feeling, a feeling which can be avoided by doing away with the little petty distinctions?—It certainly is inconvenient pecuniarily, but I do not see it makes a feeling of bitterness.

4708. What is the wish of the Provincial officers?—They would like to have the same rate of travelling allowances, etc., as the European officers.

4709. And the same treatment also?—Is there much difference?

4710. I thought you knew there was some difference. The Deputy Collector can only appoint up to Rs. 30 and even that requires the sanction of the Collector?—The Collector has and should have the right of vetoing anything in the district.

4711. Do not you think that when doing similar duties they should be treated alike?—It may be, but I do not think we can give the same powers to men who are getting Rs. 250 as to those who are getting Rs. 800, because one is a more seasoned man than the other. I agree that a distinction need not be made as to whether they are Provincial or Indian Civil Service men, but I have always thought the more seasoned Divisional officer should have larger powers than the less seasoned man.

4712. In answer to question (42), in speaking about the separation of the Executive and Judicial, you think the Revenue officer should be invested with magisterial powers and that there would be no difficulty in that?—The President put the question to me of whether the Collector, for the sake of getting his collection of revenue in, should have certain magisterial powers, and I saw no objection.

4713. Can you conceive of a state of things in which all the Judicial work shall be done by a Magistrate in the Judicial department.?—I have not thought of a scheme in all its details, but all the Judicial work must be done by the Judiciary.

4714. The question is whether the executive officer should be given the power to prevent riots and settle disputes about property?—I am speaking throughout of land revenue and Judicial offices, and I do not attach much importance to the distinction of Executive and Judicial. The President put the question to me, that under particular contingencies, if the revenue did not come in, and all that kind of thing, whether I had any objection for the power to be given. If the revenue does not come in we must come to a full stop, and I said he must have the power.

4715. (*Chairman.*) I did not put it in that way. What I asked was: if, in the course of his work of asking for revenue, a riot or any trouble was caused, you would be in favour of his being clothed with magisterial power which would enable him to enforce his charge?—The Collector must have all possible powers to collect the revenue; otherwise he would not be a Collector.

4716. (*Mr. Ramachandra Rao.*) Do you think an Executive officer should necessarily have the Judicial powers of a Magistrate?—I have not thought out the question from a theoretical point of view. I say the land revenue work and the Judicial work had better be separated so that both may get better done.

4717. Will the work be more efficiently done?—It will be more efficient generally if the whole of the Magistrates like the Munsifs are brought under the High Court. I put it only on the point of work.

4718. (*Mr. Subrahmanyan Pantulu.*) You have Indian District Judges. Have you not?—We have.

4719. Are they discharging their official duties to your satisfaction?—I suppose so.

4720. In speaking of officers being appointed as Judges you said it was not desirable because they are trained in taking one-sided view of questions, and when you were made a Judge you felt as if you were blindfolded, and you were surprised when an officer gave you some information. Do not you think the man who is recruited as a Judge from the Bar would be more one-sided than a man who had been trained in the service?—I do not see why it should be.

4721. Speaking of the present system you said it is desirable that a Revenue Officer should first start as District Munsif before being made a Judge?—Yes, if you want to give him training.

4722. That is because you say the Revenue Officers are accustomed to take one-sided views of questions, and they may be trained in the lower service work to see both sides?—They have had no Judicial training, and if started as District Munsifs they would take up their training with a minimum amount of inconvenience and loss to the public.

4723. Would it not be equally advantageous that all people who enter the service, either from the Bar or from outside, should start as Munsifs and learn the work of exercising the judicial function on a limited scale and have their efficiency tested by the Courts?—I am against it. You must remember that the more brilliant men will stick to the Bar, and if you confine the promotion to the lowest rank you will probably lose a great many good men. The first-rate men would not come in.

4724. Start the men of some standing at the Bar as Munsifs and give them training as Munsifs before they are invested with the powers of a Sub-Judge?—I attach a great deal to the training a man gets from practising at the Bar.

4725. Is not that a one-sided training?—No, it is not a one-sided training: he is sometimes for the plaintiff and sometimes for the defendant and gets to know both sides.

4726. You said that as a general rule you would start Judicial officers as Munsifs and promote them gradually?—Some of the members of the Bar I would appoint to District Judges straight on.

4727. At what age do they become Judges in your State?—Some of them are young, and some of them old.

4728. Do they discharge the duties of a District Judge efficiently?—Some of them get there when they are about the fag-end of their service and they are not efficient, and we wait to get rid of them. Some of them are efficient. I will not generalise in a matter like that.

4729. A Judge need not be of so much physical vigour and so young as a Collector. You can afford to have a Judge at a riper age than a Collector, I suppose?—I do not attach much importance to the "ripe age" business, but I would rather have Judges who are not too old.

The work involves a great deal of strain; a man has to sit from morning till evening, and if you put in a man as Judge at the fag-end of his career he breaks down very soon and is not able to do much work.

4730. (*Chairman.*) You wish to add something?—If your Lordship will permit me, there is one point I forgot to mention in my answers to the interrogatories; it is a thing affecting Native States generally and it would not take more than a minute to mention it to your Lordship. At present under these rules inhabitants of Native States are not eligible for appointment in any of the Indian Services, and they all feel that that kind of exclusion should not be continued. Although they owe no direct allegiance to the King-Emperor, the Rajas, to whom they owe allegiance, themselves owe allegiance to the Sovereign of the Empire, and the relations between Native States and British territory are very intimate. We have people inter-marrying, of the same caste and creed, and all that, and I think it will be fair if they are treated and put in the same position as the people of British India. In the Provincial Civil Services they are now eligible for appointment, and I want the same concession, if possible, to be given to them in regard to the Indian Services.

4731. (*Mr. Subrahmanyam Pantulu.*) This question has been mentioned but witnesses have not been called to give evidence upon it and therefore we desire that statement to be made. It is a very important point.

(The witness withdrew.)

M.R.Ry. Nyapathy Subba Rao Pantulu Garu, High Court Vakil, Cocanada.

Written answers relating to the Indian Civil Service.

4732 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I consider the system of recruitment by open competitive examination as generally satisfactory in principle, apart from the question of the suitability of the place of the examination for "Natives of India."

4733 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Yes; but "Natives of India" are very much handicapped in competing with British youths "in a foreign language in a foreign country, in subjects of study peculiarly English, and against the flower of English schools and colleges."

4734 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am in favour of holding simultaneous examinations both in England and India.

4735 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—In case the holding of simultaneous examinations both in England and India were considered impracticable, I would advocate a separate examination at one centre in India, open not only to "Natives of India" but also to all other classes of His Majesty's natural-born subjects, half the number of vacancies in the Civil Service cadre being recruited in England and the other half in India.

I am against the system proposed in the question. I consider it to be illegal. I cannot do better than quote here the opinion of the Public Service Commission of 1886–87 with regard to a proposal of the Bengal Government "that the number of Native probationers to be selected by competitive examination in London should be first fixed and that the Native candidates should be selected by an examination separate from that of European candidates and especially adapted as regards limits of age and otherwise to the condition of Natives of India." The Commission state that "the system of allotting a certain number of appointments to be competed for by Natives and Europeans respectively is a departure from the principles of the Statute of 1833 and the Queen's proclamation inasmuch as it involves an artificial exclusion of candidates on grounds of race from appointments for which they may be in other respects the best qualified persons" (paragraph 64 of the report).

4736 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—I am not in favour of the suggestion contained in the question. I am against the representation of classes and communities in the highest service of the country where efficiency ought to be the only consideration.

4737 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed-posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—It should be in lieu of the present system of promoting to "listed-posts" of officers of the Provincial Civil Service. But provision should be made for the appointment of the officers of the Provincial Civil Service of "tried merit and ability" to posts reserved to the Indian Civil Service. The maximum number of posts to which such appointments may be made should not be more than 10 per cent. of the reserved places.

4738 (11). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—I would recommend that all judicial appointments should

be separated from the executive and constituted into a distinct service, and recruited from the legal profession and from the judicial branch of the Provincial Civil Service. If this be accepted, there need be no judicial branch of the Indian Civil Service and the Charter constituting the High Courts will also have to be amended. But if this is not found feasible under present conditions, I recommend that one-third of District and Sessions Judgeships, and the chief magisterial offices and so many places among the inferior offices as are necessary for their training should be reserved for the members of the Indian Civil Service, and that they should at the outset of their career be called upon to choose either the executive or judicial line. In case they select the latter, the recruits should undergo a special training in law before they actually enter on their duties.

4739 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict. c. 3), as including "any "person born and domiciled within the Domi-"nions of His Majesty in India, of parents "habitually resident in India, and not established "there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—I would amend the definition so as to include the subjects of Native States also.

4740 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—The present limits appear to be satisfactory.

4741 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—About 26.

4742 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India, and for other natural-born subjects of His Majesty?—I do not favour any differentiation.

4743 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—I would recommend (i) That the nature of the examination in Sanskrit and Arabic should be of the same standard as that in Greek and Latin and that the same number of marks, viz., 1,100, should be allotted to these languages. (ii) That the History of India, ancient and modern, be added to the list of subjects and that 500 marks be assigned to it. (iii) That the examination in Greek and Roman history and Roman law should not insist on a knowledge of Greek and Latin. (iv) That Indian Philosophy with 600 marks be added.

4744 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—If the subjects mentioned in the answer to question (16) be included, no differentiation is necessary.

4745 (18). Do you consider it necessary that certain posts should be reserved by Statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—Yes. The following maybe excluded from the Schedule: Junior or Assistant Secretaries and about two-thirds of Judicial appointments.

4746 (19). Do you consider that a minimum proportion of the European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—The real point raised by this question is whether there should be an "irreducible minimum" of Europeans in the service and if so whether a minimum number of places should be reserved for them. This raises the question whether it is legal to reserve a particular number of posts for a particular class of His Majesty's subjects. I consider that such reservation is illegal and is open to objections similar to those raised by the Public Service Commission of 1886–87 to the proposal of the Bengal Government to allot a specific number of vacancies to Natives of India. *Vide* my answer to question (7). I consider that under a system of simultaneous examinations there is no reason to suppose that there would not be a preponderance of Europeans in the service. However to have a fair proportion of Europeans in the service, which I consider desirable, the alternative scheme proposed by me in answer to question (7) would secure the object in view. Under this scheme half the number of vacancies may be recruited in England and the other half in India. Those recruited in England would be mainly Europeans and those in this country would be mainly "Natives of India" and thus a fair proportion of Europeans would be secured in the service without in any way contravening the Statute of 1833 or the Proclamation of 1858.

4747 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—I consider the present system to be entirely unsatisfactory.

4748 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No.

4749 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed-posts) to which members of the Provincial Civil Service can properly be appointed?—I do not favour the system.

4750 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one-quarter of the listed-posts?—I have no objection to the present rule.

4751 (26). Are you satisfied with the system by which most of the inferior listed-posts are merged in the Provincial Civil Service?—I see no objection to it so long as they are not required for the

training of the members of the Indian Civil Service and so long as the listed-posts are not recruited separately.

4752 (27). Is the class of posts listed suitable? If not, in what directions would you suggest any changes, and why?—If the system of listed posts should continue, I would include in the list a certain proportion of all classes of appointments open to the Indian Civil Service, such as, the posts of Secretaries and Deputy Secretaries to the Government of India and the Local Governments, Commissioners of Divisions, Members of the Board of Revenue, Financial Commissioners, etc.

4753 (28). Please add such remarks as you may desire to offer on any points relating to the system of recruitment for Indian Civil Service posts which are not covered by your answers to the foregoing questions?—The differentiation of the Indian Civil Service and Provincial Civil Service as now constituted on the lines of the recommendation of the last Public Service Commission is against the spirit of the statutes of 1833 and 1870 and the Queen's Proclamation, and does grave injustice to the claims of Indians to be associated with the real administration of the country. As Mr. Montagu pointed out at the last budget discussion "the result of the system is in almost all the services Indians are shut out from the more important and highly paid posts." The present state of things is causing deep dissatisfaction and is a danger to the Empire and the orderly and progressive development of the country. It ought not to be allowed to continue. I welcome any system under which all classes of His Majesty's subjects may have fair play and equal opportunities to serve the State in all appointments involving initiation, direction and supervision.

4754 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes.

4755 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—I do not think any differentiation is necessary, provided the course of studies is wide enough to enable "Natives of India" to acquire an intimate knowledge of the social life and constitutional history of the English people and Europeans an intimate knowledge of the social life and constitutional history of India.

4756 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—"Natives of India" should spend at least a year in England before they enter on their duties.

4757 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes. The causes are:—The spread of English knowledge, office work being mainly carried on in the English language; greater facilities for going Home; easy examination in the vernacular; the isolation and aloofness of the officers from the people. It is difficult to suggest remedies. It appears to me that if their knowledge of the vernacular is tested before the members of the Indian Civil Service are appointed to district charges, it may go a great way to improve the present state of things.

4758 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—Yes. They should be appointed in the first instance as Munsifs and afterwards as Subordinate Judges before they are made District Judges—*vide* also my answer to question (11).

4759 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—Yes; restricted to future entrants.

4760 (47). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—Yes.

Written answers relating to the Provincial Civil Service.

4761 (51). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Rule 1 should be amended by inserting after the words "on the other" the words "without in any way risking efficiency."

4762 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—It is not possible to secure in the Provincial Civil Service the representation of all classes and communities, and to make such an attempt would impair the efficiency of the service. Under the scheme suggested in answer to question (64) power is given to the Government to appoint qualified persons on considerations of family, influence, religion, etc.

4763 (57). To what extent are the functions of the officers of the executive and judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—They are not at present differentiated in case of Deputy Tahsildars and Deputy Collectors who also exercise magisterial functions. It is necessary that the executive should be completely separated from the judicial.

4764 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—With the

institution of simultaneous or separate examinations in England and India for the recruitment of the Indian Civil Service, I would retain the designation of the Provincial Civil Service.

4765 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

4766 (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed-posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I approve.

4767 (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—No. With the construction of the Indian Civil Service as indicated in my answers to questions (6) and (7), I recommend that the Provincial Civil Service may well include all appointments above a salary of Rs. 150 a month. The recruitment should partly be by competition, open or limited, to the extent of not less than one-half of the vacancies, partly by nomination to the extent of not more than one-fourth, and partly by promotion from the lower ranks. Nomination should ordinarily be made only to the lowest grade and promotion only according to merit and seniority and not on considerations of race, community or religion. I recommend also that officers of "tried ability and merit" should be appointed to posts reserved to the Indian Civil Service to the extent of not more than 10 per cent.

Mr. N. Subba Rao Pantulu, called and examined.

4768. (*Chairman.*) Will you tell the Commission what public positions you have occupied?—I was an elected additional member of the Imperial Legislative Council from 1910 to 1912; I was an elected additional member of the Local Legislative Council for six years, from 1893 to 1899. I am a land-holder as well as a vakil of the High Court, Madras. My practice was mostly confined to the mufassal. I was a Chairman and member of the Municipal Council of Rajahmundry and a member of the District Board of Gōdāvari. I was also Vice-President of the Taluk Board, Rajahmundry. I was Public Prosecutor and Government Pleader in the Gōdāvari district for a period of ten years. I presided over District Conferences and Provincial Conferences on different occasions. I was the Chairman of the Reception Committee of the Indian National Congress held in Madras in 1898. I reside generally in the mufassal.

4769. To what caste do you belong?—I am a Brahman.

4770. In your answers you say you are in favour of simultaneous examinations in India and in England?—Yes.

4771. Are you satisfied that if such were brought into practice the material for the Indian Civil Service from England would continue at as high a standard as at present?—Yes, I believe so. There is no reason why it should not be. I have faith in English patriotism.

4772. Are you satisfied that such a proposal would produce the best candidates in India?—Yes, it would bring out the best men of this country to take their place side by side with Englishmen.

4773. You are anxious to retain in the administration work of India a European element, are you not?—Yes, I am in favour of having a European element in the service under the present conditions.

4774. Do you regard it as of vital importance to the future of India?—Yes, under present conditions.

4775. In your reply to the question regarding simultaneous examinations, you base your objection on two grounds. I take it the chief ground is that of illegality?—Yes, I consider it to be illegal.

4776. You base that statement on former Statutes and the Proclamation?—Yes. Also it is undesirable to allot a specific number of places to a particular class of His Majesty's subjects, whether they are Englishmen or Indians or of any other denomination. Also I consider it to be illegal and against the whole spirit of British legislation.

4777. When you say it is undesirable, do you mean that, supposing in years to come Indians absorb the whole of the vacancies, you would still consider it undesirable to have anything in the nature of a restriction in order to ensure a European element?—I should welcome the day when the whole service is manned by Indians, because it would show that a stage had been reached in the civilisation of India when educational facilities would be so great that Indians could hold their own with Englishmen and even displace them in the highest service where the examinations were similar. Under those conditions the country would be so advanced that public opinion would be in accordance with such a state of things. Therefore if such a state of things should come about in the history of India, I should welcome it, and I believe that was the aim of the statesmen who legislated in the year 1833; they looked forward to a time when India would be in the hands of Indians and the highest service would be manned by Indians.

4778. In view of what you have just said you will have very materially to modify your former statement as to the importance of retaining a European element in the Government of India?—Under present conditions and for many long years to come the British element will be here, and I have made an alternative proposal on that subject, namely, that there should be two examinations, an examination in England and an examination in India, and if necessary fifty per cent. of the vacancies should be recruited in England and fifty per cent. in India. The result would be that you would secure Europeans from England and Indians from India, as long as such an arrangement is considered feasible in the interests of India.

4779. This is an alternative proposal?—Yes.

4780. In the event of your not securing a simultaneous examination?—Yes.

4781. It is quite a different proposal?—Yes.

4782. A separate examination giving fifty per cent. to England and fifty per cent. to India. I gather from your answers that under the second proposal you would suggest the elimination of listed posts?—Yes.

4783. Except to the extent of ten per cent.?—Yes, just to give encouragement to the Provincial Service.

4784. Why not eliminate them altogether?—The Provincial Service must have encouragement.

4785. It is to provide encouragement?—To reward ability, under the statute of 1870, I would promote officers of the Provincial Service to these listed posts, but not more than 10 per cent. That would not in any way affect very largely the present cadre.

4786. Under your scheme would that 10 per cent. be absorbed in the fifty?—Yes.

4787. It would not be in addition to the 50 per cent.?—What I am saying is that 10 per cent. would be allowed for those people and the balance would be distributed in England and in India.

4788. I notice in another answer you say you are satisfied with the present practice of two-thirds pay being given to Indian Servants?—For listed posts.

4789. Would you apply that same rate of pay to Indians recruited to the Indian Civil Service in India?—My idea is that they should have the same salary, but that Europeans coming to this country should receive extra allowances to compensate them for any extra outlay they have to incur in this country. Their salaries must be the same, and they must be placed on the same footing, with the same rank, the same promotion and in the same list.

4790. But you recognise that the expenses attached to a European are inherently greater than those of an Indian, and you would be prepared to grant him certain allowances to meet that extra expense?—That may be investigated, and if it is found that Europeans coming to this country have extra expenses, I have no objection to giving them extra allowances to compensate them. I am inclined to allow them extra allowances.

4791. You would separate the judicial from the executive branch entirely, would you not?—Yes, I would like to do that.

4792. And you would recruit the Judicial branch in the future from the legal profession and from the Judicial branch of the Provincial Civil Service?—Yes, and so long as the High Court Charter continues on its present basis, I would recruit also from the Indian Civil Service a certain proportion of appointments.

4793. (*Sir Murray Hammick.*) You are primarily in favour of simultaneous examinations?—Yes.

4794. Exactly the same examination in England and India?—Yes.

4795. If that did not meet with approval you would suggest a separate examination held in India, the successful candidates at which should be classified along with the Indian Civil Service men who pass in England?—No, not exactly.

4796. Would you put them on a separate list or have them in the same list?—If it is a simultaneous examination there is one objection to that system, and that is, that those who pass out from England might all get more than, say, two thousand or three thousand marks, whereas those who pass out from India might get less than two thousand marks. Further those that are not selected in England might be getting more marks than those obtained by persons selected in India. Therefore it would be rather invidious. To get over that objection I would advocate that the examinations be held by the Civil Service Commissioners half-yearly, the examinations to be of the same difficulty. This proposal would obviate all difficulties in that connection.

4797. You mean that in one half-year it should be held in England and in the other half-year held in India?—Yes.

4798. And the examination in India would be for the whole of India and not for each Presidency?—Yes.

4799. Then you would admit the successful candidates in the Indian Examination actually to the same list as the English candidates?—Certainly.

4800. And it would be a mere matter of time: the ones who passed in July would be put above the ones who passed in the following December?—Exactly.

4801. You said just now that you had great faith in English patriotism always sending out Englishmen to India?—I should think so.

4802. But do you not think the popularity of the Indian Civil Service in England depends quite as much on the material prospects which are open to the English candidate who goes up for the examination in England as on his patriotism?—Yes, I have heard that the Englishman cares for pounds, shillings and pence, but at the same time I would put his patriotism along with his desire to make money.

4803. Supposing you had simultaneous examinations, you say you would be quite glad to see Englishmen disappear from India . . . ?—It is rather the other way.

4804. You would like to see them disappear if it were caused by the Indians being able to beat them in those examinations?—Yes.

4805. But do you not think there is a possibility that the very fact of the simultaneous examinations being started will prevent Englishmen of the same calibre going up for these examinations in England as go up now, because the prospects would be so much less?—I do not see why the prospects should be less. All the posts will be still open to them.

4806. But they will have to compete then with at least half, or a large proportion, of men who are recruited in this country for the same posts?—But the chances of promotion will be the same as now, and within a certain period they will rise to certain posts. Instead of Europeans you will have Indians in their place, that is all.

4807. You would have Indians instead of Europeans, and therefore the chance of promotion and a successful career to an Englishman would not be the same as it is now?—I do not see that. I think the chances will be the same.

4808. Do you think it is a disadvantage to have a certain proportion of Indian Civil Service men in the High Court, or would you advocate that statute being repealed?—The best way of recruiting the judiciary is, as I have said, from the bar and, if necessary, from other services. What I say is that there should not be an absolute condition

laid down for the successful administration of justice by the High Court that there should always be recruitment from the Indian Civil Service.

4809. We have had some evidence that the civilian judge is a useful character at the High Court, but you do not think so?—I do not deny his usefulness, but he is not an absolute requisite in the High Court.

4810. (*Sir Valentine Chirol.*) You say you look forward with satisfaction and with legitimate pride to the time, very remote possibly, when all Englishmen will be eliminated by the success of Indian candidates in the simultaneous examinations?—Yes.

4811. Is it solely on the ground of their present greater intellectual attainments that you and people who think with you attach value to the presence of an English leaven in the Indian Civil Services?—No.

4812. On what other grounds then?—I look forward to the advancement of the civilisation of the country, to the time when India will become more homogeneous and will be a united nationality. It is when such a state of things comes about that I should look upon it with satisfaction.

4813. You have rather missed my point. Is it merely on the ground of an intellectual superiority on the part of the Indians employed?—No. Intellectual superiority connotes an advancement in the educational facilities, in social conditions, and in the economic and other conditions of the civilisation of the country. It is as an index to that more than anything else.

4814. You think a competitive examination will be an adequate test of the attainment by the people of India of all those qualities which connote an advance in civilisation?—I am afraid I have not been correctly understood. What I say is that when the time comes that in a competitive examination between the Indians and Europeans the Indians oust the Europeans, that would connote a period in the history of India when civilisation would have so far advanced that India would take her rank along with England. I look upon it as pointing to an advanced state of civilisation. A competitive examination will not produce these conditions.

4815. It will not produce but it will prove their existence?—Yes.

4816. You think a competitive examination will be sufficient to prove the existence of all those qualities?—You are putting it in one way, and I am putting it in another way. It is not the competitive examination by itself, but when through these competitive examinations Indians oust Europeans it will indicate a stage when the country shows itself to be highly advanced and may be left to itself. I do not say that competitive examinations will produce it, but the conditions will prove it.

4817. Competitive examinations will be the proof that India has attained that position?—It will indicate the time. I do not like to accept your wording.

4818. (*Mr. Abdur Rahim.*) Do you think that the Indians as a community have any interest in the public services?—Certainly.

4819. Then in advocating simultaneous examinations do you consider merely the question of administrative efficiency or the interests of the Indian community?—I do not see that the interests of the Indian community are distinct from the efficiency and the purity of the service. They are necessary to the service so far as to see that it is efficient.

4820. Is that the sort of interest you meant in your answer to my first question, that is to say, interest in the efficiency of the administration?—Yes.

4821. Do you say that appointments to places of power and places which give Indians opportunity to serve their country are not matters of interest to the community?—That is included.

4822. Power and the emoluments attached to the office?—Yes, all these evidently.

4823. Does the right to exercise power and the right to draw a certain salary count in your opinion?—Properly speaking, so far as the salary is concerned, it is an important consideration, but the more important aspect of the question is the careers that are open to the country and the talent being utilised in the country.

4824. Do the emoluments as well as the power attached to office count?—They will all count in varying degrees.

4825. Has the community, then, an interest in the public service to hold certain appointments: does that count in your opinion?—The public at large have got that interest.

4826. Perhaps I have not made my point clear? Certain members of the Indian community aspire to certain offices, and you say that it is in the interest of the community that they should be given a proper opportunity?—I do not understand what you mean by the community. The community means the public at large or different communities?

4827. I am taking the Indians as the community. Taking it in that sense, when a number of Indians aspire to certain offices because of the power and the emoluments attached to those offices, do you think that it is the interest of the community that they should have proper opportunities given to them?—Yes, it is the interest.

4828. That interest is not quite the same thing as the efficiency of administration? You can get, for instance, a Chinese official discharging the same duties as efficiently as an Indian official?—Of course.

4829. You see the difference between the two?—Yes, I fully agree with you.

4830. Then there is a question of interest in the matter?—Yes, there is a stake in the country.

4831. There is a question of efficiency as well of interest?—Yes, if you put in that way I have no objection.

4832. You concede that?—Yes, but the point is . . . .

4833. I am not arguing with you?—Perhaps I may have misunderstood your latter question.

4834. Why do you anticipate any later question? Kindly give me an answer to my question now?—The answer to your question is this. Administration, if carried on by Indians, certainly would give satisfaction to the Indian community. If Indians did not carry on the administration with efficiency, I would under present conditions see the administration carried on by Europeans. Therefore the interest of the Indian community in having careers is subordinate to the efficiency of the service.

4835. Is that an important element at all in your opinion?—It is an important element.

4836. Efficiency as well as the interest of the Indians?—Yes.

4837. Then my next point is this. You would like to see the element of sympathy pervade administration just as much as efficiency?—You would consider sympathy as an essential part of efficiency?—Yes, sympathy is an important part of efficiency.

4838. Now I am coming to closer quarters with you. Do you think that the largest sections of the Indian community have interests in the Public Service?—Yes, as part of the public they have interest.

4839. Do not you think that if certain sections of the community can produce efficient men, they are entitled as of right to expect a certain position in the Public Services?—Provided they pass the requisite tests.

4840. We will come to the tests. I am asking you to assume that there are men available in that community who satisfy the necessary qualifications?—Yes, by tests.

4841. I mean if they are qualified?—Of course.

4842. Then do not you think, that for the purpose of making the administration popular, as practical politicians we ought to see that different communities and sections are represented as far as possible?—No. In this country if once we introduce a system of class representation there is no end to it. It is one of the most mischievous things we can possibly do in this country—that is my strong conviction in the matter—class representation in the Public Service. Since you have touched on this important question, and as I have strong convictions and definite views on the matter, I would like to refer to the rule in the Provincial Service, that efficiency should be given as much importance as due representation of the different communities in the Provincial Service. That rule is applied also to the subordinate service. The result of the rule is that although members of different communities are not fit for certain places they still come forward, hankering after them, and saying, "We belong to this caste or that caste; this caste is not represented in the service; please give us appointments." So also in the case of promotion. They say "I belong to such and such a caste and my caste is not represented and another caste is, please give me promotion." This question of class representation is brought forward and officers are unconsciously swayed by these considerations, and I know as a matter of fact that this has been causing a good deal of mischief in the Public Service.

4843. If you will confine yourself to answering my questions we shall get on better?—Since you opened the subject I thought it best to explain.

4844. I do not want to discuss details; I only want answers to my question. Do not you think, subject to qualified men being appointed, that if you could possibly secure representation of the more important provinces and of the communities that would certainly promote the popularity of administration more than if we had a theoretical test, whatever the value of such test?—I cannot conceive of any plan or scheme by which, in this vast country, you could get qualified people from different classes and different communities to represent the Public Service, and I am strongly of opinion that the Public Service should be kept clear of these class distinctions.

4845. I said provided you get qualified men do not you think it is desirable to have the communities represented?—If a scheme could be devised by which it could be managed I should welcome it.

4846. I am not committing you to any scheme at all. Now do not get frightened at what I am going to put to you; we will see to the scheme afterwards. I simply want to test what you have said. You have said it is not possible to devise any scheme?—I have not been able to do it.

4847. I will give you one with which you are perfectly familiar, the selection of District Munsifs. That is not by open competition but is made by a body of gentlemen sitting together and selecting the officers from their own knowledge of them. That is a system which prevails here and which I take it is a very successful system of selection?—That is your opinion.

4848. Do you deny it is a successful system?—The selection, I would say, is fairly good, only it gives rise to this class hankering for office again. One man says "I belong to a certain caste. . ."

4849. Please do not let us go into all that over again?—It is the point you are on.

4850. I am perfectly sure you understand the whole drift of my argument. I am testing your position that the setting up of an open competition is the best of all methods to arrive at national ideals. Do you say that the selection of a District Munsif is satisfactory or not?—It is fairly satisfactory; I would not say it is entirely satisfactory.

4851. Is the subordinate Judicial Service as popular as the subordinate Executive Service in this Presidency, or less popular?—It is more popular, I should say.

4852. As an alternative scheme you are willing to concede, if driven to it, a certain irreducible minimum of Europeans?—It is not a question of irreducible.

4853. A minimum we will call it?—It is not a minimum either. It is purely open competition, open to all the subjects of His Majesty in England, in India, and elsewhere.

4854. It is a better opportunity for Indians than simultaneous examinations? Shall I put it that way?—No. It gives equal opportunities to Indians in India and Englishmen in England so that they are practically in the same position.

4855. You are dividing the thing into two halves?—No, I am putting the examination at two different places on two different occasions.

4856. Fifty per cent. recruited in India and 50 per cent. in England?—Yes.

4857. In the 50 per cent. recruited in England you expect there will be a fair amount of Indian representation?—Yes.

4858. That is the reason for it, is it not? Otherwise there is no difference between that and the simultaneous examination?—Quite right.

4859. If in your opinion a simultaneous examination is such an absolute test of fitness . . . ?—I do not say that at all.

4860. Would you say the best practicable test?—Yes, under the present circumstances.

4861. Then why do you make this concession?—Because there is the fear expressed by Englishmen that Indians would swamp them in the service.

4862. Supposing the fear is expressed by certain communities of India that if this absolute test is rigorously enforced they will be out of the higher service, would you pay attention to that sentiment?—No, for this reason; it is said that a high standard of administrative efficiency would be maintained by having a British element in the service, and that such a standard would not be maintained by any element belonging to any community in this country, and it is for that reason that I provide for an examination in England with 50 per cent.

4863. Do you subscribe to that opinion?—Yes, under the present conditions I do subscribe.

4864. That a British element is necessary?—Yes, under the present conditions.

4865. That the administration would be all the better for a certain quantity of the British element?—Certainly.

4866. Then in what respect does the competitive examination fail to secure that character which you want to supply by a minimum of British element? If you have a simultaneous examination there is a risk of the British element being excluded; supposing that happened at the present moment you would not consider it a happy result or a result beneficial to the administration?—I am sorry I have not understood you.

4867. If simultaneous examinations are adopted there is a risk of the British element in the service being utterly excluded?—There is.

4868. Then do you think it would be detrimental to the interests of the administration to exclude the British interests at the present moment?—I have already said that under the present conditions the British element is necessary to carry on the administration.

4869. Then in so far as this simultaneous examination recruits only Indians, you must admit that it is defective in certain points where the presence of the British element is necessary?—I do not know what the point is you are driving at. I do not quite follow your question.

4870. Very well, I will leave it there. As regards the constitution of the Civil Service, have you considered that the young men recruited to that service are assured that they will be gradually promoted, in the ordinary course, to Judgeships and Collectorships?—I suppose so.

4871. And would you subscribe to the fact that certain members of the service do not rise to the standard expected of them?—I suppose so.

4872. Do you think it necessary in the interests of the service that there should be such an assurance given to the new recruits? The men who are recruited by open competition at the present moment are given to expect that in the course of gradual promotion they will rise to be District Collectors and District Judges; do you think it is in the interest of the service and administration that they should have that assurance from the very start?—Yes.

4873. Supposing they fail to rise up to the standard?—Then they will not be promoted or put into those places.

4874. How would you eliminate such men?—They would be invalidated or they would stop where they are.

4875. Then you would not give them any such assurance?—I have said already that prospects would be opened out to them that with good conduct they would rise to the higher places in the service.

4876. You were asked a question about the High Court Judges recruited from the Civil Service, and I understood (you will correct me if I am wrong) that you did not intend to deny that the Civil Service has produced highly capable and learned Judges in times past and at present?—Yes, it has.

4877. Your objection is to the method of recruitment?—Yes.

(Adjourned for a short time.)

4878. (*Mr. Madge.*) You have spoken of the people of this country becoming homogeneous at some time?—Yes.

4879. Do you think, considering that for the past thousand years there has been no impulse in that direction, that it is likely to arrive within any measurable distance of time?—I do not agree with your premises. Within the last 50 years, especially during the last five years, there has been such a change in the spirit and feeling of the country that one can easily conceive the time when the country will be animated by one spirit and moved by one impulse.

4880. Considering the extent to which that opinion dominates, do not you think that very much as people are moved by ideas to depart from realism, some of your opinions offered here may be too idealistic?—So far as opinions are concerned they are based on facts. As regards the dream, that is a dream, and we need not take it into account at all. It was a question of all appointments being held by Indians. That is a dream which need not be considered at all so far as practical politics are concerned.

4881. (*Mr. Macdonald.*) You moved the resolution at the Imperial Legislative Council, I understand, which to a considerable extent produced this Commission?—Yes.

4882. In moving that resolution you made a speech in which there were a good many statements in support of your resolution, about the inequality in the employment of Indians, and so on?—Yes.

4883. Does that speech still stand?—Yes.

4884. It has not been contradicted, so far as you know?—No.

4885. We may take the statements which you made in that speech as expressing the views which you hold to-day?—Yes.

4886. You have been for a long time identified with this movement for a simultaneous examination?—Yes.

4887. Not only simultaneous examinations, but examinations that impose an equal test upon Englishmen and Indians?—Yes; give them equal opportunities and fair play.

4888. In your written answers you propose that of the vacancies to be filled during any year one-half should be filled through examinations held in London, and the other half through examinations held in India?—Yes.

4889. You propose that the London examination should be held, say, in January, and that the Indian examination should be held, say, in July?—Yes.

4890. Is that a simultaneous examination?—Not so far as time is concerned; but, so far as the subjects and examiners are concerned, it would be so.

4891. You propose, on the other hand, that the tests should be the same?—Yes.

4892. You are not in favour of a very stiff examination in England, and a less stiff examination in India?—No.

4893. The examination papers cannot be the same if one is to be used in January and the other in July?—No, they must have different examination papers.

4894. You have admitted that Indian candidates at the moment will not register the same number of marks as English candidates?—Yes.

4895. So that the equally stiff examination in London may result in men getting in with, say, marks over 3,000, and men getting in in India with marks over 1,500, ploughing candidates in England who register 3,000 marks, and putting them in in India if they register 1,500?—I do not say that I have any objection to a minimum being fixed.

4896. But if you fix a minimum, and you do not get your number of vacancies advertised for in India, how would you fill them up?—I would fill up the vacancies with those who pass. I give it as a suggestion, and not as a pronouncement in the matter. For instance, in the previous examination there are those who have marks above the minimum—those who are considered to have passed the examination, but who are not selected because the required places are filled up—places may be given to them. That is one way; or the vacancies standing over may be filled up at the next examination.

4897. Still, in order to work your system you have got to modify it?—Yes, it has to be adjusted to other considerations.

4898. But still you contemplate the possibility of the number of marks registered by a candidate in England, and failing to let him in, being sufficient if registered by a candidate in India to secure him a position?—If there is no minimum.

4899. Is not your equal test merely words?—Therefore a minimum has to be fixed.

4900. But a test, I take it, is not a question of a minimum, but it is a question of the relative number of marks which A gets in respect to B?—All those who get above a certain minimum would be passed, subject to certain considerations.

4901. Would you establish the same minimum test for the English candidates, and let everybody who gets over that test go to England?—There will be a minimum, and whoever gets below will not be allowed to go into the "passed" list. Those who get above the minimum would not necessarily get into the "passed" list because there might be no vacancies for them.

4902. When a man gets above your minimum he is then subject to the simple rules of competitive examination?—Yes.

4903. A man who has got above the minimum in England will have to gain a larger number of marks for some time than the candidate in India has gained in order to get a place?—I do not quite follow you.

4904. You say that at the present moment the educational facilities of India are not such as to enable the Indian candidate to pass the same high standard of the Civil Service Examination that the Englishman has?—Yes.

4905. Therefore, part of your reason for suggesting a double examination is to give the Indian candidate in India a chance?—The object is to allay the fear that the Indians will swamp the service, and therefore to secure a fair British element coming into the service.

4906. If that is your object, why not have simultaneous examinations and allow the same number of marks to hold good?—There would be one list whether the examination is held in England or India, and candidates will be classified in order of merit.

4907. Do you object to that?—I have no objection to it. I favour the scheme. But if it is considered that under such a scheme Indians will swamp the service, I say, take this alternative scheme.

4908. This alternative scheme, if we were to suggest it, would its effect not be to put in at the present moment 50 per cent. of Indian candidates who would not come up to the English standard?—That is the reason why I have suggested that there should be a minimum, so that all those who do not get above the minimum should not be allowed in.

4909. It is not a question of minimum: it is a question of marks?—It is a question of minimum marks I am talking about.

4910. If you fix a minimum, those who come above that minimum are subject to the ordinary rules of competitive examination?—All would be subject to the rules of competitive examination.

4911. My point is this. Even if you have got a minimum, the Indian candidate for a time, at any rate, will not be able to register the same number of marks in his examination as the English candidate?—Quite true.

4912. Therefore a smaller number of marks above the minimum will be sufficient to secure a place in the Indian Civil Service for a candidate who sits for the Indian examination?—Quite true.

4913. If these things are so how can you say you favour a simultaneous examination and an examination which imposes the same standard of test?—I do not see any difficulty.

4914. (*Mr. Sly.*) You have expressed the opinion that a separate examination for a fixed proportion of posts restricted to the Natives of India would be illegal, because it would be contrary to the Statute of 1833, and to the Queen's Proclamation of 1858?—Yes.

4915. Do you consider that the present system of open competitive examinations is open to that same objection, or not?—In letter it is not; in spirit it is.

4916. If there were a separate examination in India open to all classes, would that be contrary to the Statute? If you retain the present system in England, and also had a separate examination in India for a fixed proportion of the posts open to all natural-born subjects of His Majesty, would that be contrary to the Statute or not?—I do not like to express an opinion upon that.

4917. Do you think that the Statute of 1870 was contrary to the Statute of 1833, and the Queen's Proclamation of 1858?—I should not like to express an opinion upon that at present.

4918. Of course, you know that the Statutory Rules of 1879 restricted recruitment to Natives of India?—Yes.

4919. Was that contrary to the Statute of 1833, and to the Queen's Proclamation of 1858?—It is simply a remedial measure.

4920. Was it, or was it not, contrary?—I am inclined to think so.

4921. The present rules of recruitment to the Provincial Civil Service lay down that recruitments shall be restricted to Natives of India except in special cases, when a European may be appointed with the sanction of the Government of India. There is that special exception. Is that contrary to the Statute of 1833 and the Queen's Proclamation of 1858?—I have not considered that aspect of the question.

4922. You recently, at the Indian Congress which was held, proposed a resolution, one clause of which recommended that Government should bar all residents of Colonies from competition for the services in India; that is, residents of Colonies which did not open their services to Indians?—Yes.

4923. Is that contrary to the Statute of 1833, and the Queen's Proclamation?—I do not think so.

4924. Why not?—Because it is intended to be a retaliative measure against the Colonies.

4925. But it is a disability upon a particular caste; a particular race?—It is merely a proposition which has to be carried into effect. It is simply an expression of opinion by a body of people, which, if carried into effect, would be placed upon the statute book.

4926. Would it be a breach of the Statute of 1833, and the Queen's Proclamation?—If a Statute were passed by Parliament, then it would be perfectly legal. It is not a Statute by itself, it is a resolution passed by the Congress.

4927. If you consider it from that point of view it is desirable to amend the Statute of 1833 and not to enforce the Queen's Proclamation; if it should be proved to be in the interests of India to have a separate examination, which, at present you state would be illegal, would it not be open, also, to amend the Statute?—Yes, there is no doubt about that.

4928. With regard to the Statute of 1833, upon which you place such great reliance, you will remember that when it was interpreted by the despatch to the Court of Directors, they used the phrase that "fitness is henceforth to be a test of eligibility," did they not?—Yes.

4929. That you still adhere to?—Yes.

4930. We have had a certain amount of evidence in which it is stated that Indians make much better Judges than Europeans, that they are more fit to man the Judicial service, and on that account we have had proposals that the Judicial service shall be recruited from the Indian Bar: do you consider that that would be permissible under the Statute of 1833?—Yes.

4931. That the Judicial service shall be recruited solely from members of the Indian Bar?—There is nothing to prevent it.

4932. That would not be a breach of the Queen's Proclamation, the excluding of Europeans from that service?—There is no excluding of Europeans. My opinion is that Europeans would not be excluded when you say that you would recruit them from the Bar. It is open to all classes of His Majesty's subjects.

4933. Then again, with regard your alternative scheme for a separate examination, is not that quite contrary to the Statute of 1858?—No.

4934. Does not that Statute of 1858 state that there shall be an examination, and that candidates shall be admitted to the Indian Civil Service according to the order of their proficiency?—The word used is "examinations." It is the plural. That is why I made this proposal,—to, as far as possible, conform to the Statute.

4935. You think that two separate examinations are not barred by the Statute of 1858 at all?—No, not at all. That is my opinion.

4936. In your answer to question (8), you have said that you are against the representation of classes and communities?—Yes.

4937. We had evidence given by the Diwan of Travancore this morning to the effect that the Travancore State Service is restricted to residents of Travancore?—Yes. I know that.

4938. You also know that for Mysore the rules governing entrance to the Mysore State Service restrict admission to Mysoreans?—I do not know that. I thought they held a competitive examination until two years ago, when His Majesty's subjects competed for this examination and obtained entrance. As a matter of fact, in the Mysore Service they have a number of Madrasis serving in that State.

4939. Do you not remember that a strong agitation was carried on, and headed in many places "Mysore for the Mysoreans?—Yes, there was an agitation.

4940. But you do not know that the rules restricted their entrance?—My own belief is that the rules did not restrict them.

