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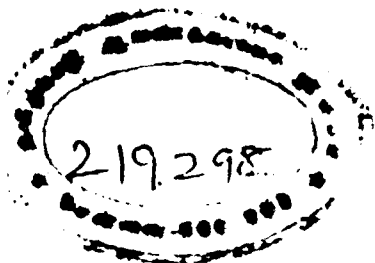
BOOKS CONSULTED.

1. Anderson's British Administration of India
(New Edition)
2. New India—Chandavarkar.
3. New Reforms—Dhopeshwarkar.
4. India under Company and Crown—Stark.
5. The State in India—Maclean.
6. Indian Administration—Dhopeshwarkar.
7. England's Work in India—N. N. Ghose.
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PART I.

INTRODUCTORY.



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CHAPTER I.

The Evolution of Administration in India.

1. Before the British.

India is a large country inhabited by numerous races and it has always been difficult to bring the whole country under one rule. But from the earliest times attempts have been made to weld it into one realm with one Central Government. Of these attempts one was made in the reign of King Asoka. He made good arrangements for the comfort and welfare of his subjects throughout India, appointed good officers but much was made to depend on his own vigour and nobility. So that as soon as he died, his empire fell into pieces and disorder. The next great attempt in this same direction was under the Moghuls. King Akbar ruled "from Kandahar to Bengal and from the Himalayas to the Deccan." The country was divided into 15 *subahs* or provinces. The rulers of these *subahs* were civil as well as military administrators and had great powers which were under strict control under Akbar and Aurangzeb. Under Akbar everything was in good order. Lands were accurately measured and the tax fixed for each. The collection

of revenue was done by a local officer who looked to the well-being of the peasantry and acted also as a magistrate and police officer. With the assistance of able officers and a sympathetic policy Akbar kept his empire contented and strong. But Aurangzeb gave up Akbar's policy of conciliation and sowed the seeds of disruption. Though during his own lifetime he kept the empire intact, it speedily broke up after his death and India was again in a chaos of conflicting kingdoms till the English rose step by step to be the predominant power in India.

2. Under the East India Company.

The affairs of the East India Company were originally administered by two Courts in England—the Court of Directors and the Court of Proprietors. In India, the three important settlements of Bombay, Calcutta and Madras were each under a President assisted by a Council. Each "Presidency" was independent of the other two and subordinate only to the Court of Directors in England. This arrangement worked fairly well as long as the Company was a mere trading concern. But when it became a dominant ruling power in India and assumed the task of governing millions of people, the system broke down. "The astonishing position was created that a few commercial agents were handling the revenues of a kingdom in the name of an emperor." Abuses of all sorts sprang up. Some servants of the Company

amassed large fortunes and the shareholders were receiving large dividends while the Company was in debt, had no standing army and was unable to do nothing for the people during a terrible outbreak of famine in Bengal. There were exaggerated rumours in England of cruelty and oppression practised by servants of the Company on the Indian people and these were confirmed by the wealth and arrogance of officials returning from India—the "Nabobs" as they were styled. Moreover there were frequent quarrels between the three presidencies and serious delays in political matters before the decision from England would come. All these factors combined to make England feel that the Parliament should interfere in Indian affairs and see "that the new and vast experiment of ruling a distant and alien race was properly conducted. So when the Company applied to the British Parliament for a loan in 1773, it discussed the character of the Company's rule in India and passed the *Regulating Act* to "regulate" its affairs. "This was the Parliament's first attempt to provide for the ordering of Indian affairs." The main provisions of the Act were:—

(1) In England the constitution of the Court of Directors and the Court of Proprietors was so changed as to make them more responsible for the good government of India, and to remove improper influences in the management of the Company's affairs. •

(2) In India, all the Company's possessions in Bengal, Bombay and Madras were placed under the charge of the Governor-General of Bengal and his Council of three members. The presidencies of Bombay and Madras were to obey the Governor-General in Council and were prevented from waging war or making treaties without sanction from him. They were also required to keep him informed of all important matters. The Governor-General himself was bound to act according to the decision of the majority of his Council. The first Governor-General, Warren Hastings, was appointed by the Parliament, but after five years the right of appointing this officer was to be exercised by the Court of Directors.

(3) A Supreme Court of Justice with three judges and one Chief Justice was constituted for India, and this was intended to serve as a check on the actions of the Government officials. The judges were appointed not by the Company but by the Crown, and every law enacted by the Governor-General-in-Council was to be registered in this Supreme Court before it could be enforced.

(4) Provision was made for the removal of abuses which had sprung up in the administration of the Company's dominions.

The Regulating Act was the *first* step in the attempt to set up a regular system of administration and justice under the Company. But like all first attempts, it was found inadequate to deal effectively

with the condition of affairs. There were quarrels between Warren Hastings and his Council, and between the Government and the Supreme Court because their respective duties and functions had not been clearly fixed by the Regulating Act. Stories of oppression towards the people of India still continued. Warren Hastings had been compelled by circumstances to unjust and high handed dealings with Begums of Oudh, the Rohillas and Chait Singh. He was violently attacked by his enemies in England and the Government of Britain under Fox and North decided to deal with the situation. In 1783 Fox introduced his Bill in Parliament with the object of giving to the King and his Ministers a greater control over the affairs of the Company in India. But some provisions of this Bill were strongly objected to by Pitt and the King and it was thrown out by Parliament. When, next year, Pitt came into power, he passed the "Pitt's India Act" for the better government of India. This was the *second* step in the evolution of administration in India. The provisions were:—

(1) A Board of Control, consisting of six Commissioners was established "to superintend, direct, and control all acts, operations, and concerns which in any wise relate to the Civil and Military Government or Revenues of the British territorial possessions in the East Indies." The Chancellor of the Exchequer and one other minister had

seats on this Board, and the next senior member of it was the President of the Board of Control. He had great powers and in position and authority was similar to the Secretary of State for India. All communications from India, and all those from the Court of Directors to India were to be sent to him. He had the right to modify the despatches of the Directors and send them himself to India if the Directors refused to do so. The object was to make the British Parliament the guiding hand in the Government of India.

(2) The Court of Proprietors, which had refused to recall Warren Hastings in spite of the demand of the Directors and the Parliament was practically abolished.

(3) The Court of Directors was kept up. Appointment of officers in India and the management of commercial matters were left in their hands.

(4) The number of members of the Governor-General's Council was reduced to three and the Governor-General was empowered to act without the consent of his Council in cases of emergency.

(5) Governors of Bombay and Madras also were given Councils similar to those of the Governor-General of Bengal.

This act was also designed to place India under a regular system of administration and justice and to prevent abuses, and it succeeded to a great deal in its object. Except for a few alterations, it remained

in force upto 1858. These few alterations were of the following :—

(1) The Board of Control was from time to time modified so as to include more members of the British Cabinet in it, though practically all power was concentrated in the hands of the President of the Board.

(2) By the Act of 1793 the Directors were given the power of dismissing the three governors in India, subject to the approval of the Crown. By the Act of 1853, one third of their members were to be appointed by the Crown.

(3) By the Act of 1833 the Governor-General of Bengal was given the title of the Governor-General of India and by the Act of 1853 he was relieved from the task of administering Bengal, a separate Lieutenant Governor being appointed for that province.

(4) The Governor-General's Council was expanded in 1833 by the addition of a Legal Member, and later on the Governor-General was empowered to make laws for the whole of India, and these laws, if not disallowed by the authorities in Britain, were to have the force of Acts of Parliament.

(5) In 1833 a Law Commission was appointed to draft the Indian Penal Code. In 1833 six special members were added to the Council of the Governor-General for the purpose of assisting him in making laws.

These modifications from 1794-1854 serve to indicate in what way the wind was blowing. While *in England*, the British Government was assuming more and more control over the management of Indian affairs, and the powers of the Directors were vanishing, the Governor-General *in India* was receiving more powers and was becoming independent of the Company's control. The result of all these gradual changes was that practically the Company ceased to be a political power for India by the year 1854 and its rule quietly ended in 1858 when the Government of India was taken over by the Crown.

This ends the first period in the evolution of Administration in India under the British. The administrative machinery designed during this period was mainly for the purpose of giving a settled and systematic Government to India, to prevent abuses and bring about peace and security of life and property. The Company was all this time engaged in conquering and it had no time to think of the future aims and goal of British policy. The utmost it could do was to maintain peace, order and efficiency and prevent miscarriage of justice, oppression and other abuses. But by 1858 the work of conquest and war was over, and the British Statesmen had to consider carefully what was to be their future policy for India. This was announced in the Queen's Proclamation.

3. Under the Crown.

The Queen's Proclamation declared that it was the desire of Britain to stimulate peaceful industry of India, to promote works of public utility and improvement and to administer the Government "for the benefit of the people," and accordingly the system of administration built up under the Company was modified to suit the new conditions. The Act of 1858 "for the better government of India" had the following provisions:—

The Court of Directors and the Board of Control were abolished, and all authority exercised by them was placed in the hands of a minister of the British Government who was named the Secretary of State for India. The Secretary of State assisted by a Council, was to manage in Britain the whole business of India. Revenues of India were placed under his control and accounts of Revenue were to be placed before Parliament every year. In India the Government was not modified in any way. It was left as it was before.

The aim of the Queen's Proclamation was completed by the Indian Councils Act of 1861. This Act set up Legislative Councils in the three Presidencies, and a few Indians were appointed to these Councils with the express object of allowing the people of India to help in making laws and of giving them after some years the right to send their own representatives to the Councils. In 1892, this

principle of giving to Indians a share in the Government of their country was further extended. The Legislative Councils were enlarged. The number of members in it was increased. The right of electing their own representatives to these Councils was partially given to the Chambers of Commerce, the Universities, Landholders and the Municipalities. The members of Legislative Councils were given liberty to ask questions and obtain information regarding the administration of the country, and allowed to discuss the budget.

In 1909, a further extension was made in the principle of associating people in the Government of the country. The Indian Councils Act of 1909 or the Morley-Minto reforms enlarged the Councils and in the provinces made the number of non-Officials slightly greater than that of Government Officials. The elections and nominations to the Legislative Councils were so arranged that almost all important sections of the public had their own representatives on them. The members of the Councils were given the right to move resolutions in the Councils on questions of public importance, though the Government was not bound to carry them into effect even if passed by the Councils. An Indian was appointed as a member to the Viceroy's Executive Council and thus became a member of the Government. To each Provincial Executive Council also an Indian was appointed as a member. In 1913

Lord Hardinge admitted a greater number of Indians in the public services and Government Secretariats. An Indian was also appointed as a member of the Secretary of State's Council in London. The Morley-Minto Reforms of 1909 were an important improvement of the existing arrangements for the administration of the country but they did not start anything new. It was the same policy of 1861 further extended. Progress had undoubtedly been made but Indians, with a national consciousness roused by years of peace, security and education had ceased to be satisfied with mere association with the Government. They wanted a form of Government which would leave them free to rule their country in a manner consistent with Indian ideas and Indian needs. "The spirit of liberty was abroad and active." They wanted self-government. The Government of Britain gave a careful consideration to the Indian demands and in August 1917 announced a new policy gradually guaranteeing complete self-government and followed it up in 1919 by a Government of India Act to give effect to this policy. This brings us to the present stage of administration in India. In the next chapter we shall study in detail the circumstances which led to the announcement of the new policy and the passing of the Act of 1919 on which is based the Government as it is *now* carried on.

CHAPTER II

The New Policy and the Government of India Act, 1919.

1. Reasons for the New Policy.

We have seen that in the second period of British rule in India i.e., from 1858, the Government had been giving more and more opportunities to the people of India to influence and criticise its actions and associating them in the task of government. Years of peaceful life, education and training in the art of government had prepared the people for demanding self-government. By the year 1914 this demand had already grown persistent and strong. People found that the Government as constituted by the Morley-Minto Reforms did not enable them to achieve self-government. The Government on its own part had been careful, throughout this period, to declare that it had no intention of introducing responsible government in India. Now let us see *what reasons led His Majesty's Government to announce a new policy* for meeting the desires and aspirations of the Indian people.

