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and incessantly in this cause, as the *Pariah*

(3) Under the rules of 1879, the Statutory Civilians, though on two-thirds pay, held an equal status with the members of the Covenanted Civil Service and had an opportunity to rise to the highest posts in the State; whereas the members of the Provincial Service were assigned a distinctly lower status in the service of the State, and they could not, under the rules, rise to any post higher than that of a District and Sessions Judge or District Collector, and these places are very few, one-sixth of the former and one-tenth of the latter being listed. The recommendations of the Public Service Commission to exclude the following places from the Schedule were not accepted:—

- (1) One member of the Board of Revenue in Madras, Bengal and the United Provinces and a Financial Commissioner in the Punjab.
- (2) One of the chief Revenue-officers of divisions in all provinces, except Bombay and Assam.
- (3) Under Secretaries to the several Governments in India. (Only one Under-Secretary allowed.)
- (4) One-third of the District and Sessions Judges in all provinces. (Only one-sixth allowed.)

(4) Further, under the rules of 1879, one-fifth of the annual recruitment in England could be made in India by the appointment of Statutory Civilians; whereas we have now a specific number of appointments listed as open to Indians. The number of appointments recommended by the Commission was about 108. It was reduced finally to 93. The figure now stands at 102, including one for Assam and five for Burma which were subsequently listed, of which 92 were held by members of the Provincial Service or Statutory Civilians. Thus we find that after more than 30 years since the recruitment in England was reduced, about ten places excluded from the Schedule are still held by the Indian Civil Service.

(5) Again, if the rules of 1879 had been in force and the Commission had not been constituted, the number of charges available to Indians would have been nearly 165, one-sixth of 993, instead of 102, as it is at present. The number of charges in 1892 when the Provincial Service was constituted was 840 and it is now 993, and yet there has been no increase of places listed in different provinces worth speaking of.

(6) The differentiation into two distinct services has been carried out on the same principles in almost all the special departments of the Public Service—Education, Public Works, Survey, Forest, Telegraph, etc.—one Imperial, mainly European, and the other Provincial, mainly Indian. In some departments, rules have been so framed as to keep back Indian talent from reaching the highest places therein and seriously injure the rights of Indians.

“I shall now take up some particular departments to illustrate the above remarks. Let us take the Education Department which was organised in 1896. There is no chance under the rules for any Indian, unless he is recruited in England, to become the head of a college, much less a Director of Public Instruction, however eminently fitted he might be. I shall not speak of the effects of this differentiation and I shall allow Mr. Chirol, the author of *Indian Unrest*, to describe them. He wrote:

‘Before the Commission sat, Indians and Europeans used to work side by side in the superior graded service of the Department, and until quite recently they had drawn the same pay. The Commission abolished this equality and comradeship and put the Europeans and the Indians into separate pens. The European pen was named the Indian Educational Service, and the Native pen was named the Provincial Educational Service. Into the Provincial Service were put Indians holding lower posts than any held by Europeans and with no prospect of ever rising to the maximum salaries hitherto within their reach. To pretend that equality was maintained under the new scheme is idle, and the grievance thus created has caused a bitterness which is not allayed by the fact that the Commission erected analogous grievances in other branches of the Public Service.’

“Let us now turn to another department—Public Works.

“Before the department was organised in 1892, Engineers recruited in this country were treated on terms of perfect equality with those recruited in England. The pay and rank of both were the same. They were placed on the same list and had side by side promotion. In 1892, the service was differentiated into the Imperial and the Provincial, and the pay of Provincial Engineers was reduced and fixed at nearly two-thirds of that of the Imperial Engineers; yet their rank was unaffected and their time scale of promotion was the same as for Imperial Engineers. The department was again reorganised in 1908. According to this scheme, the two services were made distinct and separate. There was no longer one list and side by side promotion. Each had its separate list and separate scale of promotion. According to the Imperial scale, the European Engineer became an Executive Engineer after 8 years, whereas the Provincial Engineer had to wait to rise to that grade for 15 years. In the former case his promotion was practically unconditional, whereas in the case of the latter there must be a vacancy in the divisional charges reserved for Provincial Engineers. Again, out of a total cadre of about 953 including Railways, 280 places are allotted to the Provincial Service. The actual strength of the Provincial Service is 170—146 in Public Works and 24 in Railways, as against 727 of the Imperial Engineers—574 in Public Works and 153 in Railways. It may be seen easily from these facts what chance Provincial Engineers have, handicapped as they are as against the Imperial Engineers, to ever reach the higher grades of the service, that is, to the grades of Superintending and Chief Engineers. The result of the new scheme is that a Provincial Engineer of 14 years' standing would be liable to serve under an Imperial Engineer of 9 years' service. Though there was a distinct assurance given by the Resolutions of 19th July 1892 and 28th September 1893, that there would be no distinction between them and the Imperial officers as regards pay, promotion, leave and pension, yet under the new scheme of 1908 it has been ordered that their names should be removed from the list of Imperial men, that they cannot receive the promotion given to the Imperial Engineers, and in fact that they cannot be treated on the same footing as Imperial Engineers who were their compeers till 1908.

“Take again the Survey organised in 1895. Out of a cadre of 48 appointments, nearly one-fifth, i.e., 10 out of 48, is reserved to the Provincial Service, the rest to the Imperial. The nine highest posts of the grade of Superintendents have been excluded from the Provincial Service and the highest post to which the members of that service could aspire is that of Deputy Superintendent.

“It is the same tale in other departments.

“The latest department which was organised, and that under Lord Curzon, is the Customs. This is made wholly Imperial, and the Resolution of 1906 lays down that except for the places reserved for the Indian Civil Service, the rest, i.e., the Assistant Collectors, ‘will ordinarily be recruited in England.’ Since that time, however, two Indians have been appointed in this department.

“Now, turning to the rules of recruitment in England, we find that for the Public Works Department the regulations lay down ‘that every candidate must be a British subject of European descent and at the time of birth his father must have been a British subject, either natural-born or naturalized in the United Kingdom,’ and that Natives of India who are British subjects are eligible for appointment and shall be selected to the extent of ten per cent. out of the total number of Assistant Engineers recruited, if duly qualified. That is something, but when we come to the Police, there is not even this *reservation of ten per cent.* for Indians.

“Now, if we come to the Political Department, the recruitment is practically from officers of the Indian Army and of the Indian Civil Service. Though Indians specially selected are declared to be eligible under the rules of 1875, there is only one Indian holding the post of an Attaché in the Secretariat.

“Thus we see in how many directions the door is closed against the employment of Indians in the higher offices of the State.

"Side by side with the policy steadily pursued of excluding Indians in different departments, it is refreshing to find that in the Accounts Departments, under the direct control of the Hon'ble Finance Member, Indians and Europeans are treated equally in all respects, in the matter of rank, pay and promotion. They are placed on one list and have side by side promotion. It is with great relief and satisfaction we listened the other day to a statement of the liberal policy enunciated by the Hon'ble Sir Guy Fleetwood Wilson with regard to these departments. This policy of equal treatment accorded to His Majesty's subjects in these departments has produced its natural results among the officers employed therein. There is more comradeship, mutual respect and contentment among them than among any other class of public servants. The fact that the officers have to serve in different parts of India and not in their own province only has given them a freedom and impartiality which has enhanced their prestige and has added efficiency to the work done by them.

"I shall now proceed to consider the question whether the rules framed under the Statute of 1870 and the arrangements now in force are in accord with the spirit and intentions of the Statute.

"It is plain that the effect of the rules and orders on the subject is to reserve a particular class of appointments to the members of the Indian Civil Service, and that those Indians who do not proceed to England and pass the examinations there are debarred from being appointed to the higher offices reserved for the Civil Service, though otherwise qualified therefor. Consequently, the authorities in India are restrained by the rules and orders for the time being from appointing Natives of India to any such offices unless they have been admitted to the Indian Civil Service, a result which was not contemplated by the Statute. I draw the particular attention of the Council to this aspect of the question.

"Now, the first set of rules framed by the Government of India in 1873 were disallowed on the ground that they prescribed that the main qualification requisite for appointments under the Act should be a certain precedent term of service in the higher ranks of the Subordinate Service, or in the legal profession. When the question was referred to the Law Officers of the Crown by the Secretary of State, they pointed out that the section 'was expressly intended to afford increased facilities for the employment of Natives of India of "proved merit and ability" in the Indian Civil Service. The "proved merit and ability" need only be proved or established to the satisfaction of the authorities making the appointments, and no particular method of establishing proof of merit or ability is enjoined,' and they gave it as their opinion that the restriction on the exercise of the discretion of the authorities limiting the appointments to those who had previously served the Government was 'clearly opposed to the spirit and intention of the Act.'

"I submit that, as the limitation of the exercise of discretion by rules to a *particular class of persons* is against the spirit and intentions of the Act, so the limitation of the exercise of discretion by rules and orders for the time being to a *particular class of appointments* is equally opposed to the spirit and intentions of the Act.

"Assuming that the rules are technically in legal form, there is no doubt that in effect they defeat the very object for which the Statute was passed, *viz.*, that nothing shall restrain the authorities in India from appointing an Indian of proved merit and ability to any office reserved to the Indian Civil Service under the Statute though he may not have been admitted to the Civil Service by passing the examination in England; in fact, the Government have done indirectly what they have expressly been prohibited from doing by the Statute.

"The result is as might be expected from the constitution of the two services. Only about 7 per cent. of the appointments carrying a salary of one thousand rupees and upwards are in the hands of Indians, and almost all the high appointments of the State involving direction, initiative and supervision have been jealously kept in the hands of Europeans. The constitution of the

official element in the several Legislative Councils in the country is a striking example of the effect of these rules. To take the Imperial Legislative Council, the heads of departments and their Secretaries are all Europeans, and the solitary Indian in the official ranks is the Hon'ble the Law Member, Mr. Ali Imam. Sir Thomas Munro said, 'we have a whole nation from which to make our choice of Natives.' Yet there is apparently in the view of the Government such a dearth of native talent in this country that it could not furnish Indians to represent different departments and interests of Government, though in the Native States responsible offices are filled with conspicuous ability by Indians. This is indeed a sad commentary on the labours of the Public Service Commission, which was constituted 'to do full justice to the claims of Natives of India to higher and more extensive employment in the Public Service.'

"It is hardly necessary to say that the Report of the Public Service Commission and the final orders issued on the subject were received by the intelligent public with deep disappointment, and loud have been the protests in the Press and from representative public bodies against the injustice done to the claims of Indians in answer to their demand for responsible association with the Government in the administration of the country. Even some of the Indian members of the Commission, who gave their assent to the scheme on certain conditions, felt deeply aggrieved at the result of their labours. In this connection I shall quote the words of Mr. Salem Ramaswamy Mudaliar, a Madras member of the Commission. He said, 'the net result of what the Secretary of State has done is to place us in a worse position than we occupied when the Public Service Commission was appointed.'

"In 1893 a discussion was raised in Parliament and a resolution was passed by the House of Commons that all open competitive examinations held in England alone for appointments to the Chief Services of India should henceforth be held simultaneously both in India and England. But nothing came of it.

"Not only were the protests from the public unheeded, but Lord Curzon's Government issued a resolution in 1904, with a number of tabular statements, justifying the exclusion of Indians from the higher offices of the State and trying to prove that the indigenous agency was extensively and liberally employed in the service of the State.

"The Hon'ble Mr. Gokhale at the Budget discussion in the Supreme Council in 1905 demonstrated, if any demonstration were necessary, that the position taken up by Lord Curzon was utterly untenable and disastrous to the best interests of England and India. His criticism, I venture to say, remains unanswered up to date.