4941. Have you heard recently, also, or seen in the papers, that there has been another agitation—"The Andhra country for the Telugus."?—Only a few people have set up the agitation. It is not shared by any large class of the people, or leaders of the community. I, for one, have not joined it and I have expressed my opinion, and written saying that the community ought not to hanker after offices and after political privileges, but that they should confine themselves to religious, social and economic activities. It is only then that they can have real progress in the country, otherwise they will be creating bickerings, jealousies, and discord, and retard the healthy progress of the community. Only recently I sent a letter to the editor of a paper called the *Andhra* to that effect.

4942. That is your own opinion?—Yes.

4943. At the same time there has been a public agitation in favour of "Mysore for the Mysoreans" and "The Andhra country for the Telugus" and others?—As regards public agitation in favour of "Mysore for the Mysoreans" there has been no agitation in the sense that people meet and pass resolutions. There is no such thing. But there has been an agitation by some people that the Madrasis should not find entrance into the Mysore Service. It is the agitation of some people, but it is nothing else.

4944. In your speech in Council, you referred to the open competitive examination held for the Accounts Department?—Yes.

4945. You are aware, I suppose, that in that examination 17 out of 38 successful candidates were residents of Southern India?—I knew that, and I referred to that in the pamphlet which I issued. With regard to the Government of India's resolution on simultaneous examinations, they pointed out that if simultaneous examinations were held the Bengalis would swamp the country. I quoted that to show that Bengalis would not hold their own, and that therefore they would not swamp the country. You will get people from other parts of the country as well. I pointed to that specifically.

4946. Taking that as some guide, do you think that the Civil Service of India would be swamped by Madrasis?—No, I do not think so, because here the subjects are of a peculiar kind. Here the subjects are different, and arranged on a different footing altogether. It is an experiment, and we do not know which province would be most successful in this examination. After all, supposing some few more people from one province did come into the service, no danger would happen to the efficiency of the service.

4947. "Some few," being more than half?—Even assuming such a contingency as you point out, seeing that this is for the whole of India, I do not see any danger to the efficiency of the service if a few more candidates from one province got in. The educational facilities are fairly good in almost all provinces, and there would be an equal field for all, as far as I can see. It is difficult to express an opinion as to what would happen in the peculiarly English examination which is going to be instituted.

4948. Do you think it would be acceptable to Northern India that a large proportion of successful candidates in the service should be Madrasis?—I do not see why they should not accept it in the Indian Civil Service. You find Bombay people serving in the United Provinces.

4949. If there was a large proportion of Madrasis, do you think it would be really for the good of the country?—It would certainly be for the good of the country.

4950. You think it would?—There is no doubt about it.

4951. There is one question I wish to ask you with regard to your reply to question (10). It is simply as a matter of explanation. You apparently recommend the abolition of listed posts?—Yes.

4952. At the same time, you suggest that a maximum of 10 per cent. of the posts should be reserved for the Provincial Civil Service?—Yes.

4953. Can you tell me what your point is with regard to that answer?—The point is that the Provincial Service comes up to the highest post which carries a salary of about Rs. 800. It is not right that a man of exceptional abilities should be restricted to that service. It is to the good of the service that picked men should find their way up higher in the service. That is the reason why I have suggested that 10 per cent. of the posts reserved for the Civil Service should be given to people of exceptional merit.

4954. That is already done by the system of listed-posts, is it not?—Under the system which I have suggested the listed-posts would go. There would be no listed-posts. Now the listed-posts are one-sixth, but the listed-posts would go under my scheme. I have proposed a system of simultaneous examination, or separate examination.

4955. The present listed-posts are roughly 10 per cent. of the posts?—It ought to be one-sixth.

4956. Why do you want to abolish listed-posts and fix the maximum at 10 per cent.? I should like the interests of the Provincial Civil Service to be safeguarded. If you give away one-sixth, the number of posts available to the Indian Civil Service will become less, and some portion of those posts will be taken up by Indians.

4957. You do not wish to give the Provincial Civil Service one-sixth of the posts?—No.

4958. With reference to your reply to question (31) do you think that the social life of the English people can be learned from books?—No, I have advocated residence in England, and a period of probation.

4959. What course of studies do you want in that matter?—I have not sketched it out fully. I suggest that, so far as Englishmen are concerned, they should get an intimate knowledge of India and the people; and that so far as Indians are concerned, they should get a knowledge of England and her people. It is a matter of detail as to the selection of the subjects. My main idea is that Indians should get into touch with English life, and that Englishmen should get into touch with Indian life, so that they may start fairly in the administration of the country.

4960. You think that they should all go to England for a course of study?—So far as Indians are concerned, I think they should all go to England. That is one of the conditions that I have laid down.

4961. You propose a certain change in the syllabus so far as the subjects of the examination are concerned?—Yes.

4962. I have gone through those changes and, as far as I can judge, if these changes were accepted, it would be possible for an Indian candidate to be successful in the examination almost without taking up any English subject of any kind or description, if he confines himself purely to Indian subjects. On the system which you recommend the Indian candidate might be successful in the examination without touching an English subject at all. If these changes were made, according to you, Sanskrit and Arabic would be put up to the full value of marks?—They are already there. The change I propose would give the same marks as are allotted to Latin and Greek.

4963. If the history of India is added to the lists of subjects and changes of that kind made, it would be almost possible for an Indian to be successful at that examination by taking up subjects which solely appertain to India; do you think that is a desirable thing?—I do not suggest that the subjects should be solely confined to India.

4964. (*Mr. Gokhale.*) Do you remember the wording of the section of the Statute of 1833 which is under discussion?—I read it some time ago.

4965. I will give it to you. The wording is this: "No Native of the said territories" (that is India) "nor any natural-born subject of His Majesty resident therein shall by reason only of his religion, place of birth, descent, colour, or any of them be disabled from holding any place, office or employment under the said East India Company." This constitutes a promise to the people of India, not to everybody in the Empire. So far as your own opinion is concerned, to whom is this promise given?—To Natives of India.

4966. It was not necessary at that time to give such a promise to the people of England or to those of the Colonies?—No, of course not.

4967. Supposing that owing to the exigencies of the service, rules such as those of 1879 are

framed, is that inconsistent with the Statute?—No. The wording was not brought to my notice.

4968. I will turn now to the Proclamation of 1858. Here, again, the promise is to the people of India by the Queen. It is addressed to the Princes and People of India: "And it is our further will so far as may be our subjects of whatever race or creed be freely and impartially admitted into office in our service the duties of which they may be qualified by education, ability and integrity duly to discharge." The promise is to the people of India and not to the people of the Colonies, nor even to the people of England, because no promise to them was necessary?—That is so.

4969 Do you remember the despatch of the Court of Directors when forwarding the Statute of 1833?—Yes.

4970. They say that the object of the Statute is to remove all disqualification?—Yes.

4971. There is nothing in what Government have done in any action taken under the Act of 1870 which is in contravention of the spirit or reading of the Statute of 1833, or the Queen's Proclamation. Is not that your opinion?—That is quite right.

4972. You are in favour of simultaneous examinations: you have no fear that under a scheme of simultaneous examinations the service will be swamped by Indians?—I have no fear whatever.

4973. But this fear is entertained by several Europeans, is it not?—Yes.

4974. And you would like to allay that fear, would you not?—Yes.

4975. Therefore you propose your scheme of examination, which is not a different examination, but only an examination held at a separate time?—The time is the only difference.

4976. The examination is to be the same in quality?—Yes.

4977. And conducted under the authority of the Civil Service Commissioners?—Yes.

4978. A question was put to you by Mr. Ramsay Macdonald suggesting that a scheme like this would operate unequally in the two countries. Your scheme is that you would have a minimum of marks in both countries?—Yes.

4979. Out of 6,000 successful candidates must get above a certain minimum?—Yes.

4980. In England that condition would probably at once be satisfied?—Yes.

4981. But in India that may not be satisfied for some years to come?—That is so.

4982. The residue of Indian vacancies would be added to those offered next year in England?—Yes.

4983. Mr. Ramsay Macdonald pointed out to you that a man who gets lower marks in India may get in because he satisfies the minimum, whereas the man who gets a higher number of marks fails in England, because, although he satisfies the minimum, there is no vacancy. Does not that happen now in the examinations held in any two years?—Yes.

4984. A man who gets 3,000 marks one year may get in, and a man in another year who gets 3,500 may not get in?—Yes.

4985. Therefore the position will be the same?—Yes.

4986. Except that it will be six monthly instead of yearly?—Yes.

4987. There is no difference except that?—No.

4988. Lastly, I come to your dream. Your dream of a day when the entire Public Service of this country will be manned by Indians is like the dream of a day when all classes, creeds and races of this country will be thoroughly united and will have no differences?—Yes.

4989. It is like your dream of a day when our Imperial Legislative Council will be a Federal Parliament, when the Secretary of State for India will be like the Secretary of State for Colonies? Is it not a most distant dream?—It is a dream of Lord Macaulay.

4990. It need not frighten anybody to-day?—No.

4991. (*Lord Ronaldshay.*) You say that a scheme under which a fixed proportion of the vacancies in the Indian Civil Service cadre would be filled by Natives of India recruited by means of a separate examination in India would be illegal?—Yes.

4992. Would you say such a scheme as this were legal or illegal, namely, a scheme under which an examination should be held simultaneously in England and in India, open in each case to Europeans and Indians, but qualified by this restriction, that 80 per cent. of the vacancies were to be filled through the examination in England, and 20 per cent. through the examination in India? Would that scheme contravene the Statute of 1833 and the Queen's Proclamation of 1858, or not?—There is this to be considered. I think another Statute says that they should be arranged according to the order of merit.

4993. That is another Act altogether. You are talking of the Act of 1853: I am talking about the Act of 1833?—The Act of 1833 has nothing to do with this. It is the Act of 1858 which has to do with this, and by which these examinations are instituted. They are repeated from the Statute of 1853. It is by that that the question of legality or illegality has to be decided.

4994. The Act which we have been discussing this morning is the Act of 1833 which reads as follows: "No native of the said territories nor any natural-born subject of His Majesty resident therein shall by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office or employment under the said East India Company." That is the Act which gives promises to Indians of equal chances of employment?—I am inclined to think that it does not contravene the Act. Allow me to add that as far as the Act of 1858 is concerned it appears to contravene it.

4995. I did not ask you that. I only wanted to know your opinion with regard to the Act of 1833. The only other question I want to ask you is this. You say that you approve of the arrangement under which officers of the Provincial Service who hold listed-posts should draw pay at approximately two-thirds of the rate of pay drawn by members of the Civil Service holding similar posts. Would you tell me on what grounds you approve of that?—Because there must be what I consider to be gradual promotion. The highest pay which members of the Provincial Civil Service get is about Rs. 800. The pay of the Collectors and District Judges would be more than Rs. 2,000. Therefore there must be a graduated scale in this matter. The rises in the

Provincial Service should not at once jump up to those high places carrying the same salary. They should have a salary which is fairly higher than what they have previously been getting.

4996. Are you influenced by the belief that the expenditure necessarily incurred by a member of the Indian Civil Service in this country is greater than the expenditure incurred by a native of India?—I have already answered that, so far as certain classes of appointments are concerned, the salaries of Indians and Englishmen should be the same; but that, so far as Englishmen are concerned, they should have extra allowances for serving in this country.

4997. You do not agree with the evidence which was given, I think two days ago, to the effect that the Indian holding superior posts in this country incurs as heavy expenditure as the Englishman does: you do not agree with that?—I am not sufficiently acquainted with the matter as far as Englishmen are concerned; but, as far as Indians are concerned, I can say that they do incur more expenditure when they get to higher places. But what the proportion is I do not know. It must be adjusted by investigation and further consideration.

4998. Do you not think that on the whole the Englishman serving in India must necessarily have greater expenses than the Indian serving in India?—I have already said that he must have extra allowances for coming and serving in this country and for other reasons.

4999. (*Mr. Oldfield.*) With reference to the proclamation and Mr. Gokhale's question that England was in need of no promises, and that the Colonies needed no promises, in what way are the Colonies not in need of promises when England is not in need?—It was entirely confined to the Natives of India so far as that was concerned.

5000. It was put to you by Mr. Gokhale that England needed no promises?—There is no occasion for it, because Englishmen occupied all places here in those days. It was a monopoly for Englishmen.

5001. Was there any occasion for it in the case of the Colonies?—There is no occasion, so far as I can see.

5002. (*Mr. Subrahmanyam Pantulu.*) You are rather hard against listed-posts?—Is it?

5003. The Public Service Commission and the simultaneous examination would allow one-third of posts to be listed, and Government has accepted one-sixth as the proper limit. We hope that Government will raise the limit to one-third, but you want that it should be put down to one-tenth?—You are mistaken. What I said was that by instituting simultaneous examinations the listed-posts would go. And when they are abolished, I allow 10 per cent. to the Provincial Service, which is a very liberal allowance.

5004. You do not advocate the entire abolishment of the listed-posts. You still want to retain the one-tenth?—Yes.

5005. How do you reconcile your present position with the position you took up when you moved the Public Services resolution? You made much of the difference and inferiority and stigma attaching to the lower service according to your resolution, and on that ground you wanted the Provincial Civil Service and the Indian Civil Service joined?—Yes.

5006. You advocate that the listed-posts might be abolished, but you want the listed-posts to be retained and yet their position and their pay might be kept inferior to the Civil Service. How do you say that you have been able to remove the presence of inferiority? You still retain it?—It is in this way. Once you institute simultaneous examinations, you allow Indians to take a place side by side with Englishmen in the Indian Civil Service, whereas as at present constituted the Indians have no place in the higher offices and they are all shunted to the lower places. The widest door which is open to them is the Provincial Service, and they cannot rise to the top, and that is why it is called the inferior service. By the scheme I am advocating, Indians would get into the higher service. That is the difference.

5007. So that you have no objection to the inferiority being retained; yet one may have the higher place, and the other officer may exercise lower duties: you still want to maintain that difference against which you fought so much in your resolution?—I am afraid I am not clearly understood. Under my scheme the Indian Civil servant would exercise the same kind of duties as the European Civil servants. The Provincial Civil Service officers do not exercise the same duties, and if listed posts are allowed to them it is by grace. One-tenth is only to men of exceptional ability and merit. That is entirely a different matter.

5008. Men who are admitted to these posts as a matter of grace may be kept to the lower grades. You want to retain some for men who rise from the Provincial Service as a matter of grace. Although they exercise the same functions and duties you want them to be kept as inferior servants as regards pay?—Not inferior at all, except in the matter of pay: that is all. In all other matters they will be on the same footing.

(The witness withdrew.)

YAKUB HASAN, Esq. (on behalf of the Madras Presidency Muslim League).

Written answers relating to the Indian Civil Service.

5009 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment in England by open competition for the Indian Civil Service is not wholly satisfactory. It does not ensure a selection of the best men available, either European or Indian, whilst it puts Natives of India at a great disadvantage.

5010 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Excepting in the case of the few who stand very high in the order of merit at the examination, competition cannot be considered a satisfactory test even in point of literary and intellectual capacity. There cannot be much difference in point of intellect among people whose results show only a difference of a

few marks. We would suggest that the order of merit may be considered only in the case of the appointments of the first few candidates. The other successful candidates may all be grouped together without any particular regard for their respective marks and out of them selections might be made for appointments, taking into consideration the moral and physical qualifications of the successful candidates as well as the proper representation of important provinces, classes and communities.

5011 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The system is not equally suitable for the admission of Natives of India and other natural-born subjects of His Majesty. Simultaneous examinations in England and India under certain conditions mentioned in answer to question (2), followed by a course of practical training in India for Europeans and in England for Natives of India, will give equal opportunities to both the classes for admission into the Indian Civil Service.

5012 (4). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—The combination of the competitive examination for the Home and Colonial Services with that for the Indian Civil Service is not to the advantage of Indian interests nor is it practicable or desirable under the system proposed in our answer to question (2).

5013 (5). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose?—As we said under question (2), we would not make all appointments on the results of the open competitive test strictly in accordance with the order of merit. The first few appointments we would give to those that stand highest at the examination, and from the others who have been declared to have passed, we would make a selection having due regard to the necessity of giving fair representation to the various provinces, classes and communities of India. This would not be "favouritism," as there could not be much difference in point of intellect among candidates whose results vary only by a few marks.

5014 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—We are in support of such a system provided that all the appointments made are not altogether based on the order of merit at the competitive test.

5015 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India, or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—We are not in favour of an examination in India different from that in England, nor would we have separate examinations in different provinces.

5016 (8). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which Natives of India would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, describe fully what system you would recommend. In particular, do you consider it desirable that all classes and communities should be represented in the appointments so made? If so, how would you give effect to this principle?—As already explained, we are in support of a system by means of combined examination and selection.

The first few from among the successful candidates will get their appointments as a matter of right, whilst from the rest selection should be made, keeping in view the necessity of giving representation in the public service of important provinces and communities.

Yes, we do consider class representation as absolutely necessary. We would secure it in the way we have suggested under question (2).

5017 (9). If you are in favour of a system for the part recruitment of the Indian Civil Service by Natives of India in India, do you consider that "Natives of India" should still be eligible for appointment in England?—Yes. "Natives of India" should be eligible for appointment in England?

5018 (10). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Service? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Service?—In our scheme, as it will be seen from the sequel, the Provincial Civil Service would cease to exist, the present listed posts we would reserve for deserving men from among the subordinate officials, who should have some scope to rise to higher appointments on account of their merit.

We would have only two services, the Indian Civil Service and the Subordinate Service, the former including all the offices now divided into the Indian and the Provincial Civil Services carrying a salary of Rs. 350 and more, and the latter all the appointments carrying a salary of less than Rs. 350.

5019 (11). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system which you would propose?—We would entirely separate the judicial service from the executive service. For the judicial service we would recommend a method of recruitment by competitive examination and selection on the same principles as the one advocated for the executive line. But we would allow to appear for the Judicial Service examination only such candidates as have had a good grounding in law either in India or in England. For example, graduates in law of Indian and English Universities and barristers of the different Inns of Court. Exchanges between the two services should not be permitted.

5020 (12). Are you satisfied with the present statutory definition of the term "Natives of India" in section 6 of the Government of India Acts, 1870 (33 Vict., c. 3), as including "any

person born and domiciled within the Dominions of His Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, state fully any proposals that you wish to make in regard to this matter?—Yes. We are satisfied with the present statutory definition of the term "Natives of India."

5021 (13). If the system of recruitment by open competitive examination in England is retained, state the age limits that you recommend for candidates at such examination, giving your reasons?—We believe that the present age limits 22–24, are satisfactory.

5022 (14). What in your opinion is the most suitable age at which junior civilians recruited in England should commence their official duties in India?—Twenty-five years.

5023 (15). What age limits for the open competitive examination in England would best suit candidates who are Natives of India, and for what reasons? Do you recommend any differentiation between the age limits for Natives of India and for other natural-born subjects of His Majesty?—As stated above, we are satisfied with the present age limits, 22–24. We do not recommend any differentiation between the age limits of "Natives of India" and of other natural-born subjects of His Majesty.

5024 (16). What alterations, if any, do you recommend in the authorised syllabus of subjects and marks prescribed for the open competitive examination?—We would include in the authorised syllabus of subjects for the open competitive examination, Indian History and Geography, and put it on the same level as English History. Persian should be put on the same level as Sanskrit and Arabic. In other respects we think the syllabus now current may be left unaltered.

5025 (17). Is any differentiation in the subjects for the open competitive examination in England desirable between candidates who are Natives of India and other candidates? If so, state them and give reasons?—No differentiation in the subjects for the competitive examination in England and in India is desirable between the candidates who are "Natives of India" and others.

5026 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—No such reservation is necessary in our scheme because all appointments over Rs. 350 would be held by Indian Civil Service men.

5027 (19). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service cadre do you consider that Natives of India might under present conditions properly be admitted?—Yes, we think it necessary that a minimum proportion of Europeans should be employed in the Indian Civil Service. We would fix this minimum at 50 per cent. It may be reduced to 33 per cent. if our scheme of amalgamating the Indian and Provincial Civil Services is adopted. The present proportion of Europeans and Indians in the Indian Civil Service and the higher grades of the Provincial Civil Service (carrying a salary of Rs. 350 and more) is almost equal.

As the total number of appointments in the different grades of the amalgamated service will remain almost the same as it is at present, this amalgamation will not involve any additional financial strain. Take for example the following figures for Madras:—

	Indian Civil Service posts.	Provincial Civil Service posts.	Total.
Rs. 900 to Rs. 1,500 ...	36	0	36
Rs. 700 to Rs. 900 ...	16	9	25
Rs. 500 to Rs. 700 ...	53	37	90
	105	46	151

5028 (20). Do you accept as generally satisfactory in principle the present system under which Natives of India are recruited for posts in the Indian Civil Service cadre partly through the medium of an open competitive examination in England, and partly by special arrangement in India?—We are not aware of any special arrangement in India of recruiting Indians in the Indian Civil Service as supplementing the appointments made on the results of the open competitive examination in England, excepting the appointment of Provincial Service officers to the listed posts. We consider that the latter system is generally satisfactory.

5029 (21). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived, and if so, what method of recruitment would you recommend?—No, we would not recommend the creation of any new service.

5030 (22). If the system of recruiting Military officers in India for posts in the Indian Civil Service cadre has been stopped or has never existed in your province, would you advise its re-introduction or introduction, as the case may be, and if the system should be introduced or re-introduced, to what extent, in your opinion, should it be adopted?—We would not recommend the appointments of Military officers for posts in the Indian Civil Service cadre.

5031 (24). What is your opinion of the system by which certain posts, ordinarily held by members of the Indian Civil Service, are declared to be posts (ordinarily termed listed posts) to which members of the Provincial Civil Service can properly be appointed?—In the present system of the Indian Civil Service and the Provincial Civil Service, the reservation of certain higher appointments as the listed posts is absolutely necessary in sheer justice to the merits of the men in the Provincial Service.

5032 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—No. The listed posts are not sufficient in number to satisfy both the officers of the Provincial Civil Service or the Statutory Civilians and those Natives of India who do not belong to either.

5033 (26). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service?—No.

5034 (29). Do you consider that candidates recruited for the Indian Civil Service by open competitive examination should undergo a period of probation before being admitted to the Service?—Yes, the period of probation is absolutely necessary in the case of all candidates appointed in the Indian Civil Service.

5035 (30). If so, how long, in your opinion, should this period be, and what course of study should be prescribed for the probationers?—Two years. To the course of study already in force, we would add a study of Indian Geography (Physical and Economic), the Indian Constitution, and of manners and customs of the different Indian communities (Indian sociology) and the Revenue Regulations of the province to which the candidate is assigned.

5036 (31). Do you consider that any differentiation is necessary between the course of study for probationers who are Natives of India and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Europeans should be brought to India and placed under experienced officers, Indians by preference, to learn practical administrative work, and the Indian probationers should be sent to England.

5037 (32). Do you consider that the probationers' course of instruction could best be spent in England or in India? Is your answer equally applicable to the case of Natives of India and of other natural-born subjects of His Majesty?—Natives of India should spend their period of probation in England, and European and other natural-born subjects of His Majesty should spend theirs in India.

5038 (33). Do you think it desirable to start, at some suitable place in India, a college for the training of probationers of the Indian Civil Service, and possibly of other Indian Services recruited in England?—No.

5039 (34). Do you think it desirable that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—Yes, such an arrangement is desirable.

5040 (36). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and, if not, how could this best be remedied?—Yes. The deterioration is due to the more extended social intercourse amongst themselves, now available to Europeans. They scarcely avail themselves of the opportunities they have of mingling with the Indians, and when they do mingle they speak English in preference to the vernacular.

European members of the Indian Civil Service do not generally possess an adequate knowledge of Indian languages, and if they do, it is soon forgotten after the necessity for passing the vernacular examination is over. The examination should be more exacting and should be conducted by a Board of Indian Examiners.

5041 (37). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch?—There will be no necessity for any steps to improve the proficiency in the knowledge of law of members of the Indian Civil Service if the Executive is separated from the Judicial service and the latter is recruited on the result of a separate competitive examination.

5042 (38). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—According to our suggestion every member selected for the Judicial branch of the Indian Civil Service will already be well grounded in law and will not require any special course of study after appointment.

5043 (39). Do you recommend any special training in subordinate judicial posts in India for officers selected for the Judicial branch? If so, please give details?—All officers selected for the Judicial branch of the Civil Service should begin as Deputy Magistrates or District Munsifs, and rise in course of time to be Joint Magistrates and District Magistrates, or Subordinate Judges and District and Sessions Judges respectively. This does not apply in the case of High Court Judges, who do not now belong to the Indian Civil Service. These officers may be selected from distinguished members of the English and Indian Bar as at present.

5044 (40). Is any differentiation desirable in a system of training after appointment in India between members of the Indian Civil Service who are Natives of India and other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Yes, we would, as described in the sequel, send "Natives of India" recruited in India for a year's study and training to England and the Europeans recruited in England to India.

5045 (41). If you have recommended the introduction of any scheme of direct recruitment in India for Natives of India, whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of probation and training you recommend for officers so recruited?—The Natives of India recruited in India for appointments in the Indian Civil Service should be sent up to England for a year. For the first six months they should attend some English University, say, Oxford or Cambridge, and be made to learn the English social system, History and law of the constitution, and Political Economy. The next six months they should spend at the India Office learning the official routine there. By this time, they may be expected to become thoroughly acquainted with English life and manners and be imbued with English spirit. We attach great importance to training in England. We look upon this stay, however brief, amidst cultured English society, as in itself constituting a liberal education essential in an administrator. Financial considerations need not affect this course, as the probationers' salary of Rs. 4,200 a year will cover the expenses of his passage and stay. The probationers may then come back to India and spend one more year in learning administrative work under experienced Civilians.

5046 (42). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are Natives of India as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No. I would give to the members of the Indian Civil Service who are Natives of India, whether they are of unmixed European descent or mixed European and Indian descent, the same training that we would give to those who are of unmixed Indian descent, *i.e.*, we would send them all to England for a year, making them spend the first half year at Oxford or Cambridge and the second half at the India Office. They should spend the second year in India in learning administrative work.

5047 (44). Do you consider that the numbers of officers authorized for the various grades of the Indian Civil Service are satisfactory? If not, please state your views?—Under our scheme, which does away with what is now called the Provincial Civil Service, the various grades of the Civil Service would be increased. All officers would begin on Rs. 350 a month and go up to the highest appointments now open to them in the executive line.

5048 (45). Do you consider that the exchange compensation allowance introduced in 1893, eligibility for which depends on nationality or domicile, should be abolished, and if so, under what conditions? Should such abolition apply to officers already employed or be restricted to future entrants?—There should be no exchange compensation allowance for anybody.

5049 (47). Turning now to the case of Statutory Civilians and officers of the Provincial Civil Services holding listed posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various grades of the service?—They must get the full salary of the posts when held by members of Indian Civil Service.

5050 (49). Have you any proposals to make in regard to the leave rules applicable to Statutory Civilians, and to members of the Provincial Civil Services holding listed posts? In particular, do you consider that separate sets of rules for such officers and for officers of the Indian Civil Service are desirable?—There should be no difference in leave rules applicable to the Civil Servants and others who are now called Statutory Civilians or Provincial Civil Servants holding listed posts.

5051 (50). Please add such other remarks as you may desire to offer on any point relating to the conditions of service, salary, leave, and pension in the Indian Civil Service?—While we advocate the same salaries for "Natives of India." and other natural-born subjects of His Majesty holding the same appointments in the Indian Civil Service, we have no objection to the European members of the Indian Civil Servicebeing given a special allowance in recognition of the extra expenditure they have to incur in a foreign country.

Written answers relating to the Provincial Civil Service.

5052 (51). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1900, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—The general conditions governing the recruitment to the Provincial Civil Service as contained in the Government of India Resolution No. 1046-1058, dated 19th August 1910, are generally suitable; but we should like that the clause prescribing the preliminary standard of general education be made more definite. As it is, the men selected by the Local Governments are of too varying educational attainments.

5053 (53). Do you consider that recruitment for a Provincial Civil Service should ordinarily be restricted to residents of the province to which it belongs?—Yes, as far as possible people of other provinces being appointed only when in no other way it is possible to secure class representation.

5054 (54). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—No, not quite. We do consider it absolutely necessary that all classes and communities should be duly represented in the Provincial Civil Service. We would have the Government make more frequent use of the power of directly nominating qualified men of classes and communities requiring better representation.

5055 (56). Do you consider that the numbers of officers authorized for the various grades of your Provincial Civil Service are satisfactory? If not, please state your views?—No. We would have a larger number of officers put in higher grades.

5056 (57). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—Yes. It is desirable that executive and judicial functions should be separated entirely. A separate set of officers should be appointed to administer criminal law.

5057 (58). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—No. We would merge the present Provincial Civil Service into the Indian Civil Service.

5058 (59). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—No. We would entertain men of this service on the same terms as we would the present Indian Civil Service, though we have no objection to the Europeans receiving a special allowance in consideration of their extra expenditure in a foreign country.

5059 (60). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—No. The salaries are quite insufficient to attract the best men available to the Provincial Civil Service, nor are they enough to enable the officers to keep up the dignity of their position. As it is, the ablest men either go to the Bar or seek employment in the Native States. We would give them the salary and grades as the Indian Civil Service's.

5060. (61). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed-posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—Certainly not. They should draw the full salary of their office.

5061. (62). Have you any proposals to make with regard to the leave rules applicable to the Provincial Civil Service? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—The differences are invidious, specially as regards furlough.

5062. (64). Are you satisfied with the existing organisation of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—No. We would absorb the Provincial Civil Service into the present Indian Civil Service and make their grades range from Rs. 350 upwards.

5063. (65). Have you any other proposals to make in regard to the Provincial Civil Service not covered by your answers to the above questions? If so, please explain them?—We would reduce the maximum period of service for pension from 30 to 25 years. We would allow to the Civilian officers who are "Natives of India" the same travelling allowance as is allowed to a European officer holding the same office.

Mr. YAKUB HASAN, called and examined.

5064. (*Chairman.*) You are Honorary Secretary to the Madras Presidency Muslim League?—Yes.

5065. Do you speak on behalf of that body?—The written answers submitted to you are the results of the deliberations of the Council of the League.

5066. Have you occupied any position in the Indian Civil Service?—No, I have not.

5067. Have you been in a position to become intimately acquainted with the practices of the service?—Yes. As Secretary of the League, I come into contact with officials, both Indian and European. I make it my business to study the requirements of the Indian Service.

5068. In your answers, you lay stress on the importance of having communities duly represented in the Service?—Yes.

5069. You realise that open competition, as such, cannot make sure of that adequate representation?—I realise that it cannot.

5070. I gather, therefore, from your answers, taken together, that you propose a simultaneous examination; that the first few candidates coming out at the top of the list should receive a guarantee of appointment, and that the remainder should be grouped together irrespective of their marks, and then appointed by some body in accordance with your principle of representation of communities?—Yes.

5071. Does not this scheme which you propose occur to you as being somewhat an arbitrary method of appointment?—No.

5072. You do not apprehend any difficulty?—No.

5073. You do not apprehend that there might be dissatisfaction amongst those who had qualified, but who were not selected?—If they were previously told that so many candidates would be selected—so many from such and such a community, and so many from such and such a province—I do not see why they should be dissatisfied if they were not selected. If their numbers were not published they would not know where they stood; and all of them could not expect to be selected. They would previously be told that everybody would not be selected.

5074. Am I right in interpreting your answer as meaning that there should be one examination in England and one in India, or a group of examinations in the various provinces?—The same examination should be held in England as in India.

5075. Supposing the qualifying number exceed the available vacancies, do you not think that a system of arbitrary elimination would be fruitful of discontent amongst the rejected ones?—No, I do not think it would, because the mere passing of an examination would not be the only qualification.

5076. You think they would be quite satisfied?—I think so.

5077. I notice you propose the extinction of the Provincial Civil Service as such?—Yes, or merging it into the other.

078. In other words, the absorption of the Provincial Civil Service into the Indian Civil Service?—Yes.

5079. Do you suggest that all future officers who are going to occupy positions in this merged service are to pass the same examination?—The present officers who are in the Provincial Civil Service need not pass any examination; but in future nobody should be recruited except by the results of examination.

5080. So that officers who are to occupy positions in the Provincial Civil Service, would first have to qualify in this single simultaneous examination: am I right in that inference?—The Deputy Collectors of the Provincial Civil Service, according to my scheme, would be placed on an equality with Sub-Collectors.

5081. I am asking with regard to the examination. It will be one examination for the whole of the candidates going up for this merged Civil Service—the same examination as is held in England?—Yes.

5082. In your proposal, would the examination be kept up at the same high standard as it is now for those who compete in the Indian Civil Service, or would you suggest an examination somewhat lower in standard for those officers who, in the ordinary course, would be filling inferior posts in the Provincial Service?—I would have the same examination, and I would not call the other "inferior posts."

5083. Has it not occurred to you that it might be a somewhat difficult examination for some of the candidates?—No, because the duties are the same now in the Provincial Civil Service as in the Indian Civil Service. I do not see why there should be a different class of people for one than there should be for the other. They should be recruited from the same source.

5084. You suggest that the initial salary of the Indian Civil Service should be Rs. 350?—Yes.

5085. Do you think that by reducing it to that amount you will be assured of getting the same

class of candidate as you get under the present conditions with a higher minimum salary?—There is no higher minimum salary now?

5086. Is not the initial salary of the Indian Civil Service higher than Rs. 350?—In that case they would all be receiving in their early days the same salary?—Yes.

5087. Therefore in the early years an officer would be receiving a lower salary than he is now in the Indian Civil Service?—Yes.

5088. Do you suggest that all qualified officers who are elected should go home?—Yes, Indians should go to England.

5089. And they should spend part of their time either at Oxford or Cambridge, and part of their time in the India Office?—They would learn the routine work there. The very stay in England is itself an education. Even if they do not learn anything else, the stay itself will have a great educational value.

5090. I can understand the stay in England being good, but it will mean that a very large number of Indians would have to go to England,—a great many more than go to England at present?—Yes, it might double the number.

5091. I do not quite follow what particular object is to be gained by sending the probationers for six months to the India Office?—They will know the method of work there, and that will, of course, be useful to them.

5092. (*Lord Ronaldshay.*) I see that you are not altogether satisfied with competitive examination, because you think other qualifications, besides merely scholastic qualifications, ought to be taken into consideration?—I am not satisfied with it and I do not think it necessary that other qualifications should be taken into consideration.

5093. Your scheme, therefore, is that after candidates have passed their examination they should be selected after the first few, the other qualifications besides merely scholastic qualifications being taken into consideration?—Yes.

5094. Have you ever considered how this test, so far as these other qualifications are concerned, is to be imposed: What would be the nature of this test, who would decide upon these qualifications?—There may be a Board of Selectors appointed.

5095. And then a candidate who has passed the examination might be informed by this Board that he could not be selected on some other grounnd?—He need not be informed upon what ground he is not selected.

5096. Would he not have a very legitimate grievance, if, after having passed his examination, he was to be told by the Board, without any reason being given by them, that he was not to be selected?—The reason given to them will be this, that more people have passed than there are appointments for, and that it is necessary that the best men should be selected, and that if some are not selected, of course they must consider that they have not come up to the standard.

5097. But does it not occur to you that it would be very much fairer to those men that they should be selected by this Board before they go up for their examination?—In that case everybody who passes will have to be selected.

5098. But the candidates would be selected with regard to these other qualifications before they went up for this examination: would not that be a more satisfactory method of selecting?—I think it will be much easier if the selection is done afterwards and not before, but that would be more arbitrary. You will have a larger number to select from, and if you do not select some persons the disappointment will be greater than would be the case if you did not select until after the examination.

5099. I cannot agree with you there. I understand that you attach great importance to the representation of different communities in Government service?—Yes.

5100. What are your main grounds for attaching so much importance to representation of communities?—Efficiency is not the only requirement. There should be popularity also, and sympathy of the officials.

5101. When you say "sympathy of the officials," do you mean sympathy between the officials and the people they are governing?—Yes. As it was pointed out before by some other gentleman, there are certain interests which we cannot lose sight of: when we ask that the examination should be held in India, simultaneously with the one in England, the object is that more Indians should get in. That means that we advocate the case of a class: we want a certain class to get in which does not get in now. I would, indeed, go a step further, and say that when that principle is recognised it should be stretched a little further and the claims of all classes should be recognised.

5102. Your reason for desiring to recognise the claims of all classes is, in your opinion, that there would be greater sympathy, for instance, between a Muhammadan administrator and the Muhammadans than there would be between, say, a Hindu or Christian administrator and a Muhammadan population?—No. I do not mean the personal popularity of Muhammadan officials among Muhammadans, but the fact that there are certain Muhammadan officials in the service will give satisfaction to the community. If there are not a sufficient number of Muhammadan officials in the service it will bring about discontent of the community.

5103. It is merely a sentimental grievance on the part of Muhammadans that they are not sufficiently represented in the service, do you say? Is it nothing more?—It may be called "sentimental," our other grievance is sentimental that there are not sufficient Indians in the service.

5104. Generally speaking, in your opinion a Hindu administrator would be quite satisfactory to a Muhammadan population and a Muhammadan administrator to a Hindu population?—Yes.

5105. Is that your view?—Yes.

5106. In answer to question (57) you say, "It is desirable that executive and judicial functions should be entirely separated. A separate set of officers should be appointed to administer criminal law." Is this set of officers who is to be appointed to administer the criminal law to be a part of the existing Judicial side of the service?—Yes, the judicial side of the service. Of course I advocate the separation of both services, and that will be the part of the Judicial service.

5107. How are these officers who are to administer the criminal law to be recruited?—Through the same system I have advocated for

the judicial service—those who pass the competitive examination.

5108. They are to be recruited by competitive examination?—Yes.

5109. And as soon as they have passed the examination, and been selected, are they at once to enter upon magisterial duties, or are they to pass a period of training?—I do not think any period of training is necessary for judicial officers because they will be only, according to my scheme, graduates in law, and only those would be allowed to appear for that examination.

5110. Would it not be an advantage to have some experience of the habits and customs of the people before they are called upon to exercise important magisterial functions?—It would be an advantage but I do not advocate it.

5111. Then you are in favour of a disadvantageous proceeding.

5112. (*Sir Theodore Morison.*) I understand that you are engaged in business?—Yes.

5113. On a considerable scale?—Yes, pretty large scale.

5114. Therefore you are familiar with the business world of Madras?—Yes, I think so.

5115. Can you tell me whether the business of Madras is conducted to any large extent by Indians?—Yes, it is.

5116. Indians manage and control some large concerns, do they?—They do.

5117. Perhaps you would be good enough to tell me a little more about that. Are there large concerns managed by Indians; manufacturing, commercial or banking, or all three? Are there any manufacturing concerns managed by Indians?—A very few.

5118. In so far as there are any, are some managed by Indians?—Yes, there are some.

5119. And commercial, buying and selling; are there any commercial concerns managed by Indians largely?—Yes.

5120. And banking?—Yes, banking.

5121. By Indians?—Yes.

5122. On a considerable scale?—Yes, on a large scale.

5123. In the administration of these large concerns, I presume administrative ability is necessary, is it not?—Yes, it is essential.

5124. Is the business which is conducted by Indians prosperous?—There are many businesses which are prosperous.

5125. Therefore, I conclude that they are conducted with efficiency?—Yes.

5126. And therefore there actually is here administrative efficiency displayed outside Government service by Indians?—Yes, there is.

5127. What classes are there; in whose hands are the various businesses here?—The skin and hide trade is mostly in Muhammadan hands, as is also the wholesale piece-goods business. The majority of the merchants are Muhammadans. The small retail traders, the petty merchants, are mostly Hindus. At banking, of course the Marwaris are more expert than others.

5128. There is another name for it besides Marwaris, is there not?—Yes, Komptis and Notkoti Chettees. I may mention that there is an Indian Bank here.

5129. Therefore you have banking on a large scale, and a certain amount of manufactures, and large commercial businesses in the hands of Indians, and you have especially mentioned certain classes like the Marwaris, who are Hindus and Muhammadans: do these people get into Government service?—No.

5130. Neither of these classes?—No. Of course a few may have done so, but that exception only proves the rule. As a rule they do not go in for Government service.

5131. To that extent, then, Government loses administrative ability which is available in Madras?—Yes, that is so.

5132. I suppose they do not compete at examinations because the prizes in their own calling are larger; or is it because they do not feel that they could pass the examination?—They do not take to higher education at all, and therefore they cannot go in for the examination.

5133. Is it your opinion that persons who shew this efficiency in administration would be useful Government servants?—Yes.

5134. To that extent, then, representation of classes might improve the efficiency of the administration?—Yes. If any of those went into Government service they would prove useful.

5135. You have suggested, in answer to Lord Ronaldshay, that the communities were gratified when one member, or some members, of that community were in Government service?—Yes.

5136. And that is the reason, I understand, particularly, why you press for the representation of the different communities in Government Service?—Yes; I think it would be an injustice to the communities that it should not be so.

5137. Do you know, as a fact, that communities which are not represented are dissatisfied at the present moment?—They are not satisfied.

5138. Can you tell me what communities are dissatisfied in that respect about their representation in Government Service?—The Muhammadans for example.

5139. The Muhammadans are dissatisfied that they are not represented in Government Service?—Not adequately represented.

5140. (*Mr. Chaubal.*) I should like to clear up one point with reference to your answers. What was the procedure by which the League adopted these answers to the interrogatories?—The Council of the League met and went through the draft of the replies, and approved of them.

5141. The replies were already drafted, and they were submitted to the Council at their meeting?—Yes.

5142. And the replies were approved?—Yes, they were unanimously approved.

5143. I thought so. Turning to question (42) I see you use the pronoun "I"? I suppose you missed to turn that "I" into "we"—That is the only case in which "I" appears. Throughout I have written "we."

5144. With regard to your reply to a question which was put to you by Sir Theodore Morison, supposing there were a proposal made to Government that as the wholesale trade in Madras is monopolised by the Muhammadan community there ought to be an adequate representation of the other classes in the wholesale trade, how would you regard that proposal?—I would say that Government has nothing whatever to do with the wholesale trade, and that it should not interfere.

5145. That is one way of looking at it. What I mean is this. If you want an adequate representation of the classes, may not this be said to be an adequate representation: that one community takes to a particular kind of business for which it finds it is particularly suited, whilst another community takes up a business for which it finds itself otherwise fitted?—Yes, that is so.

5146. And I suppose if things are left to themselves the natural intelligence of each community adjusts itself to the vocations for which they are fitted?—Yes.

5147. In your scheme of having only two services, the Indian Civil Service, and the Subordinate Service, all posts below Rs. 350 would belong to the subordinate services, and all posts of Rs. 350 and upwards would belong to the Indian Civil Service?—Yes.

5148. I understand that you corrected the word "two" into "few." Will you tell me what you consider to be "few"? In your scheme of examination is it a varying number for each year, or is it a certain fixed number, say 1, 2 or 5 per cent.?—There may be 5 per cent.

5149. Five per cent. would be recognised by order of merit?—Yes.

5150. No marks to be specified for the rest?—No.

5151. Is that the scheme?—Yes.

5152. You stated in answer to the Chairman that if a person appearing at the competitive examination came lower down in the list, but was selected for other considerations, that would not cause discontent amongst the people who were above him?—It will not be known that he is lower down in the list, and that others were above him.

5153. It would not be possible for him to know it?—It should not be possible for him to know it.

5154. In your scheme for the manning of the Judicial service, you first have an examination to which you have given the name of "simultaneous examination" for the interests of the Civil Service?—Yes.