(1) There was widespread discontent in the land. There were various grievances such as the Press Act, the Seditious Meetings Act, different

treatment given to Indians in the matter of bearing arms and joining the army, the immigration rules of South Africa, Canada, Australia and other Dominions. People found that they could not get sure and speedy redress as long as the policy and method of government based on the Morley-Minto Reforms continued. A radical change was necessary. The educated and sensible classes in India expressed their discontent by founding a Home Rule League in 1916. The Muslim League and the National Congress joined hands in making a united and strong demand for self-government. (*Adapted from the M. C. Report.*)

(ii) The Government itself realized that it was powerless to redress grievances without a change in the administrative system. Mr. Montagu had described the Indian Government as too wooden for modern purposes. There was always a great delay in giving effect to policies and fulfilment of promises. "The necessity of reforms is admitted, principles agreed upon and decisions taken and then long delays in giving effect to them. Difficulties are realized, inquiries started, commissions report and then there is pause." (*M. C. Report.*)

(iii) The war gave a great impetus to the aspirations of the people and also helped to make Britain realize the worth of India. When the war broke out, all classes of His Majesty's subjects in India were enthusiastic in helping Britain. The help

of India in men and money was great. The martial deeds of Indian soldiers, their loyalty, their capacity to face danger and risk life "won credit for their country and their people." India was regarded as a worthy member of the British Empire. In recognition of this "new angle of vision" or new attitude of Britain towards India, India was allowed to send representatives to the Imperial War Conference in London and an Indian (Sir S. P. Sinha) was appointed Under-Secretary of State for India. British and American Statesmen had, during the war, proclaimed that they were fighting for liberty and justice and for allowing the right of self-determination to all nations. People of India demanded that the British Empire could not keep India in subjection while fighting for the liberties of other nations. Moreover, when she had given to India a higher status in the Empire by appointing Indians to the War Conference, it had to do something to make Indians masters of their own country. It was felt all round that a new policy with regard to India was necessary.

2. The Announcement of August 1917.

On August 20, 1917 Mr. Montagu, the Secretary of State for India made the following announcement in the House of Commons :—

"The policy of His Majesty's Government, with which the Government of India are in complete

accord, is that of the (1) *increasing association of Indians in every branch of the administration* and the (2) *gradual development of self-governing institutions with a view to the progressive realization of responsible government* in India as an integral part of the British Empire. They have decided that substantial steps in this direction should be taken as soon as possible, and that it is of the highest importance as a preliminary to considering what these steps should be that there should be a free and informal exchange of opinion between those in authority at home and in India. His Majesty's Government have therefore decided, with His Majesty's approval, that I should accept the Viceroy's invitation to proceed to India to discuss these matters with the Viceroy and the Government of India, to consider with the Viceroy the views of local Governments, and to receive with him the suggestions of representative bodies and others.

I would add that (3) *progress in this policy can only be achieved by successive stages*. The British Government and the Government of India on whom the responsibility lies for the welfare and advancement of the Indian peoples, must be judges of the time and measure of each advance, and they must be guided by the co-operation received from those upon whom new opportunities of service will thus be conferred and by the extent to which it is

found that confidence can be reposed in their sense of responsibility.

Ample opportunity will be afforded for public discussions of the proposals which will be submitted in due course to Parliament."

This policy is undoubtedly new in so far as it premises a gradual development of responsible government. Responsible government means that the government of the country will be carried on according to the wishes of the people. All government officials must act as the Legislative Councils wish them to do. The Executive officers will be responsible to the representatives of the people. People will have the power to send their own representatives to the Councils and these Councils will have the power to make the government act according to their decisions. This is what is meant by Responsible Government and the promise of this was certainly a new policy. For hitherto though the representatives of the people had been given considerable powers of expressing their views and of criticizing the government and influencing its actions, the government was never bound to accept their views. But now the people were to receive control over the government. But this was to be done step by step. What was to be the first step in giving effect to this policy was to be decided by joint deliberations of the governments of Great Britain and India after receiving suggestions from all sections of the public in India.

3. The Act of 1919.

With this purpose in view, Mr. Montagu, the Secretary of State for India arrived in this country in November 1917. With the Viceroy, he visited all important places and heard the views of all classes and sections of population in India. Then Mr. Montagu and Lord Chelmsford issued a Joint Report in 1918 suggesting measures which they proposed to adopt for making a beginning in Responsible Government in India. The first step in this direction was to be taken in the following ways :—

(i) In Municipalities and Local Boards Government Control was to be removed and people were to be left free to manage their own affairs.

(ii) In the Provincial Governments, some subjects were to be entirely administered by Indian Ministers responsible to the Legislative Councils, while other subjects were to be administered by the Government but in these also the Councils were to be given greater opportunities of influencing the Government. (The subjects left to be managed by responsible Indian Ministers are called "*transferred subjects*" and the others which are not so transferred are called "*reserved subjects*").

(iii) The Central government in India was to be retained in its position of authority. No responsibility was to be introduced there in the beginning.

But the Imperial Legislative Council was to be made more representative and it was to be enlarged and given greater opportunities of influencing the Government.

(iv) The Control of Parliament and the Secretary of State for India over the Government of India and Provincial Governments was to be slightly relaxed.

The report invited criticism from all quarters and in the winter of 1918-19 two committees were appointed one to suggest what subjects should be transferred to the control of the people in the provinces and what should remain reserved subjects, the other to devise and suggest who should have the power to vote for Legislative Councils, what should be the qualifications of candidates for these councils and how they should be elected. The Government of India and the Provincial Governments also sent their criticisms on the Reforms and in consideration of all these the Secretary of State introduced into Parliament a Bill containing measures which were to be passed into law. The Parliament then appointed a Select Committee to examine witnesses from India and the Government, receive their criticisms on the Bill and to suggest changes in it. This committee issued a report approving the Bill and making modifications in it for the better. At the end of the year 1919, the Bill was passed into law.

4. King Emperor's Proclamation.

In giving his consent to the Bill, His Majesty the King Emperor issued the following proclamation :—

“ Another epoch has been reached to-day in the annals of India. I have given My Royal Assent to an Act which will take its place among the great historic measures passed by the Parliament of this Realm for the better Government of India and the greater contentment of her people. The Acts of 1773 and 1784 were designed to establish a regular system of administration and justice under the Honourable East India Company. The Act of 1833 opened the door for Indians to public offices and employment. The Act of 1858 transferred the administration from the Company to the Crown, and laid the foundation of the public life which exists in India to-day. The Act of 1861 sowed the seed of representative institutions and the seed was quickened into life by the Act of 1909. The Act which has now become law entrusts elected representatives of the people with a definite share in the Government and points the way to full responsible Government hereafter.....

“ We have endeavoured to give to (the people of India) the many blessings which Providence has bestowed on us. But there is one gift which yet remains—the right of her people to direct her affairs and safeguard her interests. The defence of India against foreign aggression is a duty of common Imperial interest and pride. The control of her domestic

concerns is a burden which India may legitimately aspire to take upon her own shoulders. The burden is too heavy to be borne in full until time and experience have brought the necessary strength; but opportunity will now be given for experience to grow and for responsibility to increase with the capacity for its fulfilment.

"I have watched with understanding and sympathy the growing desire of My Indian people for representative institutions. Starting from small beginnings, this ambition has steadily strengthened its hold upon the intelligence of the country. It has pursued its course along constitutional channels with sincerity and courage. It has survived the discredit which at times and in places lawless men sought to cast upon it by acts of violence committed under the guise of patriotism. It has been stirred to more vigorous life by the ideals for which the British Commonwealth fought in the Great War, and it claims support in the part which India has taken in our common struggles, anxieties and victories. In truth, the desire after political responsibility has its source at the root of the British connection with India. It has sprung inevitably from the deeper and wider studies of human thought and history which that connection has opened to the Indian people. Without it the work of the British in India would have been incomplete. It was therefore with a wise judgment that the beginnings of representative

institutions were laid many years ago. Their scope has been extended stage by stage until there now lies before us a definite step on the road to responsible government.

"With the same sympathy and with redoubled interest I shall watch the progress along this road. The path will not be easy, and in the march towards the goal there will be need of perseverance and of mutual forbearance between all sections and races of My people in India. I am confident that those high qualities will be forthcoming. I rely on the new popular assemblies to interpret wisely the wishes of those whom they represent, and not to forget the interests of the masses who cannot yet be admitted to the franchise. I rely on the leaders of the people the Ministers of the future, to face responsibility and endure misrepresentation, to sacrifice much for the common interest of the State, remembering that true patriotism transcends party and communal boundaries; and while retaining the confidence of the legislatures to co-operate with My officers for the common good in sinking unessential differences and in maintaining the essential standards of a just and generous government. Equally do I rely upon My officers to respect their new colleagues and to work with them in harmony and kindliness; to assist the people and their representatives in an orderly advance towards free institutions; and to find in these new tasks a fresh opportunity to fulfil, as in the past,

their highest purpose of faithful service to My people.

" Simultaneously with the new constitution in British India, I have gladly assented to the establishment of a Chamber of Princes. I trust that its counsels may be fruitful of lasting good to the Princes and States themselves, may advance the interests which are common to their territories and to British India, and may be to the advantage of the Empire as a whole. I take the occasion again to assure the Princes of India of My determination ever to maintain unimpaired their privileges, rights and dignities."

In the remaining chapters of this book we shall study the constitution of India as designed by the New Act and as it has been working since January 1921.

PART II.

THE HOME GOVERNMENT.

(Home Government means the arrangements made in England for administering the affairs of India—the various officers in England who are in charge of these affairs, their functions and powers).

CHAPTER I.

The British Parliament and India.

We have seen how the British Parliament first interfered in Indian affairs in 1773 by passing the Regulating Act and went on acquiring greater and greater control over them till the territories of India were transferred to the Crown in 1858. Since 1858 all changes or reforms in the constitution of India have been carried out by Acts of Parliament. Parliament is thus the supreme and final governing authority for India. It rules India through a minister called the Secretary of State for India. It has the power to fix the duties and functions of the Secretary of State, the powers of Viceroy and Governors in India. No important law can be passed for India without the sanction of Parliament. In theory, Parliament is the highest governing authority for India. But in practice it is impossible for it to exercise more than a nominal control over Indian affairs. It is so far away from India and its members know so very little of Indian affairs that the Parliament has generally left very large powers to the officials in India. When an Indian affair comes for discussion in Parliament,

very few members are found to take interest in it. This was till lately a serious drawback in the administration of India. Till the year 1920, the only way in which Parliament kept itself in touch with Indian affairs was that every year a statement of accounts for India was placed before it, accompanied by a report on the moral and material progress of the country. But very few members attended the sessions on this occasion.

The Reforms: The Act of 1919 has tried to remedy this state of affairs in the following three ways :—

(i) The salary of the Secretary of State for India will be paid out of British revenues not from Indian revenues as was the case till 1920. This will make the members of Parliament more keen about the conduct of the Secretary of State and when each year, the Parliament would vote the salary of the Secretary of State, they would have a real opportunity of discussing the affairs of India, and keeping the Secretary.

(ii) A Standing Committee selected from both Houses of Parliament has been formed for the purpose of keeping the Parliament regularly informed about Indian affairs. This Standing Committee is only an advisory body which can ask the Secretary of State to supply information and which the Secretary of State can consult. For instance the Secretary of State consulted it in connection with rules

and regulations which had to be framed for working the New Reforms. It has been consulted also with regard to the form of Government which should be given to Burma.