"The plea that a very large and a gradually increasing number of appointments is held by Indians is an old one put forward under various guises. The real question is, what is the actual share which Indians have in the direction and supervision of the administration of their country? It is no answer to the question that there are thousands of appointments held by them in the lower rungs of the ladder. The large number of tabular statements annexed to the resolution amply disprove the claim advanced by His Lordship that Indians were being treated with 'a liberality unexampled in the history of the world,' and they show that as we rise higher and higher in the official ladder, the Indian element is practically nowhere. I do not think it is necessary to point out how His Lordship's reading of the pre-British period of Indian history is inaccurate, for never before in the long and chequered history of India was Indian talent so largely divorced from the controlling centres of authority. I shall only draw attention to the letter of His Highness the Nizam of Hyderabad addressed to Lord Minto last year in connection with the steps to be taken for stamping out sedition. He wrote:

'The experience that I have acquired within the last 25 years in ruling my State encourages me to venture upon a few observations which I trust will be accepted in the spirit in which they are offered. I have already said that my subjects are, as a rule, contented, peaceful and law-abiding. For this blessing I have to thank my ancestors. They were singularly free from all religious and racial prejudices. Their wisdom and foresight

induced them to employ Hindus and Muhammadans, Europeans and Parsis, alike in carrying on the administration, and they reposed entire confidence in their officers, whatever religion, race, sect or creed they belonged to.'

"After stating that his Dewan is a Hindu and that the revenue administration of half of his State is entrusted to two Parsis, he concludes with these words :—'It is in a great measure to this policy that I attribute the contentment and well-being of my dominions.'

"This question, Sir, affects vitally our self-respect and honour, the growth of national individuality, and our national well-being. It is not merely a question of careers for our young men or of rupees, annas and pias, though economy is no doubt an important consideration in carrying on the administration of a poor country like India. It is because our demands in this respect have been ignored, if not treated with contempt, that the discontent in the country deepened. It was loudly asserted in some quarters that there was no hope of national growth under the British flag. Fortunately we had at the helm of the Government two statesmen who had the insight to read correctly the critical situation with which they were confronted. At the Guildhall banquet on the 23rd February last, when the freedom of the City of London was presented to him, Lord Minto, in reviewing the affairs of this country, said :

'Before I had been in India many months, it became evident to me that we should ere long have to deal with a mass of accumulated popular discontent. . . . As far as we could judge the character of the discontent, much of it was justifiable and was directly due to a dawning belief that further opportunities must be afforded for the official representation of Indian public opinion and a greater share be granted to Indians in the government of the country.'

"I may say that it was due to the courageous steps taken by Lord Minto and Lord Morley in introducing reforms in the Legislative Councils and in appointing Indians to Executive Councils that we have tided over the difficulties, and the faith of the people has been revived in the beneficent intentions of the British Raj. The reform of the Legislative Councils of this country has been welcomed more on the ground that these bodies would afford opportunities to the representatives of the people to point out the defects in the machinery of the Government and make it work more in accord with the needs and aspirations of the people. But it cannot be said to be effective unless it is immediately followed up by a reform in the administrative machinery of the Government, which has been out of repair for a good long time. Mere tinkering with it by giving a few more appointments to Indians will be of no good. The reform of the legislative machinery has but touched the fringe of the real question awaiting solution, which hangs on the reform in the agency for carrying on the administration of the country. This is a grievance sorely felt in the country. In fact, it is the root of the evil of discontent. Nearly a quarter of a century has elapsed since the Public Service Commission sat. India has changed considerably since those days. A new generation has grown up with new ideals and aspirations which are more vividly pulsating in the life of the people. The time is opportune to take up this problem of administrative reform and examine it in all its aspects.

"The questions that arise are :—

- (1) How to get out of this tangle which has been created by the Public Service Commission and all that has followed ?
- (2) How to secure real comradeship and mutual respect among the officers of the Public Service ?
- (3) How to remove the stigma of inferiority that is attached to the Provincial Service ?
- (4) How to give effect to the beneficent intentions of Parliament as embodied in the Statutes of 1833 and 1870 and to the spirit of the Queen's Proclamation ?
- (5) How to secure the willing and enthusiastic co-operation of the Indian people in the administration of the country and strengthen the foundations of British Raj in this land ?

"I shall now consider the principles and the line of policy that should be adopted in the government of the country that would accomplish these ends. At present I venture to offer some suggestions on the subject.

"(I) The first principle that should be laid down is that no appointments or class of appointments in the Public Service in all its branches, whether general or special, should be made the monopoly of any particular class of His Majesty's subjects in the United Kingdom or India and that all appointments should be open to all classes of people.

"(II) If this is accepted, the rule that the chief administrative appointments of Government should be the monopoly of the Indian Civil Service recruited in England ought to be abolished. At the lowest, such appointments should for the present be shared equally between Europeans and Indians in all departments.

"(III) Competitive examinations now held in England for different branches of the Public Service should be held simultaneously in both countries, and if it is not found possible, examinations of equally high standards should be instituted in this country, so that those who are selected here may command the respect of their compeers selected in England. These examinations should be open to all, and if this is not found possible, limited to nominated candidates.

"(IV) The system of nomination should be abolished, as its effects are demoralising and stunt the growth of national character.

"(V) In the higher grades of the service, the members should not be confined to their own province but should as far as possible serve in other provinces.

"(VI) If the Provincial Service is to be retained in any form, it should be recruited on lines similar to the above service. Where it is considered that a particular class should be represented in the service, if candidates from that class are not available in a particular province, they might be recruited from other provinces.

"(VII) Provision should be made for promotion from one service to the next higher service for officers of tried merit and ability.

"(VIII) Where it is considered that candidates for technical appointments are not available in this country, efforts should be made to send young men to other countries to qualify themselves for such places, and it should be the endeavour of the Government as far as possible to replace foreign agency at an early date.

"(IX) The salary of every office should be 'at a fixed amount' and in the case of a European appointed to it an extra allowance might be given, as suggested by the Secretary of State in his letter of 1878 above referred to.

"The whole question, I need hardly state, hinges on the attitude of England towards India and the relations that should exist between the British and the Indian subjects of His Majesty. This question has been prominently attracting the attention of all those who are interested in the welfare of Great Britain and India—whether the relationship between Europeans and Indians in this country should be one of manly comradeship and co-operation born of equal status and equal privileges, or whether it should be one of timid dependence and sycophancy born of the relationship of superior and inferior. It is a truism that real respect and comradeship can only grow out of 'common service, common emulation, and common rights impartially held.' As we solve this question, the problem before us will be solved. But this depends on the ideal that England sets before herself in the government of this country. The true ideal, however distant and impracticable it might at present appear, should be that India would in the process of time become a self-governing unit of the British Empire, enjoying the same rights and privileges and subject to the same duties and obligations as the other self-governing members of that Empire. If this ideal be steadily kept in view, it would not be difficult to

formulate a policy that should govern the services to the satisfaction of all parties and secure the hearty co-operation of the people in the government of the country.

"The Government calls upon us to co-operate with them in evolving a high sense of citizenship in the difficult task of carrying on the complex administration of this vast country. Is it too much to ask that to secure our co-operation and develop a common citizenship, we should be placed on a footing of equality and manly comradeship with the British subjects of His Majesty the King-Emperor? You may give us magnificent works of irrigation, you may build up a vast system of railways, you may lighten the burden of taxation, you may drive out famine and bring plenty into this ancient land; but so long as manhood is dwarfed and self-respect is wounded, there can be no real contentment and real co-operation with the Government of the country. Lord Lansdowne, in quoting the words of Sir Thomas Munro in connection with the Statute of 1833, said :

'What is in every age and every country the great stimulus to the pursuit of knowledge but the prospect of fame or wealth or power? Or what is even the use of great attainments, if they are not to be devoted to their noblest purpose, the services of the community, by employing those who possess them according to their respective qualifications in the various duties of the public administration of the country? Our books alone will do little or nothing; dry, simple literature will never improve the character of a nation. To produce this effect, it must open the road to wealth and honour and public employment. Without the prospect of such reward, no attainments in science will ever raise the character of a people.'

"We cannot disguise the patent fact that under the present system expert knowledge and ripe experience gained in the administration of the country are drained away and this drain of the intelligence and talent cannot be compensated by any measures which may be devised except some such as I have indicated above.

"The problem, no doubt, is a complex one, involving many conflicting and powerful interests. It, therefore, calls for the best statesmanship and wisdom which the country can command. How the different services should be regulated and modified and how the grievances felt in each department removed is not an easy question to solve. It is, therefore, necessary that a Commission or Committee, where non-official opinion is represented, should be appointed to evolve a scheme which would do justice to the rights of the people of this country, strengthen the foundation of the British rule and give opportunities to India to become, in course of ages it may be, a self-respecting partner in the British Empire, linked with Great Britain in silken bonds of gratitude and love.

"I beg to move, Sir, the resolution which stands in my name."

The Hon'ble NAWAB SAIYAD MUHAMMAD SAHIB BAHADUR : "Sir, I have much pleasure in supporting the resolution of my Hon'ble friend Mr. Subba Rao, and in doing so I shall make one or two observations, although I am afraid I cannot do that justice to the subject which Mr. Subba Rao has so impartially dealt out.

"The language of the solemn pledges and declarations made by the Parliament and responsible statesmen during the last 75 years and the terms and spirit of the Queen's Proclamation leave no doubt in the mind of the enquirer that the theory on which we are governed is simply excellent and beyond the pale of all dispute. But in so far the theory remains unrealised in practice, does it and has it produced dissatisfaction among the people of India? In theory it is admitted that no post however high should remain closed to a Native of India, simply because he is an Indian. No doubt we all gratefully recognize the fact that some of the highest places have recently been thrown open to qualified Indians; but what about the higher grades of the various branches of the Government service? In some departments we find only few and in others none at all. This is undoubtedly a most deplorable state of things, and I therefore accord my full support to my Hon'ble colleague, especially to that part of his speech in which he has pointed out that where it is considered that a particular class should be represented in the service, and if candidates

from that class are not available in a particular province, they may be recruited from other provinces."

The Hon'ble MR. MUDHOLKAR : "Sir, the subject with which the resolution deals is one of prime importance. It has to be recognized that attempts have been made to deal with it satisfactorily. Those attempts, however, have not been very successful. At any rate they have not given satisfaction to the people. The Government must be prepared to see the subject brought forward over and over again until there is a solution which appeals to the mind of the people and satisfies their expectations. These demands, Sir, are based on grounds of justice, of sound finance of the economical well-being of the country, and last but not least of the stability of the empire. They are made in the interests not of any one community but of all the communities residing in this country. Sir, when in speaking on this subject I use the term 'Indians' I include therein not only Indians of pure Asiatic descent but also those who are called Statutory Indians including therein the domiciled community and the Anglo-Indians. The justice of the claim in the abstract has been admitted by Government, but according to our view effect has not been given to it, and sufficient action has not been taken towards the translation of these abstract principles into realities generally and in some departments in an utterly inadequate manner. Sir, we are often told to clear our minds of cant. We have also been told to realize that the demand for admission to the higher posts and positions could not be granted, and that Indians of pure Asiatic descent ought to be satisfied and to be thankful for what they have got and what has been done by Government. We must stand and admire. This position, this attitude, which casts to the wind the great and vital principle laid down by the Statute of 1833 and by the Proclamation of 1858, deserves to be emphatically and authoritatively repudiated in the same manner as that other remarkable doctrine that the principles laid down by the Royal Proclamation of 1858 and the pledges given therein are to be treated as so many diplomatic statements. I do not wish to go into a statement of the general principles which have been laid down by Government from time to time. What I would ask this Council to consider is that though there may be some justification for asking for the establishment of a *corps d'elite* for the Political Department and to some extent in the Revenue and Administrative Department proper, there is absolutely no justification for any distinction, other than of merit, to be made, no reason why any test except proved ability and trustworthiness should guide the determination of selection in other departments such as the Public Works Department, the Forest Department, the Customs Department, the Education Department and similar other Departments. In these departments the position of Indians is in some respects worse than what it was before the Commission of 1886 was appointed. I would ask the Council to consider what Mr. Subba Rao has pointed out in regard to this matter. On the Public Works Department for instance the position was rendered worse first in 1892 and still worse again in 1908. I shall within the few minutes allowed to me specifically deal with one portion of the Public Works Department, and that is the Railway Branch of what is the Public Works Department in a broad sense of the term. The question of the employment of Indians in the State Railways was incidentally referred to last week when we were told that the number of Indians who were actually employed constituted about 97 per cent. of the men in Government service. I shall place before the Council a few facts which will show what is the position of Indians in this Department. In this connection I am only speaking of Indians of pure descent, because from the information available it is impossible to find out whether those who are shown in the list as having European names are Europeans or Anglo-Indians or persons who are domiciled in the country. Now, Sir, taking the State railways managed by the State, we find that there are in the Engineering Department 30 Chief Engineers and Superintending Engineers on salaries ranging from Rs. 1,500 to Rs. 2,750. There is only one Indian officiating in the third class in this branch. There are 50 Executive Engineers on salaries ranging from Rs. 700 to Rs. 1,250; of these 7 are Indians. There are 50 Assistant Engineers on salaries ranging from Rs. 380 to Rs. 660, of