5155. Every candidate would go through that examination?—Yes.

5156. In qualifying for the Judicial service—Rs. 350 and upwards—is he to appear for that examination? I want to know as I do not quite clearly understand it from your answers. What is your proposal? If all the services above Rs. 350 are to be the Indian Civil Service, I wish to know whether your scheme contemplates that those who join the Subordinate Judicial service, those who are called Munsifs, those who begin on Rs. 350, have to appear for this examination?—Munsifs will not come in: they will be the subordinate Service.

5157. You mean such of the Judicial posts as are valued at Rs. 350?—Yes, and above.

5158. That portion of the Judicial service which begins at Rs. 350 and goes onwards, those would have to submit themselves to the simultaneous examination, which you call the Indian Civil Service examination?—Yes.

5159. Therefore it would naturally follow that the District Munsifs, who are employed at Rs. 200, or Rs. 250, have no scope upwards?—Those in the listed posts can rise. There will be some posts which are called listed posts even in the Judicial service.

5160. What is the object of having this examination: I suppose it would be too much to expect that a Collector should rise from Rs. 150 a month?—There will be an Indian Civil Service. I would have two services in the Indian Civil Service, one Executive and one Judicial

5161. Those are two branches. Your great division is the Indian Civil Service, and the Indian Subordinate Service?—Yes.

5162. I want to know whether your scheme contemplates persons holding posts in the Subordinate service having a chance to rise, whether they are in the Judicial department or the Executive department?—There is a chance for them through the listed posts.

5163. They can rise?—Yes, through the listed posts.

5164. When you hold your examination, how would you arrive at the number of vacancies? Would you take into account all in this vast service in both departments, Judicial and Civil, at Rs. 350 and upwards?—Government would know how many vacancies there are.

5165. And it must previously be determined how many from the lower service they will fill up. After arriving at a conclusion that they will promote 20 men from the Subordinate Service in the Indian Service they will put the balance in the other service?—They might do that sometimes.

5166. Supposing a person gets into the Rs. 350 Judicial grade: he passes your simultaneous examination and he has again to pass his examination for the Bar: has he any chance of getting a post above Rs. 350?—No, this examination is quite enough.

5167. In answer to question (11) you have recommended that bachelors of law and barristers should be admitted. You say, "for example, graduates in law of Indian and English Universities and barristers of the different Inns of Court." These graduates in law of Indian and English Universities and barristers of the different Inns of Court have already qualifications for filling Judicial posts; therefore, why do you want them again to appear for the Indian Civil Service examination? Do you understand my difficulty?—Yes. But the number of these people available will be very large, and you will have to select them. I would say, select them by examination.

5168. You say that the number of graduates in law and barristers would be so vast that in order to make a selection from them for the Judicial branch of the service you must hold an examination, which examination is going to be in subjects not Judicial?—No, Judicial, of course.

5169. Would you change the syllabus for the Civil Service examination?—It should be quite different from the present syllabus for the judicial branch.

5170. In answer to question (12), when you say that you are satisfied with the present statutory definition of the term "Natives of India," what is the feeling of your League with regard to that: do you wish to exclude persons born in the Native States, or do you wish to include them?—I would include them.

5171. If the present expression "Natives of India" is not construed as including them, your League would support the definition as far as the definition includes subjects of the Native States?—Yes.

5172. In your answer to question (15) you say, "We are satisfied with the present age limits, 22–24. We do not recommend any differentiation between the age limits of "Natives of India" and of other natural-born subjects of His Majesty." If the age limit were decided to be lowered, I suppose you would recommend two different age limits, would you not?—No, I would not.

5173. Even if the age limit is lower?—Even then I would not have a different age for Europeans and Indians.

5174. Do you not think that that would practically debar Indians from any University career, and from appearing at the examination, supposing the age limit was, as it was at one time, 18 or 19, or 20?—Yes, I think it would. It is on that basis that I would not advocate a reduction of the age. But if it is decided to reduce the age I would not have any difference for Europeans and Indians: I would have the same age.

5175. Even if the age limit were lowered?—Even if the age limit were lowered.

5176. What are your reasons?—If there are any disadvantages they will be the same for Europeans as they are for Indians. If they want equal advantages they should suffer equal disadvantages too.

5177. The idea of your League is to equalise ages, is it not?—Yes.

5178. Are you contemplating equal advantages for an English student at the age of 19 and an Indian student at the age of 19 when they appear for the examination?—I would give equal advantages if the examination is held in India.

5179. If the examination is held in India the examination is to be of the same stiffness and difficulty?—Yes.

5180. In that case it would not matter whether the age were lowered to 19?—It would matter; but if it is to be lowered I would have the same age. It is because now we have to send boys of tender age to England for study that the lower age limit would be a disadvantage.

5181. Do you approve of the two-thirds and the one-third principle with regard to payment?—No, I do not.

5182. In answer to question (50) you say, "While we advocate the same salaries for 'Natives of India' and other natural-born subjects of His Majesty holding the same appointments in the Indian Civil Service, we have no objection to the European members of the Indian Civil Service being given a special allowance in recognition of the extra expenditure they have to incur in a foreign country" . . .—I would qualify that by saying, "only so far as the lower grades are concerned." That was some how omitted.

5183. My question is this. At present it is two-thirds and one-third. Do you consider it is wrong in principle that the real salary of the post should be two-thirds of the pay which the European gets—that is the real salary—and an additional one-third is supposed to be paid to the European on account of the special disadvantages which he has in coming to this country?—I would make the salary the same. When I recommended this allowance I had this in view: I suggested that the Provincial Service should be merged into the Indian Civil Service, and I would start upon Rs. 350. I consider that Rs. 350 is too low a salary for a European to live upon, and I would therefore give a special allowance to them, but only below the Collector's grade. Unfortunately that one sentence was left out. I meant that it should be only for the lower grades of the Indian Civil Service: not for all. If I am allowed I should like to add that to my printed answers.

5184. (*Mr. Macdonald.*) You told us that your community has taken some interest in the Public Service, and is asking for a better representation?—Yes, a more adequate representation.

5185. Are you trying to improve the education of your children so that they may compete on terms of equality with other communities?—Yes, we are.

5186. And do you not think that on the whole that is a better way to get better representation?—Your question takes it for granted that we are backward, and that we have not a sufficient number of people to represent us in the Government service. That is not so. We have got a sufficient number of people, we have got a sufficient number of educated people to fill all the posts that are due to us in proportion to our population, and we have more to spare.

5187. Then why do you not get better representation?—One of the reasons is that there are some people of the other classes already in the service, and there is a tendency to keep others out, naturally. When there is a vacancy, people will get in who have some friends in the service to recommend them.

5188. But if the only door were the door of competition, and if there were enough sufficiently well-educated people to take their chance in getting through that door, then do you require nomination as well?—I do not want nomination: I want examination with certain modifications—selections on the result of examination. I do not want any other nomination.

5189. After the examination has been held, you desire that selections should take place, not only in accordance with the numbers of marks that have been given, if I understand you aright, but also in proportion to the various communities?—Yes.

5190. Why do you want that second provision if you are able, from an intellectual point of view, to get your fair share without that provision being in at all?—Muhammadans will be able to pass the examination, but we are not sure that they will top the list, because the special faculty which certain classes have of assimilating knowledge and reproducing it in a manner satisfactory to examiners, will bring those classes to the top of the list, and not only Muhammadans, but Englishmen will be swamped out.

5191. Have not some of your boys done quite as well as Hindus have done at Cambridge?—Yes, some of them have.

5192. Do you think there are exceptions; and that there must always be exceptions?—I do not say that. As far as their ability for securing marks is concerned certain classes have got that capacity in a greater degree than Muhammadans have; but the Muhammadans, on the other hand, have other qualifications which should be taken into account when these appointments are made.

5193. (*Mr. Madge.*) On behalf of the Muhammadan community, you think there ought to be class representation?—Not on behalf of the Muhammadan community; I say all communities, even Englishmen. Under my scheme the Englishman can also be appointed in due proportion.

5194. Do you think at the present time, or at any time, that that need be taken into account just now? There is, is there not, a unification of the interests of classes all over the country?—There is unification, but I fail to see what that has to do with this class representation. As long as classes do exist they should be represented.

5195. (*Mr. Abdur Rahim.*) As I understand your scheme, you take it for granted that efficiency, and a certain minimum of qualification, must be the test?—Yes.

5196. Subject to that, you desire that the important communities and provinces should be duly represented?—Yes.

5197. You do not think that a mere difference of some few marks (I think that is your language) makes all the difference between one candidate and another, as far as their capacity for administration is concerned?—It should not do so, because sometimes you see that it is quite likely that even a professor who sits for an examination will be lower in the results of the examination than his own pupils. That is quite possible. That, however, will not shew that the teacher is in any way less efficient than the pupil.

5198. As regards what you said, that if the classes are represented the administration will be more popular, I understand your answer to mean not that an officer of one particular community will not be sympathetic towards other communities, but that the entire administration will be more popular among the communities?—Yes, that is so.

5199. Can you tell me, apart from education in English schools and colleges, what is the state of education amongst the Muhammadans in this Presidency?—The Muhammadans have their own system of education at the Arabic and Persian Colleges. Those who have received education at the Colleges are, I think, quite as much cultured as those who have received an English education; in fact, as far as I am personally concerned, I think they may receive a better education. There are many Muhammadans, the product of the Arabic College, whose education is much better than that of those who have been educated at English colleges. Of course they do not know English.

5200. Do you think it would be correct to suppose that the standard of culture amongst the Muhammadans of this community is lower than the standard of culture of the communities who receive more English education?—No, it is not lower.

5201. Are you aware that Urdu is excluded from departmental tests of the vernaculars?—Urdu is not on the list of those vernaculars recognised by the department.

5202. Do you know how your League, or how the Muhammadans generally in this Presidency, regard this exclusion of Urdu from the list of vernaculars?—It has been a long-standing grievance. We have been agitating about it.

5203. Is Urdu widely known and spoken amongst the Muhammadans in this Presidency?—Yes, it is.

5204. There are certain sections of the Muhammadan community here, as I understand, who do not speak Urdu, at home?—Some do not, but they understand Urdu. They would like to learn Urdu, and they are learning Urdu. Urdu is their national language, and it has more religious literature than their own vernacular.

5205. Do you think the non-recognition of Urdu throws any additional obstacle in the way of Muhammadans desiring to enter the Public Service?—It does in this way,—that they are required to pass two vernaculars; whereas the Hindus will take up one of their own vernaculars, and one other vernacular. On the other hand, both the vernaculars will be new to the Muhammadan, because his own vernacular, Urdu, is not included.

5206. That does not apply universally, does it; there are some sections of the Muhammadans whose vernacular is not Urdu, the language they speak at home?—Except a few people, the Mappillas, and some others in southern districts, Urdu is the vernacular of the Muhammadans.

5207. Are there any districts where Urdu is the vernacular of the Muhammadans?—In Madras and in all the northern districts.

5208. The assigned districts?—Yes, in the ceded districts.

5209. Is Urdu spoken amongst the Mappillas, and in Malabar?—To a certain extent, not much.

5210. In answer to a question put to you by Lord Ronaldshay, I think you said that though a knowledge of the habits and customs of the people would be an advantage to a magistrate, you would not desire to secure that advantage: did I understand you to mean by that that a person appointed to discharge the duties of a magistrate, would, by the exercise of those very duties, come to know the habits and customs of the people?—The question put to me was that if they undergo a good practical training, would it be of any advantage; and I said that it would be to their advantage, but that I did not advocate it. But, of course, you know that the very practice of the duties appertaining to a Judicial post will be an insight into the manners and customs of the people.

5211. As far as you know, and as far as you represent the Muslim League, is there a very strong feeling that the Muhammadan community should, as far as possible, consistently with efficient service, be properly represented in the Public Service of the country?—Yes.

(The witness withdrew.)

M.R.Ry. Khan Bahadur MUHAMMAD AZIZ-UD-DIN SAHIB, I.S.O., Collector of South Arcot.

Written answers relating to the Indian Civil Service.

5212 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—The present system of recruitment by open competitive examination is not, in my opinion, altogether satisfactory. It no doubt provides India with men possessed of sufficient literary abilities, but generally not with that type of men which India of the present day seems to require—Men endowed with more administrative tact and capacity capable of drawing Indians nearer to them by more sympathetic treatment, thereby impressing on the Indian mind

to a greater degree the excellence of the British race and British rule.

5213 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—I find the present system of open competition faulty because it is open to all sorts of men regardless of personal character or breeding. I would suggest the selection of candidates by the Secretary of State in consultation with the authorities in Universities before they are admitted to the competitive examination, preference being given in such selection to the descendants of old retired Civilians and members of respectable families in England.

5214 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The present system of recruitment is faulty for the reasons stated in my answer to question (1) to the same extent in the case of Natives of India as in the case of Europeans. The alteration I would recommend is first selection by the Secretary of State in consultation with the authorities in Universities, and then admission to the competitive examination.

5215 (4). Further, is any differentiation desirable between other classes of natural-born subjects of His Majesty? If so, what do you propose?—No differentiation is, in my opinion, desirable between the Natives of India and other classes of natural-born subjects of His Majesty.

5216 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interests? Please give your reasons?—I do not consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is disadvantageous to Indian interests. The competitive examination is merely a test of the intellectual capacity of the examinees, and considering that the Indian Civil Service is the best service in the Empire, there are no reasons for demanding from the Indian candidates a lower standard of intellectual efficiency.

5217 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose? Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise: (*b*) Selection by authorities in Universities approved or otherwise: (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State: (*d*) Combined nomination and examination: (*e*) Any other method?—*vide* answer to question (2).

5218 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am not against a system of simultaneous examination in India, in England and in other Colonies comprised within His Majesty's Dominions, provided the candidates furnish proof as to their stay in England for two years after completing their educational career in India. If, however, such a stay were to be dispensed with and examinations were to be simultaneously held in India, in England, and in other Colonies within His Majesty's Dominions, then a proportion of the vacancies in the Indian Civil Service to be filled by Natives of India should be fixed, as otherwise the probabilities are that the English element will gradually disappear from the Indian Civil Service, which I consider, in the interests of India, undesirable. In my opinion, the time has not come for dispensing with the English element from the Indian Civil Service. India cannot get on for a very long time to come without the English element in the Indian Civil Service. Apart from this, it will be unfair on the part of the Indians if they were to attempt to shut the gates of India against the descendants of the English people. The present intellectual progress of India is chiefly due to educated Indians coming in contact with the educated Europeans.

At the same time it has to be borne in mind that Indians have made great intellectual progress, and as such it is only reasonable that their legitimate aspirations should be satisfied and they should be allowed a reasonable share in the administration of the country. I would therefore propose that recruitment should be so regulated as to reserve one sub-division in each district for a European Civilian officer and two-thirds of the appointments in the Collectors' and Judges' posts for the European Indian Civil Service men. The posts of two Members of Council, two High Court Judges, three Members of the Board of Revenue, the Chief Secretary, the Revenue Secretary, the Inspector-General of Police, the Resident of Travancore, the Commissioner of Coorg, the Secretaries to the Commissioner of Land Revenue, Salt and Abkári Revenue, Registrar of the High Court and the Private Secretary should be left open to be filled on merit either by Indian or European Indian Civil Service men. The post of Local and Municipal Secretary and the remaining one-third of the Collectors' and Judges' posts should be apportioned between the Native Indian Civilians and Indian Provincial servants, five Collectors' posts being set apart for the former and four for the latter. Of the remaining Judges' posts, namely, 7, three should be set apart for the Native Indian Civil Service men and four for the Provincial Civil Service men. One Membership of the Board of Revenue should be listed for the Provincial Civil Service.

5219 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—*Vide* answer to question (7).

5220 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service Cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am not in favour of a separate examination in India either in each province or group of provinces.

5221 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, or (*c*) any other method? If so, please describe fully what system you would recommend? In particular, do you consider it desirable

that, whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I am not in favour of nomination to the Indian Civil Service as it may lead to favouritism. Whatever the system, it is desirable on political and administrative grounds that all classes and communities should be represented in the service as far as possible. The standard of intellectual efficiency should not, however, be lowered in order to enforce the principle when selecting candidates for admission to the competitive examination.

5222 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—In case part recruitment of the Indian Civil Service by "Natives of India" in India is had recourse to, I consider it unnecessary that Natives of India should still be eligible for appointment in England; that right may be restricted to other natural-born subjects of His Majesty.

5223 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India" as being in lieu of, or as supplementary to, the present system of promoting to listed-posts officers of the Provincial Civil Services? If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—The listed posts are posts of great responsibility which require men of character and ability. The present system of filling such posts by deserving men from the lower division of the Provincial Service is best suited for the purpose.

5224 (13). Do you recommend any separate method of recruitment for the Judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—I do not think that a separate method of recruitment for the Judicial branch of the Indian Civil Service is necessary, but separate training is desirable in order to better equip the Indian Civilians intended for the Judicial branch with a better knowledge of the Indian Civil Law. At the commencement of an Indian Civilian's career, it is difficult to find out whether he is cut out for administrative work or is fit only for judicial work. The Civilian himself at an early stage is not in a position to determine what line will suit him best. By the time he reaches a second-grade Sub-Collector's post, the Government can come to some understanding as to whether he will make a good Judge or a good Collector. Those who may be found fit to be Judges should at this stage be differentiated and they should be given a preliminary training in the civil branch of the judicial work. This can be done by making them work with selected Sub-Judges. Such a training and the general culture already possessed by them will enable them to satisfactorily fill the judicial posts to which they may be appointed.

5225 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His "Majesty in India, of parents habitually resident in India, and not established there for "temporary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—I am satisfied with the present definition of the term "Natives of India" as defined in section 6 of the Government of India Act, 1870 (33 Vict., c. 3).

5226 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons? Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—Whether the system of recruitment by *open* competition is retained or not, the age limit for admission to the competitive examination should be 24 years to enable the candidates to complete their University course.

5227 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17–19 years, followed by two or three years' probation at an approved University) and since 1891 (age-limits 21–23 or 22–24 years, followed by one year's probation)?—Candidates who now come out as Indian Civil Servants certainly possess better merits than those selected under the system in force when the age limits were 17 to 19 years.

5228 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—*Vide* answer to question (1).

5229 (18). What is the most suitable age at which junior civilians should arrive in India?—At the beginning of 25.

5230 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India" and for other natural-born subjects of His Majesty?—Twenty-four years, as that will enable the Natives of India to complete their higher education either in India or in England. I do not recommend any differentiation between the age limits for "Natives of India" and for other natural-born subjects of His Majesty.

5231 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of "such a nature that no candidate who may fail "shall, to whatever calling he may devote himself, "have any reason to regret the time and labour "which he had spent in preparing himself to be "examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I accept the principle laid down by Lord Macaulay's Committee in 1854.

5232 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable,

differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—Though the study of Greek, Latin, Sanskrit and Arabic may be good for certain purposes, knowledge in these languages serves no great useful purpose in India. Hindustani or Urdu, which is spoken almost throughout the whole of India, may with advantage be added to the syllabus.

5233 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No.

5234 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3) reproduced as Appendices II and III to these questions?—*Vide* answer to question (7).

5235 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service adre do you consider that "Natives of India" might, under present conditions, properly be admitted?—*Vide* answer to question (7).

5236 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—I accept as generally satisfactory in principle the present system in which Natives of India are recruited, partly through the medium of an open competitive examination in England, and partly by special arrangement in India in accordance with the rules framed under the provisions of section 6 of the Government of India Act, 1870, or with the provisions of the Indian Civil Service Act, 1861.

5237 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—Yes, as far as ability is concerned.

5238 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No. The present system of recruitment to the listed appointments by the promotion of Provincial Civil Service men of approved merit and ability seems to have worked satisfactorily.

5239 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent should it be adopted?—The introduction of the system of recruiting military officers for the Indian Civil Service posts is undesirable.

5240 (32). Do you consider that such a system should be restricted to the recruitment of military officers or extended to the recruitment of selected officers from other Indian services?—*Vide* answer to question (31).

5241 (33). Please now refer to the rules, dated 26th August 1910, made in exercise of the powers conferred by section 6 of the Government of India Act, 1870 (33 Vict., c. 3), and reproduced as Appendix IV and to the statement in Appendix V to these questions, showing the number of offices, places, and appointments commonly known as listed posts, ordinarily held by members of the Indian Civil Service, to fill which it has been declared that members of the Provincial Civil Service can properly be appointed; and say whether the figures given are correct for your Province?—The following listed appointments have been declared to be appointments to which members of the Madras Provincial Civil Service can properly be appointed:—four posts of District and Sessions Judges, two posts of Collector and District Magistrates, one post of the Secretary to the Board of Revenue and one post of Under Secretary to Government.

The figures given in Appendix V for the Madras Presidency do not seem to be correct. No two Sub-Collectors' posts have been listed to be filled by the Provincial Civil Service men and no five posts of Joint Magistrates, or Assistant Commissioners, or Assistant Collectors, have been listed and declared open for the Provincial Civil Service.

5242 (34). Are all the posts thus listed ordinarily and regularly filled by "Natives of India"? If not, please state for the last five years to what extent there has been any failure to work up to the authorised list, and explain the reasons?—The two posts of Collectors, four posts of District Judges, one post of the Secretary to the Board of Revenue and one post of Under Secretary to Government are now filled by the Natives of India. The post of the Under Secretary to Government is being filled only of late by a Native of India.

5243 (35). To what extent also during the last five years have these listed posts been filled—(*a*) by members of the Provincial Civil Service and (*b*) by other "Natives of India"? Please give the names and positions of the latter, if any?—(*a*) All listed posts mentioned in answer to question (34) have been filled by members of the Provincial Civil Service; the post of the Under Secretary to Government has also been of late so filled.

5244 (37). Does the system by which most of the inferior listed posts are merged in the Provincial Civil Service give satisfaction—(*a*) to the members of the Provincial Civil Service; and (*b*) to the public interested in this question; and what advantages, if any, does this arrangement possess?—The question is vague. It is not understood what is meant by the term "the inferior listed posts." If it means Deputy

Collectors, District Munsifs, etc., posts, then the system has given satisfaction both to the members of the Provincial Civil Service and to the public interested in the question. The arrangement possesses the advantage of allowing the educated Natives of India an ample opportunity of participating in the administration of the country.

5245 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—If the question refers to the posts of Deputy Collectors, District Munsifs, etc., then the answer is in the affirmative. A sufficient number of superior posts is not, however, at present listed for the Provincial Civil Service which causes dissatisfaction not only to the Provincial Civil Service but also to the public.

5246 (39). Have the officers of the Provincial Civil Service, selected to fill listed-posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration?—Yes.

5247 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—The abolition of the system is desirable. The probationary course can be more advantageously undergone in India than in England.

5248 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—Under any system, the probationary course can be more advantageously undergone in India than in England.

5249 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—For reasons given in answer to question (2), I would recommend that admission to the Indian Civil Service should be restricted to the University men only.

5250 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—*Vide* answer to question (45).

5251 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—I consider that probationers should receive allowance during the period of their probation. The allowance should not be less than Rs. 300 a month.

5252 (48). If you do not advise attendance at an approved University during the period of probation in England, what alternative course of study do you recommend?—*Vide* answer to question (45).

5253 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—*Vide* answer to question (43).

5254 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854 that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—During the probationary period, the studies should be such as have a special tendency to fit the probationers for their calling.

5255 (51). Please examine the statement printed as appendix VI to these questions showing the courses of studies prescribed for probationers in 1891 and 1912, and state what alterations (if any) you desire to recommend in the present course (*a*) under the existing system of the open competitive examination, and (*b*) under any modification of that system recommended by you?—The only alteration I would propose is that the Code of Civil Procedure may be made a compulsory subject and that Hindustani may be made optional for candidates assigned to all provinces in India.

5256 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—I am in favour of the probationary course being undergone in India. The details of the course may be left to be arranged by the local Government according to local requirements.

5257 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—The probationer's course of instruction can best be spent in India.

5258 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—The proposal is good.

5259 (55). What is your opinion of a proposal that each provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I am not in favour of the proposal. After one year's probation is spent in the college proposed to be established in India for the training of probationers, they should be attached to districts for being trained by Collectors.

5260 (56). In the report of the treasury committee appointed to consider the organisation of Oriental studies in London (1909), the view is taken that the preliminary training in Oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—The objections are all theoretical and they can be met by a suitable scheme of instruction in India.

5261 (57). If you have recommended the introduction of any scheme of direct recruitment in

India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—*Vide* answer to question (7).

5262 (58). In particular, if a period of probation is recommended for such officers, do you advise that it should be passed in England or in India?—*Vide* answer to question (7).

5263 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—No.

5264 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—No. Under the present system, the junior members of the Indian Civil Service do not come sufficiently in contact with the Indians. They make themselves exclusive from the very beginning and generally associate with the Anglo-Indians at the head-quarters. Their first impressions about Indian men and matters are derived from the clerks placed at their disposal by the Collector and are therefore naturally faulty and unsatisfactory. Unless they throw off their exclusiveness and mingle with the people more freely, the erroneous feeling which now prevails that Indians are treated with contempt by Europeans cannot be removed. The Indians are not able to understand that Englishmen are, by nature, reserved and exclusive. Whatever this may be, political and administrative exigencies require that European Civilians should mingle more freely with the Indians.

5265 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—Yes.

5266 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—Members of the Indian Civil Service do not generally possess a sufficient knowledge of the Indian languages. The superficial knowledge they acquire is practically useless. The main causes are—(i) They do not take sufficient pains to learn the languages as the very few Indians with whom they come in contact are able to converse in English. (ii) In spite of the rule that junior members of the Civil Service should not dispose of papers on the office-notes put up in English by their clerks, they nevertheless do so, dispensing with what is known as the Sunavuni system or the reading of the vernacular papers by the clerks concerned. (iii) The instruction they receive in the Indian languages during the probationary period is at present very meagre. (iv) Especially in this province, there are so many local vernaculars that it is impossible for the Indian Civilians to acquire sufficient proficiency in any one of them. (v) The rule which requires that Indian Civilians should learn not less than two vernaculars of the province works injuriously in that it results in neither language being studied properly. (vi) The frequent transfer of the junior Civilians from the Tamil districts to the Telugu districts, and *vice versâ* again from these districts to the West Coast districts, where Malayalam and Canarese form the chief vernaculars.

Remedies.—(i) For the junior Civilians there should be a periodical examination by the Collector in the languages which they profess to know and a report should be submitted on the result of the examination to Government. (ii) Office-note system should be dispensed with except in the Collector's offices. (iii) The instruction given in the vernacular languages during the probationary period of the Civilians should be sufficiently good. (iv) Junior Civilians appointed to Telugu districts should be kept in such districts till they have attained the rank of a first-grade Sub-Collector. The same principle should be observed with regard to junior Civilians appointed to the Tamil and West Coast districts. (v) Only one vernacular language should be prescribed. Those that take Telugu being posted to Telugu districts, those taking Tamil to Tamil districts, and those taking Malayalam or Canarese to the West Coast districts. The choice of selection should not be left to the probationers but regulated by Government according to local requirements.

5267 (63). Do you recommend any changes in the rules for the encouragement of the study of Oriental languages, and if so, what changes?—The encouragement at present awarded is sufficient.

5268 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the Judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—In the case of Civilians who are selected for the Judicial branch, examination leave should be given to pursue the course of study for a call to the Bar if they apply for the same. During such leave they should be permitted to draw three-fourths of the salary of the posts they hold.

5269 (65). Do you recommend any special course of study in law in India for officers selected for the Judicial branch?—No.

5270 (66). Do you recommend any special training in subordinate judicial posts for officers selected for the Judicial branch? If so, please give details?—They should be made to work for at least three months with Sub-Judges.

5271 (67). Do you recommend any system for encouraging the higher study of law analogous to the rules for the encouragement of the study of Oriental languages?—No.

5272 (68). Is any differentiation desirable in the system of training after appointment in India between members of the Indian Civil Service who are "Natives of India" and other natural-born subjects of His Majesty? If so, please state your proposals?—No.

5273 (70). Is any differentiation necessary in regard to the probation and training of members of the Indian Civil Service who are "Natives of India" as between persons of unmixed Indian descent, of mixed European and Indian descent, and of unmixed European descent? If so, please state your proposals?—No differentiation necessary.

5274 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties. To secure these objects the number of posts called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—The present system is sufficiently good.

5275 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you accept this as a suitable arrangement? If not, what alterations would you suggest, and for what reasons?—I propose no alteration in the existing system.

5276 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I am not in favour of compulsory retirement of inefficient officers unless before such retirement charges are formulated regarding the inefficiency and the explanation of the officers concerned is taken and considered by the Secretary of State.

5277 (92). Are the present rates of pay and grading suitable? If not, what alterations do you recommend?—Yes.

5278 (104). Turning now to the case of the Statutory Civilians and officers of the Provincial Civil Services holding listed-posts, do you approve of the arrangement by which they draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rate do you suggest for the various grades of the service?—When officers of the Provincial Civil Service are promoted to the listed-posts, they should draw the same salaries as the Indian Civil Servants holding such posts. These listed appointments are very few, and considering that the duties and responsibilities of officers appointed to such posts are nearly the same as those of the Indian Civilians, there is no reason why they should not be allowed the same salaries also. The pay of the Provincial Civilians is not adequate enough to enable them to maintain their position and to make future provision for their families. A first grade Provincial Judge draws a salary of Rs. 2,000 a month, whereas a first grade Provincial Collector, the head of the district and the representative of Government, whose life is exposed to greater danger than that of a Judge, who has to bear greater responsibilities than a Judge, and who has also to attend to many social functions, is allowed only a salary of Rs. 1,600. Of this salary, Rs. 50 is deducted on account of income-tax and as he has to live in a decent house to keep up his position, he has to spend another Rs. 150 on house-rent. The net salary left to him is therefore Rs. 1,400 or Rs. 600 more than what a first-grade Deputy Collector gets, viz., Rs. 800. His position as a Collector and the social functions he has to observe consume a large portion of this amount, and in effect his financial position is only a little better than that of a first grade Deputy Collector. The reason for fixing the pay of a first grade Provincial Judge at Rs. 2,000, and that of a Provincial Collector at Rs. 1,600 is difficult to understand. It may be said that a first-grade Civilian Collector gets a salary of Rs. 2,500 a month, while a first grade District Judge draws Rs. 3,000 per month. In this connection it has to be borne in mind that a first grade Indian Civil Collector has many higher appointments thrown open to him, such as, the membership of the Board, the post of the Secretaries in the Government, the Inspector-Generalship of Police, the membership of the Executive Council, etc., whereas a Provincial Collector has no such openings for him. A Provincial Judge stands also a very good chance of being promoted to the High Court Judgeship, as some seats on the High Court Bench are practically reserved for Indians.

5279 (105) Have you any other proposals to make in regard to the conditions of salary not covered by your answers to the above questions?—*Vide* answer to question (104).

5280 (106). Is there any reason to suppose that officers of the Indian Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—Yes. Due to easy communication between England and India.

5281 (128). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Services holding listed posts? If not, what do you suggest?—No. The pension allowed to officers of the Provincial Civil Service holding listed posts is altogether inadequate. A first-grade Provincial Collector at present is entitled to draw almost the same pension as a first-grade Deputy Collector. The same remark also applies to a Provincial Judge. The pension of first-grade Collectors and Judges should not be less than Rs. 600 a month.

5282 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—It is unfair that Natives of India should be excluded from the benefits of the Indian Family Pension Fund. Natives of India, I think, should be admitted to the fund under the same conditions as other Indian Civil Servants. The main differences between their social conditions and those of

the European members, if closely examined, will be found to be more imaginary than real.

5283 (130). In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—*Vide* answer to question (129).

5284 (131). Do you recommend that such admission should be optional or compulsory?—The admission should be compulsory.

5285 (132). If you do not approve their admission to the Indian Civil Service Family Pension Fund, do you recommend the formation of a separate Family Pension Fund?—For Natives of India who are members of the Indian Civil Service, the formation of a separate family fund is unnecessary.

5286 (134). Have you any criticisms to make on the facilities at present offered—(*a*) to Statutory Civilians; (*b*) to members of the Provincial Civil Services holding listed-posts; for providing for their families against their decease?—The existing system for providing for the families of the Provincial Civil Servants against their decease are altogether inadequate. Some system by which they could secure the same benefits, though on a lesser scale, as the families of the European Indian Civilians should be organised for the Provincial Civil Service also.

Written answers relating to the Provincial Civil Service.

5287 (1). Please refer to Government of India Resolution No. 1046–1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—Yes.

5288 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—The rules are suitable.

5289 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend (*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—For Deputy Collectors' posts officers promoted from the Tahsil-grade have proved the most satisfactory. For direct recruitment, I would recommend the present system of nomination.

5290 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—Only residents of the Province should ordinarily be recruited.

5291 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—No. The following statement shows how the several communities are represented in the Provincial Civil Service of this Presidency:—

Name of the community.	Population.	Number of appointments held.
I.—Deputy Collectors—137.		
Brahmans	1,310,350	72
Non-Brahman Hindus ...	35,919,684	30
Muhammadans ...	2,764,467	16
Native Christians and Eurasians... ...	1,167,595	19
II.—Sub-Judges—18.		
Brahmans		15
Non-Brahman Hindus		3
III.—District Munsifs—128.		
Brahmans		91
Non-Brahman Hindus		26
Muhammadans		2
Native Christians and Eurasians.		9

These above figures show that all classes and communities are not duly represented especially in the Judicial branch of the Provincial Civil Service. The Brahmans predominate, but this is partly due to the fact that they have made much greater progress in education than other communities. On political and administrative grounds, it is desirable that all communities are duly represented. If the Government and the High Court were to exercise a proper discretion in making the appointments a fair representation of the several communities can be secured.

5292 (9) What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and, if not, what alterations do you recommend?—Most officers are recruited from the subordinate service and as such do not require special training. Those directly recruited undergo training and probation almost similar to that prescribed for the Indian Civil Servants. I recommend no alteration.

5293 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—Yes.

5294 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—I would recommend that the post of the Inspector-General of Registration may best be included in the Provincial Civil Service.

5295 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—Appointments to the higher grades are made by selection. No change of practice is required.

5296 (17). Are you satisfied that under the existing system of promotion the interests of individual officers and of the administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects

of selection for higher appointments and of the compulsory retirement of inefficient officers?—Yes. There is no objection to the compulsory retirement of inefficient officers, but charges should be formulated regarding the inefficiency, explanation taken and considered by the Government of India, who should pass final orders.

5297 (18). To what extent are the functions of the officers of the Executive and Judicial branches of your Provincial Civil Service differentiated? Is any change desirable, and if so, in what direction?—Executive and Judicial branches are not differentiated in the Provincial Civil Service. No change is desirable, as the separation of the executive from the judicial will interfere with the proper administration of the country.

5298 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to these posts suitable? If not, what alterations do you suggest?—Yes.

5299 (20). Are you satisfied with the system by which most of the inferior listed posts are merged in the Provincial Civil Service? If not, what change would you suggest?—Yes.

5300 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—There is nothing in the name. The present designation is good enough, provided the status of the Provincial Civil Servants is raised by increasing their pay and pension.

5301 (22). Do you accept as suitable the principle recommended by the Public Service Commission of 1886–87, and since followed, that the conditions of the Provincial Civil Services as regards salary should be adjusted by a consideration of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—Yes.

5302 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—Not adequate. The pay of the Provincial Collectors should be raised as suggested in the answer to question (194) of the Indian Civil Service section.

5303 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—No. Acting promotions should be given.

5304 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am not in favour of a time-scale of salary.

5305 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

5306 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance? How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—I do not recommend a time-scale of pay.

5307 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—I do not approve of the arrangement—*Vide* answer to question (104) of the Indian Civil Service section.

5308 (31). Is there any reason to suppose that officers of the Provincial Civil Service take more or less leave of any particular kind than they did 5, 10, 15, or 20 years ago? If so, to what is this due?—No.

5309 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Not taken. The chief reason for not taking the leave is that the officer who takes the leave always fears that, on the expiry of the leave, he may be transferred to some other station, which means a lot of inconvenience and expenditure to him. Apart from this, article 338 (*b*) (iii), Civil Service Regulations, which refuses furlough within 18 months of the return of an officer from privilege leave of over six weeks' duration, operates as a bar to an officer taking full privilege leave. The rule is hard and may be rescinded.

5310 (33). Is all the furlough due to them ordinarily taken by officers of the Provincial Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—(i) Yes, whenever necessary. (ii) Yes. (iii) No change.

5311 (34). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—Articles 340 (*b*) and 341 (*a*), Civil Service Regulations, fix the maximum but not the minimum allowance for gazetted officers. Half the salary should be the allowance in the case of listed appointments and other officers.

5312 (35). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable?—*Vide* answer to question (34).

5313 (36). Have you any recommendations to make in regard to special leave, extraordinary leave without allowances, and other forms of leave? Do you consider that the present conditions governing these kinds of leave, and the leave allowances admissible, are suitable?—The total leave that can be obtained on medical certificate (article 336, Civil Service Regulations) is three years but not more than two years' leave can be taken at a time. The allowance given is half the average salary for the first fifteen months and a quarter of the average salary for the remaining period. Half the average salary may be allowed for the entire period.

5314 (37). Generally speaking, do any of the present leave rules applicable to the Provincial Civil Service cause inconvenience to the administration, and, if so, what; and what remedy do you suggest?—No.

5315 (38). In particular, are they a contributory cause of excessive transfers of officers, and, if so, how can this difficulty be met?—There is a fear of transfer if leave of any kind is taken. It should be ruled that unless an officer takes long leave exceeding six months he should not be transferred from the station.

5316 (39). Do any of the present leave rules press hardly in any way on officers of the Provincial Civil Service, and if so, in what respects? What is, in your opinion, the appropriate remedy? In particular, do you regard the existing differences between the leave rules for the European and Indian Services as suitable?—No.

5317 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—Yes, but officers who have put in a service of 25 years may be permitted to voluntarily retire without the production of a medical certificate.

5318 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?—(i) All leave with allowances taken during the service may count towards pension. Article 408, Civil Service Regulations, may be modified accordingly. (ii) Voluntary retirement should be after 25 years' service at which an officer becomes entitled to full pension. (iii) As pay seems to have been fixed with a deduction already made for contribution towards one's own pension, some provision should be made to pay the pension due to an officer who dies without having received that amount of pension, to which he might be entitled, to his wife and children.

5319 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—No officer should be retired solely for incompetency without specific charges being framed.

5320 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—The pension is altogether inadequate for officers of the Provincial Civil Service holding listed posts. It compares unfavourably even with the amount admissible to the Collectors of the Imperial Customs Department, the Inspectors-General of Registration, Police and Prisons and several other offices—*vide* article 475, Civil Service Regulations. The minimum amount of pension should not be less than Rs. 600 a month.

5321 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—Satisfactory as to compulsory retirement but not satisfactory as to voluntary retirement, which should be allowed after 25 years' service without a medical certificate.

5322 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—A Family Pension fund should be organized as in the case of the Indian Civil Service.

5323 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organization you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—Yes, as regards the organization of the Provincial Civil Service in the inferior grades but not in the superior.

Khan Bahadur M. Aziz-ud-din Sahib, L.S.O., called and examined.

5324. (*Chairman.*) You are now Collector and District Magistrate, are you not?—Yes; and also Political Agent for the French Settlements in India, Cuddalore.

5325. How long have you occupied the position of Collector?—I have occupied the position of Collector for about eight years.

5326. Is there a large Muhammadan community in your district?—Yes, there is a fairly large Muhammadan community in my district.

5327. What communities are there, generally?—Brahmans, non-Brahmans, Native Christians and Mussalmans.

5328. Have you any Muhammadan officials under you?—Yes, I have.

5329. I see that you say that recruitment for the Indian Civil Service in England should be by competition among candidates selected by the Secretary of State in consultation with the University authorities?—Yes.

5330. Is that a scheme you propose in order to get a representation of communities?—No. That part of the question does not refer to representation: it is in order to secure a better type of men regardless of communities.

5331. Does that mean that you are not satisfied with the present candidates that are coming out?—They are good enough; but I think it would be better to have even better men.

5332. You think that that object would be attained by this scheme?—I think so: selection first; then competitive examination.

5333. You would reserve a certain number of posts in the Indian Civil Service for candidates recruited in India?—Yes.

5334. What system of recruitment do you recommend for such candidates?—I have said that I am not against a system of simultaneous examination in India, provided the proportion is fixed.

5335. You say that the probationary period should be spent in India rather than in England?—Yes.

5336. Why should the Indian Civilians have to serve a probationary period in India?—These people have to serve in India, and it is better that they should undergo probation in this country. They will know better, then, about Indian men and matters.

5337. You think that on the whole they will learn more of their work, and that it will make them more capable administrators in this country if they undergo a probationary period in this country than if they go through a probationary period in England?—Yes.

5338. You say that Provincial Civil Service officers promoted to listed posts should get the same pay as the Indian Civil Service officers?—Yes.

5339. Do you take into consideration the additional expenses attached to Europeans in this country?—Yes, there is some additional expenditure for Europeans, but there is additional expenditure attached to Indians also. That is a matter in which individuals are concerned. One man may spend more, and another less. I have known Indian Civilians who spend very little.

5340. You desire to see a uniform salary for both?—I think so, because they have to maintain their position. Then the Indian Civilians have their Provident fund. It is not necessary that they should save anything. Even if they do not save, their families are maintained; and these people—Provincial men appointed to listed posts—have no such fund. If they are not able to save anything I do not see any object in their serving.

5341. (*Sir Murray Hammick.*) With regard to question (7), there is a point in connection with it which I should like to clear up. First of all I would ask this. You would have the examination in England altered so as to introduce selection before the simultaneous examination?—The gist of my answer is that I am not in favour of simultaneous examination.

5342. Then you say here, in answer to question (27), that you propose recruitment in India. You say, "Recruitment should be so regulated as "to reserve one sub-division in each district for a "European Civilian officer, and two-thirds of the "appointments in the Collectors' and Judges' "posts for the European Indian Civil Service men. "The posts of two Members of Council, two "High Court Judges, three Members of the "Board of Revenue, the Chief Secretary, the "Revenue Secretary, the Inspector-General of "Police, the Resident of Travancore, the Commissioner of Coorg, the Secretaries to the "Commissioner of Land Revenue, Salt and "Abkari Revenue, Registrar to the High Court "and the Private Secretary should be left open to "be filled on merit either by Indian or European "Civil Service men. The post of Local and "Municipal Secretary and the remaining one-"third of the Collectors' and Judges' posts should "be apportioned between the Native Indian "Civilians and Indian Provincial servants, five "Collectors' posts being set apart for the former "and four for the latter." Therefore, it seems that you have in your head an Indian Civil Service apart from the Provincial Service, that is to say, you want to reserve a certain number of posts, Divisional Officers and Collectors, and so on, for Indians selected in this country in some way, do you not?—No, that is not it.

5343. Do you simply wish to enlarge the present listed posts?—I am afraid my answer has not been sufficiently clear. What I intend is that on the whole in the superior posts one-third should be set apart for Indians.

5344. How are you going to recruit for that?—Partly by open competition in England, subject to selection, and partly from the Provincial Service.

5345. You would not have any examination in India for those posts at all? How would you promote them from the Provincial Service?—For the Provincial Service I am not in favour of any examination.