(iii) Parliamentary inquiries are to be regularly instituted. After regular intervals commissions appointed by Parliament will visit India to see how the opportunities of training given to the people of India have been utilized and whether they should be given a further measure of responsible government.

In these ways Parliament has tried to keep a greater watch over Indian affairs and also to make it clear that it is the supreme governing authority for India. But at the same time it has definitely given up some of its control over Indian affairs. It has declared that India will have responsible government. But there will be no responsible government if Parliament does not gradually give up its authority and transfer it to the people of India. Responsible government means that the people will have the power to say. "This is our decision and we want the affairs to be conducted according to our decision". If the Parliament has decided to give this power to the people, it will naturally have to give up its control step by step over Indian affairs. As a first step, it has been decided that in the case of transferred subjects, decisions of the Legislative Councils should be allowed to prevail. In reserved

(b) Relaxation of Parliamentary control.

subjects, if the Provincial Government and their Legislative Councils agree, the Secretary of State should not interfere with their decision. So also in the Central Government of India, if the Legislative Assembly and the Government agree on a particular matter, the Secretary of State should not interfere.

CHAPTER II.

The Secretary of State and the India Council.

1. Functions and powers of the Secretary of State.

In 1858 when the Crown took over the government of the country, it abolished the Board of Control and transferred all the powers of that Board to an official called the Secretary of State for India. The Secretary of State for India is a member of the British Cabinet which governs Britain. He has to manage in all the business of India which has to be transacted in England. He is the adviser of the Crown in all matters pertaining to India. He has the power to issue orders to various officials in India including the Viceroy and he can dismiss high officials. He can demand any information from the Viceroy and Governors and they are bound to supply it. All important measures sought to be passed by the Government of India or the Provincial Governments

have to be submitted to him for approval. If the Government of India declare war on any country, the permission of the Secretary of State is necessary. He has the power to appoint all high officials in India excepting the Viceroy.

2. His relations with the Parliament.

As a member of the Cabinet, the Secretary of State for India is responsible to Parliament. He is not an absolute monarch who can do what he likes. He is kept in check to some extent by his Council, to some extent by the Standing Committee, and also by the members of Parliament who can ask him questions concerning India and exact information from him. Before the Government of India Act of 1919, the Secretary of State was not under strict control of Parliament. Now his salary is taken from the revenues of Britain and the members of Parliament can inquire closely into his conduct and even pass a vote of censure on him or reduce his salary. He has to show in Parliament the reasons for his actions. He has to obtain its permission for any new expenses to be incurred and he has to lay before the Parliament a report of the moral and material progress of India.

3. The Secretary of State and India.

The Secretary of State as we have seen has great powers over the Government of India. He can

appoint high officials, issue orders to them, ask for papers on all subjects to be sent to him. All despatches from India must be addressed to him and he must sign all despatches to India. For new legislation, for declaration of war and other matters, his permission is necessary. The Viceroy is to pay due obedience to all such orders as he may receive from the Secretary of State. In theory, the Secretary of State is all-powerful in relation to the Government of India. In practice, however, he is not always strong. A strong Viceroy has occasionally been able to act in defiance of his orders. Much depends on how far the Secretary of State is supported in his policy by the Parliament and the British nation. If he has their support, no Viceroy dare do anything contrary to his orders.

The Act of 1919 deprives him of some powers. Over transferred subjects he has very little power of interference, and as regards the Government of India and in the matter of reserved subjects in provinces, if the Government and Legislative Councils agree, he is required not to interfere ordinarily.

4 The Management of Work.

The Secretary of State has a large amount of work to do. To enable him to do it satisfactorily he is assisted by two Under-Secretaries, one of whom is a member of the British Cabinet like himself, the other being a permanent official. In addition to this, the

Secretary of State has a large establishment called the **India Office** consisting of Secretaries, Assistant Secretaries, Clerks, a Legal Adviser, an Accountant-General, a Director of Funds and other officials. The salaries of all these used to be paid till 1920 out of Indian revenues. Now they are paid out of the British revenues.

5. High Commissioner for India.

Before 1920 the Secretary of State for India used to do also the "agency" work for India, i.e., work in connection with the borrowing of money, purchasing of stores and entering into contracts. Now he has been relieved of this work which has been entrusted to a new official called the High Commissioner for India. All expenses connected with this work are borne by India.

6. The India Council.

The Council of the Secretary of State, has consisted of a varying number of members from time to time. In 1919, it consisted of not less than ten members and not more than fourteen. Nine out of these were persons who had served or lived in India for at least ten years and who at the time of appointment had not been away from India for more than five years. The members were appointed by the Secretary of State and were to hold their appointment for seven years. They could not be dismissed except by His

Majesty on an address of both Houses of Parliament. From 1907, it has been the custom to appoint two Indians on this Council. The New Act has made some *alterations* in the constitution of this Council. It now consists of not less than eight and not more than twelve members. Half of these must have served or lived in India for at least ten years and at the time of appointment must not have been away from India for more than five years. They have to hold office only for five years. More Indians have to be appointed to it. They will be paid £1200 a year. The Indian members will receive an additional allowance of £600 a year. The Council meets once every month.

7. The Relations of the Secretary and his Council.

The India Council is, in many respects, merely an advisory body. In many matters the Secretary of State is independent of the control of his Council. In urgent and secret matters as those of war and peace, and about the Native States he is not bound to consult his Council. He can issue orders without consultation with it, though he is bound to give the reasons why he considered the matter urgent. In ordinary matters, he has to consult his council but is not bound to follow its advice. If any member differs from him, the Secretary of State is bound to make a note of his objections, if the member so desires. There are, however,

some special matters named by Parliament in which he cannot act, without a majority vote of his Council. These matters are (1) Expenditure of Indian revenues, (2) changes in the salary, furlough and pension rules for India, (3) appointment of Indians to the I.C.S. and (4) making temporary appointments to the Viceroy's Council. In these matters, if the majority of the members of the Council do not vote for him he cannot do anything.

The Secretary of State is always the President of his Council and the Vice-President is appointed by him

PART III.

**THE MACHINERY OF
GOVERNMENT IN INDIA.**

CHAPTER I.

The Central Government in India.

We have seen, in the previous chapters, what arrangements exist *in England* for the management of Indian affairs. But as England is far away from India and the Secretary of State has his office in London, it is necessary that there should be some one else in India to govern the country. So here we have the Governor-General of India and his Council.

1. Powers of the Governor-General.

The Governor-General is generally a nobleman of Great Britain appointed by the King on the suggestion of the Prime Minister. He is appointed for five years. In India he is the representative of the King and has great powers. (1) He can show mercy or grant pardon like a king to those who have been found guilty by Courts of Law. (2) He has full powers of dealing with the Native States in India. He can interfere in their affairs and even dethrone a ruler. (3) No law can be passed in India without his sanction. (4) He can issue ordinances which have the force of laws for six months. (5) He is supreme over all Governors and officials in India.

Though his powers are great, he must like all other officials in India obey any orders sent to him by the Secretary of State.

2. The Executive Council.

The Governor-General has been assisted by a Council since the Regulating Act of 1773. Since then the Council has consisted of a changing number from time to time. The members of it were originally appointed by the Directors but since 1858 they have been appointed by the Crown acting on the advice of the Secretary of State. In 1919, the Governor-General's Council consisted of eight members—the Governor-General, six ordinary members and the Commander-in-Chief as an extraordinary member. Three of these members were members of the I.C.S. who had served in India for at least ten years, one was a barrister from the British Isles and the remaining two were experts. Since 1909, one of the ordinary members has been an Indian. The Act of 1919 has made some changes in the constitution of the Council. The number of members is not now fixed—it can be more than eight as the Governor-General thinks fit. The qualifications of the members remain almost the same. Three members have to be members of the I.C.S. of not less than ten years' standing, one member must be a legal member selected either from the British Isles or India. Not less than three members have to be Indians.

3. Relations between the Governor-General and his Council.

The Governor-General is bound to act according to the decision of the majority on his Council in all matters excepting those which concern the "safety, tranquillity or interests of British India." In such cases he may over-rule his Council, but the objecting members have the right to note down the reasons for their disagreement and these have to be forwarded to the Secretary of State.

4. The Conduct of Work.

In former days when the work of administration was light the Governor-General took charge of all affairs and was assisted by his Council in any manner the Governor-General required assistance. All matters used to be discussed by all members of the Council. This caused great delays and inconvenience. With the growth of work, this method of doing business was given up in the days of Lord Canning who divided the whole work into different departments each in charge of one member. Only matters of great importance are now brought for discussion in the whole Council. The procedure of work is as follows:—

Routine and ordinary matters of each department are disposed of by the member of the Council who is at the head of that department. Papers of great importance in each department are sent to the

Viceroy with the opinion of the head of the department. If the Viceroy agrees with his opinion, the matter ends there—the proposal being issued then as an order of the Governor-General-in-Council. If the Viceroy differs from the Council Member, he circulates the papers to all the remaining members of the Council and summons a meeting of the whole Council for discussion of the papers. In matters of importance, even if the Viceroy agrees with the Member, he circulates the paper to the whole Council or those Members whose expert opinion on the subject he might desire to have. In urgent matters, the Secretary of each department brings papers to the Viceroy direct and the Viceroy issues the orders himself or directs the Council Member of that department to issue it. (*Adapted from Sir W. Hunter's "Life of Lord Mayo."*)

5. The Departments.

The whole work of the Government of India is divided into the following eight Departments:—

(i) *Foreign Department* which is in charge of the Viceroy deals with the Native States and independent Kingdoms like Afghanistan, Persia, Arabia, Tibet, China and Siam. This department appoints Residents or Agents to the Native States, supervises such matters as the Chief's colleges and Imperial Service Troops (in the Native States), and also rules the provinces of Baluchistan, N. W. F. Province and Ajmer-Merwara.

(ii) *The Home Department* supervises the administration of the provinces with regard to law, justice, police, jails, hospitals and the Municipal bodies. It controls the Indian Civil and Medical Services, manages, the Imperial Library and Records Office, arranges for the preservation of ancient historical buildings and administers the penal settlement of the Andamans. The Council Member in charge of this Department is called the *Home Member*.

(iii) *Legislative Department*. This department deals with the making or modification of laws. It assists in the drafting of Bills and advises all departments as to the legal form in which documents should be written. It advises the government on all legal matters. The Member in charge of it is called the *Law Member*.

(iv) *Finance Department* in charge of the *Finance Member* supervises the expenditure of the provincial governments, deals with the expenditure in those subjects which are in charge of the Central Government such as the army, public debts, posts and telegraphs, tribute from Native States, customs, opium, etc. It collects the Income-tax from the whole of India, deals with currency, banking, insurance and manages the Mints. It prepares an annual budget or a statement of likely expenditure for the year and likely revenue and proposes new taxes, etc.

(v) *Revenue and Agriculture Department*.—This department deals with questions connected with

land. It supervises the collections from land revenue, arranges assessment of lands and supervises the provincial arrangements for famine relief, construction of roads, bridges, canals (Public Works). It prepares facts and figures in connection with agriculture and conducts experiments for its improvement.

(vi) *Department of Commerce and Industry*, manages the Posts and Telegraphs, customs and collieries, supervises all industrial schemes, collects and distributes information on commerce and industries, regulates the trade of the country and deals with labour questions such as the restriction of child and female labour in factories, the hours of work, housing arrangements in factories, etc., etc.

(vii) *The Education Department* deals with all branches of education, sanitation and local self-government (i.e., Municipalities, Local Boards, etc.)

(viii) *The Army Department* under the Commander-in-Chief deals with everything connected with the army, fortifications, cantonments, stores, etc.

At the head of each Department is a Council Member assisted by a Secretary, an Under-Secretary, various Assistant Secretaries and numerous clerks.