whom only 2 are Indians. There are 38 Royal Engineers (Executive Engineers and Assistants) on salaries ranging from Rs. 550 to Rs. 1,270, none of whom are Indians. There are 24 temporary Engineers on salaries ranging from Rs. 500 to Rs. 1,250, of whom only one is an Indian. That is, out of 190 persons on salaries ranging from Rs. 500 to Rs. 2,750, there are only 11 Indians. Let us take another department of the railways, the directing one, *viz.*, the Managers and Sub-Managers. There are eight posts with salaries ranging from Rs. 1,300 to Rs. 3,000, and there is no Indian amongst them. Then the Traffic Department—the Superintendents and Deputy Superintendents and District Superintendents, whose number is 50, on salaries ranging from Rs. 600 to Rs. 2,000, of whom there is only one Indian on Rs. 700. There are 62 Assistant Superintendents on salaries ranging from Rs. 250 to Rs. 500, of which only 7 are held by Indians. In the Locomotive Department, in which there are about 100 appointments on salaries ranging from Rs. 250 to Rs. 2,000, there is only one Indian who is an Assistant Superintendent, and he too is an Honorary Assistant Superintendent. In the Carriage Department there are 15 places on salaries ranging from Rs. 350 to Rs. 1,600, and there is not one Indian employed. In the Stores Department there is only one out of nine. In the Bridge and Signalling Departments there are 12 superior posts carrying pays up to Rs. 1,050, none of which are held by Indians. The tale does not stop there. If we go to the Subordinate Revenue-establishment even there we find that among the subordinate engineering staff consisting of 42 persons on salaries ranging from Rs. 250 to Rs. 500 only 4 or 5 are Indians. In the Signalling Department there is no Indian. In the Traffic Subordinate Branch, including traffic inspectors and station-masters, out of 72 persons on salaries ranging from Rs. 250 to Rs. 500, there are only 4 Indians. In the Locomotive Department, out of 131 upper subordinates, only one is an Indian. Now, Sir, what I would ask the Council to consider, what I would ask the Government to consider, is this: if Indians can manage (I do not look into the past but confine my attention to the present) not only States, but in British India can be entrusted with the management of districts, if they can hold the position of District Judges and Sessions Judges, if they can be Executive Engineers and Superintending Engineers, how is it that in the railways they are practically excluded from all the higher appointments? The question was raised in another aspect at the Allahabad Educational Conference, and there two conflicting reasons for this absence of Indians were advanced. One reason was that there were effective courses of instruction provided at Rurki and elsewhere, but Indians did not care to take advantage of them. Another which was put forward was that the persons who were trained in this country in the colleges established by Government are not sufficiently qualified to be entrusted with railway engineering work. This was said with reference to the Civil Engineering portion of the Railway Engineering Department. Well, I do not wish to say anything further, because in regard to this matter certain recommendations have been made which if given effect to are calculated to remove the grievance. There is some kind of explanation coming forward in regard to the Engineering Branch of the State Railway Services. But in the Traffic Department and in the other Departments there can, Sir, be no excuse whatsoever. It cannot be said that Indians cannot manage our bigger stations; it cannot be said that they cannot be Traffic Inspectors and Traffic Superintendents. Their exclusion is one which I hope the Railway Board will seriously take into consideration, and do their utmost to remove. How entirely excluded they are, the figures which I have placed before the Council demonstrate very clearly. But if in the railways managed by the State there is this very inadequate employment of Indians, when we go to the State lines which are managed by companies the case is worse. It might be said that those are private companies and the Government have no right to control their action. That, Sir, is a principle which must be vigorously repudiated; for this reason, that they are companies to whom special privileges have been granted over the State railways, and they ought to be made to conform to principles the justice and propriety of which have been over and over again admitted by Government. Now, I shall take the case of a few of the more important railways. In the Great Indian Peninsula Railway there are 7 appointments on pays ranging from Rs. 387½ to Rs. 3,500 in the Agent's office, in which there is

no Indian. In the Audit and Accounts Department there are 15 appointments on pays ranging from Rs. 292 to Rs. 2,000, and there is no Indian. Whether Indians are fit in the Accounts and Audit Department or not is shown by the fact that posts of Accountants General and Deputy Accountants General are held, and held with credit, by Indians. In the Engineering Department there are 73 appointments carrying salaries ranging from Rs. 400 to Rs. 2,000, and there is only one Indian on Rs. 480, and he too is only an Assistant Engineer. In the Traffic Department there are 28 appointments on pays ranging from Rs. 250 to Rs. 2,638, and none of them are held by Indians. In the Locomotive Department there are 20 appointments on salaries ranging from Rs. 600 to Rs. 2,200, none of which are held by Indians. In the Carriage and Wagon Department there are 5 appointments on salaries ranging from Rs. 500 to Rs. 1,700, none of which are held by Indians. In the Stores Department there are 6 appointments on salaries ranging from Rs. 300 to Rs. 1,275, none of which are held by Indians. In the Medical Department there are 8 places on salaries ranging from Rs. 400 to Rs. 1,200, none of which are held by Indians. Indians are not even fit for employment as railway doctors! I shall take one more instance—that of the East Indian Railway. There are 7 appointments on Rs. 400 to Rs. 3,500 in the Agent's Office, and there is only one appointment on Rs. 500 held by an Indian, and he is a Vakil. In the Audit and Accounts Department there are 12 appointments on pays ranging from Rs. 400 to Rs. 2,500, but one only is held by an Indian on Rs. 600, namely, the Treasurer. In the Medical Department there are 10 appointments on salaries ranging from Rs. 480 to Rs. 1,500, none of which are held by Indians. In the Stores Department there are 5 appointments on salaries ranging from Rs. 400 to Rs. 1,500, none of which are held by Indians. Even in the Printing Department no Indian is employed in any of the upper posts. In the Engineering Department there are 49 appointments with salaries from Rs. 350 to Rs. 2,750, none of which are held by Indians. In the Electrical Department there is no appointment held by Indians. In the Traffic Department there are 41 appointments on Rs. 500 to Rs. 2,500, and 21 appointments on Rs. 250 to Rs. 500, only one of which was held—it is no longer held now—by an Indian. That Indian resigned some time ago and his place was given to a European. In the Colliery Department the same is the case. I shall not go on piling more facts. In the Bombay, Baroda and Central India Railway, in the Bengal-Nagpur Railway and in the Madras Railway things are very much the same. In the Bengal-Nagpur Railway there is a very very slight difference, but after all it is only three or four places more than what exist elsewhere.

“Here Sir, are State railways which are owned by the State, or railways which are subsidised by the State, and it is, I think, Sir, the duty of the Government to see that those railways do give fair play to Indian talent and to Indian ability. Sir, it is as much in the interests of England as of India that due scope should be accorded to Indian ability. If Indians have to feel that they are members of the Empire, then they must be able to feel that they can rise to the height of their stature in this empire. There ought to be no studied exclusion, as there seems to be in certain departments, of Indian talent and Indian ability. I shall close, Sir, with making the appeal to the Council and to the Government.”

The Hon'ble MR. MADGE: “Sir, this is one of the most difficult and delicate questions that this Council has been called on to consider since its formation. I cannot pretend to come to it with a wholly unbiassed mind, but I will try, according to my lights, to look at both sides of the question as far as I can. There is first the Government side as it appears to a non-official. It has been said over and over again that the British Government of this country is the best that the country has ever known. That statement has not been made only by Englishmen; it has been made by French and Russian travellers through this country, and it is entitled to a certain amount of consideration from everybody who loves this country. For, Sir, if the Government of this country is a sound one, its soundness cannot have been evolved from theories; it has been evolved from men who have done its work; and I think it is only due to the character of Englishmen as a whole to say that the soundness of this

Government is mainly attributable to the character of the men who have carried it on in the past. No doubt, instances may be given of gross injustice; every one of us can give instances in which strange injustice has been done to particular individuals owing to defect of judgment or want of character in particular persons. I do not know that my own community has not suffered more than Indians in this respect. But, Sir, I think I may fairly claim that these instances are occasional; they are accidental; they have not been nearly so numerous as to make any stain upon the character of the administration as a whole. The administration has stood in the eyes of competent critics as one of the wonders of the modern world, and I think our Indian friends should pay some little attention to that fact in any remarks that they may have to offer. Now, Sir, if a British tone is needed in the administration, I would say that the British tone is not like the grin of the Cheshire cat in *Alice in Wonderland* which remained on the tree after the cat had disappeared. It is necessary to maintain Englishmen in a certain preponderating strength in this country in order to perpetuate that tone. Remarks have been made about the future of the Government of this country by Members and by Indians outside, and I think that the glamour of that sort of thing ought not to be thrown over a discussion like this one, which is intended to be thoroughly practical. We should consider the present conditions as they actually are. What proportion of Englishmen should be retained in the administration of the country? That is the real question that has to be solved. Whether a responsible and disinterested Government are the best judges of that proportion or irresponsible and interested critics is a delicate question in its way. I do not for a moment claim for the Government infallibility in this or in any other matter; but I do say that, because the Government of the country has on the whole been impartial and just and good, some credit must be allowed to it in its decisions as regards the proportion of Europeans that ought to be maintained in the administration. I do not think that a number of Englishmen of character and education would deliberately do wrong in this matter out of social or racial prejudice. That social and racial prejudice does exist in this country I unhappily am too well aware, and I do not mean to minimise that evil in the administration at all; but speaking generally, Sir, I feel that the character of the administration is such that we must give the Government credit for trying to introduce as much of an Indian element as possible. This particular time, when we have had Indians introduced into the very highest ranks of the administration, is a period when we should all admit that we owe something to the Government for what it has done. It has been said that in particular departments of the State more Indians ought to be introduced into the administrative ranks. I myself firmly believe that science knows no climate, and where scientific attainments are shown by Indians, they ought undoubtedly to be advanced to higher posts; but, Sir, the element of administration also enters into, and is so closely allied with, scientific and professional operations, that sometimes it is very hard to distinguish what to do in particular cases; and one advantage of a Commission such as has been suggested, and which I would warmly support, is that if a really honest and earnest enquiry is made into the matter, it will be found out exactly what can be done. I have seen it stated in the newspapers that Lord Northbrook left upon record a memorandum of some kind or another in which he said that owing to the fatalistic tendencies of some of our Indian friends (I am not responsible for this report and I do not know whether any such memorandum was ever left or not, but I have seen it stated as a fact), they have not that sense of responsibility for life developed in them that most Englishmen have. How far this may be true is a matter on which the Railway Board might give us useful information when they report on the results of those enquiries that have been made into railway accidents. It must be a very difficult thing to decide what test should be employed to find out what is wanted; what is needed is not literary attainments or quotations by the yard from literary books, but solid character. It is really one of the most difficult problems to decide what tests to apply.