5346. You do not want any examination in India for filling up these Indian Civil Service appointments. I am not clear what it is that you exactly do want. Is this it, that you want a certain number of these appointments for Indians, but you do not want those appointments to be filled up by any examination in this country: you want those appointments to be filled up from the Provincial Civil Service and from Indians who pass in England through the competitive test?—*In the event* of there being a simultaneous examination, both in India and in England, I would propose that a proportion should be fixed; and that out of this proportion some appointments should go to the Indian Civilian recruited by open competition, and that some of the Provincial men should be selected as at present.

5347. But you are not in favour of a simultaneous examination in India?—I am not. If simultaneous examinations are to be held in England and India, then I want a proportion to be fixed.

5348. Therefore you would prefer to see these appointments made from the Provincial Service?—No, not all the appointments. The point is this. My proposal is that one-third of the appointments should be set apart for Indians. Some of these should be filled by recruitment after competitive examination in England, and the rest should be by promotion from the Subordinate Provincial Service.

5349. You say that one Member of the Board of Revenue should be listed from the Provincial Service?—Yes.

5350. That would leave three Memberships of the Board of Revenue, and two-thirds of those two appointments you would keep for Europeans, and the third one you would give to the Indians who pass the examination which you suggest in England?—One Membership of the Board may be listed when competent men are available from the Provincial Service. The other three may go to European Civilians, or Indian Civilians recruited by competitive examination in England,—I mean on merit.

5351. I think I understand now what you mean with regard to the recruitment. I would now like to ask you one or two incidental questions. In your district there are a large number of Pariahs or Panchamas, are there not; I think nearly 300,000?—Yes.

5352. You have had, have you not, plenty of European subordinates in your district at different times—Sub-Collectors and Assistant Collectors—Europeans?—Yes.

5353. You have never had any difficulty, have you, in getting on friendly terms with European subordinates?—I have never had any difficulty.

5354. I think you have a son in England now?—Yes.

5355. How long has he been there?—About four years.

5356. Has he been living in London, or in Oxford?—I sent him home very early, when he was about 15 or 16. He first lived at Oxford, and was under a private tutor. Then he went to Cambridge, and now he is in a suburb of London.

5357. From his letters, generally speaking, do you think his life in England is a happy one?—Yes.

5358. Are you going to send him up for the Civil Service, or are you going to bring him up to the Bar, or to a profession?—Now he is studying

for the Bar. Later on it will have to be decided what is to be done with him.

5359. From the letters which he writes to you, you gather that he gets on very well with his companions: he has several English companions, I suppose?—Yes; and he has great admiration for the English people.

5360. The Provident fund of the Government in India for the Provincial is not compulsory at present upon Indians to join, is it: it is optional, is it not?—I have not looked into that question. I believe, however, that it has been made compulsory for those who draw more than Rs. 100 per month. That is my recollection.

5361. Would you be anxious to see the Provident fund made compulsory, and that everybody should be made to join it?—That Provident fund is not better than an Insurance Company. I would prefer some fund similar to that of the Indian Civil Service.

5362. You do not think that the benefits you get from that fund are sufficient?—No.

5363. (*Mr. Abdur Rahim.*) You have been a long time in the service, have you not?—Yes.

5364. And you have had a very wide and varied experience, have you not?—Yes; I have been in the service thirty years now.

5365. I believe you have received recognition for your services from the Government from time to time?—Yes. They first gave me a Certificate of Honour, then Khan Sahib, then Khan Bahadur; and lately I have been made a Companion of the Imperial Service Order.

5366. Have you had any experience of what is called a difficult district in this Presidency from an administrative point of view?—Yes.

5367. Has the Government been satisfied with your administration of those districts?—Yes, throughout. Throughout they were satisfied, and I was openly complimented in public speeches by Sir Arthur Havelock, Lord Ampthill and Sir Arthur Lawley.

5368. Have there been occasions when you have had to deal with situations of difficulty in connection with riots?—Yes, several. I have had several years' experience of riots, of famines and of plague. For five years I was working in plague areas.

5369. Where was that?—First when I was Collector of Anantapur, and for five years I was working in connection with plague in Mangalore. I have also worked in plague-infected areas in South Arcot.

5370. Have there been any occasions upon which you have been found fault with?—I have never been found fault with; I was lucky to receive compliments all through.

5371. Have you been present at riots; have you faced riots?—Yes. I was present on one occasion in Salem, and I was in the midst of the rioters. With my own hands I arrested several Mussalmans. The District Magistrate was good enough to say that I was the only officer that had done his duty. He said that I had acted in a most plucky manner. On several occasions I have been appointed a Special Magistrate to prevent disturbances in special localities.

5372. On how many occasions have you been appointed a Special Magistrate?—On two occasions I was appointed a Special Magistrate. That was during the riots at Palkode in Salem, when there was a serious riot between Hindus and Mussalmans. Several Hindu houses were burnt by the Mussalmans, and some Hindus were killed. The European Inspector was beaten, and the Hindu Tahsildar had to escape by flight. I was appointed as Special Magistrate to superintend the conduct of the festival the next year, when a still more serious riot was apprehended. The story is a long one. I was in charge of the Kotappakonda festival in Kistna. These people were giving trouble year after year. In the year previous to the one when I was in charge of the Sivaratri festival, the Brahman Deputy Collector, a brother of the editor of the "Hindu," was about to be stoned to death. The Superintendent of Police saved his life. The next year I had the conduct of the festival. A police constable was assaulted by the rowdies from Nellore. I arrested them promptly and the disturbance was stopped. I can give more instances, if necessary, but it will be a very long record.

5373. How long have you been in Salem?—Fourteen years — since 1882.

5374. Is that considered a difficult district?—It has earned a notoriety as a riotous district. Sir Murray Hammick knows about it. In 1882 there were the Salem riots.

5375. I see you are strongly in favour of the appointment to district charges being made from officers tried in the Provincial Service?—I think so. These listed appointments, Collectors' appointments, are responsible appointments. One small blunder on occasions of emergency may lead to serious consequences. I think, therefore, that officers of tried ability and of large experience should be appointed.

5376. Supposing Indians were appointed, as in the case of members of the Indian Civil Service, after a certain period of probation,—or rather training in the lower ranks,—do you think that they would discharge their duties as satisfactorily as men recruited direct?—I would prefer men of tried ability and merit, men promoted from the lower division of the service who may have given satisfactory proof of their merit and ability.

5377. If there is direct recruitment to the higher ranks, would it not secure more literary ability? That would be a great advantage, would it not, so far as that is concerned?—Yes; there is no doubt about the advantage of literary ability.

5378. Is it not desirable, if you are in favour of more admissions of Indians into the higher ranks of the service, that there should be a more difficult qualifying test?—Mere literary ability will not help much in the administration of the country. That is my idea. Literary ability will do well for colleges, but here tact is wanted. Literary ability combined with tact is necessary. Mere literary ability, men who are Doctors of Law, and things of that sort, will not do for a Collector's post, or for executive posts.

5379. You think, then, that for executive posts you require great tact?—You require men of tact, force of character, and strength of mind.

5380. That is the basis of your suggestion?—That is the chief basis of my test.

5381. With regard to the exclusion of Urdu from the departmental examinations as a vernacular test, what is your opinion regarding that?—I am decidedly in favour of Urdu being included, not because Urdu is a Mussalman's language, but because Urdu is widely spoken. Go wherever you like, and you will find that an officer who knows Urdu can find people with whom he can converse. In the case of Tamil, it is confined only to Tamil districts. Outside that group there is no one who understands it. Take Telugu. There are five or six districts, and outside them nobody understands Telugu. On the West Coast, nobody knows either Telugu or Tamil; whereas, Hindustani can carry you from the northernmost point to the southernmost point of this Province; and that is the case with regard to the whole of India.

5382. In your experience Urdu would be useful almost all through the Presidency?—I believe so. If our civilians only knew Urdu they would know a good deal about the people of this Province, and many things connected with them.

5383. (*Mr. Macdonald.*) With reference to your answer to question (1), you say that the result of the examination is not quite satisfactory?—That is so.

5384. You want men endowed with more administrative tact?—Yes.

5385. Does that apply to officers recruited by the present competitive examination, that they want more administrative tact?—They have administrative tact, but I should like them to have a little more of it.

5386. I see you use the word "capacity." Capacity is all right, but what is wanted is tact?—Yes.

5387. You say that you want men "capable of drawing Indians nearer to them by more sympathetic treatment." You desire to see more in that direction?—I should very much like that the European civilian should draw the Indian nearer to him.

5388. Would you say that there is any deterioration in that respect compared with the time when you entered the service first?—I entered the service thirty years ago, and I certainly think that civilians of the days of Sir Murray Hammick were much better than the civilians of the present day.

5389 (*Mr. Sly.*) In answer to question (10), you have referred to the fact that it is desirable, on political and administrative grounds, that all classes of the community should be represented in the service as far as possible?—Yes.

5390. Will you tell us exactly your reason why you think that is necessary?—"On administrative and political grounds"—it is a very comprehensive expression.

5391. What does it mean, what are the political considerations involved?—"Political considerations" mean justice to all communities in all matters.

5392. Do you mean to imply that it is not secured under the present system?—It would not be fair that one community should be advanced whilst another community should be neglected. Political justice requires that all communities should be dealt with alike.

5393. What administrative grounds are there?—You appoint all the people of one class to certain offices. If you appoint all Mussalmans to an office, you may rest assured that the administration will suffer. If you appoint all Brahmans, there is intrigue. And it is the same thing with Christians. That is what I call "on administrative grounds."

5394. I see in answer to one question you say that you are against the separation of Judicial and the Executive?—Yes.

5395. What is your practical experience?—Although I know that many of my friends, both here and in Northern India, are in favour of separation, I think separation is bound to stultify Government. Sentimentally, of course, it looks very nice; but those who have to carry on administration know the desirability of not having this separation.

5396. (*Mr. Gokhale.*) I think I understood you to say that you were against simultaneous examinations?—Yes.

5397. I see in your reply to question (7) you say that you are not against a system of simultaneous examinations in India, in England and in other Colonies comprised within His Majesty's dominions, provided a certain proportion is fixed?—That is so, subject of course to conditions given by me in written answer to question (7).

5398. If that proportion is fixed, you are not against it?—No.

5399. If simultaneous examinations are introduced they might be held in the Colonies along with India and England?—It is a matter of minor importance.

5400. But you state that here?—Yes.

5401. Do you know how our people are treated in the self-governing Colonies?—That is another matter. It has nothing to do with examinations.

5402. You are not against their being held in the Colonies?—No; it is a minor matter.

5403. You would not think it was a wrong thing to do if they were not held in the Colonies?—No.

5404. Is it your wish that they should also be held in the Colonies?—No; it is not my *wish*. I attach very little importance to the centering of examinations.

5405. You say that if simultaneous examinations are introduced you would close the English door to Indian candidates; you would not allow any Indians to appear in England?—No; I do not say that.

5406. In answer to question (11) you say "In case part recruitment of the Indian Civil Service by 'Natives of India' in India is had recourse to, I consider it unnecessary that 'Natives of India' should still be eligible for appointment in England"?—I did not mean that they should not go and compete for the Indian Civil Service there: what I meant was for Home service.

5407. That was not the question?.—That was not the question. I misunderstood it.

5408. You would keep the door open to Indian candidates in England?—Yes, I would keep the door open to Indian candidates in England. I do not wish to shut the door of India against English candidates either.

5409. (*Mr. Chaubal.*) Have you any judicial experience?—I was Senior Presidency Magistrate for some years, and I was in the Registration Department, which is classed under "Judicial," I was not a Munsif or a Judge.

5410. Are you a member of the Madras Muslim League?—We officers cannot be members of any political bodies.

5411. (*Sir Theodore Morison.*) You say, with regard to the Provincial Service, that the present designation is enough, provided the status of the

Provincial Civil Service is raised by increasing their pay and pension?—Yes.

5412. And those are the only two points upon which you consider it important to insist?—I think that the Provincial Service, as now organised in this Province, is good enough. The listed appointments carry very small pay. A Provincial Judge gets Rs. 2,000, and a Provincial first-grade Collector gets only Rs. 1,600. A Collector has many social functions to attend, and he has to keep up the prestige of the Government in the district at the head of which he is placed. He is likely to be carried away unless he is a man of strong character.

5413. We have heard of complaints of the treatment of members of the Provincial Service by the Indian Civil Servants: we have been told that that causes great irritation: do you agree with that view?—I do not think that there is any ill-treatment peculiarly directed towards members of the Provincial Service. What is wanted is greater sympathy towards all Indians.

5414. (*Lord Ronaldshay.*) You say that open competition is faulty because it is open to "all sorts of men regardless of personal character and breeding". When you wrote that, had you in your mind's eye specific cases of members of the Indian Civil Service who were deficient in character or breeding?—I regret to say that I had several cases in my mind when I wrote that answer. I do not wish to specify the cases, but, without mentioning names, if you want instances I am disposed to give them, provided I do not cause any unpleasantness to my European brethren.

5415. Have you actual cases in your mind?—If our civilians would deal a little more sympathetically with the Indians, India at the present day would not be what it is now.

5416. (*Mr. Ramachandra Rao.*) When a Deputy Collector rises to a Collector's place, it is better that he should rise at the age of 45. Do you think that he would do very good work if he is much older than that?—He would do good work at any age, provided he is competent and vigorous enough. I would not lay down any age-limit. I have known persons 35 years old who are very weak and imbecile; whilst I have known persons of 50 years of age who are very active.

5417. (*Mr. Subrahmanyam Pantulu.*) You said in your reply to question (35) that all listed-posts are filled by men from the Provincial Service. Are you aware that one of the Judge's places is filled by Kumaraswami Sastri, and is filled by one who does not belong to the Provincial Service?—I was not aware of that. I do not pay much attention to civil matters.

5418. That is a Provincial matter?—The Government has power to fill one-fourth of the posts from outside.

(The witness withdrew.)

At Fort St. George, Madras.

Tuesday, 14th January 1913.

SIXTH DAY.

PRESENT:

THE RIGHT HON. THE LORD ISLINGTON, K.C.M.G., D.S.O. (*Chairman*).

THE EARL OF RONALDSHAY, M.P.
Sir MURRAY HAMMICK, K.C.S.I., C.I.E.
Sir THEODORE MORISON, K.C.I.E.
Sir VALENTINE CHIROL.
MAHADEV BHASKAR CHAUBAL, Esq., C.S.I.
ABDUR RAHIM, Esq.
GOPAL KRISHNA GOKHALE, Esq., C.I.E.
WALTER CULLEY MADGE, Esq., C.I.E.
FRANK GEORGE SLY, Esq., C.S.I.
JAMES RAMSAY MACDONALD, Esq., M.P.

And the following Assistant Commissioners:—

F. D. P. OLDFIELD, Esq., Acting Judge of the High Court of Judicature, Madras.
M.R.Ry. Diwan Bahadur R. RAMACHANDRA RAO Avargal, Collector, Nellore.
M.R.Ry. V. SUBRAHMANYAM PANTULU Garu, District Judge, Cuddapah.

M. S. D. BUTLER, Esq., C.V.O., C.I.E.
R. R. SCOTT, Esq. } (*Joint Secretaries.*)

W. O. HORNE, Esq., C.S.I., I.C.S., Acting First Member, Board of Revenue.

Written answers relating to the Indian Civil Service.

5419 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Better than might be expected. Not as good as it ought to be. No.

5420 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—Because there is no test except medical soundness and the ability to score more marks in an examination than a certain number of other candidates. These are not the only or the most important qualifications for the Indian Civil Service, and

many of the men selected are by no means of the most suitable stamp. Competition qualified by selection.

5421 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—No. Because there is a distinctly greater probability that most of a given batch of British boys, selected by competition, or any other partially irrelevant test, which does not of itself ensure suitability, will possess the other qualities which are essential than that any of a batch of Indian boys, similarly selected, will do so.

5422 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise. (*b*) Selection by authorities in Universities approved or otherwise. (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State. (*d*) Combined nomination and examination. (*e*) Any other method.—I am not prepared to lay down any cut and dried method of selection. To do so would require more experience of the working of similar systems in other services, such as the Navy, than I possess. I recommend that the competition be confined to those young men who may be passed as suitable by a properly constituted selection board.

The methods of selection (*a*), (*b*) *and* (*c*) might (all or any of them) be made use of by the selection board.

5423 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I regard the proposal as outside the pale of serious discussion.

5424 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

5425 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I consider that the Indian Civil Service ought to be open to Natives of India, but it is essential that a maximum proportion of them should be fixed for each province, if the British character of the administration is to be maintained. I am strongly against the selection of the required number by open competition. I would have a stiff qualifying—no competitive—examination in India, preferably in each province, and select the required number from among the qualified candidates.

5426 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination; (*b*) combined nomination and examination; or (*c*) any other method? If so, please describe fully what system you would recommend. In particular, do you consider it desirable that whatever the system, all classes and communities should be represented? If so, how would you give effect to this principle?—I favour (*b*)—*vide* answer to question (9). In making the selection, it would be desirable to distribute the appointments among all classes and communities so far as qualified candidates might be available from among them.

5427 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—No. The Natives of India, hitherto selected in England, have not turned out such as to give any encouragement to the continuation of the system. I would restrict the right as suggested.

5428 (12). Would you regard any system of selection in India which you may recommend for young men who are "Natives of India," as being in lieu of, or as supplementary to, the present system of promoting to listed posts officers of the Provincial Civil Services. If the former, what alteration, if any, would you recommend in the conditions governing the Provincial Civil Services?—Preferably supplemental, but the number selected should be so fixed as to keep the "Native of India" element within whatever might be fixed as the proper limit. The higher posts should not be closed to the Provincial Service.

5429 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—The men selected since 1906 are certainly too old when they come to India. They are nearly 25, and are 27 before they are useful. A man should be doing useful work long before that. Also, they have in many cases, before they leave England, formed tastes and habits which render it unnecessarily difficult for them to adapt themselves to a new life and new conditions. A good age to arrive in India is about 22. But, generally speaking, the younger the men are caught the better. Examine the lists, and I am confident that no one can say that in this province the men of the eighties, selected at school-leaving age, are not at least as good as those selected since 1892. I am doubtful whether it is necessary that candidates should have completed a University course. These men of the eighties had not, though a few did so subsequent to selection, and I cannot see that they lost anything by it so far as their work and utility in India is concerned.

5430 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since

1891 (age limits 21–23 or 22–24 years, followed by one year's probation)?—If there is any difference in merits, the balance is certainly not in favour of the latter.

5431 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I am not prepared to say that they are less suitable than former recruits under the open competition system.

5432 (18). What is the most suitable age at which junior civilians should arrive in India?—About 22.

5433 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—I am against any such examination. Natives of India should be selected in India.

5434 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be "of such a nature that no candidate who may "fail shall, to whatever calling he may devote "himself, have any reason to regret the time and "labour which he had spent in preparing him-"self to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I accept the principle.

5435 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the Schedule of the Indian Civil Service Act of 1861 (24 and 25 Vict., c. 54). [Attention is invited to the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]—Yes. The Indian Civil Service is, or should be, a *corps d'élite*. If it is to be so, it is essential that it should hold the great majority of the higher appointments.

5436 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what *proportion* of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—Yes. Doubtful.

5437 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 and 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—No.

5438 (27). Have the "Natives of India," recruited by means of open competition in England, proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—Very certainly—no.

5439 (28). Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No. It was a failure.

5440 (39). Have the officers of the Provincial Civil Service, selected to fill listed posts, proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the Administration?—No. I do not think they have ever been appointed to the more difficult and responsible administrative posts. In the judicial branch it may be different.

5441 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive examination are required to undergo a probationer's course of instruction in England? Do you recommend the continuance or abolition of this system?—Good, I think, when the candidates are selected from among boys under 20; unnecessary when candidates are selected after a University course.

5442 (44). What should be the duration of the probationer's course in England (*a*) under the present system of the open competitive examination, (*b*) under any modification of that system recommended by you?—Depends entirely on the age of selection.

5443 (45). Do you consider it desirable that probationers should be required to spend their period of probation in England at an approved University?—Yes.

5444 (46). If so, do you advise the selection of one or more Universities for this purpose and for what reasons?—Yes. Because apart from mere scholarship the social life of some Universities is much more beneficial to an unformed young man than that of others.

5445 (47). Do you consider that probationers should receive allowances during their period of probation? If so, please give the scale and conditions that you recommend?—Yes. About £150 a year and a first-class passage to India. The present grant of (I believe) a sum sufficient to pay for a second-class passage is an unnecessary allusion to the deteriorated prospects and position of the service.

5446 (49). Would it, in your opinion, be desirable to establish a separate institution in England for this purpose, and, if so, under what conditions?—No.

5447 (50). If a probationer's course is continued in England, do you accept the principle laid down by Lord Macaulay's Committee in 1854 that successful candidates in the open competition should be considered as having finished their general education and that their future studies should be such as have a special tendency to fit them for their calling? Does your answer apply equally to candidates who pass the open competitive examination after leaving school and to those who do so after completing a University course?—Yes. To both.

5448 (52). In particular, please state your opinion as to the desirability during the period of probation of (i) compulsory attendance at Law Courts in England and reporting of cases; (ii) the teaching of Indian Law in addition to the general principles of jurisprudence; (iii) the teaching of the grammar and text-books of Indian languages with or without any attempt at colloquial instruction; (iv) the teaching of (*a*) Indian Geography, (*b*) Political Economy, (*c*) Accounts?—(i) Very useful. All the rest useful.

5449 (53). Do you consider that the probationer's course of instruction can best be spent in England or in India?—England.

5450 (54). What is your opinion of a proposal to start at some suitable place in India a college for the training of probationers of the Indian Civil Service and possibly of other Indian services recruited in England?—I disapprove.

5451 (55). What is your opinion of a proposal that each Provincial Government should arrange for the training of probationers by suitable courses of instruction for the whole or portions of the first two years of service at some suitable centre?—I doubt the efficiency of any such system.

5452 (56). In the report of the Treasury Committee appointed to consider the organization of oriental studies in London (1909), the view is taken that the preliminary training in oriental languages and in law required by probationers can be given better in England than in India, because of the difficulties which junior civilians would experience in learning these subjects in India, the lack of good teachers in Indian district head-quarters, the difficulty of even good Indian teachers appreciating the European student's point of view, and the difficulty of arduous study in a tropical climate. Do you consider that these objections could be met by a suitable scheme of instruction in India?—I do not.

5453 (57). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of or supplementary to the system of recruitment in England, please state what system of probation you recommend for such officers?—They should go to England for two years.

5454 (59). Do you consider that any differentiation is necessary during the period of probation between the course of study for probationers who are "Natives of India" and the course prescribed for other natural-born subjects of His Majesty? If so, please state the special arrangements that you recommend?—Yes. I think so.

5455 (60). Are you satisfied with the present arrangements for the training of junior members of the Indian Civil Service after they have taken up their appointments in India? If not, what change should, in your opinion, be introduced?—Yes. They have every opportunity of learning their work and they generally do.

5456 (61). Is the existing system of departmental examinations suitable, and if not, what change do you recommend?—Yes.

5457 (62). Do you consider that there has been any deterioration in the knowledge of the Indian languages possessed by members of the Indian Civil Service? If so, what are the causes? Are you satisfied that European members of the Indian Civil Service attain to an adequate proficiency in the study of the Indian languages, and if not, how could this best be remedied?—No. Not in my time, rather an improvement? By no means in all cases. The South Indian languages are remarkably difficult, and I think that only a man who is naturally a good linguist can ever be really proficient in them.

5458 (64). Please give your views as to what steps (if any) are necessary to improve the proficiency in the knowledge of law of members of the Indian Civil Service, distinguishing between recommendations applicable to all officers and to officers selected for the judicial branch. In particular, do you favour a system of granting study leave to Europe, and if so, what course of study (course for a call to the Bar, reading in barristers' chambers or other), and what conditions do you propose?—I think that executive officers as a rule know quite as much law as they have any use for. I have no experience of the judicial.

5459 (69). If you have recommended the introduction of any scheme of direct recruitment in India for "Natives of India," whether in lieu of, or supplementary to, the system of recruitment in England, please state what system of training you recommend for such officers?—First a course of probation in England. Then the same training in India as is given to British-born officers recruited in England.

5460 (72). The present theory underlying the conditions of service in the Indian Civil Service is that—(*a*) the members of the Service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties.

To secure these objects, the number of posts, called technically "superior" posts, carrying a salary of over Rs. 1,000 *per mensem*, is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system? If so, do you consider that the period of eight years is suitable, or do you recommend any change? What alteration (if any) would be necessary if the age of recruitment were lowered?—I do not consider that the system works out satisfactorily. Men coming to India at 25 are far too old—and probably married—before they attain a position of financial comfort. They are very generally in debt during the earlier portion of their service, and if misfortune supervenes, such as sickness in the family, they sometimes never recover.

5461 (73). It is also part of the existing system that officers of over two but under eight years' completed service should fill with practical permanency in the ordinary course of promotion charges of minor responsibility, called technically "inferior posts," and should be drawing pay at rates above that of the lowest grade, but not exceeding Rs. 1,000 *per mensem*. Do you

accept this as a suitable arrangement? If not, what alteration would you suggest, and for what reasons —No. It is far too uncertain. There should be a time-scale of pay for at least the first ten years of service.

5462 (87). Are you satisfied that, under the existing system of promotion, the interests of individual officers and of the Administration are duly reconciled, and have you any suggestions to make regarding it, particularly on the subjects of selection for higher appointments and of the compulsory retirement of inefficient officers?—I consider that the principle of selection for higher posts is not nearly sufficiently observed; at least in this province. There is far too much promotion by mere seniority. Consequently promotion is blocked, discontent is caused and efficiency suffers. Officers holding high posts in this province are frequently, if not generally, far senior to those holding high posts in other provinces. I am convinced that more rigorous selection, if soundly exercised, would be approved by the public opinion of the Service.

I am strongly in favour of the compulsory retirement of inefficient officers on a proportionate pension.

5463 (89). Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension?—There is a great deal of discontent in the Service owing to the very inadequate repayments by the State of the unavoidable expenses to which officers are put by transfers. The account rules on the subject are absolutely unjust and absurd. An officer should be reimbursed the cost of conveying to his new station a sufficient and necessary equipment of horses, conveyance, and camp kit.

Also Government residences are assessed to rent at far above the market rate.

5464 (93). If any dissatisfaction is felt, does it relate to the pay or grading of the higher or lower posts or to both?—Dissatisfaction is undoubtedly felt, not with regard to the pay of the higher posts, but with regard to the difficulty of attaining them and the time taken to do so. The cause of this is the block in promotion, which is again due to failure to promote by selection and to the greatly diminished value of the pension, which causes senior officers with families to cling to full pay long after they have passed their maximum efficiency and have no hope for advancement.

In the lower grades there is much discontent. A young civilian does not attain to a salary suitable to his age, position and expenses until he is at least an acting Collector, or Judge, and hardly then.

5465 (99). What is your opinion regarding the substitution for the existing graded system of promotion of a time-scale of salary? If you are in favour of a time-scale, should it be restricted to the lower grades of the service or not?—I approve of a time-scale for the first ten years of service. After that officers should take their chance of grade promotion. The minimum pay should be Rs. 500 a month. The present starting pay is too small and debt is almost inevitable. The pay should increase by Rs. 100 a month annually up to Rs. 1,500.

5466 (100). As an alternative do you recommend a system by which each main class of appointment would have a separate time-scale?—No.

5467 (107). Is all the leave on full pay due to them ordinarily taken by officers of the Indian Civil Service, and if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—No. Because they cannot get it.

5468 (108). Is all the furlough due to them ordinarily taken by officers of the Indian Civil Service? Is it necessary to allow for as much furlough as is permissible by the present rules? If not, what change do you suggest?—No. Because they cannot afford it.

5469 (109). Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?—No. I do not. After deductions, my furlough allowance, which is supposed to be £1,000 a year, works out to under £70 a month. I cannot set up an establishment in England and keep myself and a wife and family on that, much less get any recreation out of my furlough.

5470 (111). Do you consider that the maximum and minimum limits of leave allowances at present fixed are suitable? Do you recommend any change in the alternative rates fixed in sterling and in rupees, and if so, what change?—I do not see why there should be a maximum. Half pay should be half pay. The minimum is almost a starvation allowance for a married man with a family.

5471 (117). Have you any other proposals to make in regard to the conditions of leave not covered by your answers to the above questions?—As officers cannot take all the furlough which they earn, because they cannot afford it, I recommend that, instead of a given period of furlough, which has been earned, an officer be permitted to take half that period on full pay.

5472 (118). Is the present system of equal annuities to all members of the Indian Civil Service generally accepted as satisfactory by the Government and by the members of the Indian Civil Service?—Yes.

5473 (119). Would a non-contributory system of superannuation pensions, varying in amount with the amount of salary drawn at the time of retirement, be preferable in the interests either of the Government or of the members of the Indian Civil Service?—A non-contributory system would be preferable, but I do not see why the amount of the pensions should vary, provided that full service for pension has been completed.

5474 (120). Assuming the maintenance of the annuity system, do you suggest any modifications in its detailed working, and, if so, what, and for what reasons?—Yes. I have no means of knowing how much of his pension is supposed to be paid for by each officer by means of the 4 per cent. deduction from salary. In the case of officers of thirty years' service and over it must be a large proportion, and it has to be remembered that these officers have a shorter time to enjoy it in. The pension granted by the State to the Indian Civil Service is not greatly in excess of that granted to the uncovenanted services. I think that the State should provide the whole pension, and that the 4 per cent. contribution should be abolished, or preferably, if retained, should form a Provident fund, supplementary to the pension. The contributions which have been made by officers now in service, or living on pension, should be treated retrospectively as a Provident fund.

5475 (122). Do you consider that a similar system should be applied to the cases of high Executive officers, and if so, to which? Please state the amount of pension and the conditions which you recommend as suitable?—No. Because it would cause senior officers to hang on in service. This would accentuate the present block of promotion. Besides, men in the higher posts are apt to be too old and to have lost some of their energy, and this evil would also be accentuated. I do not think that any man, who has lived his active life in India, improves after 40. Deterioration is apt to set in at a varying age subsequent to that.

5476 (124). Do you recommend the introduction of a system of reduced pensions for such officers as may be found to be inefficient, but whom it would be difficult to retire without some provision for their subsistence? If so, what do you suggest?—Yes. Pensions proportionate to service.

5477 (129). Do you accept as satisfactory the regulations of the Indian Family Pension Fund, or have you any suggestions to make either for their abolition or for their alteration? Have you any proposals to make in regard to the present methods of working such regulations?—No. Contributions should not continue after retirement. This is another cause which contributes to prevent senior officers from retiring. If necessary, increased contribution during service would be preferable. The amount now drawn as pension, after all deductions, is such that, with the increased cost of living and the impossibility of a man with a family saving anything during service, officers cannot retire, and therefore hang on in service after they have passed their best. Whereby efficiency suffers and discontent is caused which further reacts on efficiency.

5478 (130). In particular do you approve of the exclusion from their benefits of "Natives of India," who are members of the Indian Civil Service? If not, under what conditions would you admit them, having regard to the main differences between their social conditions and those of the European members on which the present system is based?—I see no reason why they should not be admitted.

Mr. W. O. Horne, called and examined.

5479. (Chairman.) You occupy the position of Acting First Member of the Board of Revenue?—Yes.

5480. In that capacity, I take it, you have a wide knowledge of the whole of the Presidency of Madras?—I have some knowledge of the whole Presidency.

5481. Has your service been limited to the Presidency of Madras?—Entirely.

5482. I notice in answer to question (7), with reference to simultaneous examination, you make a somewhat sweeping reply?—With regard to that question I should like to make a little explanation. I have some reason to believe that that answer gives a certain amount of offence. It is far from my intention to give offence to anyone, much less to a Royal Commission. Therefore, although that answer expresses my opinion, I recognise that I have somewhat too strongly expressed myself. Perhaps it would have been more happy if instead of saying that I considered any system of simultaneous examination to be outside the pale of serious discussion, I had said that I myself was not prepared to consider the system seriously.

5483. You are prepared to say that whilst you take strong objection to the holding of simultaneous examinations you are prepared to modify the expression which you have used, and that you realise that amongst sections of the public, it is, at any rate, a matter worthy of serious discussion?—I recognise the fact that many gentlemen are quite prepared to discuss it, and I have no desire to give offence to those gentlemen.

5484. With regard to your answer to questions (2) and (9), you are in favour of recruitment for the Indian Civil Service partly in England and partly in India?—Yes.

5485. As regards recruitment in England, you would have a system of competition qualified by selection?—Yes.

5486. And you give as your reason for that opinion that you think by selection you would be able to get a better class of candidate than under the present open system?—Yes.

5487. Have you reason to think that there is room for improvement?—Yes.

5488. Has your opinion been strengthened during recent years?—I think not, except with reference to the more advanced age at which candidates come to India, but that has nothing to do with the system of competition. There has been no other system than pure competition. I have no experience of any other system, but I feel that the system of pure competition as a means of selecting men for work in the Indian Civil Service leaves a great deal to be desired.

5489. It is the result of the system that I am asking about. You are not altogether satisfied with the result of the open system?—No.

5490. Could you elaborate that a little? For instance, is it from the point of view of deficiency of education, or deficiency of character and manner on the part of the candidate?—Not from deficiency of education. I consider that the men who join the service under the system of open competition are amply educated, but there are many other qualities, with regard to making a satisfactory officer for the Indian Civil Service which are in no way guaranteed by literary or educational competition. It takes no account of character; it takes no account of physical activity; it takes no account of other qualities which, perhaps, come under the head of "character."

5491. You think from your observation that there is very definite room for improvement with regard to character and manner?—No; I do not. I mean, that better material could be obtained. I have no fault to find with the character or with the manner of officers of the Indian Civil Service. Do not misunderstand me to that extent.

5492. I do not wish to push you in any answer you desire to make. I am only speaking of character and manner in their broad sense?—Other qualities are necessary for a position of command, and for a position of administrative responsibility.

5493. You think that a system of selection will be able successfully to realise that object which you have in view?—I see no reason why it should not, if the selected body were properly constituted.

5494. What, in your judgment, would be an ideal selecting body?—I am not prepared to say off-hand; it would require a good deal of consideration.

5495. Your proposal as regards India is a system for recruitment of nominated candidates subject to their passing a qualifying examination, is it not?—Yes; a stiff qualifying examination in India, and selection from among those who pass it, was my idea.

5496. The examination consisting of different subjects from those of the examination in England?—That point I have not considered. That is a more educational point, and I claim no skill in education.

5497. You do not say in your answers what proportion should be recruited in India?—I am very doubtful on that point. I think I said in my reply that I was doubtful.

5498. You are not prepared to give an opinion upon that point?—No.

5499. In any case, the number so recruited from that quarter must of necessity in your scheme be a small one, must it not?—It must be a considerable minority. I consider that the Indian element in the service should be considerably less in number than the British element. At present I am not prepared to say that any proportion which may be fixed should be fixed for ever.

5500. You are anxious that there should be due representation of the various communities?—Yes, as far as possible.

5501. And you would attain that object by means of the nomination of the candidate?—I would have that point kept in view by the selecting body at the time of selection.

5502. You would still leave a prospect of promotion to listed posts, provided the authorised proportion of Indians in the higher ranks was not exceeded?—Yes.

5503. Therefore, presumably, under your scheme the whole of the listed posts would be reserved for the Provincial Service: am I correct in that inference?—That is a point which I have not considered. It would be very difficult to work out the numbers of Indian candidates to be admitted by selection and competition, leaving room for a certain number of promotions from the Provincial Civil Service. It is a very difficult point. I could not solve the problem straight off.

5504. You are not prepared to go into the scheme?—Not to elaborate the scheme.

5505. You admit that the scheme presents considerable difficulties?—Yes, I think it presents considerable difficulties.

5506. In answer to question (57), I see you recommend two years' probation in England for candidates recruited to the Indian Civil Service. Could you tell us what you consider to be the specific advantages of this scheme?—To broaden their outlook upon life, to give them a little more knowledge of the world.

5507. You are satisfied that it is better to give them their whole probation in England, than to reserve a portion of it to be given in India?—I do not hold a very strong opinion upon that point. I am quite open to conviction.

5508. I notice that in answer to question (39) you speak of the Indian element of the Civil Service. In giving this answer, had you in your mind many cases?—Not many cases, because there have been extremely few officers of the Provincial Service selected from listed posts. Up to date they have not been numerous. Therefore the number of individual cases available for consideration is quite small.

5509. I see you say that, so far as your experience in the Presidency of Madras goes, Indians have only been appointed to the less difficult and responsible administrative posts?—That is my distinct impression.

5510. Is it your opinion that if they had been appointed to more difficult posts they would not have carried out their work satisfactorily?—I should hardly like to give an answer based upon pure supposition.

5511. You put the answer here rather definitely, and that is why I asked you to elaborate it?—My opinion is, no. I say in my answer "No. I do not think that they have ever been appointed to the more difficult and responsible administrative posts. In the judicial branch it may be different." I am not in the counsels of the Government.

5512. You are giving your answer from your own observation?—Yes.

5513. All those cases you have noted?—Yes.

5514. As regards the time-scale, I notice in answer to question (99), that you propose for the Indian Civil Service a substantially higher scale than that which has recently been approved for the political department?—I have no knowledge of the time-scale there.

5515. I understand it is a fact. You put that figure in your answer, but I suppose it would be quite subject, in your opinion, to modification?—I do not think that it is susceptible very much to modification, because any considerable modification would fail to effect any improvement on the present conditions.

5516. You would suggest that the time-scale for the Indian Civil Service should be on the higher grade for the Political department. That is what your answer amounts to, is it not?—If necessary, I would. I should presume that the time-scale for the political department is insufficient.

5517. And let the finance look after itself?—Yes.

5518. With regard to your answer to question (122), you say you do not think that any man who has lived his active life in India improves after 40; and that the deterioration is apt to set in at a varying age after. In view of that opinion, what age would you fix, or would you be prepared to fix any age for voluntary or compulsory retirement?—No, I would not be prepared to fix any definite age. Cases vary individually to a great extent. I said, "varying age."

5519. I suppose you know a good many officers in India who have reached the mature age of 40, and still have a little work in them?—I am 50 myself, and I do not consider myself "done."

5520. Question (109) asks, "Do you consider that the rates of furlough allowances are suitable? If not, what changes do you recommend?" and in your answer you give a description of your own furlough allowance, which shows a deduction of £160. That is so, is it not?—Yes, somewhere about that.

5521. Less than the nominal amount that is due to you. What do those reductions consist of?—Of contributions for our own pension.

5522. Which you are having to pay anyhow, whether you are here, or on furlough?—Yes. And there is the contribution for the wives' and childrens' pensions. I do not think that my calculation includes income-tax.

5523. But those two items which you have just mentioned are deductions which you are making in India, just as much as when you are on leave?—My point is this. When a man is on leave he cannot afford those deductions which he can afford when he is in India. He does not feel them in India, but he feels them very severely when on leave.

5524. On account of the higher cost of living?—On account of the much smaller sum at his disposal; and, of course, on account of the higher cost of living, and of the inevitable cost of setting up a temporary establishment.

5525. I notice, as a solution of this difficulty, in answer to question (117) you say, "As officers cannot take all the furlough which they earn, because they cannot afford it, I recommend that instead of giving the period of furlough which has been earned, an officer be permitted to take half that period on full pay." Now that would mean a very considerable increase of allowance, would it not, on what is at present being enjoyed?—Yes, it would, because our nominal half pay is nothing like half pay.

5526. Take an officer, for instance, on £3,000 a year, who now, you say, would be receiving £1,000 a year on leave; would he not under that proposal, if he takes six months' leave, receive for that six months half the amount?—There would be a very large increase in that. On the other hand, with a Junior Assistant Collector there would be no increase at all.

5527. Whilst on the one hand you consider the present arrangement is detrimental to the officer, probably, on the other hand, you would be fully satisfied if a sum on a lower basis than that which I have indicated was allowed hereafter?—Yes, if the period of leave is not reduced, as I propose to reduce it. I propose to give only half the amount of leave, but to give it on full pay. But if any less increase of pay were to be sanctioned, the reduction of leave should only be proportionate.

5528. The additional aggregate cost to the State would be very considerable under your proposal, would it not?—Yes, it would, no doubt.

5529. With regard to question No. (87), you complain of the discontent in the service on account of the very slow promotion?—Yes.

5530. As compared with other presidencies and provinces, do you regard the Civil Servant in Madras as worse off?—I do not know how promotion in other Provinces compares at the present time. It varies at times. It has been better in Madras than in other provinces. At other times, however, it has been worse than in certain other provinces. I only know that there is a very considerable block in promotion in certain stages in the service, and that there has been a considerable amount of discontent on that account. My answer has no reference to myself, but to those junior to me.

5531. You would like to see a much more rigorous system of selection to the higher posts?—Yes, I would.

5532. Dealing with question (89) you say, "An officer should be reimbursed the cost of conveying to his new station a sufficient and necessary equipment of horses, conveyance and camp kit." You say that on account of these constant transfers a very large out-of-pocket expense is incurred by the officer?—I do not think I refer to "constant transfers". Transfers are not now so frequent as they used to be. I refer to *any* transfer. It is a very serious fine upon any man now. The Regulations are so interpreted as to cause very serious discontent.

5533. Have you thought out anything in the nature of a scale which would adequately meet these expenses?—There is no difficulty about it at all. I would give the actual expenses of moving. Every man in the district has to keep horses. He is absolutely obliged to keep a conveyance. He has also to keep tents, and he has to keep a considerable establishment of servants. He has to move all these things when he leaves one district to go to another.

5534. Is there any allowance at all?—At the present moment, the Rules, as interpreted, say that the expense of carrying horses and camp kit and transfer will not be borne by the Government unless it is to the advantage of the State that the officer should carry those necessities by rail. It amounts to this, that almost invariably the officer has to pay for them himself.

5535. So that there is a very legitimate grievance in that direction?—Yes, there is a very legitimate grievance in that direction; a very real one. I travel round the Presidency a good deal, and mix with district officers, and I therefore know how severely it is felt.

5536. (*Lord Ronaldshay.*) You say that all the leave to which an officer is entitled is not taken now, because he cannot get it. Is the reason for that because the leave reserve is not sufficiently large?—I do not know what the reason is; but I know, as a matter of fact, that no one in the course of his service gets all his privilege leave. It is laid down in the Orders that privilege leave is not a right, but a concession; that men can only have it if convenient. Privilege leave is often refused.

5537. You were thinking, mainly, of privilege leave?—Definitely of privilege leave, because it is leave on full pay. It was referred to in a question,—it is privilege leave.

5538. I want to clear up a point as to your views with regard to the probation which is now passed by successful candidates in the examination. In answer to the question as to whether you think the system of probation is a good one or not, you say that it is a good one in the case of men who are recruited young to the service, but that you do not think it is necessary in the case of men who have passed through a University career?—Yes.

5539. But surely it is necessary, even in the case of men who have passed through a University career, in order that they may receive instructions in the special subjects which are not included in the general open competitive examination: is not that so?—I do not think it is absolutely necessary in their case, nor do I think it advisable in view of the great waste of time which occurs. They are already at a certain age; they are getting older, and it is time that they came to India if they are coming at all.

5540. Under the present system, the probationers have to pass the final examination in certain subjects, namely the principal vernacular language of the province to which they are selected, Indian History, the Indian Penal Code, the Code of Criminal Procedure, and the Indian Evidence Act. Now, none of those subjects would be studied by University candidates prior to the competitive examination. If you are to do away with a period of probation, I do not understand how these candidates are to become acquainted with these subjects?—My view is that the subjects of Indian Law and the others you have mentioned, can be very quickly acquired in this country by a candidate who has already taken a University degree,—that means by an educated and able man; and he will acquire them quicker in this country in the course of his work than by learning them in a class. As to the language, there can be no question.