6. The Relation of the Central and Provincial Governments.

Originally the three settlements of the British in India were independent of each other and considerable delays and bickerings, were the result. Then

the Governor of Bengal was given some control over the other settlements. This principle was extended from time to time till we find the relation between the Central Government in India and the provincial Governments stated in the Act of 1915 as under :—

“Every Local Government shall obey the orders of the Governor-General-in-Council and keep him constantly and diligently informed of its proceedings.....and is under his Superintendence, direction and control.”

The Act of 1919 has relaxed a good deal of control exercised by the Government of India over Provincial Governments. Many duties formerly performed by the Central Government have been transferred to the provinces. The Government of India will interfere in the administration of transferred subjects only if it interferes with the administration of central subjects i.e., those which are in the hands of the Central Government. In other respects the Government of India will interfere with provincial administration only when two provinces happen to disagree on a particular question.

Though this relaxation has been allowed, it is recognised that a Central controlling authority is still necessary for India. So the Government of India still retains powers of correction, of making or proposing new laws.

CHAPTER II.

The Government of Provinces.

1. The different Provinces.

Until 1920, the British India was divided into the following provinces for purposes of administration :—

(i) The three Presidencies of Bombay, Bengal and Madras ruled by Governors with Councils.

(ii) The four provinces of the Punjab, Bihar and Orissa, Burma and the United Provinces of Agra and Oudh ruled by Lieutenant-Governors with executive Councils.

(iii) The four provinces of Delhi, Assam, the Central Provinces and Berar and N.W. frontier Province ruled by Chief Commissioners without executive Councils.

(iv) The British Baluchistan, Ajmer-Merwara, Coorg and the Andaman Isles ruled by Agents to the Governor-General.

By the Act of 1919 the status of *provinces* and the designation of rulers has been altered and now the provinces are :—

(i) *Eight provinces of Bombay, Bengal, Madras, United Provinces, the Punjab, Bihar and Orissa, Central Provinces and Assam,*

Provincial Executive Councils.

each ruled by a Governor-in-Council and Ministers. The size of executive councils has not been fixed for

these provinces. The maximum number of members is to be four, one of whom must be an official of at least twelve years' standing at the time of his appointment. In smaller provinces the number has been recommended as two, one of these being a non-official Indian. In the larger provinces if the Council has two officials none of whom is an Indian, it must include two non-official Indians as members. The Government of Provinces is to be in two halves one half *i. e.*, reserved subjects administered by the Governor-in-Council and the other half *i. e.*, transferred subjects administered by Indian Ministers appointed by the Governor from the elected members of the Legislative Councils and responsible to these councils.

(ii) *Burma* which continues to be ruled by a Lieutenant-Governor. The constitution of this province is still under consideration of the Parliament. The Standing Committee has supported the suggestion that it should be administered as any other province of India ruled by a Governor with a Council and Ministers but nothing has yet been decided.

(iii) Province of Delhi, and N. W. Frontier Province ruled by a Chief Commissioner without a Council.

(iv) British Baluchistan and Ajmer-Merwara ruled by an Agent to the Governor-General.

(v) Coorg administered by the Resident of Mysore.

(vi) Andamans administered by the Superintendent of Penal Settlements of Port Blair.

In all there are fifteen provinces.

2. Introduction of Responsibility—Reserved and Transferred subjects.

As we have already seen, the Announcement of August 1917 declared that India would get a system of responsible government step by step and the first step would be taken in the provinces. The Act of 1919 provided that in the major provinces ruled by Governors, the whole work of administration will be divided into two halves. One half will concern itself with subjects which have been transferred to popular control. These will be in charge

of Indian Ministers appointed by the Governor from the elected members of the Legislative Councils. The Ministers will be responsible to the Legislative Councils. If the Legislative Councils disapprove of the policy of a Minister they can compel him to resign and the Governor will proceed to appoint a new Minister from the elected members. The Ministers have an equal status with the member of the Executive Council receiving the same pay. The Governor has still a final control over the Ministers and can dismiss them. The Governor has the power to interfere in the work of Ministers if he thinks that their actions are likely to have serious

consequences. If the Minister happens to disagree with the Governor on any occasion, he may resign or the Governor can dismiss him. Then the Governor appoints another Minister. If the new Minister also disagrees and is supported by the Legislative Council or if no one from the elected members of the Legislative Council is willing to serve as Minister and Act as the Governor desires, the Governor will dissolve the Legislative Council and till a new Council is formed by fresh elections has the power to administer the transferred subject himself. If the new Legislative Council is composed of the same old members and the Governor is compelled to accept the same Ministers he will ordinarily allow the Ministers to have their own way. The transferred subjects are generally those in which Indians have experience, e.g., Education, Sanitation, Agriculture, Forests, Local Self-Government, Industries, &c.

The other half of provincial administration is in the hands of the Governor-in-Council, each member of the Council being in charge of a particular subject. These subjects are called "reserved subjects." They are Irrigation, Land Revenue, Famine Relief, Administration of justice, Police and Prisons, Public Services, taxes and loans, &c. If any subject is doubtful and it is not clear whether it belongs to the reserved branch or the transferred branch, the decision of the Governor is final.

In ordinary matters the two halves of a provincial Government will dispose them off without consultation with each other. But for the more important matters, the two halves will meet for joint deliberation. The Ministers and the Members of the Executive Council will give their own views about the matter, but when all have said their say, the Ministers and the Councillors will be free to vote as they think fit so that it will be clear who is responsible for the final decision. All orders in the reserved half will be issued as orders of the Governor-General in Council, and all orders in the transferred half will be issued as orders of the Governor "in consultation with the Ministers."

3. Conduct of business.

Each province has a large establishment known as the Secretariat for the conduct of its business. The work of the Government is divided into different departments under Members of the Council or Ministers. The office of each Member or Minister is composed of a large number of officials and clerks presided over by a Secretary drawn from the I.C.S. The Secretary is responsible to the Member of the Council or Minister.

4. All India subjects and Provincial subjects.

The principle on which subjects are divided between the provinces and the Central Government is

that those subjects which affect India as a whole or can be efficiently administered from a central place are left to the Central Government, while those which affect each province or can be administered easily by each province are left to the provinces. The following is a list of the more important all India subjects :—

- (i) Foreign Relations—relations with Native States.
- (ii) Defence—army, navy.
- (iii) Communications—railways, posts, telegraphs, shipping.
- (iv) Public debts, currency, banking, insurance, commerce.
- (v) Imperial Services.
- (vi) Changes in territories of provinces.
- (vii) Census.

While provincial subjects, are police, Civil and Criminal justice, prisons, assessment of revenue, education, medical and sanitary arrangements, buildings and roads, forests, and control over municipalities and district and local boards.

5. Status of Provinces.

The three Presidencies of Bombay, Bengal and Madras enjoy greater privileges than other provinces in India. (1) Their Governors are appointed from England and generally come from the class of nobles. (2) They have the power to write direct to the Secretary of State for India. (3) Their Governors

can appoint members of their Legislative Councils without sanction of the Viceroy. (4) They get greater pay than governors of other provinces. (5) They enjoy greater amount freedom from the control of the Central Government.

The other provinces administered by Governors have their Governors appointed by the Crown in consultation with the Governor-General and receive less pay. They are not necessarily men fresh from England. They may be members of the I. C. S.

The Chief Commissioners and Agents are members of the I.C.S. appointed practically by the Governor-General and are in a position of subordination and dependence on him.

CHAPTER III.

District Administration.

1. The District—The Collector.

Each province is divided into a number of *districts*. There are in all about 271 districts in British India. At the head of each district is an officer called the *Collector* or Deputy Commissioner. He is the most important officer in the Government of India. Even the uneducated peasants and cultivators know who he is. He has to keep himself acquainted with the condition of people in his district, to learn the language of the people

and their customs and manners. Let us see what *duties* this officer has to perform.

1. He has to keep peace and order in his district.

2. He has to try cases and also supervise the work of other courts under him.

3. He has to collect revenue and other taxes and settle disputes about land.

4. He has to order buildings, roads, canals and bridges to be made.

5. He has to make arrangements for the health of the people.

6. He has to control the Municipalities and Local Boards.

7. He has to help the people in times of famine.

8. He has to take care of forests.

9. He has to carry out the orders of the provincial Government.

10. He has to send regular reports of his district to the Government.

In all this work, he is assisted by various officers such as Police Superintendent, Civil Surgeon, Forest Officer, Inspector of Schools, Superintendent of Jails &c. The Collector usually resides at his head-quarters, but travels about in the district during winter to see things for himself. He is considered to be the ears and the eyes, the hands and the mouth of the Government. On him depends the success of the whole Government of India. If he is honest,

wise and hard-working people will be happy. But if he is not, then even if the laws be good, the people will not be happy. It is the Collector who has to put all the laws of the land into force.

The name "Collector" is applied to this district officer because in olden days, his chief duty was to collect revenue.

2. Sub-divisions of a district.

Each district in British India is divided into smaller parts called *tahsils* or *talukas*. Five or six such parts make one district. Each is in charge of an officer called *mamlatdar*, *tahsildar* or *mukhtiar-kar*. The duties of these officers are similar to the duties of the Collector.

3. Commissioners.

In all provinces except the Madras Presidency, three, four or five districts are made into one division and placed under a Commissioner. The Commissioner supervises the work of the Collectors. The collectors have to send all their reports and letters to the Government through the Commissioner and the Commissioner has to send them on with his own opinion about the matter.

4. The Civil Service.

For the Government of India, thousands of men are necessary. Let us see how all these people are

obtained for filling various posts and what are the various grades of service. The whole service is divided into three branches—The Indian Civil Service, the Provincial Civil Service, and the Subordinate Service.

(a) *The Indian Civil Service*.—The highest posts are filled by members of the service. A hard examination called the Civil Service Examination is held every year in London and will be held in India also from the year 1920 and Indians as well as the British people are allowed to appear for it. Every year there are certain number of posts to be filled up in India and only that number is taken up out of those who appear in the Examination and secure the highest places. All others below the required number are considered to have failed. The successful candidates are given posts of Assistant Collectors, Magistrates, &c. They can rise to be Governors of provinces. Some places in this grade are filled up from the lower *i. e.* Provincial Service also. It has been settled that the number of Indians in this grade will increase every year.

(b) *Provincial Service*.—These services are of a lower grade and the appointments to this service are made in some cases by some examination held in India or by nomination, or by promotion from subordinate posts.

(c) Members of the subordinate service are appointed by different rules for different departments. These rules are framed by the local governments.

CHAPTER IV.

Village Administration.

India is a country composed mainly of villages. Towns are very few comparatively. Let us see how each village is governed. In former times each village was a little kingdom administering its own affairs. Though the country was invaded from time to time and great Emperors rose and fell, the villages continued the peaceful and orderly administration of their own affairs. Each village had a chief Man or Head called the *Patel*. He was assisted by a Council (of five wise men of the village) called the *Panchayat*. This Council used to make laws, issue orders and decide cases. Under the Headman there were various officers for various duties. The chief of these were:—

(1) The Karnum or Accountant who kept a record of the lands possessed by the villagers and the tax to be paid by each for the Government.

(2) The watchman who did the duty of the Police.

There were regular arrangements for the administration of justice, for army, for the making of temples, for education, cleansing of the village and for education. The Patel was all-powerful in the village and the decision and orders of the Panchayat were almost sacred.

Under the British Government, except in Madras and some places in the North, the village has ceased to be a self-governing unit in the country. Most of the functions of the village officials, e.g., the policing, collection of revenue, keeping of records have been taken up by the District Officers (the Collectors and their subordinates). Patels and Panchayats still exist in most places but they concern themselves with social problems. The Government is now realizing the advisability of giving to villages the power and opportunity to administer their own affairs and making them into small kingdoms but connected and working in harmony with all others. In Madras the village system of Government has never ceased. The village officers—the Patel, the Karnum, the Chowkidar have been utilized by the Government and they continue to do their original work for the new Government.