"I must say that I am one of those who think that simultaneous examinations in this country would be a snare and delusion which would lead to a number of literates being brought forward as candidates who would possess none

of the requisite qualifications. I said, Sir, on a former occasion that as regards Englishmen the competitive examination was introduced in 1853-54, for the reason that it was supposed to be the means of finding out a certain standard of education for a class of young men who were supposed to possess the character of their race in other respects. Unless we can find out a test which will test character as well as literary attainment, there arises a great difficulty, and I hope that our Indian friends will lay themselves to the difficult task of finding out by what means character is to be discovered. No man in his senses, who has read the career of Sir Madhavo Rao, or any other Indian gentleman of that kind, would stand up here, or anywhere else, and say that the highest character and highest administrative talent are not to be found in this country. The means by which such men have been found and been brought out is one that ought to be enquired into and carefully examined. What we do want, Sir, is individual character, and I do hope that if the Government can find out means for testing character that it will be just to our Indian fellow-countrymen as well as to the domiciled community.

"As regards the public services, instances have been brought to my notice in which very serious injustice has been done in the Survey Department, in the Public Works Department and in the Telegraph Department. I for my part am willing to believe that this injustice has been done unwillingly; but there it stands, and you convert men who might be very efficient officers into discontented men for the rest of their lives, for no fault of their own, but because means have not been discovered by which true worth is to be rewarded. I do not mean to descend into personalities; I could give a few instances, which would shock everybody here, of gross injustice; but Sir, as I have said, I think and I believe that these are exceptions. I agree with the remarks that have been made about the brand of inferiority that has been put upon local talent by the Public Service Commission. It was a fatal mistake to close the door to real talent in any department of the State. When Mr. Samuel Laing succeeded the first Finance Minister, Sir James Wilson, he opened the Financial Department to indigenous talent, and this Department brought to the front men like Sir George Kellner, who would under the old and the revised system have been branded as inferior and stamped down into obscurity. That gentleman not only rose to the highest eminence in this country, but on retirement was got hold of by the British Government and sent to Cyprus as their Financial Minister. His brother Edwin also rendered good service in the Financial Department. Mr. Robert Hollingbery came forward and wrote books on the gold question and on the permanent settlement that have become text-books to everyone who has written on the subjects since; and I am quite sure that there are amongst our Indian fellow-subjects and ourselves men of the same stamp. The difficulty lies, Sir, in finding out certain branches of the administration in which you can trace peculiar kinds of talent. I see the difficulty and I admit it, and I feel incompetent to suggest any method by which that strange mixture of administrative talent with professional ability is to be, as it has before been, found; but I am quite sure that it is to be found. I have come across men of wonderful ability; men who would be a credit to any Government in any department of the State; and it is a great pity that men of that kind should be stamped down by any artificial rule."

The Hon'ble LIEUTENANT MALIK UMAR HAYAT KHAN: "Sir, though this resolution may look very pleasing to certain people, who may hope that it will open to them a larger number of posts, yet a close examination will disclose the fact that such is not the case. The first objection is that the expenditure incurred on such a Commission will serve no useful purpose. Sitting here one can scan the lists of gazetted officers and ascertain from them the number and class of appointments held by Indians and Europeans. There are, I think, in each of the rural districts not more than one, to three, English officers who are at the head of departments and who mostly do the work of supervision, while the rest of the work is carried on by our own people. I think that from the administrative point of view this supervision by European officers is much needed at the present stage. There would be many objections under any other arrangement.

"A district, for instance, consists of various classes of people of different creeds and religions who require some disinterested man to safeguard the interests of all, for a man belonging to one class will naturally have a prejudice for people of that class. Even if the head of the district was not biased, many of his subordinates will think him so, and, as such people look at things from their own point of view, a feeling of distrust in his administration would almost certainly be aroused.

"Again, an Indian will sometimes find himself in an uncomfortable position when strong and prompt action against a class is required to be taken, for unless he has very great force of character he may hesitate to act at once, fearing that his motives may be misconstrued or misrepresented. Such a feeling would tend to make his administration weak, and experience has shown that on several occasions failure has resulted from it.

"An Indian officer will not always be looked upon even by his own people as an European officer, and the consequence of this would be that his authority, especially in criminal administration, would fail to command the same weight. That I mean to say only about rural districts and its present state.

"Indians now hold appointments under the Crown of all degrees, from the lowest to the highest. Every man who holds an appointment, of whatever nationality he may be, is bound to show his capacity or want of it, and there is no reason to believe that when he has proved his fitness his claims to higher appointment will not be considered.

"There seems little value in holding an inquiry into the more extensive employment of Indians in the Public Service, for it has been the constant policy of the British Government to employ them as extensively as possible, and it is difficult to see what benefit is likely to result from such an inquiry. In my opinion, too, an inquiry into the claims of Indians to higher employment is unnecessary, nor will the result of such inquiry be likely to help the object with which the resolution has been brought forward.

"Many able and overzealous people, possessing high ideals, move at such a fast pace that they get out of touch with the feelings of the rural masses, whose pace is much slower and who form the largest, quietest and most loyal portion of His Majesty's subjects. Their interests require to be protected, and I am voicing the feelings of a vast majority of them when I say that any big scheme entailing a departure from the present system is unnecessary at present, although I quite agree that fit men should be gradually given chances of reaching higher offices.

"With these few remarks, Sir, I beg to differ from my Hon'ble friend as regards the propriety of having a Joint Commission at present, but agree with him otherwise."

The Hon'ble MR. GOKHALE : "Sir, before I say a few words on the resolution which my Hon'ble friend has brought forward, I would like to offer him my congratulations on the industry and care with which he has prepared his case and the ability with which he has presented it to the Council. Sir, this question is undoubtedly one of great importance, and, like all questions of great importance, it is beset with great difficulties. I am anxious to approach it with as much fairness as I am capable of, because there are undoubtedly two sides, and while I am keen that the aspirations of my countrymen should receive fair and reasonable recognition from the Government, I should be very unwilling not to recognise at the same time the difficulties that lie in the path of the Government in dealing with this subject.

"Sir, one of the fundamental conditions of the peculiar position of the British Government in this country is that it should be a continuously progressive Government. I think all thinking men, to whatever community they belong, will accept that. Now, I suggest four tests to judge whether the Government is progressive, and further whether it is continuously progressive. The first test that I would apply is what measures it adopts for the moral and material improvement of the mass of the people, and under these measures I do not include those appliances of modern Governments, which the British

Government has evolved in this country, because they were appliances necessary for its very existence, though they have benefited the people, such as the construction of Railways, the introduction of Post and Telegraphs, and things of that kind. By measures for the moral and material improvement of the people, I mean what the Government does for education, what the Government does for sanitation, what the Government does for agricultural development, what the Government does for industrial development, and so forth. That is my first test. The second test that I would apply is what steps the Government takes to give us a larger and larger share in the administration of our local affairs—in municipalities and local boards. My third test is what voice the Government gives us in its Councils—in these deliberative assemblies, where policies are considered; and lastly, we must consider how far Indians are admitted into the ranks of the public service.

"Now, Sir, as regards the first test, I believe that is what one feels to be in the air—I believe that we are on the eve of important measures being taken by the Government, and in those measures both the officials and non-officials can and should heartily co-operate with one another. As regards the second, I trust that, as a result of the Decentralization Commission's labours, a further advance will soon be made. A fair beginning has already been made, and when we have a further advance in the same direction, we might be expected to remain satisfied with that for some time. As regards deliberative assemblies,—the Provincial and Imperial Councils,—the reforms that have recently been introduced constitute an important advance, and for some time, therefore, that question may rest there. When, however, we come to the last question, we strongly feel that the time has come when something must be done to improve matters, and I hope something will soon be done. Sir, I have already observed that the Government has to be a continuously progressive Government, and that it cannot afford to rest on whatever it has done in the past in any one of these directions. Now, taking this question of the employment of Indians in the higher ranks of the public service, which I admit is a very difficult question, I would like to refer briefly to what my Hon'ble friend Mr. Subba Rao has already pointed out, namely, that there are four or five distinct landmarks in regard to this matter in the history of British rule. In 1833, when Parliament laid down that there should be no distinction of race in making appointments to the public service in this country, the British nation gave a noble pledge to the people of this country of its own accord. There was no agitation here at that time—in fact, there was hardly any Western education. It was a great pledge to give, and it was given by the British nation spontaneously. The next landmark is 1854, when the competitive examination was thrown open to Indians along with Europeans. The old Haileybury system was abolished and competition was introduced, and it was thrown open to all. The Queen's Proclamation of 1858 constitutes the next landmark. Even then there was no agitation for a wide employment of Indians in the public service for the simple reason that the Universities had not then been established, and there was no large educated class. In 1861, when the Secretary of State appointed his Committee, to which my Hon'ble friend has referred, it was again more the conscience of the English people than any demand made from this side that led to the appointment of that Committee. When the Act of 1870 was passed—that is the next landmark—there was some public opinion here, and a few Indians—notably Mr. Dadabhoi Naorojee—had been agitating in England for the admission of Indians to high office; but even then, the main part of the work was done by Englishmen, by English friends of our aspirations, who felt that the arrangements existing at that time were not quite just to the people of India. When, however, the Public Service Commission was appointed in 1886—that is the next landmark—the position was much altered. By that time a large educated class had come into existence, and that class keenly felt its own exclusion from the higher ranks of the Public Service. The Commission was appointed with the declared object of devising means for the larger admission of Indians in these ranks, and as the results of the Commission's labours have, on the whole, been disappointing, there is no doubt that that constitutes a legitimate ground of complaint for the people of this country.

"Sir, it is interesting to note at what intervals these successive steps in advance were taken. From 1833 to 1854 or 1858, whichever you take, there was an interval of 20 or 25 years. From 1858 to 1870, when the next step was taken, there was an interval of 12 years. In 1886, when the question was again examined, it was after an interval of about 16 years. Since then, however, there has been no inquiry,—that means during a period of 25 years,—and that is one reason why I urge that the resolution of my Hon'ble friend should be adopted. It is true that during the last three or four years some very striking appointments to high office have been made. My friend, Mr. Ali Imam, sits on that bench there; two Indians sit in the Secretary of State for India's Council; an Indian recently held the position of Advocate General at Calcutta, and Indians have even been appointed to act as Chief Justices of different High Courts. These striking appointments have no doubt impressed the imagination of the people, and there can be no question that they are deeply appreciated by my countrymen. But our grievance is in regard to the bulk of appointments in the higher ranks; and that grievance is not really touched by these appointments. And so far as that grievance is concerned, the labours of the Public Service Commission resulted in little substantial improvement for us in practice. And indeed in some departments, the position has been rendered actually worse. My Hon'ble friend, Mr. Subba Rao, has pointed out how in regard to the central Civil Service, the recommendations of the Public Service Commission and the orders passed by the Secretary of State on those recommendations have actually put us back, compared with the statutory service rules of 1879. The rules of 1879 gave us $\frac{1}{6}$ th of the total recruitment of Civilians for this country. Now, taking the cadre at about a thousand posts—it may be a few more or a few less—we should have had about 160 Indians, under those rules, in the central Civil Service. The Commission, however, recommended only 108 posts for us in place of 160, and the Secretary of State cut the number down to 93; and that is the number we have at present. I believe even the whole of these 93 are not yet held by Indians. I think we are about 10 short of what the Secretary of State promised at that time leaving out of account the additions made subsequently for Burma and Assam. Now, Sir, the Secretary of State's orders were passed in about 1890 or 1891, and twenty years have elapsed since then. If for nothing else, at least for the fact that it is now 25 years since the appointment of the Public Service Commission, and 20 years since the Secretary of State passed his orders on the recommendations of that Commission, I urge that there should be a fresh enquiry into the whole matter. But Sir, I say something more. I say that as a result of the labours of the Public Service Commission, the position of Indians in many branches of the public service has actually been rendered worse, and that should now be set right. In the first place, Sir, the Public Service Commission recommended that there should be a division of the public service into Imperial and Provincial. Now that was a most unfortunate recommendation. I am quite sure that the President of the Commission,—the Lieutenant-Governor of the Punjab of that time,—a man of broad sympathies, undoubtedly did not want to put the Indians back; but the result actually has been to put us back, and this for two reasons. First, there is a stamp of inferiority on the Provincial men, and they are bound to feel that. Secondly, if you have these artificial divisions of Imperial and Provincial, the abler men in the Provincial Service—I mean those who are abler even than some of the men in the Imperial Service—cannot help feeling that the arrangement is most unjust to them. I am, therefore, strongly of opinion that this division between Imperial and Provincial must go. I hope it will go soon, and unless it does we shall have to bring up this matter again and again before this Council. Then, in two departments particularly, this division between Imperial and Provincial has done greater harm to us than in other departments—I mean the Education and the Public Works Departments. In some of the other departments, the creation of a Provincial Service has to a certain extent improved the prospects of Indians, so far as mere numbers are concerned, because there were hardly any Indians employed in those departments before and the constitution of the Provincial Service has given them some chance there. But in the Education and Public Works Departments, we have suffered a great set back. In the Education Department, for instance, Indians were on terms of equality with their English colleagues

before the creation of a Provincial Service. The scale of salary was, no doubt, two-thirds, but in other respects they were on equal terms. But they have now been put into a distinctly subordinate position and we see on every side the most flagrant cases, which hurt every body. Thus we find men of most distinguished attainments in the Provincial Service simply because they are Indians, and men who passed their examinations only yesterday, and who have so far earned no distinction by their work, in the Imperial Service, simply because they are Europeans. I will give only one instance. There is a gentleman here in Calcutta, named Dr. P. C. Roy, a most distinguished man of science, a man who has been honoured by French and German *savants*, a man adored by his pupils, a man who has been doing original work for the last 20 years and more. But he is still in the Provincial Service, whereas young men, fresh from College, without any original work to their credit, men who are admittedly his inferiors, are brought out to this country and put over his head, simply because he happens to be in the Provincial Service and they are brought out as members of the Imperial Service. Now, Sir, this sort of thing hurts not merely the men who are actually affected by it, it hurts the students studying under them. In other departments any injustice done to an Indian official concerns that official only. In the Education Department it affects the students as well; the bitterness passes from the professors to the students, and the whole student community comes to be affected by it.