5541. You think that all these subjects could be acquired in the course of the early years of his service without attending any class, or anything of that kind?—Yes, I consider so.

5542. I should like to make myself clear in my own mind why it is that you are not quite satisfied with the present system of open competition. In answer to the Chairman you said that you had nothing to say against the character, and manners, and so on, of the recruits which are at present obtained in the service; but at the same time you held the opinion that more satisfactory material would be obtained if we were to adopt a system of combined nomination and examination in place of the present system. I want to know what you had in your mind when you came to that conclusion. Surely you must have felt that the recruits which we are getting at the present time were deficient in some respects, otherwise you would have been entirely satisfied with the system?—I certainly have felt that better material might have been available. I have felt that young men who came out were not the most suitable stamp of young men for the service.

5543. Do you object to saying rather more definitely in what respects they were not quite of the most suitable stamp?—I would rather not go into details, I think.

5544. But from your own personal experience, you do hold the view that we should be likely to get a rather more suitable stamp of men if we were to adopt a system of nomination combined with examination?—Personally, I see no reason to doubt it. I cannot see how a simple literary test can possibly be a satisfactory test for selecting men for the varied duties which are required of them; a test which tests only one of the very considerable number of qualities which are essential.

5545. But that, really, is a sort of general theory. That is a theory which I can form for myself. What I want to get at is whether the witnesses whom we examine out here, from their personal experience of the service, have reason to believe, apart from any mere theory, that the present system is not wholly satisfactory?—I am quite right in saying that I have not infrequently considered, when young men have arrived in this country, that they were not the most suitable stamp of young men—not quite the stamp that we wanted; and yet I am also prepared to admit that many of them have subsequently turned out exceedingly good men indeed.

5546. I should like to know what are your main reasons for considering a system of simultaneous examination to be an impracticable one?—My reasons are very much stock ones, very much those which were given by the Government of India, and accepted by the Secretary of State in 1894. My principal objection is that I consider pure competition, whether simultaneous or otherwise, to be a wholly unsuitable method of selection and more unsuitable in the case of Indian candidates than in the case of British candidates.

5547. If the present system of open competition were given up, and the system of combined nomination and examination were substituted, that objection to simultaneous examination would be gone, would it not?—That objection to a qualified simultaneous examination, such as you state, would be gone. But that, surely, is not the kind of simultaneous examination which is advocated by those who do advocate it. That would not satisfy them.

5548. I was asking you that on the assumption that the present system was altered?—Yes.

5549. And your other main reasons against it are what?—I am a strong believer in the necessity for a minimum proportion of European officers in the service. I think that the maintenance of such a minimum proportion is totally incompatible with the system of simultaneous examinations.

5550. Then you hold the view that if simultaneous examinations were instituted in this country a large number of Indians would find their way into the service?—I should have thought so; but I heard an eminent educationist here say that he thought that would not happen at present. He was careful to say "at present." That may be right, perhaps—not at present; but I am quite sure that in a few years the demand which would arise for the education, or rather the cramming, which would enable candidates to pass the examination, would result in the supply of the kind of education which would be required, and that an enormous number of candidates would be forthcoming with very considerable percentages of success.

5551. You tell us that the Indian members of the Indian Civil Service who have got in through the English door have not proved satisfactory?—That is my opinion.

5552. In your opinion are they more satisfactory, or less satisfactory, than members of the Provincial Service who have been promoted to listed posts?—That is a very difficult comparison to make, because members of the Provincial Service who have been promoted to listed posts are so exceedingly few that it becomes almost a personal comparison; and, being so few, there is less variation among them than there is among the larger number of Indian candidates who have obtained admission to the Indian Service through

open competition. It is less possible to strike an average.

5553. It is not possible, you say, with your experience, to compare the two?—I think there is hardly sufficient material for comparison.

5554. (*Sir Theodore Morison.*) With regard to your dissatisfaction with the people who come out here, have you any reason to think that there are considerably better men in England who might be induced to come out here who are not caught by the present system; men who do not get into the Civil Service?—No doubt there are better men, but whether those who do not appear would be induced to appear by such a modification as I suggest, I do not know.

5555. In your experience in England, at Universities and otherwise, you have seen men who would like to get into the Civil Service, and they say that they will not try; is that so?—I cannot say. It is more than thirty years since I was at the University.

5556. With regard to the Selection Committee, would you tell me what instructions you would give them? We have all sorts of ideas of the kind of men whom we think would do for the service, but we have not got, probably, the same idea of the instructions one would give to the Selection Committee. What kind of instructions would you give to your Selection Committee: what sort of things would they be expected to look for?—I hardly think I could draw up instructions at a moment's notice: it would require careful consideration. At the same time, I have no doubt it could be done.

5557. With reference to your answer to one of the questions put to you by Lord Ronaldshay, do I understand that you have given your main reasons for objecting to simultaneous examinations?—Yes.

5558. The others mentioned by the Government of India you do not attach much importance to, as, for instance, with regard to the practical difficulties of introducing a system of simultaneous examination?—I am not prepared to press those; but I feel that that sort of difficulty could probably be got over.

5559. Therefore, the objections to your mind come to this, that first of all it would not secure a sufficient number of Englishmen?—That is the main reason.

5560. And, secondly, that a literary competitive examination does not give the best results?—It does not catch the best material.

5561. Either in England or in India?—Either in England or in India, and still more in India.

5562. Does your experience of the different methods of recruitment in India enable you to support that: could you give us any reasons for it?—I merely say that the old Statutory Civil Service was generally condemned, and no doubt rightly. I think the best Indian Collector I have ever known was a member of the Statutory Civil Service.

5563. You have had experience of recruiting your Provincial Service by competition and by nomination, is that so?—Personally, I do not happen to have any personal acquaintance with any of the candidates recruited from the Provincial Service by open competition. I cannot say that I know anything about it. I do not happen to have come across it.

5564. Are there any other services that you know of in which those different methods of recruitment have been employed?—Yes, the Police. I was Inspector-General of Police for five years, or more.

5565. Did you have a literary test for the Police?—No, we selected young men. It was purely by selection. We insisted upon a certain standard.

5566. Were the best men those who had the highest qualifications?—They were still too young to enable one to form a judgment.

5567. In your answer to question (93) you speak of the greatly diminished value of the pension. You say, "The cause of this is the block in promotion, which is again due to failure to promote by selection and to the greatly diminished value of the pension, which causes senior officers with families to cling to full pay long after they have passed their maximum efficiency and leave no hope for advancement"?—There is a misprint at the end of my answer there. It should not be "and leave no hope for advancement," it should be "and *have* no hope of advancement."

5568. I do not understand the value of the pension, or why men should stay on, so far as their pension is concerned, because they are contributing to it to a much greater extent, are they not?—I call the "value of the pension" the amount of necessary commodities which the pension will purchase.

5569. You mean merely the rise in prices in England; it does not mean more than that?—That is so. It does not mean that the value of the rupee has fallen. The "purchasing power" would have been a more clear way of putting it.

5570. It is that the cost of living at home has gone up, and that a thousand a year is not worth so much?—Undoubtedly.

5571. (*Mr. Chaubal.*) May I take it from your answers to several questions that you are against having the English door open to the Indian?—If the method of selection which I have advocated were adopted, I would close the door of open competition in England.

5572. I am speaking about the present examination as it stands. Supposing that the present competitive examination as it is at the present day is maintained, and that there is no change, in that case what would be your opinion?—I would not close the door of open competition unless another one were opened.

5573. Supposing the change you are thinking of is introduced, namely, of having the selection and competition combined, in that case you would shut the door to the Indian candidates for the English examination?—As I have said, yes.

5574. May I know the reason? Supposing both here and there students are selected, it may be not necessarily by the same Board, supposing you have an English Board of Selection for English students and an Indian Board for Indian students, and supposing the Indian Board selects, in that case you would have no objection to letting these selected Indian students appear at the home examination, would you?—Do you mean, if the system I advocated were adopted?

5575. Yes, with this qualification. If the competitive examination in England is changed and if the principle of selection is adopted, and if you have a stiff examination here, you do not desire that Indian boys should go up for the English

examination at all, do you?—No; I should prefer that they did not.

5576. Assuming that there was a Selection Board only, that there is only one examination in England, and you want the present system to be changed, by changing the mere open competition into competition and selection,—supposing that there is only one examination in England, and that for that examination candidates are selected by two different Boards, what would be the objection to Indian candidates going up?—It would not do, because my proposal was that in India the examination should be qualifying and the selection should be arbitrary from among the qualified candidates. My proposal for England, I think, was that the selection should be by open competition amongst already selected and passed candidates. There is a difference. They would not be under the same conditions.

5577. Is it selection for candidates to appear, or is it after the results that amongst the successful candidates your theory of selection comes in? My proposal, and my idea, is that in England there should be competition amongst the selected and approved candidates. In India, on the other hand, I would have a qualifying, not a competitive, examination, and I would select the candidates from amongst those who had qualified.

5578. With regard to the latter part of your answer, you would have a qualifying test, and amongst the students who passed that qualifying test you would have selection?—Yes.

5579. May I ask why you differentiate the two processes in the two countries? Supposing a properly constituted Selection Board selects the candidates who should appear for the examination and then permits those to appear, why do you make that differentiation between the two?—The reason why I make the differentiation is that competition is not suitable as a means of selecting Indian candidates: it is even less suitable than for selecting English candidates.

5580. I admit the force of what you say if it were an open competition; but if it is to be a competition between selected candidates only, do you still think that?—I still do think so; but of course the force of it is diminished.

5581. Now with regard to this question of simultaneous examinations. Of course you do take into account the grounds which are urged upon the other side as to why there should be a simultaneous examination?—I have seen the grounds urged, but I have never seen any that I have considered valid.

5582. Have you tried to ascertain for some years past the number of candidates who go from India, and appear at the competitive examination, and fail?—I do not know. I have not enquired into it.

5583. You give among your reasons against simultaneous examinations two grounds: that a minimum of the European element in the Indian Civil Service is incompatible with simultaneous examinations . . .—I give two main grounds, but I have other objections.

5584. I am taking your main ground. As regards this first ground, supposing—I do not say, for all time—but supposing a variable minimum of the European element in the Indian Civil Service is fixed, beyond which there can be no possible recruitment from the simultaneous examination results, would not that objection disappear?—I do not see how you could fix a minimum and combine it with the simultaneous examination: I fail to see how it could be done. It would be impossible.

5585. It may be done in this way. If you fixed one-fourth, one-fifth, or one-sixth for the Indians, and the rest European, in any proportion you may fix, then you ascertain the exact number of Indians who are wanted in the service; and if you once ascertain that, would it be impossible to arange matters in a way so that you could get that number by an examination, whether it be qualifying or competitive, or otherwise?—It seems to me to be quite impossible.

5586. Do you consider that the present system really affords equal advantages to candidates from both countries?—No, it certainly does not.

5587. Supposing your suggestion were adopted, of having in India an examination, with a qualifying test, and with subsequent selection, would you put those men who passed that test into the Indian Civil Service, or would you constitute it a separate service?—The Indian Civil Service; *vide* answer to question (9). It is merely another door for entering into the Indian Civil Service.

5588. With regard to this examination in India which you are proposing, would you confine it to Indians, or keep it open to all the natural-born subjects of His Majesty?—I would confine it to the Statutory "Natives of India."

5589. As regards your answer to question (39), have you satisfied yourself that there is no hasty generalisation about that answer?—I hope not.

5590. (*Mr. Gokhale.*) Am I right in understanding that you withdraw your answer to question (7), namely, that you regard the proposal for simultaneous examinations "as outside the pale of serious discussion," and that in its place you answer that there are insuperable objections to the system?—I said that I could wish that I had worded my answer differently. I feared that I might have given offence.

5591. You said, I think, you wish that you had worded the answer differently, because you are afraid you might give offence to certain classes in this country who were advocating simultaneous examination?—I did not say that.

5592. That is what I gathered?—I said to the Commission.

5593. Whether the class I speak of is offended does not matter?—I should be very sorry to give offence to anyone.

5594. Do you know that so far back as 1859 the Secretary of State for India appointed a Committee of his own Council, consisting of five retired distinguished ex-officials, to consider this question, and that the Committee unanimously recommended that simultaneous examinations should be instituted?—No, I did not know it.

5595. If the fact is as I have stated it, you will not say that that Committee was playing with a great question?—I should not say so. It would be a very disrespectful thing to say.

5596. Twenty years ago the Government of Madras favoured a system of simultaneous examination, did it not?—I am aware of it.

5597. They, at any rate, took the question seriously?—They did.

5598. You have stated two main objections to simultaneous examinations: one is that under a system of simultaneous examinations the necessary minimum of Europeans would not be secured?—Yes.

5599. And the second is that the system of competition which is not suited to the people of England is still further unsuited to the people of India: those are your two main objections?—My two main objections.

5600. First of all as regards the impossibility of maintaining the necessary minimum. You know what the Civil Service Examination is of course?—Roughly, now. I have not taken much interest in the actual curriculum of late years.

5601. When you say that the service will be swamped by Indians who will pass a certain examination, you should surely know what that examination is?—No, I do not think it is necessary. I have great faith in the ability of the educated Indian to pass examinations.

5602. You are paying us a compliment but that cannot dispose of my question. Have you any experience of university education in this country?—None, except of the product.

5603. But you do not know what is the educational standard in the various colleges, or in the various universities of this country?—No.

5604. You do not know the educational facilities which exist in this country for training young men for the Civil Service Examination at present?—No.

5605. If educational experts are of opinion that facilities do not exist to-day and will not come into existence for several years to come, would you accept that opinion?—If they were of that opinion I would not accept it, because I think they will very quickly come into operation.

5606. How are they to come into operation? If you look at the list of subjects, you will find, taking the Indian universities throughout the country, that except in a very few cases there is no provision for the teaching of Latin, or Greek, or German, or Italian?—It may be so. I know nothing about it.

5607. If you look at the list of subjects you will see that unless a candidate knows Latin and Greek, and also French and German, his chances, ordinarily, of passing are very slender?—It may be so, but I will not admit it.

5608. Unless the candidate took up Mathematics and Natural Science—because for all other subjects you will find that a knowledge of those things is required—English literature, Arabic and Sanskrit expected?—I have no means of knowing the correctness of what you say.

5609. I am quite prepared to leave it at that; that you have no definite knowledge with regard to the examination. Your second objection is that the system of competition, which you do not regard as quite suitable even to the conditions of England, is absolutely unsuitable to the conditions of India. You have expressed yourself even more emphatically about this in your answer to question (3). You say there: "With the system of competition there is a distinctly greater probability that most of a given batch of British boys, selected by competition, or any other partially irrelevant test, which does not of itself ensure suitability, will possess the other qualities which are essential than any of a batch of Indian boys, similarly selected, will do." You say there that under a system of competition, while there is a distinct probability of most British boys possessing qualities that are required, in the case of Indian boys there is a distinct probability of none of them possessing those qualities?—You paraphrase what I say. My answer is quite clear.

5610. You say: "There is a distinctly greater probability that most of a given batch of boys selected by competition, or any other partially irrelevant test, which does not of itself ensure suitability, will possess the other qualities which are essential"?—That expresses my opinion.

5611. Will you tell me what experience you have of Indian boys?—I have had the product of Indian Universities serving under me for 30 years.

5612. Were they selected by competition?—Practically none.

5613. The two must go together. Indian boys selected by competition, have you any experience of them?—I have practically none; but I have no reason to suppose that the Indian boy selected by competition is different in character and composition from the Indian boy who is not selected by those methods.

5614. Do you mean to say that in the case of Indian boys, it is the same thing whether a boy is selected by open competition or by pure nomination?—I did not say that. I said there is no difference.

5615. An Indian boy who is selected by competition is not different from an Indian boy who may be selected by nomination?—They are both Indian boys, and their general characteristics will, I suppose, and believe, be the same. The fact that one is selected by competition and another not, will not alter those essentials.

5616. Which means that practically all Indian boys are deficient in the qualities that are required?—I have not said that, and I do not mean it. It is not a fair inference from what I have said.

5617. You say here that the probability of most English boys possessing certain qualities is distinctly greater than the probability of any Indian boy possessing those qualities?—Yes.

5618. That means that if you take a certain number of Indian boys, and have a competitive test, it is a mere toss up, even amongst those who are selected, whether there will be those qualities or not?—Exactly.

5619. The probability is that there will be very few who will possess those qualities?—Among a batch selected by competition I think you would be correct in saying very few.

5620. You do not know any number of boys selected by competition in that way?—I do not think such a body exists.

5621. Therefore your opinion is not based upon any actual experience, or any actual data?—I beg your pardon. My opinion is based on thirty years' experience.

5622. But the question is with regard to Indian boys selected by competition?—I do not recognise the difference.

5623. What is your own scheme? Supposing that Indian boys are admitted to an examination in India, such as you propose, a stiff qualifying examination, and all that, would you close the English door against us supposing another door was opened to us in India?—Yes.

5624. You would have a stiff qualifying examination to begin with: would it be equal in

stiffness to the Civil Service examination?—That is a matter of detail; I am not an educationist. I am not prepared to lay down a curriculum.

5625. What do you mean by saying that it should be a stiff examination; what is the meaning of the word "stiff"?—Exactly stiff.

5626. You do not explain it any further?—It would be difficult to do so.

5627. The men who pass that are to be in the same list as the men who pass the English examination?—That is what I propose.

5628. Would they be drawing the same pay?—Yes.

5629. And would they have the same prospects of rsing to the top, and everything else?—Yes.

5630. That is not clear here, and I am glad to have your answer. You do not know what the maximum number of Indians you would propose in the service would be?—I am not prepared to lay that down off-hand.

5631. Who is to determine that?—I suppose, in the last resort, the Secretary of State.

5632. But you have come before the Commission with a scheme of your own?—I do not profess to come before the Commission with anything ready made. I have seen many people get into very serious difficulty by bringing forward ready-made schemes.

5633. This is your scheme?—That is the outline of my scheme. I have thought about it, but I have not come to a decision.

5634. Have you a vague idea in your head?—No.

5635. You would not like to express any opinion with regard to it?—I am not prepared to express it; I want to think a great deal more about it.

5636. Question (27) asks: "Have the 'Natives of India' recruited by means of open competition in England, proved on the average, as efficient as the European members of the Indian Civil Service?"; and in reply you say, "Very certainly—no"?—That is my opinion.

5637. How many Indian members have there been here now?—I think 14 or 15.

5638. Altogether there have been 16. Does that opinion apply to present members, or to members who have retired from the service?—I do not propose to go into personalities at all.

5639. It is not fair to those men that an emphatic expression of opinion should go on record, and that it should not be cleared up further?—With the permission of the Chairman I must decline to give unnecessary offence to officers in my own service, for many of whom I have the highest consideration, and for all of whom I have very great personal respect and liking. I say on the average. My answer is on the lines of the question.

5640. Without specifying names, how many do you consider are above the average, and how many below?—I would rather not state that.

5641. How many Indians have you had serving under you as Divisional officers?—None.

5642. You have no direct experience of Indian civilians as Divisional officers?—I tour round every district in the Presidency, but I grant you that no Indian competition member in the service has ever served under me as a Collector.

5643. As regards the Provincial Service men, you say that even they have not come up to the average. Question (30) asks: "Have the officers of the Provincial Service selected to fill listed-posts proved on the average as efficient as members of the Indian Civil Service filling posts of similar responsibility, and has it been found possible and expedient to employ them in all branches of the administration"; to that you reply "No." Your opinion, therefore, is that the Provincial Service men who have been promoted to listed-posts have not, on the average, proved as satisfactory as Indian Civil Service men?—That is my opinion.

5644. How many are there to-day?—You will observe that I have excepted the Judicial branch. In the Executive there are two Provincial Civil Service Collectors.

5645. You have said that the number of these men is so small that it is not possible to generalise?—I think not. I said that there was no material upon which to strike an average.

5646. And yet you strike an average of two or three men, and you compare it with the average of a whole class of a large body, whatever the number may be?—I do not think I have done so. I do not think I have struck any average. The word "average" is used in the question, and I answered the question because I considered it my duty to do so. In my answer I said: "I do not think they have ever been appointed to the more difficult and responsible administrative posts."

5647. "Have they proved equally satisfactory?" that is the question?—As far as you can strike an average I am prepared to repeat my answer to the written question.

5648. We have had evidence given by Mr. Cardew, in which he says that the average of the Provincial Service men appointed to listed-posts is equal to the average of men in the Indian Civil service?—Then I differ from Mr. Cardew in that respect.

5649. (*Mr. Sly.*) You have recommended a system of selection in England to be substituted for the open competition, and you have put forward two main grounds for that, because the open competition does not so successfully test the character and the physical abilities of candidates. So far as the character is concerned, I do not wish to carry it any further; but surely a medical test is the best test of the physical qualities in a successful candidate?—I think not at all; I have known instances very much to the contrary. I have known men who were passed perfectly sound, but who were physically very weak and delicate. Delicacy is a quite distinct thing from technical unsoundness. I am not a doctor, but that is my experience.

5650. I believe that a doctor examines not only for technical unsoundness, but that he examines to see if candidates have a certain physical standard. Surely a doctor is a better man to do that than any Selection Board?—I would not propose that any Selection Board should trench upon medical questions. As far as my experience goes, in my time, men of very poor physique passed the medical examination, and some of them died within a very short time of coming to the country.

5651. And some of the strongest and best physique also died very shortly after coming into the country, did they not?—It may be so, but I do not recollect many instances.

5652. You think that selection is the best test of character in an open competition?—I would not say character only. There are a vast number of things which a Selection Board would have to take into consideration.

5653. Have you considered the very difficult task which a Selection Board would have to perform in selecting an average number, according to the present rate of recruitment, of about 50 candidates a year?—Undoubtedly it would be a very difficult task.

5654. Do you think there is any Selection Board which could satisfactorily deal with it?—Yes, I think there ought to be.

5655. You have recommended a stiff qualifying examination: do you think you could have any qualifying examination that is better than the ordinary University tests, such as those which exist at the present time in the degrees of Honours?—I heard an eminent educationist say here yesterday that the ordinary graduate of an Indian University was not in the least up to the standard of the Indian Civil Service, I do not know myself; but he is a man who ought to have known.

5656. Your object is to get the best material available in India?—Yes, my object is to get the best material available in India.

5657. As far as educational qualifications are concerned, do you think that there is any advantage to be derived from a separate qualifying examination which is not already secured by the general results of the present University test?—On the assumption that the present University test is not up to the standard, as I am informed.

5658. Even in the highest tests of the University the number of successful candidates (we heard the other day from one of our witnesses) was very small. I think that the number that come out with M.A. degrees and with Honours is merely a matter of twenty, or so, at the outside, is it not?—It may be possible that there is nothing particular to be gained by most candidates from these higher degrees, and that if there is a very distinct gain, such as passing into the Indian Civil Service, the number of candidates would be very much larger. My idea is that the average candidate is content with his B.A. degree, because that gives him a "pass" into any Government Service. That is what he is looking for. He does not want a higher degree: it is not worth his while to trouble about it.

5659. We have also been told by some witnesses that the effect of the introduction of a simultaneous examination would be very deleterious on Indian education generally. Do you not think that your stiff qualifying test examination would have almost equally deleterious results?—I think it is very possible. You cannot get away from the crammer.

5660. Then I see that you have recommended that the age of recruitment should be altered to a younger age. Do you know that the age was changed in about 1891?—Yes.

5661. At that time one of the main reasons for the increase of the age limits was in order to do away with a cramming system which was started in England. Do you not think that if you went back to the younger age you would have abuses, upon which you lay particular stress, revive again?—Possibly; but when I passed into the Service it was at the youngest age that has ever been allowable. A large number of boys passed straight from school.

5662. If statistics shew that that proportion got less and less until it almost vanished?—I was not aware of that.

5663. At that time, also, another great reason for raising the age was that India required men of greater maturity of mind and body; and, considering the changed conditions of India at the present time, do you not also think that it is desirable to have junior civilians coming out here fairly mature in mind and body?—I think a man of 22 is quite sufficiently matured in mind and body to take up his training in the Indian Civil Service. I do not think that it is necessary to have him nearly 24 or 25.

5664. Then I see you have recommended the introduction of a time-scale in certain grades of the Service?—Yes.

5665. One of the great objections urged against a time-scale is that it removes all incentive to special effort and tends to make a man indifferent to his work: is that not the case?—It would have no effect in this Province, because all promotion in the grades up to Collector or Judge is absolutely by seniority. At present there is no incentive for special effort.

5666. With regard to questions of pay, you have referred to certain information, I suppose, which has come to your knowledge with regard to junior civilians being in debt?—Yes.

5667. Can you tell us whether that debt is debt incurred in England before coming into this country, or debt incurred in the earlier years of service in this country?—I think that in many cases it is both; but the latter for certain.

5668. In dealing with the Pension Fund, you have recommended that contributions should cease after retirement: would you also be prepared to recommend that contributions should cease during furlough?—Yes, I should be very ready to recommend that, even to the extent of paying higher contributions while on duty.

5669. (*Mr. Macdonald.*) In answer to question (1), can you give your opinion on the point of the service being better than might be expected, or not so good as it ought to be: that is like most things in this life, is it not?—Not altogether. Many things in this life are better than are expected.

5670. You are more optimistic about things in general than about the Indian Civil Service?—That may be deduced, but I do not admit it.

5671. The point of my question is this, that the great test of a service like this is whether it is capable of improvement upon lines which we have already experienced?—It is a fair test of any service to enquire whether it is capable of improvement. I do not think it is necessary to adhere to the same line.

5672. I did not quite catch what answer you gave to a question put to you by Lord Ronaldshay upon that matter, and I will therefore repeat it in my own way. Do you think that recent recruits who have been coming out are better than they have been in the past?—No, I see no difference.

5673. You see no deterioration?—No, I see no deterioration.

5674. And you see no marked improvement?—I cannot see any difference.

5675. How long ago; is it since you were in the more active mufassal service; when you were personally responsible for the work in a particular

district ?—Since I was Collector, that is, about twelve years ago.

5676. And since then you have been more on the Secretariat side ?—Not in the least. I have never been a Secretary in my life. I have been an executive officer all my life. I was an Inspector-General of Police for five years or more.

5677. What contact had you with the younger service then ?—Such contact as I obtained touring frequently in the districts, staying in their houses, seeing their work as magistrates; they are intimately connected with the magistracy. In that way I came in intimate touch with their work.

5678. Had you any responsibility for the magistracy ?—None.

5679. And you have had no responsibility since then ?—Not since 1901.

5680. Your experience, then, since 1901, upon which you have pronounced these very emphatic opinions, has not been what you would call "direct" ?—I consider that it is very direct. I am now Acting First Member of the Board of Revenue, which means that I visit all the districts in this Presidency. I am one of the body which directly controls all the revenue establishments in this Presidency, including Collectors and Divisional officers.

5681. How long is a man out before he becomes a Divisional officer ?—Perhaps two years.

5682. Not more than two years ?—It might be a little more in some cases, but I should say, two or three years.

5683. So that if a man has been here from two to three years, you would come into pretty direct contact with his work ?—I may do so, and I may not.

5684. And it is from that experience that these general answers are given ?—Yes.

5685. You told us that sometimes officers whom you considered to be bad when they came out turned out to be good ?—I did not say "bad": I said officers whom I considered not to be quite up to the stamp that we required afterwards turned out to be very good men indeed; but I never said "bad."

5686. Has the opposite taken place ?—There have been disappointments, no doubt.

5687. I suppose your knowledge of the service and its requirements would be such as to give you a pretty fair idea of the kind of man you wanted ?—I should have a very definite idea of the kind of man I wanted.

5688. And if you were a member of this Board of Selection, which you propose, you would select men who would apparently be successful men, and you would reject the men who apparently were not going to be successful ?—I will not admit that.

5689. The same sort of judgment that you exercised in coming to opinions about these men which you confess to be wrong would be a judgment exercised by the members of the Board of Selection ?—To some extent, possibly, but every human body is fallible.

5690. To whom would this Board of Selection be responsible ?—I suppose to the Secretary of State. That is merely a conjecture: I do not know what the routine is in England.

5691. Your proposal, I suppose, is that there should be a body of five or seven men ?—I have not thought of the number, but I should say such number as might be found reasonable and convenient.

5692. A body of men who would have the power of saying to the whole mass of possible competitors in Great Britain, "In our opinion you and you may sit, but you and you may not sit" ?—Exactly that.

5693. And there would be no appeal against the decision ?—None.

5694. You would have to take what they selected ?—Exactly.

5695. You would require to have some experience before you can lay down a definite scheme; so far as you are concerned it is only an idea of a scheme ?—I do not know what the distinction is. It is a proposal.

5696. Without any detail ?—I did not propose to attempt to give any detail without a much more careful study and consideration of the subject than I have had either the time or the opportunity to give it.

5697. You desire a change ?—No, not any change.

5698. You desire a change ?—A particular change.

5699. You are not quite sure as to how you would fill in the details of your idea ?—If by "details" you mean the number of members of the Board and the exact procedure by which they are to be guided, and the authority to which they are to report: if those are the details I have not considered them.

5700. I mean the composition of the Board ?—The composition of the Board I have not considered.

5701. In the Despatch to which you have referred with approval (you qualified it later on) the expression used is "The moral, social and hereditary attributes of candidates are of equal importance" ?—May I know what you are quoting from ?

5702. This is the Despatch of 1893 from the Government of India. I think you have said that you agree with it on the whole so far as it applies ?—Yes.

5703. So you think that the question of deciding the moral, social and hereditary attributes of candidates which are used as arguments against the simultaneous examinations can be considered by your Board ?—Certainly.

5704. You think that the Board can settle the moral attributes of candidates ?—Yes, I think it can.

5705. The social attributes of candidates ?—Yes.

5706. The hereditary attributes of candidates ?—More definitely, social and moral.

5707. They can solve altogether the insoluble problems of the present day; you believe that they can ?—I maintain that a properly constituted Board will be able to come to a serviceable view on most of the points.

5708. Are you aware that in our method of selecting Factory Inspectors the procedure that is adopted is on the same lines ?—No, I have no knowledge of it.

5709. You do not know that the Factory Inspector is not allowed to sit for an examination until he has been selected ?—I do not know anything about it.

5710. You do not know that, as a result of that procedure, there is an amount of uncertainty as to whether a candidate is going to be allowed to sit or not ?—I know nothing about it.

5711. You do not know either that the result of it is that men waste an enormous amount of time and a substantial sum of money in preparing for an examination for which they are never allowed to sit ?—I do not know that.

5712. You are aware that your system is, in its general outlines, similar to that adopted in the Navy ?—Yes, that is the idea I had in my mind.

5713. Did you have any experience of the system adopted in the Navy ?—I have heard extremely good accounts about it. I have such confidence in it that I am sending my own son up for it.

5714. You are not aware how actually it works ?—I have no knowledge of it, but I have heard that it is said to work extremely well.

5715. Are you aware of the system adopted in Egypt ?—I do not know.

5716. You do not know the Egyptian Civil Service ?—Now that you mention it, I believe the Egyptian Civil Service is modelled after that.

5717. You have not gone into the working of it ?—No, I know nothing of the Egyptian Civil Service.

5718. You withdraw that expression "the pale of serious discussion" ?—No, I wished to modify it. That is only my opinion about the unsuitability of the system.

5719. You think it is absolutely undesirable ?—It is so in my opinion.

5720. Then you propose that this scheme should take its place ?—Yes.

5721. You consider that competition which is ineffective so far as English students are concerned is still more ineffective so far as Indian students are concerned ?—Yes.

5722. You have a very definite opinion on that ?—Yes.

5723. You gained, in your tours, that impression of the Provincial Service in Madras as regards the unsuitability of the competitive examination ?—Yes.

5724. You have told Mr. Gokhale that you have not taken trouble to inquire into the results of the competition test ?—I did not tell Mr. Gokhale that. I said that I had not personal experience of it.

5725. Have you enquired into the results of it ?—No.

5726. And yet you disagree with what Mr. Cardew said ?—I disagree with Mr. Cardew on a different point altogether and you misunderstand that. I said that I disagreed with Mr. Cardew in saying that Provincial Service Collectors were on the average equal to Civilian Collectors.

5727. I beg your pardon, I thought it was the other way. Whichever it be, you came to this conclusion, without enquiring how it operated in Madras ?—Which conclusion ?

5728. That competition is ineffective so far as English candidates are concerned and is still more ineffective in the case of Indian candidates ?—In coming to that opinion, I have not been influenced by anything that occurred in the selection of candidates for the Provincial Civil Service of Madras.

5729. Neither one way nor the other ?—That opinion is totally independent of them.

5730. You want a stiff qualifying examination for Indian candidates ?—Yes.

5731. Would you have the same standard of stiffness for all races, creeds and castes ?—Yes.

5732. You will just have one qualifying examination for all ?—Yes.

5733. You would compile a list of those that pass that standard ?—Yes.

5734. From that list would be drawn from time to time the number of Indians required for the service ?—Not from time to time, but only for that particular occasion. I would not propose to carry that qualification on to next year.

5735. That is one of the points that I wanted to ask you. As soon as your list is prepared you will refer it to the Board ?—I will submit the list of successful candidates to the arbitrament of the Selection Board.

5736. You would allow everybody for it ?—That is a matter of detail to be considered. I have no reason at the present moment to exclude any one.

5737. As you seemed to lay particular emphasis on the matter, I thought you had some reason for it. The moment the list is prepared, it is made effective ?—Those who pass will abide by the decision of a properly constituted selection Board.

5738. And those who are not selected ?—They will be wiped out.

5739. Go out into other walks of life ?—Yes, take up some other profession.

5740. Would your qualifying examination be such a thing as to come under the description given in Lord Macaulay's despatch, that the education must be of a general character ?—Yes, decidedly.

5741. So that they would not have to waste their money and time in studying subjects which would not be useful ?—Decidedly.

5742. In answer to question (23) you say, "The Indian Civil Service is, or should be, a "*corps d'élite*. If it is to be so, it is essential "that it should hold the great majority"—that is European majority "of higher appointments" ?—Yes.

5743. You have told us, I think, once or twice—I could not hear you—in answer to a question, that you did not desire to fix any proportion ?—I am not prepared to fix any proportion.

5744. You would not commit yourself to a proportion, say two-thirds ?—No, I would not.

5745. You would not commit yourself to anything on that point ?—No.

5746. In answer to question (24), "Do you consider that a minimum proportion of European "subjects of His Majesty should be employed in "the higher posts of Civil Administration ? If "so to what proportion of the posts included in the "Indian Civil Service cadre do you consider that "'Natives of India' might, under present conditions, be properly admitted," you say "Yes. Doubtful." When you say "doubtful," I suppose it simply means that you cannot make up your mind upon it ?—Yes. I have not given that time and consideration to the subject which it undoubtedly requires. I have not felt called upon to do so. I am a busy man and have a great many things to attend to.

5747. I was going to say that you are a busy man and other work prevented you from devoting

that time and attention necessary for making up your mind and coming to a definite opinion upon it?—Yes; it is a highly controversial matter.

5748. Then you say in answer to question (39) that the officers of the Provincial Civil Service have never been appointed to the more difficult and responsible administrative posts. I take it that you imply by the word "no" which precedes the words that I have quoted, that they are not fit to fill those posts?—I think that is a fair deduction.

5749. What is the proportion of Madras men that have gone to Simla?—I do not know. You mean the Madras Civilians?

5750. Yes, how do the Madras Civilians figure in the Imperial Service?—I cannot say.

5751. Would you be surprised if you are told that the proportion is very low?—I should not in the least be surprised.

5752. When Madras is being criticised as to its fair share in the Imperial Service, is it open to anyone to argue that "I do not think that Madras officials have ever been appointed to the more difficult and responsible administrative "posts in the Government of India"?—It will be a correct statement.

5753. So that you think that Madras has not had its fair share of the administrative posts in the Government of India?—I don't think I have said so.

5754. You don't know the figures for Madras as compared with those of other provinces?—I do not know.

5755. May I put it to you as a matter of fact that this statement which you make that Indians have not been appointed to the more difficult and responsible administrative posts may be perfectly true and yet it does not bear the conclusion at which you arrive, in consequence of that statement, that they are not fit to fill them?—It does not necessarily follow from that statement, nor is my answer "no" based wholly upon that fact.

5756. Your "no" is not based upon that fact?—No.

5757. That is not the only reason on which you said "no"?—No.

5758. Would you agree with me that one of the problems we should try to solve by the work of the Commission is how to get men with real native ability, who may or may not have been at a university and who may or may not have passed a very high standard of educational attainments; and provided you can get hold of such men, do you think that they would be better for the Indian Civil Service?—I would have no use for uneducated men.

5759. I did not say "uneducated"; I said men who did not pass those higher examinations which those who now get into it pass—I wish to know whether they should have a chance of passing successfully the Indian Civil Service?—I do not quite follow. I do not consider a university degree to be essential. I do not quite understand you.

5760. You do not consider a university degree essential?—No. I have not one myself and one can get along without it.

5761. Would you lower the standard of the Indian Civil Service examination?—Lower the standard of education?

5762. Lower the standard of the Indian Civil Service examination?—It would be competition; it is no standard.

5763. You know the standard that is required of a candidate before he can pass the examination?—There is no prescribed standard. He has to get above so many men.

5764. Is it not a standard?—No.

5765. Would you keep the present standard of the examination papers?—Yes.

5766. You would?—I would.

5767. When the probation period comes, would you advise us to consider whether it is possible to prescribe subjects of study that would increase his interest in Indian conditions and Indian problems rather than taking a mere literary or a book course of learning?—Surely that is the case at present. The period of probation that he spends is for the study of subjects supposed to prepare him for his work and not for general education.

5768. For instance?—Indian law.

5769. But I understand you to say that Indian law could be far better acquired in practice?—Yes, that is my opinion. But the study of it at home will also be useful.

5770. What about Indian sociology, general organisation of Indian life and village community?—They are useful, no doubt, and they could very well be studied in either country.

5771. They could learn it in England?—Yes, so far as that could be learnt out of books.

5772. I thought your view was that any education learnt from books is not so good as education that you get on the spot?—I do not think that anything that I have said could be interpreted in that way.

5773. Then your opinion as to the mode of acquisition of knowledge on Indian law would not hold good with reference to the acquiring of knowledge of Indian life?—I cannot follow you.

5774. I am only assuming that you are going to be consistent?—I hope I have been consistent. If you can point out where I have been inconsistent, I will endeavour to explain it.

5775. In answer to question (59) "Do you "consider that any differentiation is necessary "duringthe period of probation between the "course of study for probationers who are "'Natives of India' and the course prescribed "for other natural-born subjects of His Majesty?" you say "Yes, I think so." There you have expressed a positive opinion?—I have carefully avoided expressing any positive opinions on educational matters, as I have no special knowledge of them.

5776. The question goes on to say "Please "state the special arrangements that you recommend?"—I have carefully refrained from recommending any.

5777. I thought you had overlooked it?—Not at all.

5778. In answer to question (87) you say "there is far too much promotion by mere seniority." That is with reference to the Madras organisation, is it not? Who is to blame for that?—The Government of Madras, no doubt.

5779. That is a matter which it can itself take in hand and settle satisfactorily, if it likes?—I presume so.

5780. One general question about your answers to questions regarding leave on the last page. Would it not be very much to the convenience of the service if you can simplify all these rules as to leave and furlough?—I do not know any particular direction in which they need simplification.

5781. There are so many kinds of leave etc.?—That point has never struck me.

5782. Are we right in assuming that you do not think that the present nominal amount of leave is really necessary if we can get our officers to take all the amount of leave to which they will be entitled?—I do not quite understand you.

5783. Theoretically on paper you have it that, say at the end of fifteen years' service, you are entitled to a certain amount of leave and if during that time certain contingencies had arisen such as pressing business and so on you might take still more leave?—Yes.

5784. I understand you to say that the whole of that leave is not taken?—I think very few take all the leave that is due to them in the course of their service.

5785. Would you recommend that the rules giving you a certain amount of leave should be assimilated with the actual practice as to the amount of leave that you actually take?—I would not.

5786. Would it not be convenient if you reduce the amount of nominal leave and increase the financial facilities to enable you to take the reduced leave?—I would prefer to have it optional.

5787. You would still prefer to have it optional?—Yes.

5788. My final question relates to question (120). In answer to it you say "I have no means of knowing how much of his pension is supposed to be paid for by each officer by means of 4 per cent. deduction from the salary"?—That is really a matter of calculation which I have not the means of making.

5789. Who has got the details?—I believe the details are with the India office.

5790. They have not been called for?—I have no right to call for them.

5791. So far as you know has anybody called for them, by questions in the House of Commons?—I am not aware that it has been done.

5792. (*Mr. Madge.*) Considering that you have told us that you did not condemn the actual results of the competitive examination among British students (and indeed you have met with agreeable disappointments) I gather that your objection to it is that it does not test certain necessary qualities?—Yes, I have said so.

5793. You think that the average British student possesses from heredity, from his environment and other causes, certain qualities that are useful in governing and discharging official duties generally to a greater extent than many other races possess?—I think there is probability that the average British students will possess them.

5794. I do not want to go out of the boundaries of the questions here; but a glance at the history of the French, the Portuguese and Russian foreign possessions will show us what kind of Government is secured by one race over another. Do you think that such things compare favourably or unfavourably with the British Government?—I think that it is a common-place that the British race has shown greater capacity than any other race for governing foreign possessions.

5795. You can say that without exalting them to any lofty pinnacle as compared with other races?—Yes; that is a common-place.

5796. Do you think that the competitive examination among Indian students has produced such results?—I have not seen any traces of it.

5797. Now as one who really believes that talent and character—thoroughly trustworthy talent and character—can be found in this country, if we can arrive at the right method of finding it, I ask, does your proposal of a board for English students apply to this country also?—You see that my proposal for this country is similar to the proposal for England.

5798. I would ask you how you propose to find the board in this country; of what persons will it be composed?—There again that is a matter which I have not considered—the actual composition of the board.

5799. It is a difficult question?—Yes, it is. I did not feel called upon to go into it. I was not asked to do so.

5800. In answer to question (9) you say "If the British character of the administration is to be maintained, etc." It is absolutely necessary to do so, is it not?—Yes. I said that if the British character of the administration is to be maintained, the proportion of Indian admissions should be fixed.

5801. Do you or do you not consider it necessary that the British character of the administration should be maintained?—I do, if the county is to be governed for the greatest happiness of its inhabitants.

5802. For the benefit of its inhabitants?—Yes.

5803. You look at it more from the point of view of the interests of the voiceless masses rather than from any other?—From the point of view of the inhabitants of India and not from the point of view of the interests of any limited class.

5804. Do you think that that character could be maintained by or through the machinery of scientific rule or the personality of persons who carry it on? Suppose a perfect machinery for the scientific Government of the country was set up and any class of persons was chosen to carry it out, do you think that the success of it would depend upon the personality of the officers or upon the machinery?—Upon the combined effect of the personality and the machinery working as a whole.

5805. Do you think that if the machinery were defective in any respect, the character of the personality might tend to correct those defects?—Yes.

5806. In answer to question (12), you say "the number of men selected should be so fixed as to keep the 'Native of India' element within whatever might be fixed as a proper limit"?—Yes.