CHAPTER V.

Military Administration of India.

The administration of a country is generally divided into two classes—Military and Civil. The military administration deals with its defence from outside enemies and rebellions inside and the civil administration deals with the making of laws for the

people and putting them into execution. Let us see what is the military administration of India.

The first regiment formed in India by the

History of the
army under the
British.

English was the "1st European Regiment" at Bombay in 1669.

The first time that the Indians were trained and formed into a

Regiment was in 1748 for the purpose of defending the Madras settlement. After some time regiments of Europeans were formed in Bengal also. By the year 1856, the army consisted of 39,000 Europeans, 2,15,000 Indian sepoys besides forces maintained in the Native States under the supervision and control of British officers. After the transfer of India from the E.I. Company to the Crown in 1858, the number of European troops was raised to 62,000 and that of Indian troops decreased to 1,35,000. Before the year 1858, however, the Indian troops used to do police work also. After 1858 a separate police force was organized. Upto 1895 the whole Indian army was divided into three separate forces in Bombay, Bengal and Madras, each under a separate Commander-in-Chief. After 1895 the whole Indian army was placed under the Commander-in-Chief. The army was, however, divided into four portions—the Punjab, Bombay, Bengal and Madras commands each under a general officer. In 1904, the army was redistributed into three Army Corps Commands—Northern, Western and Eastern each

divided into eight divisions. In 1907 further changes were made and the whole army was divided into two portions—a Northern and a Southern Army.

Up to 1920 this arrangement existed. But since the middle of the year 1920, extensive changes are being made in the army in accordance with the recommendations of the Esher Committee.

At present the regular *Indian army* consists of

about 250,000 men of whom

The present constitution and composition of the army in India.

81,000 are British. This force

is divided (since the middle of 1920) into four commands—the

Northern, the Southern, the Western and the Eastern under a General Officer Commanding-in-Chief. Each division is sub-divided into districts. Besides the regular army, there are about 36,000 *Volunteers* who are men engaged in civil life but who receive military training and can be called upon in times of danger to defend ports, railways and other places. These volunteers do military drill and occasional camping on fixed days of the month and for the rest of their lives carry on their own business in life. Then each Native State has a small army under British Officers. This army called the *Imperial Service* is about 20,000 strong. Then there is the *Native Reserve*, i.e. those Indian sepoys and officers who have retired from service but can be called out in times of danger. These number about 36,000. In addition to the above forces there is a force of about 12,000

in the N. W. Frontier Province called the *Militia and Tribal Levies*, and the *Military Police* in Burma about 21,500 strong.

To all these forces will be added presently a new force called the *Indian Territorial Force* composed of the civilian population. Universities will be allowed to organize bodies of students and Professors for this force and those people who have hitherto been practically debarred from military training will be admitted into it. The Territorial Force will have six centres—two in the Punjab, and one each in Bombay, Madras, Bengal and U. P. All people will have thus an opportunity of taking their share in the defence of their country.

On the sea India is defended by the British Navy and a few ships on the Indian coast which are together termed *The Royal Indian Marine*. This consist of eleven sea-going vessels, four inland steamers, and some smaller vessels. The service is under a Director and is used for transporting of troops, guarding of the Andamans, suppression of piracy, survey of coasts and harbours, inspection of lighthouses, relief of ships in distress and for other objects. This service is being expanded now.

The whole Indian army is under the final control of the King-Emperor exercised through the Secretary of State for India. In India the
 The Commander in-Chief and his Council.

immediate authority for it is the Governor-General. The Commander-in-Chief, however, is the Chief Executive officer for it. He attends to all matters pertaining to the army and is an extraordinary member of the Governor-General's Executive Council. His head-quarters are located in Delhi where various departments of army work are managed by different officers, e.g. Chief of the staff who organizes and trains the army for active service and attends to its distribution, the Quarter-Master-General who deals with the housing arrangements for troops, transport of men and materials, veterinary and supply services, the Adjutant-General who looks after recruiting and discipline, Military Secretary who deals with appointments and promotions and the principal Medical Officer who advises the Commander-in-Chief in all matters connected with the health and sanitary arrangements of the troops.

Since the middle of this year a regular *Military Council* has been established, the purpose of which is to advise the Commander-in-Chief in all military matters. It will consist of the Chief of the General Staff, the Quarter-Master-General, some other officers and a Financial Adviser presided over by the Commander-in-Chief.

CHAPTER VI.

The Legislative Bodies in India.

The first primary duty of the Government is to keep the country in peace, to defend it from foreign invasions and save it from internal disorders. Without this no progress can be made. The next important duty of a Government is to make laws on all matters affecting its subjects so that every one will know exactly how he is to act and what punishments he is to receive if he acts wrong. In this chapter we shall study the constitution and the workings of the various bodies which make laws for the land. There are four ways in which laws for India are made :

(1) *The Acts of the British Parliament* which are to be obeyed as the laws of the country.

(2) *Ordinances* which are orders issued by the Governor-General in times of emergency. These orders have the force of laws but only for six months.

(3) *Regulations* which the Governor-General passes for backward provinces such as British Baluchistan, N. W. Frontier and Ajmer Merwara.

(4) *The Legislative Councils—Imperial and Provincial.* These are the most important law-making bodies in India. Though Parliament passes Acts for India, all internal matters are left to these bodies for legislation. They cannot repeal or

suspend the Acts of Parliament, but they can make laws on all subjects for India.

In the beginning of British rule in India simple laws were made by the Governors of Bombay, Madras and Bengal, and after the Regulating Act by the Governor-General and his Council. In 1833 a special law member was added to the Governor-General's Council to advise and assist in the law-making work. In 1853 another step was taken to improve the constitution of the law-making body in India. The Council of the Governor-General was enlarged (for the purpose of making laws) by the addition of six members—the Chief Justice of Bengal, a puisne judge, and a member nominated by each of the Governments of Bombay, Madras, Bengal and Agra. These six additional members were the first beginning of the Legislative Councils. For they were solely for the purpose of assisting the Government in law-making. Open discussions before the public were then held for the first time in the Council. The next important step was taken in 1861 when non-official Indians were admitted as members for this purpose and similar councils were formed for the provinces of Bombay, Madras and Bengal. The Act of 1892 increased the number of non-officials and Indians in these Councils and introduced some sort of election, i.e., some members were elected by people not nominated by Government. Public

bodies such as municipalities were allowed to elect their representatives to the Provincial Councils and the non-official members of the Provincial Councils were allowed to elect from among themselves one member each for the Imperial Council. The next important step in the history of Legislative Councils was the Act of 1909 or the Morley-Minto Reforms. According to this Act which was in force to the end of the year 1920, the Imperial Legislative Council consisted of sixty members of whom not more than 35 could be nominated by the government. The majority was of officials. In the provinces, the non-officials were in the majority. The number of elected members was different in different provinces.

The Act of 1919 has made very important

The Councils as they are now—Imperial bodies. changes in the composition and constitution of the law-making bodies. In place of the Im-

perial Legislative Council we have now two bodies—the *Legislative Assembly* and the *Council of State*. On matters pertaining to India as a whole or affecting those subjects which are in the hands of the Central Government laws are now made by these two bodies. Let us see how these bodies are formed and what their functions are. The Legislative Assembly consists of 144 members of whom 103 are elected and 41 non-elected. Of the 41 non-elected members only 26 are officials (including the members of the Executive Councils).

Of the 103 elected members one is from Berar and the rest from the different provinces as under :—

Bombay	16
Madras	16
Bengal	17
U. P.	16
Punjab	12
C. P.	5
Bihar and Orissa	12
Assam	4
Burma	4

The President of the Assembly is not the Governor-General but an experienced man from England appointed by him. After four years the Assembly has the power to elect its own president.

The Council of State consists of 60 members of whom 33 will be elected, one nominated in Berar, six nominated non-officials and twenty officials. The thirty three elected members are from different provinces as under :—

Bombay	6
Madras	5
Bengal	6
U. P.	5
Punjab	3
Bihar and Orissa	4
C. P.	1
Assam	1
Burma	2

The President of the Council of State is appointed by the Governor-General from the members of the Council.

Upto 1920 the President of the Legislative Council was the Governor-General himself. He is no longer a president but on matters of importance he can summon these bodies to address them.

The maximum number of members fixed by the Act of 1919 for the provincial Legislative Councils is as under :—

Bombay	111
Madras	118
Bengal	125
U. P.	118
Punjab	83
Bihar and Orissa	98
C. P.	70
Assam	53
Burma	(not yet settled)

In all these councils, not more than 20 p. c. of the members are officials and at least 70 per cent. are elected members. Besides these members the Governor of a province can nominate two members (in Assam one) to advise the Council on any particular bill.

The Bombay Legislative Council consists now of 111 members, of whom 86 are elected (including the Ministers), 16 officials, four members of the

Executive Council as ex-officio members and five nominated members. The nominated members (official as well as non-official) together with the ex-officio members are not to exceed 25. The five nominated members are one Anglo-Indian, one Indian Christian, one from the labouring class, one from the depressed classes and one from the cotton merchants. The eighty six elected members are as under :—

Non-Muslims from towns.	11	(Bombay 6, Karachi, Ahmadabad, Surat, Poona, Sholapur one each).
Muslims from towns	5	
Rural non-Moslems.	35	(from different districts).
Rural Muslims ...	22	(from different districts).
Europeans ...	2	
Bombay University.	1	
Land-holders ...	3	
Merchants ...	7	
	86	

The number of voters for various Councils has been enormously increased by the Act of 1919 so that even the smaller peasants and labouring classes have the right to vote for some Councils. The general qualifications for voters are that he must be a male, a British subject, sound in mind and 21 years of age, and must be paying an income-tax or

some fixed rent or must be a property-holder as fixed by rules. The qualifications differ for different Councils—those for the Council of State and Legislative Assembly being somewhat higher than those for the Provincial Councils. For instance, the qualifications of a voter in a particular area for the Legislative Assembly are that he must be a resident in that area and must be paying a land revenue of Rs. 75 a year (in Ratnagiri, Panch Mahals and Upper Sind Frontier District Rs. 37-8-0 per year) or must be paying an income-tax. The qualifications for special seats such as Land-holders, Commercial class, etc., are that the voters must be Land-holders or members of recognized Commercial Associations, etc. The qualifications of a voter in general areas for the Council of State are that he must be paying an income-tax on an income of Rs. 30,000 a year, or land assessment of Rs. 2,000 a year, or must be a President or Vice-President of a Municipality or District Local Board, a Fellow of the University or a Jagirdar or Inamdar or Sardar or owner of an entire village.

The qualifications of a voter in a general area for Provincial Councils are that he must have resided in that area at least for six months previous to the election and must be owning or living in a house of which the annual rent is from Rs. 36 to Rs. 120 or must be paying an income-tax. For special seats there are additional qualifications required.

If a person has been convicted of an offence for which the punishment is six months' imprisonment or is guilty of some major crimes he will be disqualified as a voter for three years.

A voter can vote only for one constituency. A person who wishes to be a member of a Council must have all the qualifications required from voters and in addition he must be 25 years of age, must not have been suspended from legal practice, must not have been an insolvent.

Originally the Legislative Councils had very little power but under the new Provincial Legislative Act, considerable powers have been given to them. They were formerly mere advisory bodies. Now they can to some extent dictate to the Government. This is specially the case in the Provincial Councils. In provinces a large majority of members are elected members and some subjects are transferred to the control of the Legislative Councils. In the case of these subjects, if there is disagreement between the Government and the Legislative Council and the Minister sides with the Council, the Governor can dismiss the Minister and appoint another from the elected members of the Council. If the new Minister also agrees with the Council and opposes the Government policy, the Governor can dissolve the Council and administer the subject himself till a new

Qualifications of Members of Councils

Powers of the Provincial Legislative bodies.