"Take again the Public Works Department. At one time Indian and European Engineers were all on terms of absolute equality not only as regards status but even as regards pay. In 1892, differential rates of pay were introduced for the first time—two-thirds pay for Indian Engineers. Now, under the new re-organization scheme, the status of the Provincial Engineers is reduced still further, for they are now to be put on a separate list. Thus, in this Department we were at first on terms of absolute equality with Englishmen. Then our pay was reduced to two-thirds, though in regard to other matters equality was maintained. Finally, it is now decided to do away with this equality by putting us on a separate list altogether. And not only is this applied to new men but a most unjust and unjustifiable attempt has been made to apply it to old men, recruited since 1892. There are about 100 men who are the victims of this gross injustice. There is the definite word of the Government pledged to them in 1892 that they would be on the same list as the Imperial Engineers, and yet it is proposed now to put them on a separate list—a distinct breach of faith. These men have not yet accepted the arrangement, three years have passed, and they have so far got no redress. The Secretary of State is still waiting for the despatch of the Government of India which should have gone long ago. I asked a question the other day on the subject, and the Hon'ble Mr. Carlyle gave an answer, in which I see an element of hope. I, therefore, will not press this question further to-day, but, if necessary, I will bring a resolution on this subject at Simla.

"I urge then, first of all, that this distinction between Imperial and Provincial must go. The second respect in which we have lost ground since the last Public Service Commission is in regard to competition. Gradually competition has been abolished more or less throughout the country and we are now made to depend almost exclusively upon Government nomination, pure and simple. Now, I am quite alive to the defects of competition as a method of filling Government offices. Of course it is not ideally the best method, but I contend that it is the best method available. In a country like this, governed by Englishmen, who are unfamiliar with our ways, and cannot instinctively understand the difference between one individual and another, they are at times apt to be misled by appearances, by recommendations and by a lot of other considerations owing to the very peculiarity of their position. And I submit that competition, with all its defects, is any day better than nomination, pure and simple. An Englishman, judging of English candidates, may dispense with competition, because there is a great deal of initial knowledge that may be taken for granted on account of their belonging to the same society. Here the individuals belong to different societies and that initial knowledge is lacking, and nomination, I contend, is bound to lead to abuses—haphazard selection and favouritism. My second point, therefore,

is that competition must again be restored, for making selections for Government service.

"I will now say a word about one or two other Departments. I have said that in the Public Works and Education Departments, our position has grown worse. In the Medical Department, while it has not grown worse, it is still most unsatisfactory. The professorships are all the monopoly of the Indian Medical Service Officers and the hospitals are closed to all non-service men. Recently they have thrown open the Professorship of Anatomy in the Calcutta College to non-service men, but the moment it is thus thrown open to non-service men, it is rendered altogether unattractive. There used to be a pension attached to this post till now, and private practice was hitherto allowed; but it is now declared that there is to be no pension, there is to be no private practice, and the new man will get no house allowance, when every one else is getting it. Thus the moment the post is thrown open to non-service men it is made altogether unattractive for our best men, and I would like to have an explanation as to why this has been done. Take again the question of the Chemical Analysers in Bombay and Karachi. Some years ago, the Secretary of State decided that these appointments should not be the monopoly of the Indian Medical Service. And there is a distinguished man in Bombay available for these appointments to-day, doing for years the work of Assistant Chemical Examiner. The Indian Medical Service men, appointed as Chemical Analysers, receive their training under him, and then they are put over his head. I understand the Government of Bombay is anxious to help this gentleman; but the matter rests with the Government of India, and somehow his ability and record of services receive no recognition from them.

"Lastly, I come to the Department of Railways. I am not going into the question in detail to-day, because my friend the Hon'ble Mr. Mudholkar has already dealt with it exhaustively. Here we are almost entirely excluded from all higher appointments, and I hold that this is absolutely indefensible. It cannot seriously be contended that Indians are not fit for any place in the Railway Administration above Rs. 200 a month, when you can put them on the Government bench there, make them Chief Justices of High Courts or entrust them with the management of districts and divisions. To those who speak of such unfitness, I would like to mention an interesting episode. It refers not to the Railway Department, but to another Department,—the Survey Department,—but the principle is more or less the same. Not many years ago, there was a controversy about the position of Indians in the Survey Department, and it was contended very vigorously by the champions of European monopoly that Indians were not fit for the work, and that therefore they should be kept out. Unfortunately a report, submitted by Colonel De Prée, who was then the head of the Survey Department and who was a strong advocate of Indian exclusion, came to be published, and this was what he was found to say in that report:

'I may here remark incidentally that my numerous late inspections show me that the tendency of the European surveyors is to stand and look on, while the Natives are made to do the drawing and hand-printing, as if they thought themselves quite above that sort of thing. This is a mistake and cannot be permitted for the future. Besides, it is suicidal for the Europeans to admit that Natives can do any one thing better than themselves. They should claim to be superior in everything and only allow Natives to take a secondary or subordinate part. In my old parties, I never permitted a Native to touch a theodolite or an original computation, on the principle that the triangulation or scientific work was the prerogative of the highly paid European, and this reservation of the scientific work was the only way by which I could keep a distinction, so as to justify the different figures respectively drawn by the two classes—the European in office time and the Native who ran him so close in all the office duties as well as in field duties. Yet I see that Natives commonly do the computation work, and the European some other inferior duties.'

"Sir, I beg, with all respect, to make a present of this extract to the Hon'ble Sir T. Wynne! One word more, and I have done. Sir, I have admitted that the question is a difficult one, but what I urge is that there should be continuous progress. Nobody urges that the English element should be withdrawn suddenly or even largely, but unless Indians are introduced into the higher ranks in larger and larger numbers, the discontent which the Government are anxious to remove is not likely to disappear. With these words, I strongly support the motion which my Hon'ble friend has brought forward."

The Hon'ble SURGEON GENERAL LUKIS: "Sir, with your permission I should like to say a few words on the subject on the encouragement of independent medical practitioners whose case has been so ably dealt with by the Hon'ble Mr. Gokhale, and in so doing I wish to point out to the Council the various steps that have been taken by Government to improve the position of these gentlemen and also to indicate the lines on which, if they so desire it, they can help themselves. I wish it to be clearly understood, however, that I must not be regarded as the mouthpiece of Government or as holding any brief for the Indian Medical Service. I merely speak as one who has devoted 12 years of his life to teaching medicine in this country and whose interests in the spread of medical knowledge and in the improvement of the status of Indian medical practitioners is just as keen as is that of the Hon'ble Mr. Gokhale in the equally important subject of primary education. Now, Sir, when one considers the status of the Indian medical practitioner in this country, one finds that he labours under three disadvantages which are not shared by his professional brethren in the West. In the first place, when a private medical student has passed his curriculum and obtained his diploma or degree, he is practically debarred from holding any of the important appointments of house surgeon or house physician in the large Government hospitals; these appointments being, as a rule, reserved for civil assistant surgeons. Recognising the importance of this, the Bengal Government has agreed to the suggestion of the Government of India that in future the posts of house surgeon and house physician in the various large Calcutta hospitals shall be thrown open to the most deserving students of each year; whether or no they wish to enter Government service. This, Sir, is a very important boon, and I hope that future generations of medical students and young practitioners will take full advantage of it.

"The second disadvantage under which he labours is that here in India there are no opportunities whatever for post-graduate studies such as exist in connection with all the large medical schools in England and Europe. The result of this is that when a young practitioner goes out to a remote mufassal district, where he is probably over-worked and underpaid and has neither the leisure nor the facilities for study, he fails to keep himself abreast of the times and he very quickly lags behind in the race. Here, again, Government recognises that this is a tremendous drawback and that it militates very largely against his successful career. The Government of India, therefore, is now formulating a scheme for the establishment of a School of Tropical Medicine in Calcutta which it is hoped will be affiliated to the Calcutta Medical College; and for the introduction of a Diploma in Tropical Medicine in connection with the Calcutta University. This School of Tropical Medicine, if it takes shape, will afford facilities not only for post-graduate studies, but also for original research, and it will be open to all properly qualified medical practitioners, whether official or non-official. You will see, therefore, that the young medical practitioner will now have a chance of coming back to his hospital and furbishing up his knowledge; or, if he wishes to do original work, he will have every opportunity afforded to him in the research laboratories attached to the Tropical School of Medicine.

"The third disability to which he is subject—and this is the one upon which Mr. Gokhale laid most stress is—that the independent medical practitioner cannot obtain a share of the professorial and hospital appointments in connection with the big Government medical colleges. That of course is a great disability and it is one that has the serious attention of Government; but it is not for me to enter into it here. In this connection, however, I should like to draw the attention of Council to certain very sensible advice which was given to the Bombay medical men by Dr. Temalji Nariman when he was entertained at dinner in August 1908 by over a hundred Indian medical men. In the course of his speech Dr. Nariman said:

'If Indians wish to bring into existence a profession of native doctors, they should not hanker after one or two minor professorial posts in the Grant Medical College of Bombay, but should all unite and set to work to found a medical college of their own.'

"Later on in his speech he went on to say :

"It is only when we have a larger number of teachers with hospital experience that we shall be in the position of an independent profession, and by perseverance, industry and self-sacrifice we are bound to produce young men who will adorn our profession and leave their names to posterity as those of Jenner, Harvey, Lister or Simpson. Founding hospitals alone will not elevate our status. We must have our own college, with laboratories, where some of our best men may carry on original research work. It may take years for its completion, but let us make a beginning."

"That, Sir, is very wise and statesmanlike advice. I strongly recommend it to the careful consideration of my Indian colleagues, and I beg of them not to be satisfied by merely obtaining a proportion of the professorial appointments in Government medical colleges. Let them also unite and found medical colleges of their own."

"In the very excellent speech which we listened to with such interest yesterday, the Hon'ble Mr. Gokhale, when pleading the cause of primary education, said that this was a case in which it was necessary that there should be the cordial co-operation of the Government with the public. May I be allowed to invert the terms and say. 'This is a case where we want the cordial co-operation of the public with the Government.' I hope that the wealthy and charitable public will bear this in mind, and I can assure them that if they will do anything to advance the scheme for the institution of unofficial medical colleges, entirely officered by Indians, they will not only be conferring a benefit on the profession, but on their country at large."