5807. Would you have the proper limit arbitrarily fixed from year to year, or would you leave it to the responsible Government at any period to decide from year to year what was necessary?—I think that if the proportion were laid down, it should not be required to be varied annually or anything like it. I would say that the proportion should not be fixed for all time, but it should be open to revision when it is found necessary to do so.

5808. But my point is to draw a distinction between having a rule fixing the proportion for whatever period it may be and leaving it to the choice of a responsible Government to fix the proportion, because it will then be able to meet any crisis or a public need which may arise. But if we have a fixed rule, you may not be able to alter it, without doing injustice or raising

questions. Whereas if you leave to the responsible Government the choice of fixing the limit, even though the limit may not be varied from year to year, still it would have the power to vary the limit in any crisis that might arise?—I should deprecate the power to vary the limit from year to year.

5809. You say in answer to question (15) that "the men selected since 1906 are certainly too "old when they come to India." I gather from other remarks of yours that, as they get along in life after a certain age, they lose some of their freshness and vigour?—Men who come to India at 25 will have to serve till 50 before they can draw their pension, though they can go on serving up to 60, which is too old an age for most men in this country to serve at.

5810. Do you think that amongst Indians and the members of domiciled Anglo-Indian community, that is mixed races, that age is the proper limit?—As regards the domiciled community, I am not prepared to dogmatise. I am certain that an Indian, as a rule, decays earlier than a European is found to do in this country.

5811. You have heard of the truth spoken in jest that pensioners in inferior services never die?—I am not talking of their death.

5812. When you go about the country you come across men working at 60?—Quite so; but that does not show that they are fit for work.

5813. Pensioners very often take up other employments? The charge against the Government is that they unnecessarily incur double charges, one by giving pensions to these men and the other by employing others to fill the place of the pensioners though the latter are quite able to work. Have you any opinion to offer on that matter?—My opinion is that any man in this country, whether an Indian or an European, is too old at 60 to do work. I think the average Indian is old enough at 50.

5814. You say in answer to question (64) I "think that Executive officers, as a rule, know "quite as much law as they have any use for." Do they acquire substantial knowledge of the law during their executive work?—Not the sort of knowledge that would be of use to them in court. But they acquire knowledge sufficient to enable them to find their way about.

5815. I should like to know whether you think that the Judicial officers in the early years of their career as Executive officers acquire a knowledge of the country, of the people and of their habits by knocking about in the mufassal, that will become useful to them on the Bench?—I have no experience of the Judicial. But I should say undoubtedly that such experience must be useful.

5816. In that case would not that fact be against the separation of executive and judicial functions at an earlier period?—It would be one argument against it, no doubt.

5817. Have you any opinion to offer as to the period in a man's career when the separation ought to take place, if you think that it ought to take place?—No, I have no definite opinion.

5818. Have you heard instances in which the Government have thought it necessary and desirable to exchange officers from one kind of post to another in the interests of the country?—I have known men transferred from the executive to the judicial or from the judicial to the executive; but I am not aware of the reasons for these transfers in any particular case.

5819. You would assume that a responsible Government must have some reason for what it does?—Some reason no doubt; but I could not assume what the reason is.

5820. I think you said that you have no idea as to the period at which the separation should take place?—No; I have no definite opinion.

5821. Have you heard of any scheme that has been formally proposed with reference to the dissatisfaction that retired men feel when they go home as to the struggles they meet with and also with reference to the effect that that might possibly have on securing the right sort of men for the service; have you heard any scheme seriously proposed in which the retirement was sought to be limited to after 15 years' service?—I have not heard of any definite scheme; but I have heard that point several times discussed.

5822–3. If you will allow me to finish the question you will understand my point. I am referring to the scheme that has been published by a Civilian in the *Pioneer* and which has been the subject of discussion all over Bengal? (*Chairman.*) I do not think you can go into any other scheme—a scheme which is not dealt with in the witness's answers. You can ask any question you like with reference to the witness's scheme, but do not diverge from it, please.

5824. You refer to the periods of retirement, amounts of salary and so forth. Do you think that it would give us a better class of men, if the majority in the service were allowed to retire after 15 years on suitable pension and with prospects of seeking further careers at Home and reserving just the sufficient number required for higher administrative posts?—I should oppose any such scheme.

5825. You speak of the block in promotions in answer to question (93). Do you think that that block occurs in this Province in any measure owing to the absence of the system of commissioners of divisions which they have in Bengal?—No. This has nothing to do with it.

5826. (*Mr. Abdur Rahim.*) I would like you to give me your reasons in some detail for suggesting a different mode of selection in India from that prevailing in England for the Indian Civil Service?—For suggesting a different Board?

5827. For suggesting a different method of selection?—I think that Mr. Gokhale asked me about it. I said that my reason was that I considered the method of selection by competition to be less applicable to Indians than to Englishmen and therefore I would further limit its application in the case of Indian candidates.

5828. I should like to know why you make this distinction between English and Indian candidates?—I thought I made it clear in my answer to question (12).

5829. Will you mind telling me it again shortly?—Because I consider that there is greater probability in the case of British-born candidates, selected by competition or any other partially irrelevant test, that a considerable number of them will possess other qualifications which are required and which are not possessed by Indian candidates.

5830. Do you suggest that the types of character vary more in India than in England?—I do not say that the types vary. What I mean is that certain qualifications which are required for a profession which entails the administration or the governing to a certain extent of a foreign country are more commonly found among English boys than they are to be found among Indian boys.

5831. As regards the method of selection, what you have suggested would be more suitable for the Indian boys?—Because competition plays a smaller part in it.

5832. You think that by the principle of selection you might be able to ascertain those qualities which are rarer in Indian boys?—I think that by selection you would be more likely to get hold of a better material than you would be able to get hold of by competition. There is better material in India and the question is how to obtain it.

5833. As regards the examination, do you retain the same syllabus as the present Indian Civil Service Examination has?—I have not considered anything about the syllabus of the examination.

5834. On principle would you not have it more suitable for Indian conditions?—I have not considered that point, I am sorry to say.

5835. With reference to your answer to question (10), do you consider it desirable that different classes and communities, so far as they can produce qualified candidates, should be represented in the service?—Yes.

5836. What is your reason for saying that?—Because I consider it undesirable that any one class or caste should monopolise the appointments.

5837. Do you mean in point of fairness?—To some extent in point of view of fairness, but largely in point of view of good Government and contentment of the people.

5838. You say that it will make for good Government?—I am well aware that the Indian population would distinctly object to be governed by men of one class to the exclusion of others.

5839. You say that from the experience of the country?—I say it from my experience of the country; and further there is no doubt at all that they would object even to Indian officers from other parts of the country. One does not need to look at any distance to see it. One has only to look at the daily papers, where one will find "Andhra for Andras," "Mysore for the Mysoreans," "Travancore for the Travancoreans," 'Orissa for the Uriyas."

5840. As regards your experience of Indians in the Indian Civil Service and the Provincial Civil Service, do I understand you to say that you have not had much experience of these men in the service holding the position of District Collectors and District Judges?—There have not been many District Collectors and I have no experience of Judges.

5841. You had no experience of Judges?—No, not official experience.

5842. Therefore I take it that you are not competent to pronounce any opinion on that point?—No; I have not attempted to do so.

5843. As regards Collectors, I mean, Indian Collectors, what is your experience?—I have met some of them.

5844. Did you have any experience of them?—Officially I have met them in their districts.

5845. Have any Indian I.C.S. men been Collectors for any length of time?—I think not.

5846. Are you in a position to pronounce any opinion regarding them?—I don't think I confine the answer to Collectors; but it refers to executive officers such as divisional officers.

5847. Do I understand that the Indians in the Indian Civil Service holding lower appointments or inferior posts are not up to the average?—That is my opinion. I consider that by selection of Indian candidates by open competition in England we do not get anything like as good a material as we should get by a proper method of selection in India. There is so much better material available here.

5848. You mean Indians of literary ability?—No.

5849. But also of character?—Yes.

5850. Have you had many Indian I.C.S. men acting under you?—I have not had Indian Divisional Officers of the Covenanted Service in my district.

5851. What experience have you had of them?—I have had experience as an officer who has had to tour about the country and to supervise administrative posts for the past 10 or 12 years.

5852. What administrative posts are you referring to?—I have been Inspector-General of Police and as such I have come in close touch with the District Magistrates while touring about the districts. Subsequent to that for nearly five years, I have been a member of the Board of Revenue which directly deals with Collectors, Divisional Officers and their establishments.

5853. How many of them are Divisional Officers—Indians; how many of them are in charge of divisions?—Except those who are Collectors and Judges and excepting the last joined one, all are in charge of divisions.

5854. May I take it that among them there are some good men?—Yes, there are.

5855. And the number of the whole is very limited?—The number is limited.

5856. Is that very limited number sufficient to base any safe generalisation upon?—The number is 13, so Mr. Gokhale said. I thought it was 14 or 15. The number of those of whom I have had experience is somewhat more. That is enough to form an idea of not Indians generally (and I do not claim it) but of Indians selected by open competition in England.

5857. Now as regards the separation of the judicial and executive functions, I understand you to say that, in your opinion it is not desirable to have such separation on the ground that it would weaken the authority of the district authorities such as the District Magistrate, etc.?—I have not been asked any question about the separation of the executive and judicial functions nor have I answered any.

5858. I am sorry. I must have, then, mixed up somebody else's answer. But what is your opinion?—I should be against such a separation.

5859. What will be your main reason for it?—My main reason would be that no harm is done by the present combination of these functions; it works very well.

5860. Will any harm be done by this separation?—I do not think that the Collector who is the executive head in the district will be to the same extent the head of the district if he is entirely dissociated from the magistracy.

5861. You mean he will not have the same authority?—The same authority or the same influence.

5862. I do not know whether you have noticed that Mr. Cardew is of different opinion?—He may be so; but that would not alter mine.

5863. That would not lead you to reconsider that opinion of yours?—No.

5864. I understand that you have not any definite opinion regarding the recruitment of the judiciary?—No; I am not prepared to express any opinion.

5865. (*Sir Valentine Chirol.*) I only want to elucidate one point. You said, Mr. Horne, that you believed that if simultaneous competitive examinations were introduced of a higher standard than that which generally obtained in the University, the students would, within a very short time, adapt themselves to the requirements of that examination, and therefore you might expect a considerable amount of success among them?—Or rather their instructors would adapt themselves; yes.

5866. That is an inference based upon the conspicuous success which they have, since the introduction of western education, gradually achieved in the various examinations which have been thrown open to them?—Yes.

5867. Just as you would infer that a class which has shown great capacity in financial business would continue to show that great capacity in any development of it?—Yes, exactly.

5868. And it is absolutely unnecessary to go into the question as to what is the particular test to be applied, because whatever be the test, the probabilities are that they or their teachers will adapt themselves or them to it?—That exactly expresses my opinion.

5869. (*Sir Murray Hammick.*) I only want to ask, Mr. Horne, whether you have seen enough of successful candidates who are chosen by the Selection Board of the Police as to judge as to whether that Selection Board was fairly successful in choosing good candidates?—I do not think I have.

5870. You don't think you have seen enough of them?—I don't think I have.

(The witness withdrew.)

The Rev. A. Andrew, United Free Church of Scotland Mission, Chingleput.

Written answers relating to the Indian Civil Service.

[The reply is general, and given chiefly in the answer to question (25).]

5871 (1). What is your experience of the working of the present system of recruitment by open competitive examination in England for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—So far as my observation goes it may be regarded as generally satisfactory in principle.

5872 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—I do not recommend any change in the system.

5873 (6). In particular, what would be your opinion regarding a system of simultaneous examinations in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am of opinion that it would be detrimental to the highest interests of the Indian Empire to have a system of simultaneous examinations in England and in India, open in both cases to all natural-born subjects of His Majesty.

5874 (7). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by Natives of India, recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If you favour such a scheme, what proportion do you recommend?—I am not in favour of this scheme.

5875 (18). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons?—I am of opinion that all the very highest posts should be in the hands of European officers recruited to the Indian Civil Service. My reasons may be ascertained in the answer to question (25).

5876 (25). Are you satisfied with the present rule which prescribes that Natives of India, other than members of the Provincial Civil Service or Statutory Civilians, may be appointed to one quarter of the listed posts?—The principle of appointing "Natives" of India to one-quarter of the listed posts has been conceded in the Government of India Notification No. 1128 of 26th August 1910. The concession of this principle may be viewed as of doubtful expediency, as it breaks up the homogeneous nature of the highest element in the Government and in the administration. As it has been already conceded, it seems to me that any further concession is unnecessary for very weighty reasons.

In theory one may be inclined to favour the devolution of responsibility for the administration of the country upon the people of India. But the time has not yet come for this. At present, with the exception of the few highly-paid administrative and executive posts, practically all the posts are already in the hands of the "Natives" of India.

The British Raj may be viewed as the most brilliant achievement ever made in the history of the world in ruling diverse races and combining them into one grand empire. It is quite unique, and has been carried out by a consistent and gradual evolutionary process in accordance with the principles of truth, justice and righteous dealing. Misrule and anarchy have been put down with the result that peace prevails on every side, and modern civilization with all its educative, humanizing and industrial development has become an accomplished fact.

The British Raj has been very sympathetic towards Indian sentiment and aspiration, and has gradually opened up some of the higher posts to the Indian people. It has also done a very noble act. It has upheld and protected the Indian Princes in their respective States, of whom there are 694, and has even magnanimously restored territories to them which they had lost.

That it is a powerful and remarkably successful administration, without a parallel in history, is understood by the mass of the population; for they feel that so long as it exists, as presently constituted, order, justice and equity will continue to exist.

The Charter Act of 1833 declared that no British subject resident in India, or Indian subject, "shall, by reason only of his religion, place of birth, descent, colour, or any of them, be

disabled from holding any place, office or employment under the Company."

In 1834 the Court of Directors emphasized this policy and declared that all Indians should be held competent for any appointment which they were personally fit to hold.

In practice, however, they kept all the highest appointments in the hands of the Covenanted Civil Servants nominated in England. Queen Victoria in 1858 confirmed the Charter Act of 1833.

The Indian Civil Service Act of 1861, the Government of India Act of 1870, and the notification of the Government of India, No. 1128 of 1910, however, confirm the principles of employing the "Natives" of India of proved and marked ability in some of the higher posts ordinarily held by members of the Civil Service.

Repeated attempts have been made by certain Indian leaders to get concessions made, admitting them to the highest posts. But Government has only yielded in some cases when marked ability was shown. Education is helping to produce a larger number of able men, but it should be borne in mind that education alone cannot of itself produce the requisite ability to govern and administer a province, or to occupy the position from which a mighty empire is directed for the good of all its subjects. Other qualities, which can only be got from heredity and suitable environment, are necessary. Character, mind and heart have to receive a special impress before a man is suited for such responsible and statesmanlike work. Mere technical knowledge is of little avail.

The Public Service Commission of 1886 divided the Civil Service into three branches, namely: The Indian Civil Service, the Provincial Service, and the Subordinate Services. The Civil Service was to be recruited in England and intended to furnish the majority of the highest posts from those of Collectors and District Judges upwards. The highest posts in the Technical departments—the Police, Forests, Educational, and Public Works—were to be recruited in the same way.

The Provincial and Subordinate Services are almost an Indian monopoly. Steps have been taken to train Indians in the practical administration of district boards and municipalities, where they largely predominate. The enlargement of the Legislative Councils, and of the Executive Councils of Bombay, Bengal and Madras is having the same effect. The Imperial Executive Council in India and the Indian Council in London have been opened up to Indians. These are great concessions about which many doubt the expediency, when the Indian Empire with its vast population is concerned, and when viewed in the light of its stability and industrial and economic evolution. Care must be taken to preserve inviolate the high standard of efficiency which has existed since the creation of the Covenanted Civil Service by the Parliament Act, 33 Geo. III, c. 52.

My reasons for calling a halt in opening up more than a fourth of the highest listed-posts in the Civil Service to "Natives" of India are as follows: Special training and special qualities of mind are required in the management of such a vast empire. There are not only the different provinces throughout the Indian Empire to look after, but the vast frontier line with its numerous wild tribes and States to keep in order. Diplomacy of the highest kind is essential to maintain a pacific control all round these outskirts. "Natives" of India are not yet capable of directing and governing such a vast territory, and are unable to fully represent all the races and creeds contained in it without a very effective British element of control in the administration. The powerful aid of the British army and navy is needed, and such can only be brought into play by an adequate British administration. The late Hon'ble Mr. V. Krishnaswami Aiyar, who was appointed a Member of the Madras Executive Council, said a few years ago "If we have *Swaraj* to-morrow, in the quarrel as to who should govern and who obey, chaos will reign supreme, or we shall submit to a despotism worse than any that has been our lot to bow to."

This is true, and hence, if the European element in the highest branch of the administration be reduced, a mere symbol of power will remain with all its attendant dangers and drawbacks.

The ruling classes in Britain are full of energy and possess the ability to manage men, and have the advantage of being trained in statesmanship. Many have gone forth as Governors to the British colonies and dependencies in various parts of the world, and gained valuable experience. In this way a governing *esprit de corps* has been produced, as well as a governing talent. Every "Native" of India who aspires to fill the highest administrative posts in the Indian Civil Service should spend a good portion of his time in Britain, and see for himself what are the British qualities of character and mind, and gain some of the energy and spirit of the British people. This cannot be got in India. Even Europeans in India feel that they must send their children to Britain for their education in order that they may imbibe the home spirit. They believe that a proper home education is a real passport to promotion to the highest posts abroad.

Another argument is connected with the administration itself. The Imperial Government in Britain has governing representatives in all the colonies and dependencies abroad. These form the link between the Imperial Government and the dependencies, and by means of this link the might of the British forces is brought to bear on them with a view to maintain order and justice, and to grant security to every citizen. The local administration in each of these dependencies is largely drawn from the "Natives" resident in them, much as it is in the Indian Empire, where, out of about three million posts under the Government, all but a few thousands are staffed by "Natives." Sir T. W. Holderness in his "Peoples and Problems of India" remarks that the Indian Civil Service consists of about 1,250 members of whom 65 are Indians; and that in 1903 there were 28,000 posts carrying salaries of £60 and upwards of which only 6,500 were held by Europeans. This number, out of about three millions posts, represents about all the posts held by Europeans in the different services. The European element in the highest posts cannot therefore be further reduced without serious danger arising.

I would suggest that a new constructive policy be introduced, which would be in harmony with the practice in the British colonies and dependencies scattered throughout the world. Each dependency is ruled by a Governor, appointed by the Imperial Government. If we take Gibraltar,

Malta, Cyprus, Hong-Kong, the Straits Settlements and Newfoundland, we find that the average number of people ruled over by the Governor, or Imperial Representative of the King, is 238,226 in 1901. In the Protectorates of United South Africa the number is 177,416. In British West Africa it is 5,330,696, but, if South Nigeria be omitted, as the number put down is but conjectural, the average number is 1,663,370. In West and Central Africa it is 1,987,044 and in the British West Indies it is 226,565 persons.

With regard to the Australian Commonwealth in which there were 3,836,154 in 1901 under the rule of the Governor-General, we find that the average number of persons under each Governor was 639,692. In New Zealand it was 816,214. (See Appendix III.)

My point is this, each district in each of the Indian provinces should be regarded and treated as a small presidency, or state, and placed in charge of an administrator, or Lieutenant-Governor who would in turn be under the Governor of the province. In the Madras Presidency there are 25 districts, each of which, with the exception of the Nilgiris, is large enough to be formed into a Lieutenant-Governorship. The majority of the districts are densely crowded. Vizagapatam with the agency has 3,189,821 and Malabar 3,015,119 persons. The average number for each district is 1,656,216 persons—a number which exceeds that in most of the dependencies in other parts of the world, which are ruled over by Governors, or Imperial Representatives (See Appendices I and III).

The designation of *Collector* for the head of each district is largely a misnomer, and should be abolished. It does not connote the full extent of the powers placed in the hands of the head of the district. If my suggestion is carried out he should always be a Senior European Civilian of ripe experience, and should receive the powers of an administrator, or Lieutenant-Governor, and be viewed as the King's Representative in his district. Much of the work, which he has to submit at present to the Madras Government for disposal, should be placed in his hands. He might be in charge alone as Representative, or might be assisted by an Executive Council of two members, one being a European Civilian of the status of a Collector of the first grade, and the other being a leading Indian of the Provincial Civil Service, or a non-Civilian of marked ability and ripe experience. The administrator, or Lieutenant-Governor of the district, should be appointed for five years, and draw the pay of a member of Council or High Court Judge. The staffing of the different divisions of each district would remain much as they are at present, or be increased, if necessary, to deal expeditiously with the business of the administration. The tendency of the present system is the accumulation of arrears of work.

This would give a dignity to the occupant of the office and bring the *British Raj* into closer touch with the village population who in reality form the great bulk of the people of India. It would also enable the business of each district to be expeditiously and efficiently done, and give a continuity to it, which it lacks under the present system, mainly through the frequent transfer of those in charge. Each district, or minor state, would form a compact administrative unit, and relieve the strain on the Government of Madras as presently constituted. Other presidencies throughout the Indian Empire should be organised in a similar fashion, and all would be under the general control of the Viceroy and Imperial Government of India (See Appendix II).

Another advantage that would accrue from the proposed change is that each state would be able to give more attention to the fostering of representative institutions, and to the development of its resources than is at present possible. It would also have a more direct control of education and all the technical branches of the administration, and concentrate its energy more fully on the area set apart for its direct control.

The judicial branch of the work could also be improved by the creation of a state court in each district which should have at least two Judges, one a European and the other an Indian. The subordinate courts could be strengthened correspondingly in order that the judicial side of the work may be expeditiously and efficiently done. The mass of the people believe in the impartiality and incorruptibility of the European officers, a belief that has a good foundation in fact, and hence the continuance of the European element will give tone to the whole administrative and judicial system.

But all this no doubt will cost more money to carry it out properly. It, however, would be money well spent, and worth all the extra expense, and do more to satisfy the reasonable aspirations of the people, and deepen their loyalty than almost any other plan for the improvement of the administration and the constitution.

It is remarkable that the majority of the different states, which go to form the United States of America, had on an average in 1900 in each 1,522,987 persons. In 1910 it had risen to about 1,800,000 persons. The average for each of the districts in the Madras Presidency in 1911 was 1,656,216 persons. Hence the suggestion to form each of the Madras districts into a separate state, with increased powers, is in accordance with our Imperial practice in other parts of the world.

Appendix I.

Statement showing the size of the districts in the Madras Presidency according to the census of 1911.

District.	Population.
Ganjām	2,221,292 *
Vizagapatam	3,189,821 *
Gōdāvari	1,652,859 *
Kistna	1,997,585
Guntūr	1,697,551
Nellore	1,328,152
Cuddapah	898,998
Kurnool	935,199
Bellary	969,486
Anantapur	968,228
Madras	518,660
Chingleput	1,406,008
Chittoor	1,238,742
North Arcot	1,960,960

* With agency.

Appendix I—*cont.*

Statement showing the size of the districts in the Madras Presidency according to the census of 1911—*cont.*

District.	Population.
Salem	1,766,680
Coimbatore	2,116,564
South Arcot	2,362,566
Tanjore	2,362,689
Trichinopoly	2,107,029
Madura	1,932,862
Rāmnād	1,658,453
Tinnevelly	1,790,619
Nilgiris	118,618
Malabar	3,020,691
South Canara	1,195,227
Average for each district ..	1,656,216

Appendix II.

Statement showing the population of each province in India, and the average number of people in each district according to the census of 1901.

[From "Statistics of British India" for 1906–07 and preceding years. Part IX, Miscellaneous, pages 6–11, published by the Government of India.]

Province.	Population.	Number of districts.	Average number of people in each district.
Bombay ..	18,515,587	25	740,625
Central Provinces ..	11,970,201	22	544,100
Punjab	20,340,372	29	701,393
United Provinces ..	47,675,772	48	993,245
Bengal	50,772,469	34	1,491,839
Eastern Bengal and Assam.	30,503,669	27	1,129,765
Burma, Lower ..	5,405,967	20	270,298
Burma, Upper ..	3,846,908	17	226,288
Madras	38,209,436	23	1,661,280
Madras (1911 census).	41,405,404	[25]	1,656,216
		245 in 1901.	

Appendix III.

[Taken from the Report (with summary and detailed tables for the several colonies, etc.) of the census for 1901 which was presented to Parliament in 1906.]

Australian Commonwealth.	Population in 1901.	Governor (names from *Daily Mail* year book for 1912.)	Commonwealth Governor.
1. New South Wales	1,359,133	Lord Chelmsford.	
Victoria	1,201,341	Sir John Fuller.	
South Australia	389,727	Admiral Sir Day Bosanquet.	Lord Denman.
Queensland	503,266	Sir W. Macgregor.	Governor-General.
Tasmania	172,475	Major Gen. Sir H. Barron.	
West Australia	189,385	Sir G. Strickland.	
	3,815,327	Average for each Governor, 639,692 of population.	
2. New Zealand	816,862	Lord Islington.	
3. Canada	5,371,315	H. R. H. the Duke of Conaught.	
4. United South Africa	6,000,000	Lord Gladstone, Governor-General.	
5. Cyprus	237,022	Sir H. G. Goold-Adams.	
Fiji	120,124	Sir E. H. May.	
Gibraltar	27,460	Sir A. Hunter.	
Hong-Kong	297,212	Sir F. J. D. Lugard.	
Malta	207,890	Sir L. Rundle.	
Newfoundland	220,984	Sir Ralph Williams.	
Straits Settlements	556,887	Sir A. H. Young.	
	1,667,579	Average for each Governor, 238,226.	
6. Provinces of United South Africa—			
Basutoland, 1904	348,848	H. C. Sloley.	
Bechuanaland, 1904	120,776	Lt.-Col. F. W. Panzera.	
Rhodesia, 1904	665,764	Sir W. H. Milton.	
	1,075,388	Average 358,462.	

APPENDIX III—*cont.*

	Population in 1901.	Governor (names from *Daily Mail* year book for 1912).
7. British West Africa—		
Gambia	13,456	Sir H. L. Gallway.
Gold Coast Colony	1,486,438	J. J. Thorburn.
Sierra Leone	76,655	Sir E. M. Merewether.
South Nigeria (no census)	20,000,000	Sir W. Egerton.
North do.	5,000,000	Sir H. Bell.
	26,576,549	Average for each Governor is 5,325,309 but if South Nigeria be excluded, it is 1,305,309 for each of the remaining four Governors.
8. East and Central Africa—		
Somaliland (no census)	153,018	Col. H. A. Byatt.
East Africa (no census)	4,000,000	Sir E. P. Girouard.
Uganda (no census)	1,808,116	F. J. Jackson.
	5,961,134	Average 1,987,044 for each Governor.
9. British West Indies—		
Jamaica (no census)	755,730	Sir S. H. Olivier.
Bahamas	53,735	Sir W. G. Wilson.
Barbadoes (no census)	195,588	Sir Lealie Probyn.
British Guiana (no census)	295,896	Sir F. Mitchell Hodson.
British Honduras	37,479	Sir E. J. E. Swayne.
Bermuda	20,961	Lt.-Gen. F. W. Kitchener.
	1,359,389	Average 226,565 for each Governor.

APPENDIX IV.

STATEMENT showing the population of each of the States, or Political Divisions, of the United States of America as in 1900.

[Taken from the 1908 edition of Chambers's Encyclopedia, Vol. X, page 873.]

State.	Population.	State.	Population.
Alabama	1,828,697	New Mexico territory	195,310
Alaska territory	63,592	New York	7,268,894
Arizona do.	122,931	N. Carolina	1,893,810
Arkansas	1,311,564	N. Dakota	319,146
California	1,485,053	Ohio	4,157,545
Colorada	539,700	Oklahoma territory	398,331
Connecticut	908,420	Oregon	413,536
Delaware	184,735	Pennsylvania	6,302,115
Colombia district	278,718	Rhode Island	428,556
Florida	528,542	S. Carolina	1,340,316
Georgia	2,216,331	S. Dakota	401,570
Idaho	161,772	Tennesse	2,020,616
Illinois	4,821,550	Texas	3,048,710
Indiana	2,518,462	Utah	276,749
Indian territory	392,060	Vermont	343,641
Iowa	2,231,853	Virginia	1,854,184
Kansas	1,470,495	Washington	518,103
Kentucky	2,147,174	W. Virginia	958,800
Louisiana	1,381,625	Wisconsin	2,069,042
Maine	694,466	Wyoming	92,531
Maryland	1,188,044		76,149,886,
Massachusetts	2,805,346		
Michigan	2,420,982		
Minnisota	1,751,394		
Mississippi	1,551,270		
Missouri	3,106,665		
Montana	243,329		
Nebraska	1,066,300		
Nevada	42,335		
New Hampshire	411,588		
New Jersey	1,883,669		

being an average for each of the fifty States of 1,522,987 persons.

Note.—In 1910 the population of the United States of America was about 90 millions. The average for each State was about 1,800,000 persons.

This is slightly higher than the average for each of the districts in the Madras Presidency in 1911, which was 1,656,216.

The average density of the population per square mile in 1900 in the United States was only a little over 25; whereas it was 268 in the Madras Presidency in 1901.

The Rev. A. ANDREW, called and examined.

5877. (*Chairman.*) You are the resident Missionary of the United Free Church School at Chingleput?—Of the United Free Church of Scotland, Chingleput.

5878. You have been in Chingleput for 33 years?—Yes, as such.

5879. In your answer to question (25) you say that the Government conceded the principle of appointing Indians to one-quarter of the higher offices, in the Indian Civil Service?—Yes.

5880. I think you will find, if you read the memorandum of 1910, to which you allude there, that the one-quarter to which you refer is not in the direction that you suggest, but is merely a restriction on the number of recruits to listed-posts other than the members of the Provincial Service: do you follow me?—Yes.

5881. I take it you assume that Indians are now being admitted to one-quarter of the higher posts, *i.e.*, in the Indian Civil Service. Is that a proportion that you would be prepared to accept in future?—Yes; but I would go no further than that.

5882. But you would be prepared to go to one quarter?—Yes.

5883. In your residence during the past 33 years you have had wide and long experience of the country districts throughout this Presidency and of the people who reside in those districts?—Yes.

5884. I should just like to ask you from your own personal experience and observations in your country residence and country travels, whether, during the course of your work, you have been brought into close touch and contact with the Panchama community?—Yes, oh yes, for many years.

5885. You have been brought into individual and close contact with many of that community?—Yes.

5886. You feel that in that contact you have been able probably to get them to talk to you without reservation?—Yes.

5887. Now you have seen districts where the control has been in the hands of Indian officials as also districts where the control has been in the hands of Europeans?—My experience is confined to the Chingleput district.

5888. But in the course of your experience, during 33 years, have you been in districts where the control was in the hands of Europeans and also in other districts where the control has been in the hands of Indians?—As I have been residing all these years in the Chingleput district, I can only speak for that district.

5889. In that district in whose hands has the official control been?—It has always been in the hands of Europeans, except on one or two occasions, when Indian officials officiated and acted.

5890. In what capacity?—Once as Collector; and once or twice as Sub-Collector.

5891. But in that district, although during this long period the chief control has been in the hands of Europeans, the subordinate control has been in the hands of Indians and the minor offices have been occupied by Indians?—Yes.

5892. What would be your opinion, if you are prepared to give one, as to the relations between the Panchama class and the European officer, and the Panchama community and the Indian officer?—I think the European officer is always sympathetic towards the lower class, the Panchama class; and it is doubtful whether an Indian official is sympathetic.

5893. That is a very broad answer, is it not?—I think it can only be broad.

5894. As a result of your close and intimate observation of this community and of your personal conversation with them, can you not give us something definite?—An Indian officer may be connected with the Hindu community. Of course he is imbued with caste spirit and it is very difficult for him to be personally in touch with the Panchama community. As a matter of diplomacy he may appear to be so; but the caste system upon which he has been reared, I think, prevents him as a person from being actively sympathetic towards that class.

5895. I put it to you in this way: have you observed yourself or heard directly that among Indian officials the intervention of any caste prejudice has directly militated against the proper discharge of their work in their district?—I think it is almost impossible to express an opinion, although you may have an impression; and it is often impossible to give actual details of your opinion on the matter. You may have an impression that such and such is the case and yet you may not be able to give detailed reasons.

5896. You cannot tell me that administrative work on the part of Indian officers has in any way been adversely affected by caste prejudice?—I cannot say that.

5897. (*Mr. Abdur Rahim.*) I take it that what you said about the Indian officers and the Panchama community is more or less a matter of theory, of conjecture on your part?—If you take the structure of the society, there is no conjecture there, because the Panchamas are really held down in a way that they should not be.

5898. What I mean is this, that you really make certain deductions from certain institutions—caste institutions generally?—Yes.

5899. You cannot say that you know of cases of officers belonging to certain castes who failed to discharge their duties properly because of this caste system?—No. It is almost impossible to tell that and yet it may go on all the same.

5900. I suppose you know, Mr. Andrew, that there are communities in India who have no caste system?—I am quite aware of that.

5901. Can you mention any?—The Muhammadan community.

5902. So your reference will have no application to them even theoretically?—Other reasons may come in.

5903. May I ask you whether educated Indians of every community, whether they be Hindus or Muhammadans, generally rise above any such prejudices?—The tendency is to rise above such prejudices.

5904. (*Mr. Madge.*) From your experience, Mr. Andrew, do you say that the detachment that a British officer possesses amongst conflicting local interests and castes is shared or not shared by the better class of our Indian officials?—I do not quite follow the question.

5905. A British officer is generally supposed and even believed to possess a certain amount of detachment from local prejudices, inter-caste prejudices, and purely local influences. Do you think that the better class of Indian officials does also in some measure possess that detachment?—The tendency among the better class of Indians is so. There is a great improvement in them, and their character and the way they look at things. From their education and the official position they occupy, they are expected to do a certain thing and to a large extent they try to do it.

5906. I will only ask you one more question. Probably you read last year of a case in which a Madras money-lender of a particular class ill-treated shamefully his debtors and their women. You think that all official classes, high and low, are free from that gross form of partiality?—I believe that public opinion is growing against doing such actions as a whole.

5907. (*Mr. Macdonald.*) There is just one question that I should like to ask you, Mr. Andrew. Do you find that when the members of those castes which divide the community into water-tight compartments become educated, their actions respond to their Western education or to their caste feeling?—There is a general upward movement among the educated men; but there is a general downward movement in connection with their social relationship. Their families are as a rule uneducated, their women folk are uneducated and so are the members of their family. Their social conditions and environments hold them down. There is a constant conflict between the education they have received and the higher moral and social principles. There is constant conflict between their education and the social environment in which they live; but this is a transition period which will be corrected by and by. But they are in that period just now.

5908. (*Mr. Sly.*) Can you tell us anything about the state of higher education among the Panchamas; is it progressing?—It is not progressing amongst the general mass of the Panchama people. It is generally primary education of the most elementary type that is progressing just now. But those few boys and girls who become Christians and are brought into Christian schools (boarding schools) rise to a higher level and some of them are attending the High School classes and are competing with most of the intellectual classes in the High School, and competing successfully. We have instances of that in Chingleput and various other schools.

5909. Do you know that any Panchama boy has passed the B.A. degree examination?—Not that I am aware of.

5910. Have any of them passed the Matriculation examination?—I believe they have. We have them reading in the third and fourth forms in the high school at Chingleput.

5911. (*Mr. Goldale.*) You say, Mr. Andrew, [illegible] concession already made to Indians in [illegible] employment in the higher ranks of the public service is one of doubtful expediency?—I do.

5912. And that any further extension of the concession would be unnecessary?—I think so.

5913. Suppose, at any time, a question arises as between the expediency of a measure and the right of a measure, which would you prefer?—I do not think that the question should arise at the present stage in the evolution of India.

5914. I am putting a general question. If, at any time, in considering any matter, there is a conflict between what is right and what is expedient, as a missionary I am sure you will prefer what is right?—Yes.

5915. You say you are against simultaneous examinations?—Yes.

5916. You have assigned no reason. I take it that one of your reasons is that the service would be swamped by Indians and the necessary number of Englishmen would not enter?—That is my opinion.

5917. That means that the Indians are capable of passing that examination in large numbers as a mere examination?—I don't think that they would pass it in large numbers.

5918. In such numbers as to reduce the English element below the point where you would like to have it?—That would happen by and by.

5919. If the present door remains open; and if funds are started in the different parts of the country, as has been done in some provinces, to send our best men to England to compete for the examination and Indians get in in large numbers or in such numbers as you think to be too large, by that door, would you close that door against Indians?—I think I would, at the present stage in the development of the country, because we have to deal with—and we have to take a very broad and statesmanlike view of India,—315 millions of people. There must be British supremacy and we cannot have British supremacy unless we have the British at the head of it. I am perfectly convinced that is correct. So if you appoint a certain number representing the British Government and the Imperial Government, then I do not care how many Indians get in; the more, the better. I am in favour of devolution of responsibility towards the Indians; but I think that the time has not yet come for it. I believe it will come.

5920. I see your point. If by any means an excessively large number of Indians went to England, competed there, and got into the Civil Service by that door you would close that door?—How?

5921. If there is a statutory limit put down, that door will be closed to that extent. You would put a statutory limit?—Yes. In my paper I proposed to open a door to bring in more Indians, but we must have a limit, I think, a British limit in the service, so as to give a tone and efficiency to the whole administration.

5922. I quite see what you mean. I am talking of the higher offices which are filled by men passing through this London door. You will have a statutory limit in that case. If that statutory limit that you propose [illegible] with the promises that have been given to the people of India [illegible]

statutory limit being put for the reasons you give?—I think there must be British officers in the service.

5923. Excuse me, Mr. Andrew, I should like to have an answer to my question. My question is that, assuming that an undesirably large number of Indians got into the Civil Service through the English door, would you place a statutory limit on the number of Indians that would so enter?—I would; but any extra officials that would be required might be appointed under the new system.

5924. But I am talking of the existing system. Would you put a statutory limit on the number of Indians that would enter by the English door?—I would.

5925. If the imposing of such a limit is inconsistent with the promises made to the people of India by the Sovereign and the Parliament, even then you would insist upon putting that limit?—I want the system developed.

5926. I am talking of the existing system. If the statutory limit that you propose was inconsistent with any promises given to the people of India in the past, would you put aside all those promises and impose your limit?—If those promises are going to interfere with the stability of the British supremacy in India, I would say, "Keep the door closed."

5927. Then you would disregard the promises?—The promises are on a sandy foundation, if that is the case.

5928. (*Mr. Chaubal.*) In quoting from "Peoples and Problems of India" you say that "in 1903 there were 28,000 posts carrying salaries of £60 and upwards, of which only 6,500 were held by Europeans." Is that £60 a year or a month? Will you kindly look into that part of your answer and tell me?—I understood it to be for a year. I was only quoting from a book. I understood it to be a yearly salary.

5929. In a previous paragraph on that page you say "that the Provincial and subordinate services are almost an Indian monopoly." Am I to understand by Provincial service, you mean the service the highest appointment in which carries a salary of Rs. 800 a month?—That is outside the Indian Civil Service. That is the Provincial service.

5930. I am putting a question to you about the Provincial Service. You say "the Provincial and subordinate Services." By that, you mean all [illegible] below Rs. 800 a month?—Yes, just so.

5931. Suppose Englishmen were told to come to this country to serve in positions in which [illegible] can never rise above Rs. 800 a month, do you think there would be Englishmen coming to accept these posts?—I do not think so, in any large number.

5932. How many do you think you could get of [illegible] ability and the stamp required to fill [illegible] posts?—The tendency would be not to [illegible] to this country, because everything has [illegible] prices and the salaries fixed some years [illegible] sufficient.

[illegible] kindly understand the spirit of my [illegible] When you make it a point that the [illegible] and subordinate services are almost [illegible] monopoly, I ask you for a moment to [illegible] whether it could possibly be otherwise. [illegible] mean to if you included the posts of Police constables and bailiffs, they must be filled by Indians in the nature of things?—Yes.

5934. So it is not a great point that all posts below Rs. 800 are filled by Indians?—My point is that, as far as I can make out, there are only 1,185 Europeans in the Indian Civil Service and they are, to a large extent, responsible for the administration of this great Empire, and you could not reduce that number; and all the other posts are practically in the hands of the Indians.

5935. They must be?—Yes, they must be.

5936. It is not anything that you have done for Indians; that cannot but be the state of things. The whole agitation of those persons who wish for employment in the higher positions is that posts on above Rs. 800 are kept as a close preserve for Europeans, which ought not to be so. That is the general point of view from which they approach the question. You say you are against it and you say, Go to posts below Rs. 800?—I do not quite follow the point.

5937. I won't press it. When you took the average of £60, have you tried to see how appointments above £60 have been held? Have you tried to analyse how many posts above a certain amount are held purely by Europeans?—No. I have not had the time nor the materials for it.

5938. (*Sir Theodore Morison.*) You are a Tamil Scholar: you know Tamil well?—I passed the examination in the Tamil language.

5939. And something more than that. The passing of an examination does not mean Tamil scholarship. You read Tamil?—Yes.

5940. You are familiar with the Tamil literature and you can tell me approximately the extent of the Tamil literature. I am quite ignorant about it and I do not know whether it is of yesterday or of 2,000 years?—I know a little about it.

5941. The question that I wanted to ask you is whether you would like to see Tamil placed in the Indian Civil Service Examination on the same footing as French, German or Italian?—I think that would be a very good thing; but it would only suit those officials who would be serving in a Tamil country.

5942. I mean the open competitive examination, the conditions of which are that it must be a test of good general education; without which it should not qualify for service?—Is that examination to be held in England?

5943. Yes. I am considering this examination as it is held now. A suggestion has been made to us that the Indian vernaculars or a certain number of them should be added and marked as highly as French, German or Italian, the European vernaculars which are not known to the boys. I want to know your opinion on it?—My opinion is that Tamil is a most difficult language not only to master colloquially but to master the intricacies of it. It is a life-long study to master the grammar connected with it. So that if you include it, I do not see how a British-born person would be ever able to take to the higher branches of it.

5944. He need not take it if he does not like it, as these are optional subjects?—As an optional subject, it will be all right.

5945. You think it is a hard language and therefore will form a suitable basis of study for general education?—Yes.

5946. You referred to Boarding schools, did you not?—I beg your pardon.

5947. You referred to schools under your charge or schools conducted by the Mission?—Just now, I did.

5948. You spoke of Boarding schools?—Yes.

5949. In those Boarding schools, do you develop that side of life which is a marked feature of English public schools,—games, social life, clubs?—Yes, we do.

5950. Has it any effect upon character?—I think it has. We have our boys living in a hostel and they are superintended night and day. Our Christian moral principles are instilled into them and we see a great advance in character during the years they live in these hostels.

5951. You think that the character of Indian boys who live in residential schools and colleges is higher than the average in India?—I am referring to our own Christian boys. I think there is a great improvement over those who do not live in these boarding schools.

5952. Community for community, it effects great improvement?—Yes, great improvement.

5953. (*Lord Ronaldshay.*) You have, I understand, worked for 33 years amongst the masses of the people in the district of Chingleput?—Yes.

5954. You have, therefore, had opportunities, which very few Europeans can have had, of making yourself acquainted with opinions which these people hold with regard to those who exercise authority over them?—Yes.

5955. You have said something about greater sympathy being shown by a European administrator than by his Indian colleague, to these lower classes, generally termed Panchamas. You have said that greater sympathy is shown by the European?—That is my impression from observation; we have some exceptions too.