Council is formed. If the new Council is of the same opinion as the former one and if the Minister appointed from that Council supports its view, then the Governor has to act according to the wishes of the Legislative Council. If the Ministers happen to act against the wishes of the Legislative Council and side with the Government, the Legislative Council (containing 70 per cent. elected members) can make it impossible for them to continue in office.

There are still some *limitations on the powers of the Legislative Councils* in provinces. In the case of transferred subjects the Governor has the power in extraordinary circumstances to say that a bill introduced in the Council "affects the safety and tranquillity of his province or of any other province" and then the bill will be dropped. In the case of reserved subjects if the Council refuses to pass a bill and the Governor certifies that the bill is necessary for the discharge of his duties, it will be considered to have been passed and after his signature becomes an Act.

Besides the power to make laws, the Provincial Councils have (1) the power to bring matters of public interest into them for discussion. These are brought into them in the form of resolutions clearly written as a kind of advice to the Government. The Government is not yet bound to accept these resolutions and act according to them. The Government has also the power to refuse permission to any resolution

being brought up for discussion. (2) Another power which the Councils have is that members can ask questions in order to get information from the Government on important matters. (3) There is yet another power, that of discussing the budget. The Government has, every year, to lay before the Legislative Council, a statement of the likely income of the year from all sources, and how much is to be spent out of this on each subject. The proposals of the Government in this matter are subjected to the vote of the Council. The Council may refuse to agree to or may reduce the amount proposed for any subject. But the Governor has the power to restore any grant refused or reduced by the Council. Proposals about the provincial contribution to the Imperial Government, about salaries of certain officials, about interest, &c. are not submitted to the vote of the Council.

The Provincial Legislative Councils can pass laws only for their provinces. They cannot legislate on the public debt of India, about the army, the relations of the Government with Native States or any central subject.

The Legislative Assembly and The Council of State have not as great powers

Powers of the Imperial Legislative Bodies and their limitations.

as the Provincial Councils. They can, however, pass laws on all subjects affecting India as a whole and on central subjects. Besides passing laws

they have the power of bringing up resolutions, asking questions and discussing the budget under the same limitations as the provincial councils. The Budget proposals are discussed by both bodies but are subjected to vote only in the Legislative Assembly. These Legislative Bodies cannot pass laws on provincial matters. The Governor-General can prevent the introduction of any bill which he thinks will affect the safety and tranquillity of India. He may, after a bill is passed, refuse his assent or send it on to His Majesty for consent. The Governor-General can pass a law even when the Assembly and Council are opposed to it.

A. In the Provincial Legislative Councils. The

Passage of bills or
the various steps in
law-making.

process of law-making is simple.

Any member wishing to introduce a bill in the Council has first to obtain permission from the Governor. If this is granted, the bill is made known to the public through the Government Gazette, then the bill is introduced in the Council and immediately submitted to a Select Committee whose duty is to consider it in all details and make necessary changes in it. Then it is brought for full discussion in the Council and everything is decided by majority of votes. After it is passed by the Council it must receive the assent of the Governor and the Governor General and then of His Majesty.

B. In the Imperial Legislative Bodies. The process of law-making is rather intricate. There are two Bodies there to pass laws — the Legislative Assembly and the Council of State. Every bill has to be passed through these two houses. A bill might be introduced into any of the two Bodies. After its introduction there, it is referred to a Select Committee of that house or a joint committee of both houses for consideration. If it is passed in the first house, it will be sent to the other house. The other house may accept or reject or revise the bill. If it rejects or revises the bill, it will go back to the first chamber which may accept the modifications or reject or revise them. If it rejects or revises the proposals of the other chamber, the bill will be sent back to the other chamber. If this latter Chamber continues to disagree, the first Chamber might drop the bill or report the differences to the Governor-General. The Governor-General will then hold a joint session of both the houses. The President of the Council of State will preside over this joint session and the matter will be decided by majority of votes. Thus every law must be passed by both Chambers. After it is so passed it must receive the assent of the Governor-General and then of His Majesty-in-Council.

CHAPTER VII.

The Police.

The first and essential duty of a government, as we have said already, is to keep the country in peace by protecting it from foreign invasions and internal disorders. For there can be no progress in a country without peace and safety. The arrangements made for the protection of India from foreign invasion and internal rebellion we have already seen. We have also seen how laws are made in India and who make these laws. This is another very important duty of a government for if people do not know how they are to act and what punishment they will receive if they go wrong, everything will be in disorder. It is the duty of government to let the people know that there are certain laws which they must obey. After the laws have been made, there should be people to find out crime, to discover the persons who break laws, and to bring them to authorities for trial and punishment. For this purpose and the safety of life and property we have the police.

A strong police force has been organised throughout India. Every district has a police officer called District Superintendent of Police. His duty is to preserve peace, find out crime and put

Police organisation in India.

it down. He has got assistants in all places in the district. Under these assistants again there is a large number of constables. The police in India is composed of the following forces :—

a. The Town Police.—This force consists of about 1,60,000 men. It includes also the members of the C.I.D. (Criminal Investigation Department).

b. The Village Police.—This force is composed of about 700,000 men. Its duty is to keep the Superintendent of Town Police informed about crimes in villages, and also keep peace and order in the villages.

c. The Military Police.—In unsettled places inhabited by wild tribes, the Military Department provides armed Police.

d. The Railway Police.—This is a force specially meant for detecting robberies, thefts, &c. committed on railways in India. It has to maintain order on stations.

CHAPTER VIII

The Administration of Justice.

The British Parliament and the Legislative Councils make laws for India, Preliminary, the Police find out those people who break laws and bring them to Courts which decide what particular law a man has broken and

how he should be punished for according to law. For the trial of criminals and their punishment there are *Criminal Courts* throughout the country. Besides the Criminal Courts there are other Courts which decide disputes between people about property, &c. These are called *Civil Courts*. In civil matters the disputes between Hindus are decided according to a code of Hindu laws and the disputes between Mohammadans according to Mohammadan laws. Other disputes are decided by other clear and known laws. In criminal matters all are judged by one uniform code of Criminal laws. The system of law courts at present existing is based mainly on an Act of Parliament passed in 1861.

History of Courts in India. A. In ancient Hindu days, the Raja himself used to administer justice with the help of his Brahmin Coun-
cillers in the capital while in village, the Panchayats did that work. In the days of Mohammadan rule there were *Kazis, Mufties and Moulvis* who decided cases of dispute about marriages, property, &c. In towns there were regular officers for the purpose of criminal matters such as *foujdars* and *kotwals*. In villages justice in criminal matters was administered by the Zamindars.

B. In the beginning of the East India Company's existence in India, there were courts only for the trial and punishment of the Company's European servants, then for the trial and punishment of all

European residents in the presidencies. When the Company acquired sovereign power in Bengal, all people were tried by the Company's Courts in Civil as well as Criminal matters. By the time of Warren Hastings there were two kinds of courts—the Company's Courts and the Supreme Court established by Parliament in 1773. The Courts in India as they exist now were first introduced in the year 1861 by the High Courts Act of that year.

Criminal Courts. For the purpose of trying criminal cases such as robbery, murder, gambling &c. every district in British India has got a District Court with a District Judge over it. The District Judge does the civil as well as the criminal work of the District and under him there are Civil and Criminal Courts in every town. Those officers who are at the head of Criminal Courts are called Magistrates. The Magistrates are of three grades:—(1) First Class Magistrates who can impose a fine upto Rs. 1,000 or sentence a man to two years imprisonment. The Collectors and Assistant Collectors are usually the first Class Magistrates. (2) The Second Class Magistrate who can fine upto Rs. 200 and sentence a criminal to six months. Tahsildars and Mamlatdars are generally Second Class Magistrates. (3) Next come the Third Class Magistrates who can fine upto Rs. 100 and sentence to one month. Head Karkuns and Munsifs are

generally third class magistrates. Besides the above magistrates, there are *honorary magistrates* in all places. These magistrates don't get any pay from the Government. But they are given the power of trying cases.

Civil Courts.—For civil purposes such as disputes about property &c. every town has got Civil Courts which are all under the District Judge. Those who are at the head of these courts are called Sub-Judges. These Subordinate Judges are of two grades, —First Class Sub-Judges and Second Class Sub-Judges.

Besides these courts, in large towns there are *Small Causes Courts* which try petty cases. Over all the courts (criminal as well as civil) there is a High Court for each province. So that in every province there are the following courts :—

Civil.

1. High Court.
2. The District Courts.
3. Small Causes Courts.
4. Courts of first class sub-judges.
5. Courts of second class sub-judges.

Criminal.

1. High Court.
2. Sessions Court.
3. Courts of First Class Magistrates.

4. Courts of City Magistrates.
5. Courts of Second Class Magistrates.
6. Courts of Third Class Magistrates.
7. Courts of Honorary Magistrates of first class, second and third classes.

High Court.—In every province, there is one supreme court to which all other courts are subordinate. In bigger provinces of India, *e. g.* Bengal, Madras, Bombay, U. P., Punjab and Bihar, this supreme court is called the High Court. These Courts are established by an Act of Parliament and the judges of these Courts are appointed by the Crown. A High Court consists of not more than 20 judges. One-third of these must be Barristers, one third must be members of the I. C. S. and the remainder are appointed from among the lawyers of India. The judge who is at the head of all these judges is called the Chief Justice.

The High Court superintends the work of criminal as well as civil courts in the whole province. It frames rules and regulations for them, and makes appointments. If any man is dissatisfied with the decision of a lower court in a district, he can appeal to the High Court which will try the case again. Lower courts have always to obtain sanction of the High Court if they want to pass death sentence in any case. The High Court is not under the control of the ruler of the province. In smaller provinces *e. g.*, Burma the highest court is called the "Chief

Court". The judges of this court are appointed by the Governor General. Therefore they are under the control of the Government. The powers of the Chief Court are similar to that of a High Court. In less important provinces, the highest court consists of one or more Judicial Commissioners appointed by the Governor-General.

The Privy Council.—The king has the power to hear appeals from all his dominions beyond the seas. People in India can appeal against the decisions of the High Courts. These appeals are heard by the Judicial Committee of the Privy Council in England, appointed by the King. Mostly these cases are civil, i. e. disputes about property &c. These cases must be about property over Rs. 10,000 in value. As regards criminal cases it is only when the High Court certifies that the case is fit to be taken to Privy Council or when the Privy Council gives special leave that the case might be brought to it, then the case is tried in England. The members of the Judicial Committee of the Privy Council are distinguished men who are well-known in law matters.

Jury system. In very important criminal cases, the magistrate is not left alone to decide a case. Some respectable people of the place called jurors are appointed to hear the case and give their opinion about it. If the opinion of the Magistrate is different from the opinion of the jury i.e., the jurors, the

magistrate cannot decide the case in his own way. He will have to send the whole matter to the higher court for decision. This method of administering justice is called the jury system. This system has been introduced as yet only into a few places in India. In some places, instead of jurors, there are assessors who assist the magistrate in deciding a case.

CHAPTER IX.

The Jails.

In ancient days there were no jails in India, the punishment of offenders being either death or torture or flogging or cutting of limbs. Towards the end of the 18th century people in England felt that criminals should be treated in a more human way and the idea of building jails for them arose. Then jails began to be built in India. The purpose was that criminals should be kept separate from other people and at the same time be made to work and be trained in some useful trade so that when they return to their homes they should live in an honest way. In the beginning the jails were very bad and the discipline was not effective. Many efforts were made to improve this state of affairs till

in 1894 an Act was passed which established the present jail system.