The Hon'ble MR. GOKHALE: "What about institutions maintained out of public funds, public monies?"

The Hon'ble SURGEON GENERAL LUKIS: "I am not dealing with appointments held by the Indian Medical Service. It is well known that the Government medical colleges and schools cannot accommodate more than a fraction of those who ask for admission. In Calcutta alone, as I know from personal experience, over 200 candidates have to be rejected every year, and there is, therefore, ample room for well-equipped and properly staffed unofficial medical colleges and schools which may be either affiliated to the University or run on the same lines as a Government medical school, but entirely conducted by Indian medical men; and I look forward to the time when in every important centre in India we shall have well-equipped unofficial medical schools working in friendly rivalry with the Government medical schools and each institution striving its hardest to see which can get the best results at the University examinations."

"As Dr. Nariman said, this may take years to accomplish, but I earnestly hope that, before I say farewell to India, I shall see it an accomplished fact, at any rate in Calcutta and Bombay; and if I have said anything to-day which will induce the leaders of the people to give this scheme their cordial support, I feel, Sir, that I shall not have wasted the time of the Council by interposing in this debate."

The Hon'ble MR. SACHCHIDANANDA SINHA: "Sir, I rise to give my support to the motion before the Council. I shall very briefly state the grounds on which I do so. It seems to me that there are several reasons why the Government should be pleased to appoint a Commission or Committee to enquire into the question of the appointment of Indians in the higher ranks of the public services. Since the last Commission was appointed and reported, certain rules have been introduced, for the first time, which take away from the Indians the privilege of competing with their British fellow-subjects in examinations held in England. The Hon'ble Mr Subba Rao has referred to the examination held in England for the police, in which, in terms, the Indians are excluded from competing; and it seems to me, Sir, and has always seemed to me, a grave infringement of our rights as British subjects that we should not be allowed to compete for any appointments in our own country. I think a Commission would certainly go into a matter like that."

"The second reason, Sir, why I urge the appointment of a Commission is that the list of those appointments which were thrown open to the Provincial

Service and are known as 'listed posts' has not been revised for the last twenty years. In 1893, when the House of Commons passed a resolution about simultaneous examinations for the Indian Civil Service, the Government of India sent home a long despatch on the subject embodying the opinions of the different Local Governments and Administrations; and in that I find that Sir Anthony, now Lord, MacDonnell, who was then officiating Lieutenant-Governor of the Lower Provinces, said:

'Let them (Indians) in due time press for a further increase in the scheduled posts to be "listed" or transferred to the Provincial Service: let them on a suitable opportunity urge that . . . the . . . posts now transferred shall be increased. All that is necessary now to do is to recognise and provide by rule that this division or the appointment of posts to each class, shall be from time to time revised.'

"This was the suggestion of Sir Anthony MacDonnell, and I find that the Government of India also embodied that suggestion in their despatch to the Home Government. They said:

'There is no finality about the lists of "covenanted offices," which have been thrown open to members of that (Provincial) Service. These lists have been prepared with reference to proximate possibilities; but they are capable of alteration and expansion from time to time as circumstances may require or permit.'

"Now, Sir, there has been a remarkable progress in the country in education during the last 25 years, and I think for this, if no other reason, the Government should appoint a Commission to go into this matter and see to what extent the people of the country are entitled to have these 'lists' amplified and revised. But I think, Sir, that I can go further and say that it seems to me, that apart from the revision and amplification of these lists, which is now surely desirable, the time has come when this artificial boundary between the Provincial Service and the Indian Civil Service should no longer be maintained. For these reasons, I gladly support the resolution."

The Hon'ble PANDIT MADAN MOHAN MALAVIYA: "Sir, I shall not take up the time of the Council by going into the details of the appointments in the different departments which have already been fully dealt with by other Members. The result of the discussion shows that in many departments Indians are not getting their fair share of the public appointments. The principle that they should freely and impartially be appointed to every office in the different departments for which they may be qualified has long been admitted. I do not think there is anything left to be desired in that direction either in the words of the Statute of 1833 or the Proclamation of 1858, or the subsequent declarations of Government on this question."

"The second point that has been brought out in the discussion by the Hon'ble Mr. Subba Rao is this, that the root of the evil of the exclusion of Indians from high offices lies in not holding simultaneous examinations for the Indian Civil Service in this country as well as in England. In the discussion in 1853, when the throwing open of the principal civil appointments in India to competition was under discussion, this was anticipated. Many members at the time pointed out that, while the Statute did not exclude Indians in terms from the Civil Service, still by requiring that the examinations for it should be held in England alone, it was practically excluding them from those appointments. I will refer to one or two of the speeches of those who took part in the debate. For instance, Lord Stanley said that he could not refrain from expressing the conviction that, 'in refusing to carry on examinations in India as well as in England—a thing that was easily practicable—the Government were, in fact, negating that which they declared to be one of the principal objects of their Bill and confining the Civil Service, as heretofore, to Englishmen. That result was unjust, and he believed it would be most pernicious. Let them suppose, for instance, that instead of holding those examinations here in London, that they were to be held in Calcutta. Well, how many Englishmen would go out there—or how many would send their sons perhaps to spend two or three years in the country on the chance of obtaining an appointment! Nevertheless that was exactly the course proposed to be adopted towards the Natives of India'."

" Mr. Rice also objected to this restriction that examinations should be held in England alone, and he said that his object was that all offices in India should be effectively opened to Natives. And therefore he would not require them to come over to this country for examination, as such a condition would necessarily entail on Natives of India great expense, expose them to the risk of losing caste, and thereby operate as a bar against their obtaining the advantages held out to all other of Her Majesty's subjects. The course of education through which the youth of India at present went at the established colleges in that country afforded the most satisfactory proof of their efficiency for discharging the duties of office.

" Again, Mr. Phillimore said in the same debate that he also feared that the Bill would prove delusive, and that, although it professed to do justice to the Natives, the 'spirit of monopoly' would still blight the hopes and break the spirits of the Indian people.'

" This, Sir, was in 1853. In 1858, when the Government of this country was taken over by Her Majesty, the Statute which was enacted maintained the Indian Civil Service Examination on the footing on which it had been established; but the disadvantage and the unfairness of excluding Indians by confining the examination to London was strongly felt. With a view to devise a remedy for the evil the Secretary of State appointed a Committee in 1860, as Mr. Subba Rao has mentioned; and that Committee recommended in favour of simultaneous examinations being held in this country as well as in England. From that time various attempts have been made to get this done. Mr. Fawcett, for instance, brought a motion in 1863 in the House of Commons in favour of simultaneous examinations being held in Madras, Bombay and Calcutta; and it was, I believe, largely due to that resolution that the Statute of 1870 was enacted. The tardy action taken under that Statute did not give satisfaction, and complaints continued. To meet these complaints the Public Service Commission was appointed in 1886. But instead of improving the state of affairs that Commission has, as many speakers have pointed out, put Indians in a worse position.

" The question which we now have to consider is, will the Government make an attempt to remedy the injustice which has been done by the recommendations of the Public Service Commission being partly accepted? There were two alternatives before the Government of India: one was the holding of simultaneous examinations in this country as well as in England; the other was the creation of Provincial and Imperial Services. We know that the proposal for holding simultaneous examinations was not accepted, but a Provincial Service was created. We have heard what a deal of dissatisfaction has been caused by the creation of the Provincial Service, and that those who belong to that service or are given the option of joining that service feel that it is an inferior service. That this is really so has been attested to by the Government of Madras. The Government of Madras, of all the Local Governments that were consulted on the questions referred to by the Public Service Commission, expressed its opinion clearly in favour of simultaneous examination, and against the creation of a Provincial Service. I beg leave to quote from the despatch in which it said:

' Another reason for altering the status and position of Natives in the Civil Service is to be found in the fact that the new Provincial Service does not in any way satisfy their aspirations and wishes. It is evident that its introduction on the present lines has been a great disappointment to them; that it has relegated them to a distinct and limited service, and instead of placing them in line with the rest of the Civil Service, has confined them to what they consider an inferior and subordinate position, and that this has been accentuated by the designation which has been applied to them, a designation which they have always associated with a distinctly and well-recognised inferior branch of the Service.'

" The despatch went on to say:

' His Excellency in Council considers, therefore, that it is expedient to remove, by the institution of simultaneous examinations, the disabilities which now tend to hinder the entry of Natives into the Civil Service proper. This step will remove an injustice, or what has almost the same consequences, a feeling of injustice, and it will not endanger the British supremacy or impair the character or the administration as a civilised and enlightened

Government. It may possibly, in certain circumstances, weaken executive action; but the disadvantages in this respect are not so certain or so grave as to outweigh the advantages. The increase in the proportion of Native candidates selected is moreover not likely to be so great as is supposed, and it would be advantageous to remove the dissatisfaction and discontent which undoubtedly exists among the natives by some such measure as is now under discussion.'

" It is much to be regretted, Sir, that this wise recommendation was not accepted. Subsequently a resolution was passed by the House of Commons in 1893, but, as we know, unfortunately no action was taken upon that resolution also. The action taken by the Government on the Report of the Public Service Commission has deepened the complaints of Indians. Distinguished statesmen have again and again acknowledged the justice of the claims of Indians to a larger measure of the higher appointments. They have also acknowledged the injustice of the existing arrangements, and yet the injustice remains largely unremedied. It is pleasing to acknowledge that in recent years Government have shown a growing disposition to recognize the justice of these complaints and have been trying to remove them. The recent appointments to some high offices made during the time of Lord Morley and Lord Minto are striking evidence of the desire of Government to remove the injustice or at least to minimise it as much as possible. But, as Mr. Gokhale has pointed out, these appointments do not affect the situation in relation to the bulk of the appointments, and the question remains, what should be done to really improve it? I submit the solution obviously lies in holding examinations for all first appointments, which are held at present in London alone, in India as well. That, Sir, I submit, is the solution. Government may be pleased to adopt it now or it may defer it; but I venture to say that the holding of simultaneous examinations is the only course which will solve the problem with which we are confronted. But until that is done, a great deal can be done, and I hope it will be done, to admit Indians to higher appointments in the different departments of State in which they are employed in very small numbers or from which they are practically shut out.

" I would remind the Government in this connection of the gracious proclamation which His late Majesty King Edward issued in 1908. In that proclamation His Majesty was pleased to say:—

' Steps are being continuously taken towards obliterating distinctions of race as the test for access to posts of public authority and power. In this path I confidently expect and intend the progress henceforward to be steadfast and sure.'

" That, Sir, is the most solemn pronouncement of our late Sovereign on the question raised in the resolution before us. By bringing forward this resolution Mr. Subba Rao has merely reminded the Government of the desirability of taking some steps, of adopting some effective means, by which the desire of His late Majesty would be better given effect to. We also remember the noble message of His Majesty, our present King-Emperor, in which he graciously spoke of the Proclamations of 1858 and of 1902 as the charters of the rights of Indians under the British Government, which charters His Majesty promised to abide by during all his time. We are looking forward with great satisfaction this year to the visit of His Majesty to our country; and nothing would be more pleasing to the people of this country, nothing would raise the Government higher in the estimation of the people, than an earnest indication of the desire to treat, in the matter of appointments to the public service, Indians and Europeans as equal fellow-subjects, as they really are in law. They are no doubt in theory regarded as such. But it is undeniable that in the apportionment of public appointments a distinction which is entirely illegal and unjust, and which cannot be justified on any possible ground, is maintained. This naturally gives rise to a great deal of dissatisfaction and fosters discontent. If the motion of Mr. Subba Rao to appoint a Commission or Committee is accepted, it will help to remove all reasonable complaints. I am not particular about a Commission. I will be content with a Committee, and even with a Committee which may consist merely of officials. I would be content if a few select officials were appointed to go into the question and to see what bars, if any, have been created in the different departments against the pledges given to

the people of India in the Act of 1833 and in the Proclamations of 1858 and 1908, and to recommend how they may be removed. If this is done, Sir, a great deal of justifiable discontent will be removed, and there will be a feeling of gratitude growing up in its place in the minds of the people which cannot be created by the creation of a few high appointments alone. I hope the resolution will commend itself to the Government."