5956. I understand that that is a general impression. Have you any reason for supposing, with the personal knowledge, which you have of the masses of the people—have you any reason for supposing that, generally speaking, they have preference for being governed by Europeans?—Yes, I decidedly say so.

5957. (*Mr. Oldfield.*) You know the Panchamas in the Chingleput district. Did they find any difficulty in getting land?—There was a time when they found great difficulty; but through the representations made to Government, the Government became very sympathetic and was ready to give them land for house-sites and also assign land to them when it was necessary and wherever it was possible to do so.

5958. What was the general difficulty about their getting land?—These were the agricultural labourers in the district and there was a general fear amongst the Hindu community lest by any improvement in their status and condition they might get out of hand. I believe that is the impression.

5959. By the Hindu community in the district, you mean the caste Hindus?—Yes.

5960. You say that the Government intervened and came to the assistance of the Panchamas. Did the Government do so in consequence of public agitation or anything of that sort?—I think so. To some extent it was myself that began the agitation in the year 1883 and I sent a representation to the Sub-Collector and also to the Director of Public Instruction and then began the movement towards the realisation.

5961. Was that agitation promoted by caste Hindus or assisted by caste Hindus of the Presidency to any substantial extent?—When, please.

5962. I mean the agitation you have been talking of?—I am very pleased to see that there has been certain sentiment growing in that direction in different places in this country.

5963. I am speaking of the agitation which began in 1883 and which resulted in something being done to the Pariahs. Was it promoted or assisted to any substantial extent by any of the caste Hindus?—Not at first.

5964. When did they come in at all?—It is just beginning in the different parts of South India within the last few years.

5965. Not until you have won your victory in the 1883 troubles?—No, I may mention that just now the Hindu community is looking with great favour towards the elevation of this class in the Chingleput district. About two years ago, no less than 300 people sent small offerings to our annual harvest festival to testify their appreciation of our work for the elevation of that class; about 300 Hindus and a few Muhammadans. So that there is a movement in that direction amongst caste Hindus.

5966. (*Mr. Subrahmanyam Pantulu.*) You must have had some experience of judicial work done by Indian District and Sessions Judges, Indian Munsifs and Sub-Judges?—To some extent.

5967. Have you reason to think that on account of caste prejudices justice suffered in any appreciable degree at their hands?—I don't think so. I believe that Sub-Judges and Munsifs are of a higher class than they were 20 or 30 years ago. They are better educated, and I believe that a high moral tone has been created in them in a way that it has never been before. I believe we get better justice than we ever got before.

5968. You said, in reply to one of the questions, that the masses have a preference for an English officer over an Indian officer. Does that remark apply to the Judicial service?—I think that it applies to that service, too.

5969. (*Sir Valentine Chirol.*) Do you think that Tamil is a language, from a study of which a student preparing for the Indian Civil Service as a test of general education is likely to derive as much intellectual advancement as from a study of French, German or Italian?—It depends very much upon the individual. An Englishman would not perhaps derive so much from it as from any home language.

5970. Do you think that the literature of Tamil offers the same field for intellectual improvement as German, or French, or Italian literature?—As an intellectual test, Tamil is a much more difficult language than any of these languages.

5971. As a purely linguistic test?—Yes.

5972. But the idea of the Indian Civil Service examination is to test general knowledge, general education. Do you think that an Englishman studying Tamil will have enlarged his outlook into the world, will have acquired fresh opportunities for gaining historical, literary and scientific knowledge, and that Tamil would offer him the same chances as German, or French, or Italian does; whether Tamil would offer the same field for improving his mind in history, in science and in Literature as German, or French, or Italian?—I have no knowledge of German, or French or Italian, but of Latin and Greek I have.

5973. But you have second-hand knowledge of them; you know what those countries have done for the development of civilisation?—Yes.

5974. May we not presume that their influence will be of potent use for the general intellectual advancement, apart from linguistic development, and for generally enlarging one's outlook?—I think Tamil ought to be added to the list, because it would give a different set of ideas altogether from one which a man may get from a study of European languages.

(The witness withdrew.)

(Adjourned for a short time.)

J. C. FERNANDEZ, Esq., District and Sessions Judge, Guntūr.

Written answers relating to the Provincial Civil Service.

5975 (1). Please refer to Government of India Resolution No. 1046-1058, dated the 19th August 1910, defining the general conditions which should govern recruitment to the Provincial Civil Service, and reproduced as Appendix A. Are these conditions suitable, or have you any recommendations to make for their alteration?—I consider the general conditions suitable. I have no recommendations to make for their alteration.

5976 (2). Please supply a copy of the Rules for the Recruitment of the Provincial Civil Service in force in your Province. Are these rules suitable, or have you any recommendations to make for their alteration?—These rules are, in my opinion, suitable. I would, however, like to point out that, so far as the judicial branch of the Provincial Civil Service is concerned, they are in one matter in conflict with the Madras Civil Courts' Act III of 1873. Rule 3 of the Rules framed by the Madras Government for admission to the Madras Provincial Civil Service sets out the classes of persons who are eligible for the posts of Sub-Judges, but under Madras Act III of 1873 the appointments of Sub-Judges are not restricted to the classes referred to in the said rule 3, but can legally be made from a much wider range. It is desirable that this conflict should be avoided by bringing Madras Act III of 1873 into line with the said rule 3 in this respect.

5977 (3). Please see the statement showing the constitution of the Provincial Civil Service, reproduced as Appendix B to these questions, and state whether the information is correct for your Province. If not, what alterations are required?—The information is correct except in respect of District Munsifs of the fourth grade drawing a salary of Rs. 200 per month, whose number is 31, according to the last Quarterly Civil List, and not 29, as set down in Appendix B.

5978 (6). What is your experience of the officers selected by the different methods of recruitment, which method has proved the most satisfactory, and what changes, if any, in the present system of recruitment do you recommend? For direct recruitment do you recommend—(*a*) open competition, (*b*) nomination, (*c*) combined nomination and examination, or (*d*) some other method? Please describe fully the system that you recommend?—For direct recruitment I would recommend the existing system of combined nomination and examination, so far as the judicial branch of the Provincial Civil Service is concerned.

5979 (7). To what extent are non-residents of the Province employed in your Provincial Civil Service? Do you consider that only residents of the Province should ordinarily be recruited?—In my opinion the proper principle for adoption is that enunciated in rule 5 of the General Rules issued by the Government of India for admission to the Provincial Civil Service, which lays down that admission to the Provincial Civil Service should usually be confined to persons who are Natives of the Province, or have definitely settled in it, and that in the case of candidates who are not Natives of the Province recent residence of at least three years in the Province should, as a general rule, be an essential condition of admission. I consider the observance of this principle necessary to satisfy the aspirations of the residents of the different provinces for employment in the Provincial Civil Service of their own Province.

5980 (8). Are all classes and communities duly represented in your Provincial Civil Service? Do you consider that this is desirable, and what arrangements do you recommend to secure this object?—I regret my inability to answer the first part of this question. As regards the second part, I consider that no class should feel unjustly treated in the matter of appointments to the Provincial Civil Service, provided, of course, the requisite qualifications exist in candidates for such appointments. Though it is not possible for special measures to be taken to ensure due representation, it is desirable that in making appointments any one class should not be allowed undue preponderance, and that it should be seen to that members of the other classes have their fair share of appointments. Confining my answer to the judicial branch of the Provincial Civil Service, I do not think any special arrangement would be necessary to secure this object, for appointments are not made by open competition and neither do I recommend it.

5981 (9). What is the system of training and probation adopted for officers of the Provincial Civil Service? Do you consider it satisfactory, and if not, what alterations do you recommend?—The system of training and probation is that laid down in the rules framed by the Government of Madras for admission to the Madras Provincial Civil Service. I consider it satisfactory.

5982 (10). Is the existing system of departmental examinations suitable, and if not, what changes do you recommend?—So far as the judicial branch of the Provincial Civil Service is concerned, the departmental examinations are only in the vernacular languages. I consider the existing system suitable and that no changes are necessary. Persons appointed to the judicial branch of the Provincial Civil Service are, under the existing rules, expected to, and do, possess the necessary knowledge of law and procedure,

and all that is wanted is experience to apply it in the discharge of the duties of the judicial office.

5983 (11). Do you consider that any change should be made in the classes of offices and appointments at present included in your Provincial Civil Service?—I would suggest the inclusion in our Provincial Civil Service of the second and third Judgeships of the Madras Court of Small Causes and the Judgeship of the Madras City Civil Court.

5984 (13). In particular, is the leave reserve adequate, and the system on which it is graded suitable?—There is no leave reserve for the Judicial branch of the Provincial Civil Service, with which I am concerned.

5985 (14). Is there any reserve for officers under training and is it adequate?—This question too, like No. (13), does not apply to the Judicial branch of the Provincial Civil Service, as there is no reserve for officers under training and, in fact, there are no officers under training.

5986 (16). To what extent is any system of selection for appointments to the higher grades enforced? Is any change of practice required in this respect?—In the matter of appointments carrying a salary of Rs. 500 a month and above, the system of selection adopted is one regulated by rule 11 of Rules framed by the Madras Government for admission to the Provincial Civil Service and based on rule 7 of the Rules framed in the same behalf by the Government of India. In addition thereto, selection to the "listed" appointments open to members of the Provincial Civil Service is regulated by the rules framed by the Government of India in exercise of the power conferred by section 6 of the Government of India Act, 1870 (33, Vict., c. 3). So far as the Judicial branch of the Provincial Civil Service is concerned, this system has worked satisfactorily and I do not think any change of practice is required.

5987 (19). Are you satisfied with the existing arrangements by which certain posts, ordinarily filled by members of the Indian Civil Service, are listed as open to officers of the Provincial Civil Service of proved merit and ability, and is the system followed in making appointments to those posts suitable? If not, what alterations do you suggest?—I would be satisfied if the listed-posts were allowed to reach the maximum of one-sixth fixed as a possible limit about 20 years ago. As pointed out in the speech of the Hon'ble Mr. Earle in connection with the resolution on the Public Service in the Imperial Legislative Council on the 17th March 1911, 63 more posts would have to be listed as open to members of the Provincial Civil Service to reach the maximum of one-sixth. In this province, only eight superior posts have been listed out of 87 held ordinarily by members of the Indian Civil Service.

I consider the system followed in making appointments to the listed posts suitable and I have no alterations to suggest.

5988 (21). Are you satisfied with the present designation "the Provincial Civil Service"? If not, what would you suggest?—I consider the [illegible] suitable.

[illegible] suitable, the prin[illegible]

of the terms necessary to secure locally the desired qualifications in the officers appointed? If not, what principle do you recommend?—I do.

5990 (24). Are the existing rates of pay and grading in the Provincial Civil Service of your province adequate to secure the desired qualifications in the officers appointed? If not, what alterations do you recommend?—The first part of this question I would answer in the affirmative, for I believe there has been no lack of suitable candidates in this province for admission into the Judicial branch of the Provincial Civil Service, but I would add that the initial salary of District Munsifs (fourth grade) is not sufficient, and that it should be raised from Rs. 200 to Rs. 250 per month, so that these officers may start on the same level as their compeers in the Executive branch of the Provincial Civil Service. The salary of the higher grades may be correspondingly raised so as not to exceed Rs. 500 for the first grade, and that of Sub-Judges to Rs. 650 (third grade), Rs. 800 (second grade) and Rs. 1,000 (first grade).

5991 (25). Are you satisfied with the present system under which officiating promotions are not made in the Provincial Civil Service? If not, what alteration do you recommend?—In this province District Munsifs are given officiating promotions. See article 140 of the Civil Service Regulations. Sub-Judges are differently treated, and they are not given officiating promotions. I consider it desirable that Sub-Judges should also be given officiating promotions.

5992 (26). What is your opinion regarding the substitution of a time-scale of salary for the existing graded system of promotion? If you are in favour of a time-scale, should it be restricted to the lower grades of the service, or not?—I am not in favour of a time-scale and prefer the existing graded system of promotion.

5993 (27). As an alternative, do you recommend a system by which each main class of appointment would have a separate time-scale?—*Vide* answer to question (26).

5994 (28). What is your experience of the practical working of time-scales of pay in other Indian Services?—I regret my inability to answer this question as I have had no experience of the practical working of time-scales of pay in other Indian Services.

5995 (29). If you recommend any kind of time-scale of pay, please describe the scheme that you propose and state what conditions should be laid down in regard to the grant of increments, promotion to superior grades, charge allowances and other matters of importance. How do you propose to apply such time-scales in provinces where the scale of pay of the Executive and Judicial branches of the service is different?—*Vide* answer to question (26).

5996 (30). Do you approve of the arrangement by which officers of the Provincial Civil Service holding listed posts draw salary approximately at the rate of two-thirds of the pay drawn in the same posts by members of the Indian Civil Service? If not, what rates do you suggest for the various appointments?—While [illegible] the arrangement by which [illegible] the Provincial Civil [illegible] drawn [illegible] the same [illegible]

India, I would point out that, in the present rates of salary for District and Sessions Judges appointed from the Provincial Civil Service, viz., Rs. 1,200 (fourth grade), Rs. 1,500 (third grade), Rs. 1,800 (second grade) and Rs. 2,000 (first grade), the salary for the fourth grade falls considerably short of two-thirds, *i.e.*, by Rupees 133-5-4, and that it is hardly sufficient to maintain the dignity of the office. I would suggest that the existing rate of two-thirds be raised to three-fourths subject to a maximum of Rs. 2,000, and that the salary of District and Sessions Judges appointed from the Provincial Civil Service may be fixed at Rs. 1,500—1,650—1,800—2,000 for the four grades in the ascending scale.

5997 (32). Is all the leave on full pay due to them ordinarily taken by officers of the Provincial Civil Service, and, if not, what are the reasons? Is the amount which can be earned in your opinion suitable? If not, what alternative arrangement do you suggest?—Members of the Judicial branch of the Provincial Civil Service other than District and Sessions Judges appointed therefrom are not entitled to privilege leave on full pay by reason of their enjoying the annual vacation of their courts. They can obtain only privilege leave on half pay and hence they do not ordinarily take privilege leave. I would suggest that these officers be permitted the option of taking privilege leave on half pay for one month, or on full pay for 15 days, in the year.

5998 (40). Is the present system of superannuation pensions satisfactory in the interests both of the Government and the members of the Provincial Civil Service?—In my opinion the present system of superannuation pensions is not quite satisfactory.

5999 (41). Have you any suggestions to make in favour of any modifications in its detailed working, and if so, what, and for what reasons?—The period of qualifying service for voluntary retirement may be reduced from 30 to 25 years, and the period of service after which an officer would be entitled to invalid pension to the extent of half salary may also be reduced from 25 to 20 years. These alterations are required because a shorter period of qualifying service for pension is necessary in the case of judicial officers, who are very hard-worked and whose duties are of a very taxing kind, as also by reason of the fact that the age for admission to the Judicial branch of the Provincial Civil Service directly from the bar is fixed at the extended limit of 35 years by article 51 of the Civil Service Regulations for this province. As officers appointed under this extended limit are men who have practised for some years at the bar, the fixing of a shorter period is all the more necessary in their case.

6000 (42). Do you approve of the grant of reduced pensions for such officers as may be found to be inefficient but whom it may be difficult to retire without some provision for their subsistence? If so, what do you suggest?—I regret my inability to answer this question beyond saying that I do not know of any case in which it was found necessary to compulsorily retire an officer of the Judicial branch of the Provincial Civil Service on the score of inefficiency.

6001 (43). Do you approve of the present system regulating the pensions of officers of the Provincial Civil Service holding listed posts? If not, what do you suggest?—Under the present system, officers of the Provincial Civil Service holding listed posts are not entitled to a pension higher than Rs. 5,000 per annum. I would suggest an increase not exceeding Rs. 500 per month. This would be more adequate.

6002 (44). Do you consider that the existing rules governing the voluntary and compulsory retirement of members of the Provincial Civil Service are satisfactory? If not, what changes do you recommend?—*Vide* answer to question (41).

6003 (45). To what extent do members of the Provincial Civil Service subscribe for the benefit of their families to the Government General Provident Fund, or to other official or officially recognised funds? Are any further facilities required, and what arrangements of this kind do you consider to be necessary?—So far as my knowledge goes, most of the members of the Provincial Civil Service subscribe to the Government General Provident Fund. I am a subscriber to the full extent allowed by the rules governing this fund, viz., 12½ per cent. of my salary. I don't think any further facilities are required for making provision for families.

6004 (46). Are you satisfied with the existing organization of the Provincial Civil Service? If not, please state what alternative organisation you consider desirable, and explain fully your views, making any suggestions that appear to you to be suitable?—I am satisfied except to the small extent indicated in the answers to the other questions.

Mr. J. C. Fernandez, called and examined.

[illegible] (*Chairman.*) You are a District and [illegible] Judge, are you not?—Yes.

[illegible] Can you tell us how many years you [illegible] occupied that position?—I was appointed [illegible] and Sessions Judge last February.

[illegible] What position did you occupy previous [illegible] that?—Previous to that I was Sub-Judge at [illegible].

[illegible] How many years did you occupy that [illegible]?—I was a Sub-Judge for close on eight [illegible].

[illegible] [illegible] most of your answers evide[illegible] in the Provincial Civil Service?—[illegible] Judicial [illegible]

one-sixth?—Yes. One-sixth is a considerable advance upon existing conditions, but I would not be opposed to the proportion being raised provided it does not impinge upon and reduce the minimum of the British element necessary in the interests of British rule, but I am not prepared to say what such proportion should be.

6012. You are not prepared to say to what extent?—No.

6013. You say that you would be prepared to increase that proportion, but you are not prepared to increase the proportion of Europeans?—Not exactly; that is my view.

6014. It would be rather difficult to [illegible] these two statements, would it not? [illegible] [illegible] [illegible]

there is a certain limit beyond which it is not desirable to go. The irreducible minimum of the British element must be maintained and the proportion of the Indian element of the service should be fixed in relation to it.

6016. But you would like to see the one-sixth proportion filled up to its full proportion?—Yes, that is all I mean.

6017. You are not prepared to give any answers on the general question of examination for the Indian Civil Service?—I am sorry to say I have not had the time to apply my mind to it, and such views as I hold are not well formed, and I am rather diffident about placing my views on that question before this Commission.

6018. But you have studied closely the conditions of the Judicial branches of the Provincial Civil Service and you offer evidence on what you consider to be improvements in the condition relating to them?—Yes, exactly.

6019. You consider it is desirable that Sub-Judges should be given officiating promotion?—Yes, I suggest an increase of pay in the grade of sub-judges and also re-arrangement of the pay of the different grades of the District Munsifs, and I particularly press the raising of the pay of the district munsifs of the lowest grade from Rs. 200 to Rs. 250 for the reason that the lowest grade of Deputy Collectors in the executive branch of the Provincial Service start from Rs. 250 a month, and I believe the Deputy Superintendents of Police get the same, and there are some Tahsildars even in the executive branch of the service who get from Rs. 225 to Rs. 250. In my opinion it is rather anomalous that the district munsifs who belong to the higher branch of the Provincial Civil Service should start at Rs. 200, and I suggest it should be raised to Rs. 250.

6020. You also suggest what you deem to be an improved grade of pay for the four grades of District and Sessions Judge?—Yes, the listed appointments.

6021. Are you in favour of a time scale?—No. I am not in favour of it.

6022. What are your objections to it?—I think there is something mechanical in a time scale which does not commend itself to me, and judging from my own experience, the promotion in the grades of Sub Judges is not so slow as to render it advisable that any change should be effected. In the case of the District Munsif it takes a little longer to get from one grade to another than it does in the case of Sub-Judges.

6023. (*Lord Ronaldshay.*) In making appointments it is very undesirable that any one class should be allowed an undue preponderance?—Yes.

6024. If any one class acquired an undue preponderance in the service what is the nature of the unfortunate results that you would expect to follow from that?—There would be a certain amount of clashing of interests, I think. In this country there is a vast conglomeration of castes and creeds, among which there is a certain under-current of hostility, if I may say so, and it would in my opinion conduce to greater harmony and order if there were this representation of the different castes kept in mind in making appointments.

6025. Then in answer to question (25) you say [illegible] District Munsifs are given [illegible]?—Yes.

6026. By that do you mean that a District Munsif gets additional pay if he is officiating in a higher grade?—Exactly. From the 4th grade if he is put in, by officiating promotion, to the 3rd, he gets an increase of pay Rs. 200 *plus* 20 per cent.

6027. It is not only in the event of his officiating as a Sub-Judge?—No.

6028. He gets it if he is officiating in the higher grade?—Yes, as a District Munsif.

6029. In the case of Sub-Judges that is not done?—That is not done.

6030. Can you give me the reason for that?—I do not know it. It is a matter of the Civil Service Regulations; there is no reason I could assign. The Civil Service Regulations do not provide for officiating promotions amongst sub-judges, but they do among district munsifs.

6031. Is that felt to be a considerable grievance in your service?—Yes, I simply voice the opinion of the service in that matter.

6032. Then in answer to question (45), you say that you think most of the members of the Provincial Civil Service subscribe to the Government General Provident Fund?—Yes.

6033. Do you consider that the provision which you are able to obtain by subscribing to that fund is adequate?—It is fairly adequate in my opinion because we are allowed to contribute to the maximum of 12½ per cent., and if the full amount is subscribed it will, in course of time, amount to a substantial sum, which will be paid on retirement.

6034. But a certain number of witnesses have told us that the provision which they are able to make through the agency of this fund is really a small thing and not sufficient for the necessities of their cases. You do not take that view, I understand?—I take it that in addition to the pension which is obtainable at the end of the service this is a sufficient provision. I may point out that in the local fund service there is no pension provided for at the end of the service. A Provident fund also has been organised for the local fund service in which the terms are more liberal, but they have no pension. We, however, have a pension to fall back upon, and this is an additional provision.

6035. For your families?—Yes.

6036. Do you think that subscription to this General Provident fund ought to be made compulsory upon all members of the Provincial Service?—In my opinion it will be a very desirable thing to do.

6037. It should be made compulsory?—Yes.

6038. (*Sir Theodore Morison.*) Will you tell me whether with the alterations which you have suggested you think that the Provincial Civil Service forms a suitable avenue for Indians to the higher appointments, or do you want another?—I think it would, though it may not satisfy Indian aspirations to the utmost.

6039. Then what I want to know is this, is it your feeling that there should be another door open for recruitment to higher services so that the Provincial Civil Service door should be widened and improved and lead to higher places?—I am sorry I have not considered the question from that standpoint; as I said before, I have not considered the question of the [illegible] Civil Service and examinations at [illegible] [illegible] any view with [illegible]

6040. [illegible] fairly [illegible]

if certain improvements which you recommend in that service are made?—Yes.

6041. (*Mr. Chaubal.*) Do you approve of this division of the services into Imperial and Provincial?—That again touches the larger question of policy which I said I had eschewed in my answers.

6042. Let me extend my question further. Generally speaking the Provincial Civil Service is a service in which no member of the service can rise above Rs. 800?—Exactly, except the listed appointments.

6043. When you get into the listed posts you are not in the Provincial Civil Service?—Exactly.

6044. Therefore the Provincial Civil Service is purely a service which can never aspire to rise above Rs. 800?—I understood the Provincial Civil Service to include the superior listed appointments which are open to the members of the Civil Service.

6045. But are any of the four posts put into the Provincial Civil Service?—No, they have not been put into it.

6046. Then take this as an assumption that the listed posts are not included in the Provincial Civil Service. Assuming that, do you approve of this division into two services, one Imperial and one Provincial, but the Provincial Service with an embargo against any rise above Rs. 800?—No, I would not approve of such a thing.

6047. Then you also, I suppose, agree that members of the Provincial Civil Service in the judicial branch perform the same kind of duties as judicial officers in the higher posts do?—Except that District and Sessions Judges do criminal work which sub-judges and district munsifs do not do.

6048. Bearing that difference in mind, the nature of civilian duties is identically the same?—The district courts have certain exclusive jurisdiction which Sub-Judges do not have,—matrimonial matters, for instance.

6049. In your answer to question (6) you say that "for direct recruitment I would recommend the existing system of combined nomination and examination so far as the Judicial branch of the Provincial Civil Service is concerned." You know that members of the bar after having practised a number of years—in my Presidency it is ten years—can at once be appointed to a High Court Judgeship?—Yes, I believe so.

6050. Can you suggest any reason why the same may not be done in the case of the Provincial Civil Service or in the case of the higher posts in the Judicial service?—As matters stand at present members of the Bar are eligible for appointments as District Munsifs, and many District Munsifs, I think, have been recruited from the Bar. In fact I myself was practising at the Bar when I was appointed a District Munsif. Members of the Bar who become District Munsifs have the additional advantage of acquiring judicial experience in the actual discharge of the duties of the Judicial office which a practitioner at the bar directly appointed would be lacking in. I consider a combination of these two conditions would conduce to securing better men for the Judiciary than mere promotion from the bar.

6051. How many years' practice did you have at the bar?—I practised about 21 years before I was appointed a District Munsif.

6052. Supposing a man has 10 or 12 years' practice at the Bar, do not you think he may be usefully imported into the higher grades of the Judicial Service?—My own opinion is that the advantage would lie on the side of an officer who having been appointed to the Judicial Service from the Bar has had further Judicial experience in the discharge of the duties of his Judicial office.

6053. As a matter of principle can you tell me why you would differentiate the appointments to the High Court Bench from the lower Judicial offices?—Because men appointed to the High Court are of eminent standing at the Bar, and in their case I think an exception could safely be made.

6054. Supposing an eminent member was willing to accept a Judicial listed post?—It is permissible under the Statute 33 Vic., but I do not remember an instance in which it has been done.

6055. Have you in principle any objection to its being done?—I have no objection, but I think the advantage would lie in the other officers.

6056. With regard to your answer to question (8) what is the unjust treatment which a class is likely to feel? You are asked as to whether all classes and communities are duly represented in the Provincial Civil Service, and you say in your answer: "I regret my inability to answer the first part of the question"?—For want of exact figures.

6057. And as regards the second part you say: "I consider that no class should feel unjustly treated in the matter of appointments." Of course that answer only refers to the Judicial Branch?—That is so.

6058. In all appointments of District Munsifs would you have regard to qualifications or only class representation?—Qualifications. I would not lower the present qualification at the cost of satisfying the aspirations of the different communities. I would not lower the standard under any conditions.

6059. What I understand you to mean is . . . ?—As far as possible that representation may be allowed.

6060 Are not the two places mentioned by you in your answer to question (11) generally filled by men from the Judicial Service?—No, not always. They occupy a rather anomalous position; they are neither in the Provincial Civil Service nor the Indian Civil Service.

6061. I am not speaking of their being in any particular service, but I want to clear my mind on the subject. Are these Judgeships ever given to anybody not in the Judicial Service?—Yes, they are. Only one of the two Judgeships of the Madras Small Causes Court is sometimes conferred on a Sub-Judge.

6062. Is not a Sub-Judge a Judicial Officer?—Yes.

6063. Then why do you say "I would suggest the inclusion in our Provincial Civil Service of the second and third Judgeship of the Madras Court of Small Causes?—They are not in the Judicial Provincial Civil Service at present.

6064. But they are filled by men in the Judicial service?—One of them is, but there is no distinct rule; sometimes it is done and sometimes not.

6065. How many Judges are there in the Small Causes Court?—Two, excluding the Chief Judgeship.

6066. What is the provision about the Chief Judge?—The Chief Judge must be a Barrister, I think.

6067. You are now speaking of the other two Judgeships?—Yes, the second and third Judgeships.

6068. Are these ever given outside the Judicial Service?—Yes, to one of them; generally a member of the Bar practising in Madras is appointed.

6069. You are against that being done?—I am not against that being done. I only suggest that they may be included in the Provincial Civil Service, regardless of consequences.

6070. Is there anything to prevent Government from appointing a person in the Provincial Judicial Service to any of these posts?—There is no bar that I am aware of.

6071. So that if Government think it proper they can appoint?—Yes.

6072. Do you consider that the four listed-posts which are open to the Provincial Civil Service afford sufficient opportunities for higher promotion to individuals in the service?—I do not think so; I have said so in my answers.

6073. As regards the proposal to raise the 200 to 250, taking the Tahsildar of a Taluka which I suppose you would call a division of a district?—Yes, a division.

6074. Whom do you consider to be the two corresponding officers in the Judicial and the Revenue Branch?—I consider the District Munsif of corresponding grade and rank with the Deputy Collector; I mean the lower grades.

6075. In this Presidency a Tahsildar chiefly looks after the revenue work of the division, does he not?—Not of a division but of a taluk. The sub-division generally comprises more than one taluk.

6076. You have the expression Taluk here?—Yes.

6077. I am referring to a taluk. Is the territorial jurisdiction of a District Munsif and a Tahsildar the same?—No, they do not correspond. I have known cases in which District Munsifs have exercised jurisdiction over two or three taluks, but the Tahsildars exercise jurisdiction only over one.

6078. Ordinarily a taluk station has a Munsif in charge of the judicial work and a Tahsildar in charge of the revenue work?—So far as this Presidency is concerned.

6079. It may be that because two or three Talukdars have less judicial work, Government might utilise one man for doing the work of three Talukdars?—Yes.

6080. In that case a Munsif might be doing the work of three Talukdars while the Tahsildar might be doing the work of one Talukdar, but ordinarily the territorial divisions of a Tahsildar and Munsif would be the same?—Not necessarily; I do not think they correspond so far as this Presidency is concerned. It depends upon the amount of work that comes in, and I think the allocation of jurisdictions is made on that principle.

6081. I simply ask because in my Presidency the Mahalatdars, who correspond to your [illegible] and Munsif, are appointed to be the [illegible] representatives of the two branches in a taluk station, and that is the reason why in that Presidency the Mamlatdars have been promoted into the Provincial Civil Service?—But here they are not.

6082. It is not the same?—No, the conditions are different.

6083. Your District Munsifs of the lowest grade start at present with Rs. 200?—Yes.

6084. Can you tell me roughly how many years it takes for a District Munsif to rise from Rs. 200 to Rs. 400?—I think on an average about 10 years.

6085. You mean to say that from the first employment of a person as District Munsif he rises in 10 years to Rs. 400?—Roughly so; I am not quite positive about it. I should say on reconsidering the matter it would be about 10 to 12 years.

6086. In our Presidency he does not rise to Rs. 400 until he has had 20 years' service. Promotion after Rs. 400 is by selection, I suppose?—Yes, into the grade of Sub-Judge.

6087. How many years does it take a man to rise between Rs. 400 and Rs. 800?—About 7 or 8 years. Possibly I made rather a low estimate in the case of the District Munsifs; I am not quite sure about the number of years.

6088. But is it the general feeling that every one rises up to Rs. 800?—No. Up to the second grade of District Munsifs promotion is made more or less by seniority, but into the first grade merit also is taken into consideration, and also officers who are thought fit for the post of Sub-Judges are promoted, and in the case of promotion from the first grade of District Munsif to the grade of Sub-Judge the promotion is done by selection, only men of merit being appointed.

6089. You have a Rs. 650 grade, I believe?—Yes Rs. 500, 650 and 800.

6090. Have you had any experience of the fitness of men who have not been passed over having had to retire at Rs. 650?—I think there have been.

6091. If there are any circumstances of fit men not passed over or superseded retiring on the grade of Rs. 650, does not that mean that they have put in their whole pensionable period rising from the lowest rung of the ladder up to Rs. 650 only?—Yes but I think that this obtains in the case of officers who probably were appointed as District Munsifs after having served in ministerial posts. They are eligible also for appointment as District Munsifs.

6092. Without a B.L. degree?—Yes. It is allowable under the rules.

6093. (*Mr. Gokhale.*) You would be satisfied if the proportion of listed posts was raised to one-sixth?—I would be satisfied, but I would not object to its being raised higher.

6094. Would you object if it were raised to one-fifth or one-fourth?—No, provided that the consideration I referred to before was borne in mind.

6095. That the requisite number of [illegible] must be maintained?—Yes.

6096. What proportion do you think [illegible] safely given to [illegible] would be reached?—It is [illegible] tion for me to answer.

6097. Then why [illegible] sixth?—If I may [illegible] fix it at one-third.

6098. Then you do not say that the proportion should be one-sixth; you say the proportion, in your opinion, should be one-third?—It may be one-third.

6099. The maximum you would give would be one-third and not one-sixth?—Exactly; it may be one-third.

6100. (*Mr. Sly.*) You have put forward in answer to question (24) an improved scale of pay for the Judicial branch of the service. Seeing that the Revenue branch can only rise up to Rs. 800, for what reason do you suggest that the Judicial branch should rise up to Rs. 1,000?—I think there are fewer selected appointments available in the Judicial branch of the service than in the Executive branch of the service, and men appointed to the Judicial branch of the service are generally men of high education and qualifications.

6101. Higher than those appointed to the Executive?—In many cases I should think so.

6102. But even if they were put up to the Executive scale that would be a substantial improvement, would it not?—Yes.

6103. Then in answer to question (32) you ask for a certain amount of privilege leave. A District and Sessions Judge gets two months' vacation every year, does he not?—Yes.

6104. Does he have any work to do during those two months?—Not much, except some office work to attend to, and making up any arrears of work that have accumulated during the working period of the year.

6105. Is he allowed to leave his district during those two months?—Yes, provided he does not leave the Presidency.

6106. In addition to that you want privilege leave?—District Judges, as a matter of fact, are entitled to take privilege leave on full pay but not Sub-Judges and District Munsifs.

6107. You want a privilege leave allowance given in addition to the vacation?—Yes.

6108. In answer to question (32) you have proposed that pensions should be raised from Rs. 5,000 to Rs. 6,000 a year.—Yes.

6109. The ordinary scale of pensions in all services is practically Rs. 5,000, exluding the Civil Service?—Yes. Except that in rare cases it is allowed to rise up to Rs. 6,000 a year for meritorious service.

6110. You are proposing for the Judicial branch of the service a higher scale of pension than exists in any service outside the Indian Civil Service?—I do not take into consideration the Executive branch of the service, but I do not wish to deprive them of the same privilege. My suggestion is restricted to the Judicial branch of the service only, as most of my answers are.

6111. (*Mr. Abdur Rahim.*) With regard to the appointments to the Presidency Small Causes Courts, I suppose you are aware that the High Court makes the selection having regard not only to the claims of members of the Provincial Civil Service but to the claims of members of the Bar?—Yes.

6112. And selects the man who in the opinion of the High Court is best fitted to fill that place?—Yes.

6113. You do not want the appointment of the Small Causes Court and the appointment of the City Civil Court made from the Bar. Is that your position?—No, I do not say so.

6114. You would not exclusively reserve these places for your service, would you?—It should be recruited both from amongst the members of the Bar and from service men.

6115. I am taking the service as it is. Would you reserve these places for yourselves or leave it open to the Government to make the selection?—I would not reserve it for my service.

6116. What you suggest, then, is that the claims of your service should be considered?—Should be considered, and that these posts should be brought within the cadre of the Provincial Civil Service, and that appointments to them may be made from it.

6117. Is there any bar to members of the Provincial Civil Service being appointed?—No, there is no bar. The position is a little anomalous, because they are not included in any particular branch of the service, and I think they should be brought within the Provincial Civil Service rather than any other. In my opinion it would not place any bar on the appointment of any member of the Bar.

6118. You would leave it open for the appointment to be made from the Bar or the Provincial Civil Service?—Just as it is possible to make appointments as Sub-Judges from the Bar under existing rules.

6119. But the same is the rule with regard to the City Civil Court and the Small Causes Court?—It is not at present.

6120. Is it not possible for a member of the Provincial Civil Service to be appointed to the Small Causes Court?—It is possible.

6121. Then you want to reserve the appointment?—But he ceases to be a member of the Provincial Civil Service as soon as he is appointed. I may also point out that if he ceases to be a member of the Provincial Civil Service, by reason of his appointment as a Judge to the Small Causes Court, he does not come within the rules framed under the Statute, and his chances of becoming a District Judge and holding one of the listed posts becomes smaller.

6122. A man from the Small Causes Courts can be appointed District Judge?—Yes, if he comes within the one-fourth which may be given to men outside the Provincial Civil Service.

6123. That would be rather a disadvantage, not an advantage?—What I suggest is that if the appointment is included in the Provincial Civil Service it will not be a disadvantage.

6124. (*Mr. Oldfield.*) With reference to the Provident Fund, you said you would like to subscribe to it. Does that represent the sentiment of your fellow servants?—So far as I have been able to gauge the feeling I think it does.

6125. With regard to these Civil Courts in Madras the City Civil Court Judge is paid Rs. 1,500 a month, is he not?—Yes.

6126. The two appointments in the Small Causes Court are paid Rs. 1,000 each I think?—Yes.

6127. Is there any precedent for a member of your service being appointed to the City Civil Court?—I do not think any holders of the office in the past have been members of my service, to the best of my knowledge.

6128. With regard to your request for the listing of the appointments in the Small Causes Court, that would provide the two Rs. 1,000 appointments which you ask for, would it not?—

There are two appointments, leaving out the Chief Judge. It is governed exclusively by the Presidency Small Causes Courts Act.

6129. The listing of two appointments at Rs. 1,000 in the Small Causes Courts would supply just the two Rs. 1,000 appointments which you are asking for?—Yes.

6130. With regard to the work of a District Court, there is a certain amount of administrative work, is there not, which is in excess of that which a Sub-Judge does?—Yes.

6131. A District Judge is consulted by the High Court on administrative matters?—Yes.

6132. And the High Court acts on his advice?—Yes.

6133. And he has also to inspect his subordinate Courts?—Yes, and to report on them.

6134. And to control their practice?—Yes.

6135. And he also has to deal, as a matter of discipline, with the establishment of those subordinate Courts?—He has, and he has the right of vetoing appointments made by the lower Courts, District Munsifs and Sub-Judges.

6136. And the heads of the lower Courts do not as a rule inflict any substantial punishment on their subordinates themselves?—I think they do when occasion arises for the infliction of any substantial punishment.

6137. My experience has been that they generally refer it to the District Judge and ask him to deal with the case?—I think the practice is for the District Munsif and the Sub-Judge to recommend the punishment to the District Judge for confirmation, and he reviews the whole thing and either approves or does not approve.

6138. In a district, with four subordinate Courts and 10 or 11 District Munsifs' Courts, that administrative work does come to something substantial?—Yes, in such a heavy district it would.

6139. You have only been a District and Sessions Judge, I think, for rather less than a year?—For about 11 months.

6140. (*Mr. Subrahmanyam Pantulu.*) Are you aware that since 1884, when the Judicial Department was reorganised, there has been a difference of pay of Rs. 100 between the first-grade Sub-Judge and the first-grade Deputy Collector, until last year or the year before, when the Revenue grades were reorganised?—Yes.

6141. So that when you ask for Rs. 1,000 for the first-grade Sub-Judge you only want the same difference more or less to be kept up in the future between the first-grade Deputy Collector and the first-grade Sub-Judge?—Yes.

6142. With reference to your answers with regard to increased pension of Provincial Civil Service officers who retire from the listed posts, you were asked a question as if you were claiming a special privilege for them. Are you aware that under article 475 of the Civil Service Regulations, Inspectors-General of Registration, and Deputy Inspectors of Gaols, and Inspectors-General of Gaols, and several other officers, whose pay is more or less equal to the pay if not less than the pay of a District Judge, are allowed Rs. 1,000 additional pension over the Rs. 5,000 generally allowed to the Provincial Civil Service?—I believe it is done in some special cases.

6143. Not in special cases, but generally as a [illegible] regulation?—I believe there is a provi[illegible]

6144. You do not claim therefore a special advantage for your department?—Not at all.

6145. You have been asked about the disadvantages with regard to the efficiency of the Judicial service if, off and on, a few candidates are recruited from the Bar of some standing and efficiency. I suppose you do not object to it?—I do not.

6146. But you would like to fix a proportion to be so recruited from the Bar in order that the men in the service may not be disappointed, and in order that the appointments may not be indiscriminately made to the discontent of the service?—I am not in favour of fixing a proportion, but I think the claims of the service men are entitled to much consideration and should not be allowed to be overridden by the claims of the members of the Bar.

6147. If a proportion is fixed, the expectations of the men in the service will be also fixed, and it would not be possible to disappoint them by making too many appointments from the Bar?—I am not in favour of the proportion being fixed, nor do I think it would be possible.

6148. Mr. Oldfield has elicited from you various administrative duties which a District Judge has to perform. You have been a District Judge?—Only for a year or so.

6149. But do you think you would be able to acquire that administrative capacity by your service as a District Judge?—I certainly think I should be able to acquire it. I have not found any difficulty in doing the administrative part of my work.

6150. Sub-Judges are promoted to District Judges, and some of them have not had the necessary training in criminal work?—That is so.

6151. And it must be conceded that the criminal work they are doing at the beginning of their service as Sessions Judges may not be quite up to the mark until they gain experience in the service?—Yes.

6152. Do not you think that difficulty could be overcome by investing Sub-Judges more liberally with powers and giving them an opportunity of learning criminal work whilst Sub-Judges, in order that they may be better equipped?—I think it would, but at the same time I do not think sessions work is so very difficult to manage or to get through. I had not much difficulty during the period I have been Sessions Judge, although at the outset it was a little difficult.

6153. Within your one year's service as a District and Sessions Judge I suppose you were able to detect frauds which had been going on for a number of years?—Yes, not for a number of years, but for 21 months systematic frauds had been going on which I detected.

6154. How long after you had taken charge of the station was it before you detected it?—I detected it within five months I should think of my taking charge of the office of District Judge.

6155. And the man was convicted?—Yes, he confessed his guilt and was convicted.

6156. You say you have not taken any leave at all during, say, twenty years' service?—No.

6157. Not even privilege leave?—No.

6158. I suppose it is due to your having been for a long time employed at Ootacamund?—Possibly.

6159. (*Mr. Chaubal.*) With reference to the question about the pension of Rs. 5,000 and

Rs. 6,000, have you tried to compare for your Presidency how long retired Revenue officers and retired Judicial officers enjoy pensions after retirement?—No.

6160. You have not tried to ascertain whether persons in active executive life have a longer lease of life?—No, I have not.

(The witness withdrew.)

A. M. COOMARASWAMI TAMPOE, Esq., I.C.S. Divisional Officer, Narsapur.

Written answers relating to the Indian Civil Service.

6161 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—I have no hesitation in accepting it as generally satisfactory in principle, especially as the standard of the examination, and the age at which it may be taken up practically enforce a residence of about three years at an English University, which I consider to be the most valuable portion of the discipline we orientals undergo in qualifying ourselves for the examination.

As regards the Englishmen, the present age-limits and the standard of the examination enable him to finish an Honours course at a University, and to devote some time after it in gaining a fairly high standard of knowledge in two or three more subjects, which tend to make his intellectual accomplishments somewhat versatile. Apart from the question as to whether this aspect of the training is not desirable in itself for men who have subsequently to fill offices, the duties of which are very diverse, there is no doubt that intellectual versatility is held in high esteem in India, a country in which the specialist is not only very rare but can hardly be said to be adequately appreciated.

I may add that the only portion of India with which I am at all acquainted is the Madras Presidency, and the above remarks are generalisations from this knowledge and that of the community in Ceylon to which I belong, which being mainly Hindu still preserves considerable traces of its Indian ancestry.

6162 (8). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—The above definition does not include me in the category of "Natives of India," but for the purposes of the question I differ so little from a Native of India that I venture to answer the question.