When a prisoner is sent to jail, he is given some work to do. He is engaged and trained in some useful activity such as carpet-making, printing, coarse cloth-making, &c., &c. Generally prisoners have to work for nine hours a day. Those who are sentenced to rigorous imprisonment are given work according to their strength. If prisoners do not work they are punished in various ways, *e.g.*, less or disagreeable food, confinement in a solitary room, fetters, whipping, &c. Those who show good work and good conduct are rewarded—they are made warders over other convicts and their days of imprisonment also are shortened.

Boys are not sent to jails. They are sent to *Reformatories* which are managed by the Education Department. The boys sent to reformatories are kept in them till they are eighteen years of age and during the interval are given training in some useful industry. Girls are not sent to jails or reformatories. There are eight reformatories in India.

Prisoners sentenced to *Kalapani* or transportation for life are sent to the *Andamans*. The prisoner passes the first six months in a solitary room and the next eighteen months with other prisoners. He then becomes a convict of the 3rd class doing some fixed labour for three years. Then he becomes a convict

of the 2nd class when he can become a warder or enter into the service of any resident of the place. After five years of this life he becomes a convict of the 1st class and can earn his living in any way he likes, can marry or send for his family if he likes. Males are allowed to return to their homes after twenty years and females after 15. The Penal Settlement of the Andamans is now going to be abolished.

Every district has a jail in charge of the Civil Surgeon. Over all the district jails in a province is one officer called the Inspector-General of Prisons.

PART IV.

GENERAL ADMINISTRATION.

We have now seen what arrangements are made throughout India for carrying on the government. We have seen how India is defended from outside and how peace and order is kept inside. We have also seen how laws are made for India and what arrangements are made for the administration of justice according to these laws. In the following chapters we shall see what arrangements exist in India for making the people healthy, giving them education, for improving agriculture, for making them fit for self-government, and for the general prosperity and comfort of the people.

CHAPTER I.

Local Self-Government.

Definition. It is the object of the British Government to train the people of India in the art of Government so that after some time they should be fit to govern the whole country themselves. For this purpose, Municipalities and Local Boards have been created everywhere to give opportunities to the people to manage their local affairs, *i.e.*, the affairs of their own particular towns or villages. This is called local self-government.

Various forms of local self-government. There are various kinds of self-governing bodies existing in towns, districts and villages. In towns we have three kinds of Municipalities. The big municipalities of Calcutta, Madras and Bombay are called *Corporations*. (1) In the Bombay Corporation there are 72 members ; 16 out of these are nominated by the government. The rest are elected. The president of the municipality is elected by the members themselves. Actual doing of work is in the hands of a Municipal Commissioner who is a Government official and in the hands of a Standing Committee which consists of 12 members of the Corporation, 8 elected by the members themselves and four nominated by the government. In Calcutta and Madras,

there is no Municipal Commissioner but the President is nominated by the Government. (2) In other towns which are head-quarters of districts we have *District Municipalities*. The number of the elected members in these is not very large and in some cases the presidents are either government officials or are nominated by the government. In bigger towns like Karachi, they are elected by the members. (3) There are some backward places in which the municipalities consist of only nominated members with a Government Official as the president.

Besides the municipalities in towns, there are self-governing bodies for districts, for taluks and for villages. For every district there is a *District Local Board* which looks to the roads of the whole district, hospitals, schools, etc., in all places of the district excepting the towns. In these district boards, about half the number of members is elected. The president is now generally a non-official. Every district is divided into taluks or tahsils. Each taluk has a *Taluk Board*. The Taluk Boards are composed of half elected and half nominated members with an official president. Then there are the self-governing bodies for villages. These bodies do not only do the work which town municipalities do. They actually carry on the whole government of villages or groups of villages. From very ancient times, the people of villages in India have managed their own affairs

and in an admirable way. The British Government has tried to keep up the old *system of Village Government*. Each village or group of villages has a Union or *Panchayat*. The head of the panchayat or the village union is the *Patel* or *Reddi*. The Patel decides disputes in the village, has to maintain law and order and looks to the health, education and other matters of the village. Panchayat assists him in all this work. Each village or union has other officers also. There is a *karkun* or *pâtvari* who keeps the accounts of the village, and keeps a register showing to whom each land belongs and what rent each has to pay etc. Then there is a *chowkidar* who does the police work in the village. In old days, the *patel*, *karkun* and *chowkidar* were generally men elected or accepted by the people. But now they are appointed by the government and paid by the government.

Besides the above institutions for Local Self-Government, in some places like Bombay, Madras, Calcutta and Karachi, there are *Port Trusts*. These have to build docks and do all other things for improving the ports. In these, some members are elected, some nominated.

Work of Municipalities. Municipalities in India have to look after the following affairs:—

1. *Cleanliness.* They have to see that streets are well swept, roads are well watered and no dirt is allowed to collect in any place.

2. *Public Health.* They have to try to prevent diseases. Each municipality has a Health Officer who sees that the water supplied to the people is good, that the food that the people take is not bad. He helps people in times of plague, cholera and other diseases. Hospitals are also provided by the municipalities.

3. *Education.* Municipalities and other Self-Governing bodies have also to provide schools for the children of towns and villages.

4. *General Comforts.* Municipalities have to see also to the comforts of the people. They have to make good roads and keep them in repairs. They have to arrange for light in towns. They might also lay out gardens and build museums.

5. They have also to divide the town into clear divisions, name the streets and quarters and number the houses.

Powers of Municipalities. The powers of the municipalities are not many. They are still controlled by Government, though now the Government has decided to make them more and more free of control. (1) They can levy tax on houses on carriages, on water &c. (2) They can also levy taxes on goods which come into the towns from outside. (3) They have also some powers of borrowing money for their work.

CHAPTER II.

Education.

History of Education in India. The first effort made by the British for Indian education was in 1782 when Warren Hastings established the Calcutta Madressah for Mussulmans. In 1791, a Sanskrit College was opened for the Hindus at Benares. Up to 1818, however, very little was done. After that came a time of peace and reform. Rulers such as Bentinck, Elphinstone and Munro were very eager for education and in 1833 Macaulay, a member of Governor-General's Council introduced English education into the country. Schools and colleges were soon started and some progress was made. But the real and the greatest step was taken in 1854 when Sir Charles Wood, President of the Board of Control in England, sent a dispatch to Lord Dalhousie in which he suggested the methods by which education was to be spread and made more regular in India. The present system of education is based mainly on Sir Charles Wood's Dispatch of 1854. According to this, Education Departments were established in all provinces, schools and colleges were opened by the Government, and people were helped to start their own schools. The next great step was taken in Lord Curzon's time when the

whole system was re-examined, a Universities Act was passed and many changes made. Since that time, many more changes have been made particularly in the days of Lord Hardinge.

The present system of Education. There are three grades of education in India. The first grade is the *Primary Schools*. In primary schools, children are taught how to read and write, to learn some arithmetic and know something about history and geography. Some of these schools are managed by Local Boards. In Bengal and Burma, they are started by the people themselves. When children have finished their course in these schools, they go to *Secondary Schools*. In these schools they learn much more about their mother-tongue, about History, Arithmetic, &c. They also learn English. The highest class in these schools prepares students for the Matriculation or School Leaving Examination. Some of these schools are Government Schools, some started by municipalities, many are private schools helped by government. After the Matriculation Examination, students receive higher education, i.e., they go to *Colleges*. These colleges are under the control of universities which have been started for the purpose of imparting higher education to the youth of India.

Besides schools and colleges for imparting general education, there are schools and colleges for imparting *special kinds of education*. (a) There are

Industrial Schools which teach carpentry, shoe-making, tailoring, &c. There are Technical Institutes where engineering, metal working, motor-driving, &c. are taught. (b) *Schools of Art* at Calcutta, Madras, Bombay and Lahore give instruction in drawing, painting, carpet-weaving wood-cutting, making of earthen vessels, &c. (c) *Engineering Colleges* at Poona, Madras, Roorkee and Sibpur train students to be engineers. (d) *Agricultural and Veterinary Colleges* where sons of landholders and others are taught the best methods of agriculture and given instruction about the diseases of animals and the methods of curing them. (e) *Commercial Schools and Colleges* teach students something about business, account-keeping, office-work, &c. (f) *Medical Schools and Colleges* train students to be doctors. (g) *Teachers Training Colleges* where people who desire to be teachers are trained. (h) *Law Schools and Colleges* give instruction in law and train students to become pleaders.

These are the various ways in which education of different kinds is imparted to the youth of India. Various other methods are also adopted for encouraging education. Libraries are started in various places by government or helped by Government, scholarships are offered by Government and Universities to clever students, and schools are started for girls, for backward classes and for poor European.

The Education Department.—Primary and Secondary Education is now very largely in the hands of the people. In each province there is an Education Department which carries on the educational work of the province. The executive head of this department is called the Director of Public Instruction. He frames rules and regulations for all schools, prescribes text-books and supervises the work of Inspectors and Deputy Inspectors who work under him in various divisions and districts. Over the Director of Public Instruction in each province is the Minister of Education who guides the policy in education.

The Universities.—Higher education in India is managed by Universities. A University is a body of men created by the Government charter for imparting higher education. The work of a University is to supervise the work of colleges, to give permission for the starting of new colleges to appoint the courses of study to be followed for various examinations, to hold examinations, to appoint professors, to start libraries, etc. The head of the University is called the Chancellor. He is always the Governor or the Lieutenant-Governor of the province. The University consists of a Chancellor, Vice Chancellor, who is appointed by the Government, Ex-Officio Fellows who are Government officials nominated by the Governor, and Ordinary Fellows who are either elected or nominated. All these members select out

of themselves a smaller number of members who do the actual work of the University. This body of members is called the Senate. Its decisions are not final. The Government sanction is necessary before any important changes are made by the Senate.

CHAPTER III.

Public Works.

Public Works Department.—The Government of India has much work to do in connection with the making of roads, building of bridges, digging of canals, etc. For this purpose, the Public Works Department has been created. Each province is divided into circles and each circle is divided into districts. For each district there is an officer called the Executive Engineer. Over all the Executive Engineers in a circle is the Superintending Engineer. Over all the Superintending Engineers of a province is the Chief Engineer. Over all the Chief Engineers in India is the Revenue and Agriculture Member of the Viceroy's Council. The Public Works Department was first organized in the time of Lord Dalhousie in 1855. In those days and upto 1905, this Department was in charge of the Railways also. But this work has now been taken from it and it deals at present with the following matters :—

1. Irrigation, i.e., digging of wells, tanks and canals.
2. Building of roads and buildings.
3. Building of ports and harbours.
4. Construction of Telegraph lines.
5. Construction of bridges and forts.

Railway Administration in India.—Construction and management of Railways in India was in the hands of the Public Works Department in the beginning. After 1905, a Railway Board was created and the work of railways was transferred to it. The Board consists of two members and one president, and is under the control of the Member for Commerce and Industry in the Viceroy's Council. Each Railway line has one Chief Officer known as the Agent. Under him are a Traffic Manager, Chief Engineer, Locomotive Superintendent, Store-keeper and many assistants. Some railway lines are managed by companies but they are under Government control.

CHAPTER IV. Famines.

History.—India has been visited by famines from time to time. In the beginning there was no arrangement made to look after the sufferings of the people or to prevent famines. But in 1865, there

was a terrible famine in Orissa. Nearly 10 lacs of people died and in all 5 crores of people suffered hardships. This opened the eyes of all and it was thought necessary to do something. More terrible famines broke out in 1876-78 in Madras, Mysore, Hyderabad, Bombay, U. P., and C. P. Another famine broke out in 1899-1900 in C. P., Berar, Bombay, Ajmer and Punjab. The government appointed Commissions from time to time to inquire about the causes of famines and suggest remedies.

Causes of famines in India.—(1) Most people in India have to live on agriculture. When there is no rain or no water, they cannot do any other work. Moreover they never like to go to distant places to earn livelihood. So they have to starve at home.

2. *Insufficient Irrigation.*—In many parts of India, there are still not enough canals, and the lands are allowed to remain waste lands, useful to nobody.