The Hon'ble SIR GUY FLEETWOOD WILSON: "I had an opportunity last week of answering in regard to my own Department, and therefore I do not think I am called upon to make any remarks to-day in connection with the Hon'ble Mr. Subba Rao's resolution."

The Hon'ble MR. CLARK: "I do not think I need endeavour to discuss exhaustively the question of the appointment of Indians in all the divisions and sub-divisions of the hydra-headed department over which I have the honour to preside, and in point of fact only two departments were mentioned to-day. One was the Customs and the other was the Railways. I was a little surprised that the Customs was mentioned, because, as Mr. Subba Rao himself very truly said, of the last three appointments of Assistant Collector that were made, two were filled by Indians. One of these gentlemen, I believe, who has risen to this appointment, is a relatively junior man who has gained his promotion by his merits and ability, and there is no reason why he should not eventually get to the top of the tree. I do not think therefore that there is much ground for cavil so far as the Customs are concerned."

"I now come to the question of the Railways. When this question was raised before at the discussion early last week on the budget, the Hon'ble Mr. Gokhale was not entirely satisfied with the answer which was given to him by my Hon'ble friend the President of the Railway Board. I cannot help thinking there was some misapprehension as to what fell from my Hon'ble friend. I listened myself very carefully to what he said, and I am quite sure he had no intention whatever of conveying the idea that the door is barred to Indians to the higher appointments in the Railways. If I may say so, I think that the standard which has been applied is not a very sound one. The Hon'ble Mr. Mudholkar dealt with the question and gave us figures to show how small a number of Indians had reached the higher appointments. That undoubtedly is true; but it seems to me that if the door were really barred and it were determined not to allow openings for Indians, it would have been impossible for them to have reached the point they have; it would have been impossible, for instance, for the gentleman whose appointment is published to-day in the papers, Mr. Rallia Ram, to have become the Deputy Engineer-in-Chief of a State Railway. And it is on a State Railway that this appointment has been made. As regards the Railways leased to companies, the Government can only endeavour to influence the companies in the desired direction: they cannot compel them to employ Indians; and as regards the companies which own their lines they have no powers at all. It is important to note, as the Hon'ble Mr. Subba Rao himself pointed out, that it is in those companies—the companies over which the State has no control—that matters in this particular are worst."

"A point which the Hon'ble Sir T. R. Wynne emphasised—and rightly, I think, emphasised—was that a special characteristic of this question in connection with the railways is that he and the Railway Board are responsible for the safety of the railways. Efficiency is greatly to be desired in all branches of Government service, but it must be remembered that in the railways any measure of inefficiency means also the risk of endangering safety. It is therefore not so easy to try experiments of any kind there as it may be in other services. I notice the Hon'ble Mr. Gokhale said that if Indians were not fit for these higher posts, it was not their fault that they had not the necessary training and experience. I do not think that was quite a fair way of putting it. As the Hon'ble Mr. Madge pointed out, what we have to consider is the conditions as they are actually now, and if a man does not seem to be thoroughly qualified for a high and responsible post, especially in so serious a matter as railway administration, I do not think anybody could advocate that he should be put into it. Undoubtedly more opportunities are being given now, and I hope the effect of

these opportunities will be that more Indians will receive the necessary training and will become efficient and will reach the higher posts."

The Hon'ble MR. SYED ALI IMAM: "Sir, my task in addressing you in connection with the debate that is before you is a simple one, for the simple reason that I do not represent any Department that has got largesses to dole out or offices to give away. Therefore I find that all I can say to the appeal that has been made by some of the non-official Members to Government to-day is that so far as I am concerned as a Member of the Government, I will give that appeal to the best of my ability the sympathetic consideration which it deserves."

The Hon'ble MR. BUTLER: "The Hon'ble Mr. Subba Rao, in the lucid and forcible speech with which he introduced his motion, dwelt somewhat lightly on the position of the Provincial Educational Service, and this matter has received even more attention from the Hon'ble Mr. Gokhale and others. Well I am not in a position to make any statement now about the Provincial Educational Service, because the improvement of the prospects of that service is at the present moment under the consideration of the Government of India. I should like, however, to correct one small error under which the Hon'ble Mr. Subba Rao quite inadvertently has fallen. He said that no Principalship of a Government college could be held by an Indian. At the present moment a first class Government college at Rajshahi has an Indian professor as Principal, and I should like to add, with reference to another remark he made, that the Assistant Secretary in the new Education Department, Kunwar Maharaj Sing, is an Indian. He has not taken up his appointment yet, because he could not be spared by the Local Government, and he will join in Simla; but he is the first Assistant Secretary appointed to the Department. At the close of his speech the Hon'ble Mr. Gokhale made some remarks about competitive examinations. I must not deal with those remarks at any length because they do not fall within my department; but I happen to have read in the newspapers of last week or the week before that there is a very strong demand in England now, which is headed by so able an educationist as Professor Sadler, for the appointment of a Royal Commission to enquire into the question of the suitability of competitive examinations for selecting men for posts under Government. There is a strong reaction in England at the present moment against the system of recruitment for the public service by competitive examination. I do not think I need detain the Council any more; I cannot make any statement on the only subject of real interest to them."

The Hon'ble MR. CARLYLE: "So far as regards the departments entrusted to my charge, complaints have been made of the state of things in the Survey and in the Public Works Departments."

"So far as the Survey Department is concerned, as I have said on a previous occasion, it must for obvious reasons continue to be administered mainly by military officers. The question of the Provincial Service and the possibility of giving them higher appointments is now under consideration. I may add that in Colonel Burrard the Department has a head who may be trusted to deal sympathetically and justly with every class and race in the Survey Department."

"In the Public Works Department the whole question of the relations between the Imperial and Provincial Services is being dealt with, and I trust it may be possible to arrive at some solution which will generally be recognized as just and satisfactory."

"So far as the ten per cent. limit on the appointment of Indians to the Imperial Service is concerned, it is not easy at present to get that proportion of fully qualified Indians at home."

The Hon'ble MR. EARLE: "I must in the first place congratulate the Hon'ble Member on the wide and general terms in which he has framed his resolution. I was afraid from the enquiries which he had at one time made from the Home Department—and they were exceedingly numerous—that he intended to move that the Government of India should make a definite pronouncement as to the line of action which they would take in regard to particular

services. In that case it would have been rather difficult to have given a satisfactory reply. Inasmuch, however, as he has couched his resolution in very wide and general terms, it is possible to indicate the general direction of the way in which the Government of India are prepared to move.

"I had intended to say a good deal about what we propose to be done in regard to the medical service, and particularly with regard to the development of an independent medical profession. I shall not do so, however, having regard to the lateness of the hour and to the fact that my friend the Hon'ble Surgeon General Lukis has already touched upon one of the points on which I had intended to speak. I may just mention, however, to the Council that the Government of India are taking a great interest in the development of an independent medical profession and that various questions in that connection have lately been referred to the Local Governments for consideration. The whole matter will be considered during the current year and we shall perhaps be able to say something on the subject next year.

"As regards the question of the police service, which has been specially mentioned by the Hon'ble Member, I would note that the following system of recruitment obtained between 1893—1905. A portion of the superior police force was recruited by a competitive examination in England, for which Europeans only were eligible; while the rest were selected in this country under a combined system of nomination and examination, to which Indians were also eligible. Then came the Police Commission's Report of 1905, and their recommendation was that direct recruitment to the superior police should be restricted to Europeans, the examination being held in England. This proposal was accepted. Now, although Indians are not eligible for direct recruitment to the superior police force, deputy superintendents, who are recruited almost entirely from among Indians, and who form a service similar to the provincial civil service, can be promoted to the superior service up to, for the present, a limit of 5 per cent. of the number of superintendents in a province. This works out at present to a total of 15 posts out of a total of 306.

"The main question to be considered appears to be whether Indians should be admitted to the open competitive examination in England as they are in the Indian Civil Service and Indian Medical Service, in addition to making a certain number of posts available for promoted deputy superintendents. The question was carefully considered by the Police Commission in paragraph 69 of their Report, and an adverse opinion was arrived at on the ground that recruitment in this country was the best system in the case of Indians required for the police force. In view of the very recent re-organization of the police service, it is perhaps too early to re-consider the matter at present. We should watch the effect of the new scheme for some time and see how the proposal to appoint deputy superintendents as superintendents turns out. The Government of India will be glad to see the 5 per cent. of places which are now available for Indians occupied by deputy superintendents as soon as circumstances allow.

"I will now turn to the case of the Indian Civil Service and the Provincial Service with which it is connected. The Indian Civil Service Act, 1861, practically lays down that most of the important appointments in the administration should be held by covenanted civil servants of the Crown, but, in special cases, persons other than covenanted civil servants could be appointed to the posts referred to. Inasmuch, however, as the permissive sections of this Act were not found in practice to be sufficiently favourable to Indians, the Government of India Act, 1870, was passed for the special purpose of facilitating the appointment of such persons to posts previously held by covenanted civil servants. This Act is, to use authoritative language, 'the parliamentary remedy for any inconvenience or injustice which Indians might be shown by experience to suffer through the necessary adaptation of the examination in London to the convenience of home-born rather than of Indian competitors for the civil service.'

"The first tangible fruit of the Statute of 1870 was the statutory rules of that year, which provided that a proportion of the recruitment for posts in the

covenanted civil service up to a *maximum* of one-sixth in each year (exclusive of military recruits for non-regulation provinces) should be reserved for Indians appointed in this country. Altogether, between the years 1870 and 1889-1890, 69 statutory civilians were appointed. This system was abolished in the year last-named on the recommendation of the Public Service Commission, the plan of nomination having failed 'in securing sufficient guarantee of ability and education in persons appointed under the rules. Although it was considered that in most cases the nominations actually made had been fairly satisfactory, it was generally felt that no antecedent guarantee existed of the fitness of the persons selected.'

"As a result of the Public Service Commission's report, a provincial civil service was constituted from the higher ranks of the previously existing subordinate executive and judicial services, and a proposal was made that one-sixth of the covenanted charges (excluding the proportion reserved for military officers) should be removed from the cadre of the covenanted civil service, and that these should be thenceforward open as a permanent arrangement to members of the provincial civil service. The covenanted civil service was thus to be reduced to a *corps d'élite*, by limiting its numbers to what was necessary to fill the chief administrative appointments of the Government, and such a number of the smaller appointments as would ensure a complete course of training for junior civilians.

"The Commission specifically recommended that 108 posts usually held by civilians should be made available for provincial service officers. After, however, consulting Local Governments, the Government of India decided in 1892 that the number should be 93, this figure being considered as suitable to meet proximate reasonable requirements and to be worked up to after satisfying the claims of officers already in the service. It was understood that there was to be no finality about the list. The list was to be subject to alteration and expansion from time to time according to varying circumstances. The system of listing posts was to be final, but it was contemplated that in course of time the proportion of one-sixth might possibly be exceeded.

"In this connection I would refer to the remarks made by my Hon'ble friend Mr. Subba Rao in which he said that only district judgeships and collectorships are at present included in the list of listed posts. That is perfectly true, but at the same time there is absolutely nothing to prevent any post being given to an Indian. Thus, lately we have appointed an Indian as Commissioner at Lahore, and, if I am not mistaken, the brother of the Hon'ble Mr. Chitnavis is a Commissioner in the Central Provinces. There is nothing to prevent the Government of India from appointing a Secretary to the Government of India from among the ranks of Indian officials if they think fit. I think that the Hon'ble Member was mistaken in what he said in this respect.

"I will now show what has in fact been done to carry out the scheme. As above indicated, the scheme contemplated 93 posts being made available to provincial service officers as soon as the claims of officers already in the covenanted service allowed this to be done and duly qualified candidates were forthcoming. Since that time the number of listed posts has increased from 93 to 102, while the number of posts actually held by statutory civilians or provincial service officers has increased from 56 to 92. Moreover, now that there are only 21 statutory civilians left, the large majority of these 92 posts, *viz.*, 71, are held by provincial service officers.