The answer to question (1) shows that the discipline of the present system may be taken from one point of view to confer all the benefits on a Native of India, which it may be taken to confer on an Englishman, with the additional fact that a residence of three or more years at an English University offers the former educational opportunities which are vaster, and which are much more valuable to him, than to the Englishman. The University is to us what the Public school and the University are to the Englishman and with somewhat greater discrimination in the selection of the University and the College this aspect of the training is likely to be taken much greater advantage of in the future; and from what I have seen of the few students and their parents who have consulted me at various times about an educational course in England preparatory to appearing for the Indian Civil Service examination, I believe that this selective tendency is likely to become more emphasised in the future.

6163 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am of opinion that such a system would not be desirable at all. I have already touched on the value of an educational training in England in remedying the defects of the training, intellectual and moral, we receive in India. I need hardly add that these are defects which do militate against the efficiency of an officer who has to perform duties such as those a member of the Civil Service is entrusted with.

An examination is a purely intellectual test, and the justification for making the selection by such a standard is that those who compete for it are men who have received an all-round education, using this term in its broadest sense. The educational system in India, whatever its merits on the purely intellectual side may be, does fall far short of securing, partly by reason of the peculiar social structure and partly because of the comparatively short time during which European ideals of education have been followed in India, anything like a really all-round education.

The caste which is most averse to breaking through the trammels of the present social system in India, is naturally the one on which the system has conferred the greatest privileges. The Brahman has been for thousands of years the sole custodian and object of all intellectual culture, and the other castes have in consequence been placed in a very disadvantageous position intellectually. But the very social conditions which gave the Brahman this advantage have *pari passu* handicapped him in his ability and desire to absorb democratic ideas in social matters. He is far less able than we are to take advantage of the educational opportunities offered by institutions which are purely European, and which are in consequence inconsistent with the fundamental principles of caste. By the examination being held in England, the other Natives of India are in a position to take advantage of this disability of the Brahman and to equalise, to some extent at least, their chances as compared with the Brahman. By the institution of a system of simultaneous examinations this disability would be removed from those who are still caste-bound, mere superiority of intellect would alone count, and the more liberal educational ideals subscribed to by the others would give them no corresponding advantage.

6164 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—I am not in favour of it. The reasons for this are given in a general manner in my answer to previous questions.

6165 (10). If you do not approve of simultaneous or separate examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of

(*a*) nomination ; (*b*) combined nomination and examination ; or (*c*) any other method ? If so, please describe fully what system you would recommend ? In particular, do you consider it desirable that whatever the system, all classes and communities should be represented ? If so, how would you give effect to this principle ?—As education stands at present in India, I am of opinion that the bulk of the candidates would not be generally qualified for selection. A course of education in England is of incalculable value in fitting us for service under a Government whose ideal is to combine what is best in the Indian and English systems.

6166 (72). The present theory underlying the conditions of service in the Indian Civil Service is—(*a*) that the members of the service should have sufficient training in subordinate or inferior appointments before they are called upon to discharge the duties of higher ones ; and (*b*) that they should, throughout the whole period of their service, have sufficient salaries and sufficiently responsible duties.

To secure these objects the number of posts, called technically " superior " posts, carrying a salary of over Rs. 1,000 *per mensem* is ascertained, and it is endeavoured to recruit only sufficient officers to make it probable that each officer will find himself officiating with practical permanency in at least the lowest of those appointments after the completion of eight years' service. Do you accept this system ? If so, do you consider that the period of eight years is suitable, or do you recommend any change ? What alteration (if any) would be necessary if the age of recruitment were lowered ?—I have submitted my views in this matter, and generally on conditions of service, through the Committee formed for the purpose by the members of the Madras Civil Service.

6167 (89). Have you any other suggestions to make under this head which are not covered by your answers to the above questions and to the questions under the heads relating to salary, leave and pension ?—I am ignorant of the principle on which a differentiation is made between European British subjects and Natives of India with regard to payments towards the provision for pension to wife and children. As the rules at present stand, a European British subject, who is a member of the Indian Civil Service, is bound to make such payments, while the Native of India is not permitted to. I am personally acquainted with members of the Indian Civil Service, who are Natives of India and who are desirous of being treated in this matter as European British subjects are ; and if rules could be altered so as to give such persons an opportunity of providing for their wives and children, the concession would be much appreciated.

Mr. A. M. Coomaraswami Tampoe, called and examined.

6168. (*Chairman.*) You are an Assistant Collector acting as Sub-Collector, are you not ?—Yes.

6169. How many years' service have you ?—Seven years.

6170. What positions have you occupied during that time ?—I joined as Assistant Collector and acted for six months as Head Assistant Collector in charge of a division. Then I was acting Head Assistant Collector in the Gōdāvari Agency for eighteen months and acting Sub-Collector in the Tinnevelly district for three years, and I am now acting as Sub-Collector in the Kistna district.

6171. You are in favour of the present system of open competition largely on account of the opportunity it gives for a University training ?—Yes.

6172. You set great store on a University training ?—Yes.

6173. Do you speak from any personal experience of a University ?—Yes, I was myself at an English University, Cambridge, for four years, and at the London University for about eighteen months.

6174. And you regard the training at a University of that character as valuable not only from the intellectual point of view but from the point of view of character and morals ?—Yes.

6175. In your experience have you observed any Indian students in English Universities placed in a position of what I might term isolation ?—Yes. There were some men who, to use a University phrase, were somewhat barred, but that was due chiefly to their desire to keep to their own society rather than to mix freely in University life.

6176. You feel assured that it was due to their inclination rather than to any racial feeling on the part of the English community ?—It was not due to racial feeling but purely due to their own inclination and the fact that they had Indian society there which they could go to.

6177. As a result of that isolated position which they took up, was there any feeling of discontent or dissatisfaction on the part of those Indians at the expiration of their time at the University ?—I have not met any who have expressed any dissatisfaction.

6178. So that the value you attach to University training is in no way modified by any knowledge on your part that Indians in the course of their training at the University have felt dissatisfaction ?—No, it is in no way modified.

6179. You suggest greater discrimination in the selection of the Universities ?—Yes.

6180. Can you tell us a little about that ?—I mean that an Indian student coming up to Cambridge often finds another man from his province at a particular college, and he is persuaded to join that college. I think it would be better for Indian students to distribute themselves among all the colleges as far as possible. I was sent by my father to a college in which I was the only oriental undergraduate, and I think the college was chosen simply for that reason on the advice of my guardians.

6181. Do you look back with pleasure on your career at the college ?—Very much. Two of my nephews went up to Cambridge last October term, and I have got them put into separate colleges.

6182. You were able to make many friends, no doubt, and have been able to retain their friendships ?—Yes.

6183. You give us your opinion with regard to simultaneous examinations, which you say you are opposed to ?—I am.

6184. You are in favour of the existing system of open competition in England, open to both Europeans and Indians ?—Yes.

6185. I notice you are in favour of the examination in England and opposed to the simultaneous examination, because in your opinion the Brahman community have monopolized for a long time all the intellectual culture of the Indian race. You feel that if that progress takes place in India other communities would suffer a disability on account of that superior intellectuality of the Brahmans ?—Yes, and I think that has been proved in the case of the examinations for the Finance Department and the Provincial Civil Service in Madras. I have heard it said to be so.

6186. Then following out your argument, you consider that the single examination in England is of value, because it modifies to a certain extent that disability of non-Brahmans ?—Yes.

6187. Can you say, in past years, what the proportion of successful Brahmans has been to non-Brahmans in the open competition in England ?—I am afraid I have no figures, but in Madras there are three Brahman Indian Civilians.

6188. How many non-Brahmans ?—The rest are all non-Brahmans, about nine.

6189. So that there is a much larger proportion of non-Brahmans than Brahmans who have gone through the Indian Civil Service examination and are in occupation of posts in Madras ?—Yes. I believe there has been a later arrival, making four Brahmans.

6190. I infer that you contend it would be to the disadvantage of government in India to have exclusively Brahman officials ?—Yes.

6191. Your contention is based upon the ground that a Brahman, although the most intellectual, is the least democratic minded ?—Naturally I [illegible] so from the fact that our social system was not democratic in times past.

6192. I am not dealing with times past now ; I want to ask you your opinion about to-day ?—The hereditary tendency, which would be non-democratic, would have to be corrected.

6193. Let us put aside hereditary tendency for the moment ; as a result of your observations of the work of Brahman officials in the Courts, have you had it impressed upon your mind that they are carrying out that work in an unmodern, undemocratic way ?—I only see the work in my own division, and my Brahman subordinates would naturally know I was not a Brahman, and I do not suppose there would be any especial favour shown to a class.

6194. You mean that your more democratic outlook would have a salutary effect on the less democratic outlook of the Brahman who is your [illegible] officer ?—Yes.

6195. But you do not think that would be the case if you were a Brahman ?—That is so.

6196. I want to know on what grounds you [illegible] ?—There is a general impression among non-Brahmans that a Brahman will prefer a [illegible] to a non-Brahman, even if the merits [illegible] for a post.

[illegible] that the Brahmans in the [illegible] are a group of Brahmans, would [illegible] Sub-Collector, or whatever [illegible] be, a non-Brahman to look [illegible] them ?—Yes, but [illegible] by [illegible] posts. My [illegible] and those below [illegible] should be [illegible] officers.

contact with the people, do you say that even the Brahmans themselves would prefer to have a non-Brahman ? Is that from any wide practical observation on your part ?—That is what I have often heard non-Brahmans say and I have reason to believe it to be true from my own observation.

6199. What would you say with regard to the rest of the community ?—The non-Brahman would prefer the non-Brahman.

6200. In your own centre you have been able to counteract these evil influences by your presence ?—Yes.

6201. (*Sir Murray Hammick.*) I think you rather misunderstood the President's question. He asked whether in your opinion a Brahman community would desire a Brahman or a non-Brahman as a superior officer ?—I should say a Brahman community would prefer a Brahman to a non-Brahman.

6202. And the non-Brahman community would prefer to have a non-Brahman ?—Yes.

6203. (*Chairman.*) I am glad that has been made clear because I did not understand that from your answer. I understood you to say that a Brahman group of people—I will not say an entire community of Brahmans—would prefer to have a non-Brahman official over them, but you did not mean to say that ?—I did not mean to say that. Brahmans prefer Brahmans.

6204. (*Sir Murray Hammick.*) I should like you to say exactly who you are and from whom you are descended. You are a Christian I understand but not a Christian of India ?—No, my people are Tamils and were Hindus ; my father was a convert.

6205. And you were born and brought up in Ceylon ?—Yes.

6206. How long ago did your family migrate from India to Ceylon ; was it your father who went to Ceylon ?—No, it was very many years before that, nine or ten generations.

6207. Do you know what part of India you came from ?—The Ceylon history calls us Malabaris.

6208. That generally means the South of India ?—Yes.

6209. What caste did your ancestors belong to ?—The Indian portion call themselves Vellalas.

6210. Some of your family are living in Ceylon now as Hindus ?—My father's brothers and my father's brothers' children are all Hindus ; my first cousins are Hindus.

6211. From what you have seen in Southern India and Ceylon, are the caste restrictions now observed in your family as strong in Ceylon as they would be in India ?—Not nearly so strong.

6212. Caste in Ceylon has comparatively broken down ?—Yes.

6213. With reference to your first question, you especially lay stress on a University career, but supposing the Government reduced the age for the open competition from what it was some years ago to something about 16 to 19, and supposing it was made a condition that every candidate who passed at 19 should go to an approved University which would grant a degree in law, and it were made a condition that all such successful candidates should go through that course for three years at a University and could [illegible] which would [illegible]

see that to the present condition of things under which the University career is taken before the examination is passed?—Yes, I should prefer that for the reason that the men who go, from here especially, would be under the influence of University life at a much younger age than they are now.

6214. At what age did you go to England?—Seventeen.

6215. You began at a school I suppose?—I joined a Grammar school in Hertfordshire.

6216. And from there you went to Cambridge?—Yes.

6217. When did you take your period in the London University?—After Cambridge I was in Germany for a year, at the Frankfort Academy. Then I came back to London for six months and then I went in for the open competition and spent the next year of probation in London at University College.

6218. You took your degree at Cambridge?—Yes.

6219. And passed a year in Germany and went up for the Indian Civil Service Examination and passed, and then you had your probation in London at the London University?—Yes.

6220. I take it that one of the reasons you give in your answer to question (7) against simultaneous examinations is partly that you think the present system tends, to some extent, to the modernising of Hindu life and breaking down of caste, and you think it would be unfortunate to have simultaneous examinations which would enable persons of very strict caste prejudices to go in for the examination and pass without having the broadening effect which comes from going to England and going through the University Course of three years?—Yes. It is not merely the fact that people with strong caste prejudices would pass but it is chiefly because, as far as I can see, educational institutions in this country do not contemplate anything very much beyond mere intellectual culture. We have not the House system in our Public schools in Madras and there is no residential University.

6221. I suppose you attach considerable importance to the years that you passed in Germany as far as the widening of your outlook is concerned?—I do.

6222. You were in Tinnevelly for a considerable time as Divisional officer, were you not?—Three years.

6223. And in Tinnevelly you say caste restrictions and caste feelings ran very high?—I should say they ran very high.

6224. Is there much feeling there between Brahmans and other castes, or is it mostly between the higher castes and the out-castes?—There is not very much in ordinary social intercourse between the Brahmans and the Ballaries; it is chiefly between the higher caste and the lower caste.

6225. Including in the lowest class the Shanars I suppose?—Yes.

6226. Did you as a Christian from Ceylon find yourself in free social intercourse with the Hindu portion of the population in Tinnevelly?—I found it very difficult. The unwillingness was not on my part. I had one or two Hindu friends and one Muhammadan friend, but they were quite exceptional.

6227. Did you find any difficulty in getting social intercourse with the European portion of the community?—Not at all, in fact I had chiefly to rely on that aspect of social life. But I was the only officer stationed at my station and I had to go out of it to get European society.

6228. During your career as a Divisional Officer and Magistrate did you think that a knowledge and close intercourse with police methods of investigation was of advantage to a Magistrate in this country?—I certainly found in my own personal experience that a knowledge of police methods and some interest in them enabled me to get the division into better order from the magisterial point of view than otherwise.

6229. Would you explain that a little and tell us why you think it is the case? Is it because you are able better to get at the truth by knowing the methods which the police adopt towards witnesses, and so on, or is it simply because you get to know the people better by knowing the police?—You get to know the people better, the difficulties under which the police have to work and the difficulties which they overcome. What I think is the chief reason is that people know that you are studying the matters and the village people begin to take an interest in these things; they are much more interested in police matters if you are interested yourself. It creates a public opinion, so to speak.

6230. I suppose you were not in Tinnevelly during the time there was a sharp division between Maravars and the Shanars?—No.

6231. And you do not know much about those riots?—No.

6232. When you were in England did you find the Indians you met there were generally under proper supervision and proper guardianship, or did you find they were left too much to themselves?—My own experience was that the guardians were not exactly in the position of parents. In my own case I had to satisfy my guardian that the places I was going to spend my vacations at were suitable, and if he was not satisfied that they were I had to go and spend my vacations with him, and he had full power over me.

6233. He was an English gentleman, I suppose?—Yes, he had been head of my school in Ceylon previously.

6234. (*Mr. Abdur Rahim.*) I should like to know if there are many Indian boys in English schools?—I have only met three.

6235. Did you pass any examination before you went to England?—I completed my school course in Ceylon, passing the Oxford and Cambridge Higher Local Examinations.

6236. You had an idea from the very beginning to appear for the Indian Civil Service examination?—No, my original idea was to read medicine, and I did actually study medical science.

6237. For how long did you undergo actual training for the Indian Civil Service?—Six months in London.

6238. Only six months after taking your degree?—Yes.

6239. You told us that in discharging your magisterial duties, which I understood involved deciding criminal cases, you found your knowledge of Police methods very useful?—Not in deciding ordinary criminal cases. I was thinking of the preventive section.

6240. In deciding criminal cases what use was it to you?—It certainly helps one

knowledge of Police methods would not help in deciding a case unless it introduced some element of appreciating evidence. I was speaking entirely from the point of view of preventive methods, binding over, for instance, of which there is a great deal to be done in some districts.

6241. That is to say in applying the preventive sections of the Criminal Procedure Code?—Yes.

6242. Not in deciding criminal cases?—No.

6243 I mean cases in which offences are charged against persons?—Only in miscellaneous cases, not in calendar cases as they are called.

6244. What you mean is cases under the preventive sections, deciding as to the possession of land or binding over to keep the peace?—Yes.

6245. Is there much of race feeling among the educated portion of the Indian community as distinct from the uneducated?—I have not seen any very free social intercourse between the various castes, such as exist in Ceylon for instance.

6246. But that may be due to the caste rules; it does not necessarily mean any feeling of antipathy, does it?—The power of the rule seems entirely to guide them in this matter. Whether there is any real antipathy or not I cannot say. I have never seen them express any hatred or dislike in any violent terms.

6247. Have you found educated Indian officers, in exercising their administrative duty, showing any partiality for their own caste in any marked degree?—Yes, I have.

6248. In what way?—Chiefly in appointments.

6249. In the exercise of patronage?—Yes.

6250. Does that refer also to Indian Members of the Civil Service?—I have never served except under a covenanted Indian Servant, and he was quite above that.

6251. I suppose you knew many young Indians in England?—I knew, roughly, about fifty.

6252. Is it your experience that those Indians rise above feelings of prejudice and caste?—I cannot say because they had no opportunity of acting with regard to those matters there.

6253. I mean in their life in England?—As far as I could see of their lives I did not know whether they were of the same caste or different castes.

6254. There was nothing in their life which would lead you to think that there were different castes amongst them?—No, as far as I could see.

6255. You mean that you would be hardly able to distinguish Hindus, Muhammadans, Brahmans, and non-Brahmans from the way they lived in England?—That is so in England.

6256. (*Mr. Macdonald.*) You said that you studied in London for six months after you took your degree at Cambridge, and when you came back from Germany?—Yes.

6257. Were you at a crammer's then?—I attended lectures in Zoology and Physiology at Wren's establishment, but in no other subject.

6258. Had you studied Zoology before?—Yes, I had taken it up in Cambridge after my degree examination. I studied both those subjects at Cambridge and in Germany.

6259. Did you hear the questions put this morning about the syllabus, as to whether the wide range of subjects might not be reduced without in any way reducing its educational value?—Possibly I should prefer to take up fewer subjects than many; it would give a chance of appreciating them more properly.

6260. Do you think that the very wide field covered by that syllabus places great temptations in the way of candidates to cram?—In my time there was no restriction as to the number of subjects that might be taken up, but I understand that recently there has been a restriction introduced. In my time eleven subjects were said to be the average; I myself took up eight.

6261. But if the field was restricted, not by compelling the candidate to take only a certain number of subjects, but by the Civil Service Commissioners themselves selecting what they think to be subjects to test the qualities required for service in India, do you think that that would be an improvement upon the present method?—I do not think it would.

6262. You do not think that this method of selecting on the part of the candidate is really a premium upon cramming?—If the number of subjects which may be taken up is restricted sufficiently I do not think there will be any danger of cramming.

6263. You are opposed to simultaneous examinations, one of your reasons being that you want to secure attendance at an English University on the part of Indian Civil Servants?—Yes.

6264. Supposing you had the simultaneous examination and then compelled the successful candidates in India to proceed to England, what would you say to that?—The only objection I should urge against that is that the average student who now goes goes to Europe with the intention of appearing for the Indian Civil Service, also allows for the possibility of his failing in that examination, and he is willing to take that risk because he thinks that the money he spends is worth the education he gets by going to Europe. Therefore I think he is more desirous of making use of the education he gets in Europe than he would be were he sent to Europe merely for the sake of being trained there.

6265. But is not that selection a selection of whether you have money to go to Europe or not?—Yes.

6266. If you had been a little poorer than you were would you have been a member of the Indian Civil Service now?—Yes, I think so, because the Ceylon Government sent me.

6267. You would be favourable to the Indian Government sending equally promising youths?—Yes, I am entirely in favour of that.

6268. From all over India?—Yes.

6269. And without some such method as that do you think we are losing intellect and ability?—Yes, I think so.

6270. So that in order to rectify the evil which simultaneous examinations are supposed to rectify, or at any rate is proposed to rectify, you would suggest as an alternative that the Government should see that worthy but poor youths should have a chance of going to England?—Yes, by granting scholarships.

6271. I think you said that out of thirteen members of the Indian Civil Service acting in the Presidency of Madras only four are Brahmans?—Yes.

6272. The other nine are non-Brahmans?—Yes.

6273. Is it your view that if the non-Brahman castes had the same educational opportunities as the Brahmans they could beat the Brahmans in competitive examinations?—No, I do not think

so, for this reason; not only is the Brahman on the whole better gifted intellectually, but he is also willing to sacrifice, or does not object to sacrificing, his physique for mere success in examinations during a few years.

6274. How do you explain the four out of the thirteen?—That is because intellectual non-Brahmans were more desirous of going to Europe; a larger percentage of non-Brahmans must have gone there than Brahmans.

6275. You think this interesting result is really the effect of the selection which takes place by compelling Indian youths to go to England?—Yes.

6276. (*Mr. Sly.*) Throughout your service have you seen any signs of, or suffered in any way from, any inequality of treatment, any want of support in serious cases, or any matter of that kind?—Not in the least.

6277. Do you think that any case could occur in which an Indian member of the Civil Service would not receive the same support from the service that the Englishman receives?—I have served only with two other Indian members of the Indian Civil Service and they have been both treated quite without any difference between them and the European members by the European Collectors.

6278. (*Mr. Gokhale.*) Have you any direct knowledge of the structure of Hindu society?—I have seen something of Hindu society in Madras and among my own people.

6279. But not all over India?—No, I have distinctly stated in my answers that I have not.

6280. Do you know anything of the Kayasth caste of Bengal?—Yes, I have some friends amongst them.

6281. What do you think of them intellectually?—Those I have met were intellectually extremely fine types.

6282. Do you know that they are quite on a par with the Brahmans, possibly in some respects even better than the Brahmans, intellectually?—I do not know.

6283. That is the estimate of Bengal; some of the most intellectual men in Bengal to-day are Kayasthas. Now turning to the list of the thirteen candidates, you said that there were only four Brahmans and the rest were non-Brahmans?—As far as I know.

6284. From the intellectual standpoint would it not be a fairer division to divide Hindus into the literary castes and non-literary castes, rather than into Brahmans and non-Brahmans? There are certain castes which have followed literary occupations from generation to generation and it is they whose intellect has been specially developed. When therefore we have to consider intellectual questions, would it not be a fairer thing to divide Hindu society into literary castes and non-literary castes rather than say they are Brahmans and non-Brahmans?—I am only acquainted with one literary caste and those are the Brahmans.

6285. But now that I have mentioned to you this example of the Kayasthas, do you not think it would be better to divide Indian society into literary castes and non-literary castes?—Yes.

6286. Now taking your list of 13, in the first [illegible] you are not right about the [illegible] Bengal, I will confine myself [illegible]

so, but there is none in the list here whom I would call a non-literary casteman; that is to say, every one of the twelve, putting aside Mr. Hamnett, who is an Anglo-Indian, is either a Brahman or a Kayastha or high literary casteman, including Christians who were Brahmans before. Would you be surprised if that is so?—No, I should not be surprised.

6287. For instance Bannerji is a Brahman, and Roy is either a Brahman or a Kayastha?—He is a Kayastha.

6288. Aiyar is a Brahman, Gharpurey is a Brahman, Bhore is a high class Mahratta, a Christian now (he comes from my place, Poona, so that I know) and Row is a Brahman?—Yes, but Bhore is a Kshatriya.

6289. Krishnama is a Christian but he was a Brahman?—His father was a Brahman.

6290. Therefore the heredity is Brahman? Ramamurthy is a Brahman?—Yes.

6291. I will include Christians descended from Brahmans among Brahmans because the heredity is Brahman. Therefore the non-literary caste Hindus, on whose behalf I thought you were speaking with regard to the inequality question, do not appear in this list at all, whether you hold the examination in India or England?—No.

6292. If you will turn to the list for the whole of India you will find the same thing. There are Muhammadans and Parsis and Brahmans and Kayasthas and other literary caste Hindus. Therefore your inequality is not redressed; the advantage that the literary castes have is not removed. By removing the centre of examination to England you reduce the number of those that appear there. Possibly that prevents our best material from appearing?—Yes.

6293. If you do not mind my saying so, it enables our critics to criticise us, but the redress of inequality is not secured?—But the chief ground I have urged against the examination is the absence of University training.

6294. I understand that. But you also lay emphasis on this. Now about the democratic outlook on life—I am sure you practically agree with me, but I should like to have it cleared up. Taking the different castes of Hindu society, do you mean to say that any one caste is more democratic in its outlook than any other caste, from top to bottom?—No, I should not say that.

6295. Therefore it is Western education and Western influences that are modifying the outlook not the caste?—Yes.

6296. Brahmans under Western education are acquiring that democratic outlook?—Yes.

6297. And non-Brahmans are also doing the same?—Yes.

6298. Therefore the real remedy for developing a democratic outlook is not to put the Brahmans aside in any way but to bring all under the influence of higher Western education?—Is that so?—Yes.

6299. Speaking of the [illegible] those who have entered [illegible] the 13—taking [illegible] you did not [illegible] no democratic [illegible] under any [illegible]

6300. But have [illegible] four on the Bar [illegible] Service [illegible]

by caste feeling, that they are less democratic in their outlook than, for instance, you are?—No.

6301. You are for all practical purposes an Indian, are you not?—Yes.

6302. Do you get the exchange compensation allowance?—I do not.

6303. Some emphatic opinions have been expressed here in the evidence that has been given that the average of Indian Civilians is most unsatisfactory, which means, if the average is very unsatisfactory, some of them must be exceedingly bad. I do not want to raise any personal question, but what do you think of that opinion?—I have not seen enough of the work of those few officers who are in Madras who come under that classification. I also know that Madras has been particularly unfortunate in that matter among the senior men. I say that if the average was struck again it would probably show a better result.

6304. But taking the 18 men as they are; you have met them?—I have met very few of them.

6305. There must be some men who got in either before or after you whom you know in the Civil Service?—I know three of them.

6306. From those whom you know personally, as also from those about whom you may have reliable information, do you think that the Indian average is lower than the European average?—From what I have seen of the work I should think not.

6307. In answer to a question of Mr. Maddenald's, you said the men who go to England have something else in view if they fail in the Indian Civil Service, but there are instances, are there not, where men go only for the Indian Civil Service and straightway begin studying for it?—Yes.

6308. So that their case is not different from the case of those who, supposing simultaneous examinations are held, pass in India and go afterwards to England?—That is so.

6309. (*Mr. Chaubal.*) You said that you went at the age of 17 after passing your Matriculation?—After passing the Oxford and Cambridge Local Examination.

6310. What educational course did you have [illegible] you went?—I did not take up any [illegible] examination.

6311. Did you pass the Matriculation?—No, I did not take up Matriculation at all; it was a [illegible]

6312. [illegible] goes to Cambridge after [illegible] how much time has he, [illegible] University course? Supposing [illegible] of appearing for the [illegible] examination, and after taking [illegible] goes to Cambridge or Oxford, [illegible] has he before him in order to [illegible] subjects he chooses out of the [illegible] subjects?—I do not know what [illegible] age is at which men graduate in [illegible] I should imagine it was about 20 or [illegible] would have three years in which

[illegible] has two?—Yes.

[illegible] think it possible for Indian [illegible] taking their degree here, go [illegible] Oxford, to have the necessary [illegible] the sports of the college?—[illegible] west at Cambridge, except [illegible] the hours of two and five.

6315. I am not speaking of any particular hour, but looking at the syllabus?—He will have time, I should think.

6316. He will have time for joining in the sports and society and for studying up all these subjects?—To a small extent he will have time.

6317. You have no experience of that yourself?—No.

6318. With regard to this question of the four Brahmans and nine non-Brahmans which arose in connection with your answer that because the English door was open you found this phenomenon of four Brahmans and nine non-Brahmans in the Indian Civil Service, even making allowance for everything that Mr. Gokhale has said, you do not take into account the Brahmans from Madras who might be serving in other Presidencies?—No, I do not.

6319. Do you know that as far as possible it is the policy, when the Indian Civil Service men are posted to different provinces, that a person passing from Bombay should not be allotted to Bombay?—I am not aware of that.

6320. Supposing that were the policy of Government, the mischief you apprehend, even assuming that Western education has not completely westernised them, would not be felt; the Brahman Indian Civil Servant would have fewer opportunities of showing any favour to his own men, if he were posted to a different province?—No, if the conditions are different.

6321. Have you ever practised at the Bar?—No.

6322. Do you think that persons who pass the Indian Civil Service examination and are straightway invested with criminal powers really understand police methods? Do not you think that the practising Barrister or Pleader understands far more of what the real police methods are than officers ever do?—I do not quite understand the distinction between the two. What I was talking of with regard to police methods was the appreciation of the difficulties under which they work.

6323. I am now speaking with reference to the point on which Mr. Rahim questioned you. In the investigation of cases and the appreciation of evidence brought forward for the prosecution, if you have never appeared as a Pleader or Barrister for the accused you will not be in a position to understand the force of what he and I put to you. Do you believe from your experience that Indian Civil Servants, straightway invested with magisterial powers, really are able to understand police ways and police methods of investigation better than men who are practising at the Bar?—I have never had an opportunity of testing the knowledge of those who have practised at the Bar, so that I cannot say.

6324. (*Sir Theodore Morison.*) You said just now that in the past the experience of Indian members of the Civil Service in Madras has been rather unfortunate?—Yes.

6325. When you said that the Indian Members of the Civil Service here were quite up to the average did I understand you to refer to the individuals whom you knew personally?—Yes.

6326. (*Mr. Oldfield.*) Is the Chetti caste in any way similar to the literary castes of India?—I do not know anything about northern India.

6327. Should we call it a high Sudra caste?—I really do not know where the Chetti caste come in.

6328. You consider them equal in standing to the Vellalas I suppose?—I thought it was considered so in India.

6329. Have you come across any castes in your districts that might be called literary castes?—No, only the Brahmans.

6330. The Brahmans really correspond, for all practical purposes, to the Brahmans and literary castes elsewhere?—Yes.

6331. When you referred to the experience of Police methods I understood you to be referring to the experience which you have accumulated in the course of your service?—Yes.

6332. Not to anything you possessed when you first began to try cases?—No.

6333. In dealing with criminal cases by the Police, do you find it is necessary to consider whether the conduct of the Police has been *bonâ-fide* or not?—No.

(The witness withdrew.)

G. F. Paddison, Esq., I.C.S., Collector, Bellary.

Written answers relating to the Indian Civil Service.

6334 (1). What is your experience of the working of the present system of recruitment by open competitive examination for the Indian Civil Service? Do you accept it as generally satisfactory in principle?—Satisfactory.

6335 (2). In what respects, if any, do you find the present system faulty in detail, and what alterations would you suggest?—None, except as under question (3).

6336 (3). Is the system equally suitable for the admission of "Natives of India" and of other natural-born subjects of His Majesty? If not, what alteration do you recommend?—Judging by results in this Presidency I do not think the system is equally suitable. The great advantage of the present system is that there is no racial distinction about the men in the service at all. The only other way in which this can be achieved is by simultaneous examinations and the picking of the top men from the common list. I believe that it would be possible by a system of selection combined with examination out here to get better men than we do at present from among the Indians, but the number would have to be limited and the men who come in this way would not be looked upon exactly the same as the members recruited from home.

6337 (4). Further, is any differentiation desirable between other classes of natural-born subject of His Majesty? If so, what do you propose?—None.

6338 (5). Do you consider that the combination of the open competitive examination for the Home and Colonial Civil Services with that for the Indian Civil Service is or is not to the advantage of Indian interest? Please give your reasons?—Yes, it certainly used to be. It widens the area of competition. In old days a considerable number used to put down for Indian Service first, and even of those who preferred the Home Service, the majority would rather accept the Indian than any but the pick of the vacancies in the Home Service. I am told that of recent years there has been a change in this respect and that a much larger proportion plunge absolutely for the Home Service. This may possibly be due in a few cases to anxious mothers dissuading their sons from going out to be shot, but India does not want these particular youths. A far more potent motive is the dissatisfaction felt by a number of men in the Civil Service out here which seems very strongly on possible candidates at home. What influences the average man to [illegible] instead of the Home Service is [illegible] an office stool in Whitehall. Very grave discontent has been roused by recent appointments from the Home Service to the Government of India and to Ceylon. Men naturally would prefer to spend the first ten years of their service in a decent climate and then come out on Rs. 5,000 a month rather than to go through the mill in the plains and perhaps draw the same pay at the end of thirty years. No one objects to the best man being chosen wherever he comes from: but if the pick of Indian appointments are to be open to the junior members of the Home Service, it should be open to young members of the Indian Service to have some of the places of the Home Service.

6339 (6). If you do not consider the present system of recruitment by an open competitive examination to be satisfactory in principle, please state what alternative you would propose. Do you recommend a system based on any of the following principles:—(*a*) Selection by headmasters of schools approved or otherwise. (*b*) Selection by authorities in Universities approved or otherwise. (*c*) Nomination by headmasters or University authorities and selection under the orders of the Secretary of State. (*d*) Combined nomination and examination. (*e*) Any other method?—I am opposed to all of these as I think it inevitably tends to get men all of one pattern, which may be a beautiful pattern but becomes monotonous. Some of the best men we have would not have got in by a system of selection. On the other hand I think it of great importance that the service should be chiefly manned by public school and University men, and consider that the examination should be designed to give preference to men of this type.

6340 (7). What is your opinion regarding a system of simultaneous examination in India and in England, open in both cases to all natural-born subjects of His Majesty?—I am strongly opposed to simultaneous examinations if the whole service is to be recruited in this manner. I am convinced that the result would be an enormous increase in the number of Indians admitted. Establishments like Wren's would soon be started and all educated Indians would compete. Instead of being one [illegible] number of others equally desirable [illegible] would be the cause at which all [illegible] would aim. Moreover the Indian, as [illegible] known, matures at [illegible] Europeans that he would have to [illegible] handicap in age. I am [illegible] of this Presidency, [illegible] educated natives, [illegible] should be [illegible] course like [illegible]

they have a sentimental feeling that the present system acts as a race-bar and that therefore promises in regard to equality of treatment are broken. These same men will frankly admit that they would rather have a European than an Indian Collector in their districts. I have heard it suggested that if Native States like Mysore, where the greater part of the high officials are Indians, can carry on the administration successfully, there is no reason why this Presidency should not be run on the same lines. I do not know enough about the administration of Native States to be able to say how far the administration is successful, but the Native Princes are despots, and quite different instruments are needed for a despotism and for a system where public opinion is allowed to have full force. It is for this reason I think any large influx of Indians into the Civil Service is now especially to be deplored. The experiment of a non-official majority in the Legislative Councils has only recently been started, and the very best men, quite apart from distinctions of race, are needed to work the new system.

It is much easier to be a patriarch than a constitutional authority, and if, as I think probable, in the near future larger powers are to be given to local authorities with a considerable non-official element, and district officers are to live in the light of continual criticism, what will be needed far more than in the past will be men of strong character and strong personality, able to do their duty in spite of clamour and to influence and guide the growing Indian nation.

6341 (8). Are you in favour of holding this examination simultaneously at any other centre or centres within His Majesty's Dominions?—No.

6342 (9). What would be your opinion with regard to filling a fixed proportion of the vacancies in the Indian Civil Service cadre by "Natives of India" recruited by means of a separate examination in India or by means of separate examinations in each province or group of provinces in India? If so, what proportion do you recommend?—I am opposed to it. The men who come in this way would be looked on as inferior. If however there is strong Indian opinion in favour of recruitment in this way rather than from home, I would let them have their way. In that case I would limit the number to about what we have now. I consider however this would be much more invidious from a racial point of view than the present system.

6343 (10). If you do not approve of simultaneous competitive examinations in India, are you in favour of any system under which "Natives of India" would be selected in India for admission to the Indian Civil Service by means of (*a*) nomination, (*b*) combined nomination and examination, (*c*) some other method? If so, [illegible] system you would [illegible] you consider it [illegible] system, all classes [illegible] represented? If so, [illegible] in this principle?—[illegible] a stiff examination [illegible] examination from among [illegible] a certain [illegible] with Honours in this [illegible] Government [illegible] of a high [illegible]

absolutely necessary. The Selection Board might consist of a Judge of the High Court, Senior Member of the Board of Revenue and Director of Public Instruction. This Board could easily see that all classes were represented. I think a Provincial Board would choose better men than a Board for all India.

6344 (11). If you are in favour of a system for the part recruitment of the Indian Civil Service by "Natives of India" in India, do you consider that "Natives of India" should still be eligible for appointment in England, or would you restrict that right to other natural-born subjects of His Majesty?—They should not be eligible.

6345 (13). Do you recommend any separate method of recruitment for the judicial branch of the Indian Civil Service? If so, please describe the system that you would propose?—None. It used to be undoubtedly the case that a large proportion of the judges in this Presidency were failed Collectors, though there were of course many notable exceptions. This is not the case at the present moment. The pay and prospects of judges have been improved, and there is a good deal of feeling in favour of the judicial branch owing to the fact that a judge is less worried and is treated a great deal better by the authorities than men in the executive branch. Moreover, a judge can only sit for a certain number of hours a day. Some Collectors sit at their office table ten or twelve hours daily.

6346 (14). Are you satisfied with the present definition of the term "Natives of India" in section 6 of the Government of India Act, 1870 (33 Vict., c. 3), as including "any person born "and domiciled within the Dominions of His "Majesty in India, of parents habitually resident "in India, and not established there for tempo-"rary purposes only," irrespective of whether such persons are of unmixed Indian descent, or of mixed European and Indian descent, or of unmixed European descent? If not, please state fully any proposals that you wish to make in regard to this matter?—Yes.

6347 (15). If the system of recruitment by open competitive examination in England is retained, please state the age limits that you recommend for candidates at such examination, giving your full reasons. Do you consider that the age limits should be fixed to attract candidates of the normal school-leaving age in England, or candidates who have completed a University course, or candidates at an intermediate stage of education?—The advantages of a younger age are that (i) another career is open to those who fail besides that of clergyman or school-master, (ii) the men are younger when they reach high office. I do not know how long it takes to age a man in this country, but I should say that as a rule they were at their best as administrators from 45 to 50. This is being recognised, I believe, in Bombay and in the Government of India, but it certainly is not so in this Presidency where seniority is the chief guide to promotion and selection very rare. (iii) the men would be less likely to [illegible] and [illegible] [illegible] On the other hand if there is to be no selection [illegible] competition of the [illegible] [illegible] [illegible] advantage to those who have not had to deal with [illegible]

chance of rubbing off corners from about the second to the twelfth year of their service. On the whole I prefer the present system if selection is to rule for higher appointments and the initial pay is raised to at least Rs. 500 a month.

6348 (16). What is your experience of the relative merits of the candidates selected under varying age limits, particularly under the systems in force from 1878 to 1891 (age limits 17—19 years, followed by two or three years' probation at an approved University) and since 1891 (age limits 21—23 or 22—24 years, followed by one year's probation)?—I came out in 1897. I should say there was not much to choose.

6349 (17). What is your opinion regarding the suitability of the recent recruits to the Indian Civil Service?—I have only seen a few but they were of the right sort.

6350 (18). What is the most suitable age at which junior civilians should arrive in India?—The present. I should like the University men to come out straight and the non-University men to have a year's training at home. But I do not think this democratic age would allow it.

6351 (19). What age limits for the open competitive examination in England would best suit candidates who are "Natives of India," and for what reasons? Do you recommend any differentiation between the age limits for "Natives of India," and for other natural-born subjects of His Majesty?—No differentiation.

6352 (20). On what principle should the subjects for the open competitive examination be fixed? Do you accept the principle laid down by Lord Macaulay's Committee in 1854, and since followed, that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may devote himself, have any reason to regret the time and labour which he had spent in preparing himself to be examined," and that the object should be to secure, not specialists in any particular subject that may be useful in a subsequent Indian career, but the ordinary well educated young man of the period?—I agree with Lord Macaulay.

6353 (21). Please examine the table in Appendix I to these questions, which shows the various phases of the authorised syllabus of the open competitive examination, and state what changes, if any, are, in your opinion, desirable, differentiating between the cases of candidates (*a*) of school-leaving age and (*b*) of University-leaving age?—If there is to be no selection the object should be to get the public school or the University man and to circumvent the crammer. There was a condition in my time which I thought extremely undesirable, viz., that a very large proportion of questions must be answered, so that a man who had crammed a hand-book could get more marks than a man who knew his subject thoroughly. I think the increase in marks for Mathematics and Natural Science undesirable, as I think the great advantage which the "greats" man used to have over the mathematician meant as a rule the selection of better men.

6354 (22). Is any differentiation in the subjects for the examination desirable between candidates who are "Natives of India" and other candidates? If so, please state them and give reasons?—No. I think the [illegible] should be avoided wherever [illegible].

6355 (23). Do you consider it necessary that certain posts should be reserved by statute for officers recruited to the Indian Civil Service, and if so, what posts and for what reasons? Please state in detail what alterations (if any) you recommend in the schedule of the Indian Civil Service Act of 1861 (24 & 25 Vict., c. 54). [Attention is invited to the provisions of the India Civil Service Act, 1861 (24 & 25 Vict., c. 54) and of the Government of India Act, 1870 (33 Vict., c. 3), reproduced as Appendices II and III to these questions.]?—I would recommend no change, unless in the judicial line of which I know little.

6356 (24). Do you consider that a minimum proportion of European subjects of His Majesty should be employed in the higher posts of the Civil Administration? If so, to what proportion of the posts included in the Indian Civil Service Cadre do you consider that "Natives of India" might, under present conditions, properly be admitted?—I would make no change.

6357 (25). Do you accept as generally satisfactory in principle the present system under which "Natives of India" are recruited partly through the medium of an open competitive examination in England, and partly by special arrangement in India, in accordance either with rules framed under the provisions of section 6 of the Government of India Act, 1870 (33 Vict., c. 3), or with the provisions of the Indian Civil Service Act, 1861 (24 & 25 Vict., c. 54)? Do you recommend any alterations in this system, and if so, what?—Generally satisfactory.

6358 (27). Have the "Natives of India," recruited by means of open competition in England proved, on the average, as efficient as the European members of the Indian Civil Service of the same standing and recruited in the same manner? Has it been found possible and expedient to employ them in all branches of the Administration, whether on executive or judicial duties?—I think certainly not.

6359 (28.) Do you consider that the old system of appointment of "Statutory Civilians" under the Statute of 1870 should be revived and, if so, what method of recruitment would you recommend?—No.

6360 (29). What experience have you had of military or other officers who have been specially recruited in India to fill Indian Civil Service posts, and how many such officers are employed in your Province? Please distinguish in your reply between (*a*) military officers, and (*b*) others; and give details of the latter?—None.

6361 (31). If the system of recruiting military officers in India has been stopped, or has never existed in your Province, would you advise its reintroduction or introduction, as the case may be, and if the system should be introduced or reintroduced, to what extent should it be adopted?—No.

6362 (38). Is the class of posts listed suitable? If not, in what directions would you suggest any changes and why?—Suitable.

6363 (43). What is your experience of the results of the existing system under which successful candidates in the open competitive [illegible] are required to undergo a pro[illegible] instruction in England? [illegible] the continuance or abo[illegible] system?—I would retain the pre[illegible].

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(1)	(2)	(1)	(2)