3. *Poverty.*—Many people in India are very poor. So they cannot save anything for times of need. As soon as the crops fail, there is nothing with which they can buy their food.

Now it is recognised that, considering the whole of India, the grain produced in the country is enough for all people and therefore all people could be fed even in times of scarcity. But the great difficulty is that people have no money with

which they can purchase food. •So we have not food famine in the country but it is a money-famine.

Protection against famines.—Following are some of the ways in which government tries to protect people against famine.

1. *Railways.*—The Government of India tries to extend railways even to the farthest places in India so that now it is possible to send food to any place in India quickly.

2. *Irrigation.*—Many canals have been dug and are being dug so that people may not depend only upon rain. Even if there is little rain, they might get some water from canals and cultivate their lands.

3. *Co-operative Credit Societies.*—These societies are being started among the villagers. Small banks are started, and people are encouraged to put something in the banks and arrangements are made to lend them money on small interest in time of need.

4. *River embankments.*—The Government builds dams or huge walls on both sides of rivers in order to keep water in them for a long time and prevent it from flowing away into the sea.

5. *Preservation of Forests.*—It is well-known that trees attract rain. If there are many trees in a place, it receives good rain. The government, therefore, tries to preserve forests.

These are some of the ways in which the government tries to prevent famine. But if all things

fail, and a *famine* breaks out, it gives *relief* to the people in the following ways:

1. *Relief Works.*—It starts some works like railway lines, new roads, canals, &c. in which all strong healthy people are made to work. They get wages for their work and with that money they purchase food for themselves.

2. Cooked food and money is given to those who are unable to work or cannot beg openly.

3. People are freed from payment of taxes as long as there is famine and when it ends and people go back to their lands in the new season, the government gives them money on loan for purchasing seed, cattle and other things necessary for cultivation.

4. Food is brought from various places and it is sold at cheap rates by the government or merchants are allowed to sell it to people at cheap rates.

Every year the provinces have to set aside some portion of their revenues for this purpose. The total sum amounts every year to Rs. 175,25,000. Government has also created a Meteorological Department which gathers information about monsoon winds and all other matters pertaining to rain. This department foretells the people how much rain they will have in the season and the Government also comes to know beforehand whether there will be famine or not.

CHAPTER V.

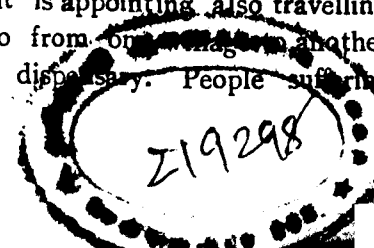
Public Health.

In every place, people have to guard themselves against diseases of various kinds. In India many diseases are very common such as fever, plague, cholera, &c. Now every Government has to see that disease is prevented and also to give relief to those who are afflicted by any disease. Let us first see what the Government does in order to prevent disease.

Sanitation. For preventing diseases, there is a Sanitary or Health Department. Its work is to find out the causes of disease and to destroy those causes. Much of the disease is due to dirt—dirty water, dirty food, dust &c. The Sanitary Department arranges for good water to be supplied to the people. Each town has got a Municipality which tries to purify water and prevent disease. Bad water from the houses is taken away by drains, all dirt is also taken away from the towns and burnt up. Over-ripe and bad fruits and vegetables are destroyed and attempts are made to see that the food, e.g., milk which the people get is pure. Roads are kept clean and they are watered every day to keep the dust down. Instructions are issued to the people from time to

time telling them how they should guard against diseases. In schools, students are taught in their books what the causes of disease are and how they should live in order to be free from them. Throughout India, there are vaccinators who go about vaccinating people against small-pox. Against plague also, many precautions are taken. People are inoculated beforehand, rats are killed, houses are built for those who catch plague so that they should be away from other people and the disease might not spread. In villages and small towns also these arrangements exist. Much of this work is done by municipalities, local boards and village unions. The Sanitary Department generally advises what are the best methods for preventing disease.

Medical Department. The Government has also to make arrangements for curing disease. For this purpose we have the Medical Department. Every district in India has got a Civil Hospital at the headquarters with a Civil Surgeon in charge of it. Under him there are many doctors and nurses who look after the patients and give medicines. In smaller towns of the district, there are smaller hospitals called dispensaries under Assistant Surgeons and Sub-Assistant Surgeons. There is a special Army Medical Department for soldiers. Now the Government is appointing also travelling doctors who will go from one place to another where there is no dispensary. People suffering



from various diseases will come to these doctors who will give them medicines. For women there are special hospitals, where they can go and show themselves to the lady doctors and have suitable treatment. Government also sells quinine throughout India at cheap rates and many people are thus saved from fever. For all this work, trained doctors and nurses are required. The Government has opened medical schools and colleges in all parts of India. Here students are trained to be doctors. A special Medical College for women has been opened recently at Delhi in the name of Lady Hardinge. Here, those women who desire to be doctors are trained.

The work of the whole Medical Department in each province is under the control of a Surgeon-General. All the Surgeons-General of all provinces are under one Director-General of Indian Medical Service.

The Sanitary Department throughout India is under one Sanitary Commissioner to the Government of India. Under him there are Deputy Sanitary Commissioners in provinces. In towns and districts the sanitary duties are performed by Civil Surgeons and Assistant Surgeons.

PART V.

FINANCE.

Finance means the management of money matters, the principles and methods of raising money and spending it. The Government of India as well as the provincial Government do a vast amount of work which requires money. In this part of the book we shall see how all the money required is obtained and how it is spent.

CHAPTER I.

Finance of the Central Government.

Before 1870, revenue from all sources used to be collected by provinces and the whole of it was sent to the Central Government. The Central Government then used to distribute it to different provinces as it liked. In 1870 a change was made in this arrangement. Provinces were allowed to collect revenues from some fixed sources and keep a portion of these to themselves and send the rest to the Central Government. The rest of the revenues were collected by the Central Government. The Central Government used to advance loans to provincial Governments and also pay for famine relief. The provinces had to keep their balances with the Government of India and were not free to use them..

With the Act of 1919 responsibility has been introduced in the provinces and many of the sources of revenue which were in charge of the Central Government have been

Relations between the Central Government and the provincial Governments.

handed over to the provincial Governments. There is no division of revenue. Whatever the provinces collect from any particular source is entirely kept by

them. They have not to send one portion to the Central Government and keep the other to themselves. On the other hand expenses on famine are now to be borne entirely by the provinces. All provinces have to pay a fixed percentage of its surplus every year to the Central Government. But each province is not to pay the same percentage. Bombay has to pay 9 p. c., Bengal 10 p. c., Madras 47 p. c. and so on. Bihar and Orissa being poor is exempted. But it has been proposed that efforts should be made so that the Central Government will be able to bear all its expenses and provinces will not be required to make any contributions to it. The provinces have been empowered to raise loans in their own way and also to use their balances freely.

At present the Central Government derives its revenue from the following sources :—

(1) Contributions from different provinces as described above.

(2) *Stamps*—Legal documents, money receipts and court papers have always to be stamped. Otherwise these documents and papers are considered to be of no value. The money obtained from the sale of these stamps goes to the Central Government.

(3) *Opium*.—A heavy duty is levied on opium made in the Native States when it comes into the British territory. If it is made in the British

territory, it is made only by those who hold licenses from the Government. For granting licenses, the Government receives large sums of money.

(4) Tributes from Native States.

(5) Railways, Posts and Telegraphs.

(6) Forests in all provinces excepting Bombay.

The Central Government
 How the money is spent. spends its revenue mainly on the following items :—

(1) *Civil Departments*.—Imperial services and other establishments in connection with the Central Government.

(2) *Military Department*.—Maintaining the army etc.

(3) Posts and Telegraphs.

(4) The Mint.

(5) Railways.

(6) All charges incurred in England with the exception of the salary of the Secretary of State and India Office expenses.

(7) *Public Debt*—Interest on the money borrowed.

(8) *Salt*—The Government levies a tax of Rs. 1-8-0 per every maund of salt manufactured in India.

(9) *Customs*—This is a tax on exports and imports of India.

Every year in the beginning, i.e., in April, the Finance Member of the Executive Council of the Viceroy makes up an estimate of what revenues he expects or wants to raise for the new year and how he has proposed to spend them. This budget is laid before the Council of State and the Legislative Assembly where modifications might be suggested by the members. Finally it is brought up for discussion in the Legislative Assembly again where votes are taken on separate items. But the Government is not bound to act according to the decision of the majority. At the end of each year an account is prepared of the actual amount of revenue received during the year and the amounts spent. For accounting, etc. there is an officer called Comptroller-General of Accounts.

CHAPTER II.

Provincial Finance—Land Revenue.

The provinces now derive their revenues from the following sources :—

(1) *Income-tax*.—This is a tax on the income of people. Those who earn an income of less than Rs. 1,000 per year are free. Those who earn Rs. 2,000 to Rs. 3,000 pay at the rate of 4 pies per

rupee. Those who earn between Rs. 3,000 and 4,000 pay more and so on. A portion of this income is still paid to the Central Government.

(2) *Excise or Abkhari*.—This is a tax levied on wines and other intoxicating drinks, drugs, used by the people. Those who sell these drugs can only do so if they hold Government licenses for them. For these licenses they have to pay large sums.

3. Registration fees.

4. Forests (in Bombay only).

5. *Land Revenue*.—This is the most important of all the provincial sources of income. Let us see how the Government gets its revenue from land. There are three systems of land revenue in India :—

(a) *The Permanent Settlement*.—According to this system, lands were given to Zemindars in 1783 as their property and it was fixed what share of profit they will have to pay to Government. This was fixed for all time. No change was to be made in it. This system prevails in most parts of Bengal and some parts of other Provinces.

(b) *Zemindari System*.—According to this system whole villages are the property of one big landlord or a group of men who are partners. The Government takes rent from these owners of villages and not from cultivators. Zemindars collect rent from the cultivators and pay a fixed share to the Government. But this share is not fixed for always. Every twenty or thirty years, a new settlement is

made with the Zemindars and a change made in the share. This system prevails in the United Provinces, Central Provinces and the Punjab.

(c) *Ryotwari System*.—According to this, each cultivator has to pay his rent directly to the Government. There are no Zemindars over the cultivators to collect revenue. Each small cultivator is a landholder and pays a fixed share to the Government. This system prevails in most parts of the Bombay Presidency.

Generally speaking, the share of the Government is about 50 p.c., of the net produce, i.e., half the profit goes to the Government and half to the landholders. In most places, settlements are revised every 20 or 30 years. In some places, changes are made even after ten years. When, on account of less rainfall and other causes, the crops are only about half the normal, Government does not take the whole amount of tax from the cultivators or landlords. When the crops are only about one quarter of the normal, the Government takes nothing from the landholders.

How the revenue is spent. Provincial Government spend their revenues on the following items :—

- (1) Contributions to Central Government.
- (2) Public services.
- (3) Irrigation works.

- (4) Public works such as the building of roads, bridges, buildings, etc.
- (5) Famine.
- (6) Education.
- (7) Courts of justice.
- (8) Police and jails.
- (9) Medical department, etc., etc.

In the provinces, an estimate of revenue and expenditure is prepared by the Government at the beginning

The Budget. of each year and then a Committee is appointed from the members of the Legislative Council to consider the estimate. After that it is laid before the Legislative Council for discussion. The Legislative Council may refuse to sanction any item in Revenue or expenditure or reduce or increase it. Majority of votes decides it, though the Government has the power to override the decision of the Council. At the end of the year a complete account is prepared of what was actually received during the year and how the income was actually spent.

Regular accounts are kept for this purpose. Each province has an Accountant-General who inspects and keeps in order all accounts and detects all irregularities and mistakes. Under the Accountant-General there are smaller officers for districts to inspect the accounts of all Government Offices.