"I will now explain that there is still a wide margin of posts available for provincial service officers. At the present time (1911) the number of posts held by members of the Civil Service, excluding posts held in Burma by military officers, is 993. One-sixth of this number is 165—very nearly what Mr. Gokhale mentioned. I think he mentioned the figure 163. There is, therefore, a wide margin, 165 *minus* 102, or 63 posts, still left for Provincial Service officers.

"The question naturally arises at this stage how it is that the listing of posts has not been taken up more vigorously in the past. That is a perfectly

legitimate criticism and question to put. In the first place, it must be remembered that the scheme was always considered to be an experimental one, and that the intention was that the maximum of one-sixth should only be worked up to if the system proved successful, and, in order to enable a proper opinion to be formed on the subject, a considerable probationary period was obviously required. In the next place, Burma and Assam were not considered ripe for the system of listing until recently (1905 and 1907, respectively). Again, large additions to the Indian Civil Service cadre have in recent years been found necessary. Thus, in Burma and the Punjab 54 new officers (22 in the former and 32 in the latter) have been recruited owing to the rapid development of those provinces. Next, the two provinces of Bengal and Eastern Bengal and Assam, taken together, account for an increase of 38 posts. Similarly, the creation of new districts in Madras accounts for 14 new posts, while the amalgamation of Berar with the Central Provinces and the decision to man the former in future from the Indian Civil Service accounts for 19 more posts. It must also be borne in mind that in 1893, after the decision to list 9 posts had been arrived at, the Government of India expressed their opinion that the European service was at its *minimum* strength and that no further reduction would be practicable for some years to come.

"On the other hand, no systematic enquiry has been made in order to ascertain whether more posts could be listed so as gradually to work up to the one-sixth proportion, as proposed by the Public Service Commission. It must be admitted, therefore, that there is a *prima facie* case for enquiry, and such enquiry will most certainly be made.

"The Hon'ble Member has advocated the holding of simultaneous examinations and the giving of all the higher appointments in India by competitive examination only. I fear that the Government of India can give him no encouragement in that respect. From the time of the famous despatch of the Duke of Argyll of 1869 to the present day, it has consistently been held that though a competitive system is generally suitable for the recruitment of Europeans in England and of those Indians who elect to proceed to England for the examination, it is not the best system for recruiting in this country Indians whom we require to assist us in the administration. There is no particular merit about open competition even as regards Europeans; but, given a good education in England, competition does secure in a general way good results. The case is totally different as regards the selection of Indians. The average education given at schools and colleges in this country is still some way behind that given at similar institutions in England. Moreover, it is not only the intellectual character of the education given that is of importance: it is the general character of the training which has to be looked to. Another grave objection would be the injurious effect which a simultaneous examination conducted in this country would be likely to have upon the development of education here. Even in England there has been considerable trouble in this respect, and in India it is certain that not only would private institutions be created for the main, if not the whole, purpose of offering special preparation, but the regular institutions would not be able to resist the temptation of so shaping their courses of study as to secure success at the examination rather than to impart a general liberal education to the mass of their scholars.

"Then there are the very grave difficulties connected with the personnel to be recruited. A fair proportion of Europeans is, as already indicated, essential. What is equally important is that the recruitment of Indians should be such as to secure that a fair proportion of the offices should be given to the various communities in India. These results could not be secured under any system of simultaneous examination. I think that for the present we must adhere to the present system. Then those Indians who are recruited in England will have been trained in the highest and best form of English education, and will, in the words of Lord Macaulay, 'enter the service in the best and most honourable way.' On the other hand, Indians recruited in India, as at present, by a system of careful and cautious selection and by promotion according to tried ability will, in the words of the Duke of Argyll, be recruited 'by a competitive examination of the best kind.'

"The Hon'ble Member has referred to the fact that the open competition in England has not produced results favourable to Indian competitors. It is true that the number of successes have not been large—5 per cent. of the total. Much better results might, however, have been secured if there had not been a large falling off in the number of Indian competitors in recent years. Why this has been the case, the Hon'ble Member probably can tell better than I can. In any case a low percentage of success is not a sufficient reason for subverting a good working system, though it might be a good reason for taking up the investigation which I have already suggested as to whether we cannot now work up to the full proportion of one-sixth of listed posts, as recommended by the Public Service Commission. In this connection I might note, for the information of the Hon'ble Member, that whereas in 1886, when the Commission was appointed, there were only 12 Indians in the Civil Service, there are now 64.

"As a matter of general interest, the Hon'ble Mover of the resolution may be glad to know that considerable progress is being made in respect of the appointment of Indians to posts carrying a salary of Rs. 1,000 and over. It was pointed out in the budget debate of 1904-05 that in 1867, out of a total of 648 such appointments, 12 were filled by Indians, all Hindus, or a percentage of 2; whereas in 1903, out of 1,370 such appointments, 71 were filled by Hindus and 21 by Muhammadans, the percentage of posts held by Indians being therefore 7. The present position is that in 1910, out of 1,882 such appointments, 134 were held by Hindus and 27 by Muhammadans, the percentage of posts held by Indians being therefore 8.6.

"I cannot help thinking, both from what the Hon'ble Mover has said to-day and from remarks which he has let fall to me from time to time, that what he is chiefly concerned about is the status of the provincial civil service. He would like to see the status of that service, or at any rate of those members of the service who attain to listed posts, improved. He has given no clear indication as to what he wishes; but, in referring the question of listing posts to Local Governments, the matter will be borne in mind.

"In conclusion, I may say that the Government of India will readily refer to Local Governments in order to see how far it is now practicable to work up the recommendation of the Public Service Commission. They do not, however, think that for this purpose the appointment of a Commission is called for. It must be remembered that the Public Service Commission was appointed only when, after two years of discussion, it was found impossible to arrive at a satisfactory solution of the questions involved. No such necessity now exists, as the question to be decided is a simple one, namely, to ascertain from Local Governments how many more posts can be listed up to the maximum of one-sixth. The appointment of a Commission would merely mean waste of time and labour. If the Government of India is left to take action of their own accord, much progress might be made within the course of this very year. On the other hand, if a Commission were appointed, we could not expect to see the result of its labours for at least a year or eighteen months, and then there would be a further great delay in consulting Local Governments. The Government of India are fully alive to the importance of associating Indians in the administration of the country, and, as I have explained, the subject is one which has constantly engaged their attention."

The Hon'ble MR. SUBBA RAO: "Sir, I have listened with much interest to the sympathetic speeches that have fallen from the Hon'ble Members opposite, who are in charge of the different departments of Government. I am glad to hear that their earnest desire is to associate Indians more largely in the government of the country. But I have to express my regret that the way in which it is proposed that Indians should be associated more largely with the government of the country is to be on the old lines. We know that under the Statute of 1870 lists were drawn up on the recommendations of the Public Service Commission, based on the rule that one-sixth of the appointments reserved for the Indian Civil Service should be given to the members of the Provincial Service. Hitherto the number of appointments which listed was only 102, and, if that proportion has to be worked up to, it will come to something like 165. It

is stated now by the Hon'ble Mr. Earle that it will be the endeavour of the Government to work up to that proportion.

"All this means that there is to be the Provincial Service and members from that service will be selected according to their ability to fill the posts which will be listed to make up the proportion. In fact, if the old plan is continued, I do not see a way out of the difficulty which has been created by the recommendations of the Public Service Commission and the orders thereon. Though we are glad to learn that an enquiry would be made to list more posts for the members of the Provincial Service, I regret to say that so long as the present system continues, there cannot be any real contentment in the country, because a line of demarcation is drawn between the two services and the stigma of inferiority is attached to the members of the Provincial Service. The Hon'ble Mr. Earle pointed out that there was no finality with regard to the lists already drawn up. I quite admit that the lists might be modified or enlarged from time to time, but what I have been pressing upon the attention of the Council is that so long as the present orders are there, you have to go up to the Secretary of State to modify them if you want to list certain places. The matter was arranged rather in a peculiar way. Certain principles were laid down for listing the places; then the Government of India, apparently with the sanction of the Secretary of State, in April 1892 fixed the places that should be listed; and then in November published the rules under the Statute of 1870 and authorised Local Governments to notify in the official Gazette the listed places to which they might appoint members of the Provincial Service. I quoted a passage from the Government of India Despatch of August 1892 to show that this scheme was intended to be a final settlement of the claims of the Indians for higher employment. I shall, however, accept the statement of the Hon'ble Mr. Earle that the lists as framed are not final and may be modified by the Government of India or by the Local Government. In this connection I shall draw the attention of the Council to the resolution brought in the Madras Legislative Council by the Hon'ble Mr. Raghunatha Rao that the Madras Government might be pleased to appoint an Indian to the Board of Revenue. The answer given by the Hon'ble Mr. Hammick on behalf of the Government of Madras was to this effect: 'we are powerless; we cannot do anything; it is the Secretary of State, under the Statute, that can make the appointment.' So the resolution was withdrawn since the Madras Government confessed its inability to make the appointment under the present rules. Therefore, as far as I can see, the rules and orders issued on the subject seem to direct 'thus far you shall go and no further.' And this has been going on from the year 1892 without any change.

"Now, the Hon'ble Mr. Earle, to show that the lists are not final, said: 'We have recently given the appointment of a Commissioner in the Punjab to an Indian; we have also given another appointment like that in the Central Provinces' I may point out that those appointments were not made under the Statute of 1870. The Statute of 1870 applies only to the regulation provinces and the Government of India were authorised to frame rules under the Statute with regard to the regulation provinces only. But so far as non-regulation provinces were concerned, the Government of India were at perfect liberty to appoint anybody they pleased to any post they liked, under executive orders. Consequently the rules as framed have no application whatever to the non-regulation provinces, and the appointments made in the Punjab and in the Central Provinces had nothing to do with the rules framed under the Statute of 1870. I was, therefore, perfectly correct in stating that the Government of India, so far as the regulation provinces were concerned, had to go by the rules framed under the Statute, and for the time being the rules and orders issued on the subject are binding upon the Government of India and the Local Governments.

"Sir, it is unnecessary in connection with this resolution to discuss the question of the propriety of holding simultaneous examinations in England and India and the conditions under which they should be held here. It is a very large question, and a bulky volume was sent up by the Government of India on this subject to the Secretary of State in 1893. I hope shortly it would form the subject of a resolution when the Hon'ble Member opposite may defend the position which he has taken up at this meeting. The suggestion which I have made

is that if simultaneous examinations in both countries are not feasible, examinations of equally high standards, limited to nominated candidates from the whole of India, might be held here. This is a suggestion which I have made for the consideration of the proposed Commission.

"Now, the Hon'ble Mr. Earle has said that no particular suggestion has been made with regard to the removing of the stigma of inferiority attaching to the Provincial Service. I am glad to learn that the Government of India propose to make an enquiry into the matter and that this is one of the special points that will be considered. We shall of course wait for the result of the enquiry proposed to be made by the Government of India, and I shall not at this meeting press this resolution. Let them make the enquiry by all means. Let them refer this question to the Local Governments as to how the present discontent which is caused by the differentiation of the two Services can be removed. I have made my suggestion that the only way to remove the stigma and do justice is by having examinations in both countries. We have waited for a good long time and we shall wait till the Government makes full enquiry into this matter. I am sure the conclusion which they would come to, if really they want to remove the stigma, would be to have some kind of competitive examination in this country as well as in England.

"I do not propose to refer to the speeches made by the other Hon'ble Members opposite. It is enough for the present that the Government has promised to make an enquiry on the subject. I have a good deal to say as regards the Police, the Survey and other Departments. I hope we shall bring up a resolution with regard to each Department, when each Department can be considered on its merits. It is not fair that we should now discuss the details of each Department in connection with this resolution. I reserve that question for the present. We must first settle the main principles. In conclusion, I beg permission, Sir, to allow me to withdraw this resolution with liberty to bring it forward next year, when I hope we shall be in a better position to deal with this resolution. The Hon'ble Mr. Earle says that if a Commission is appointed, it will take a lot of time, whereas the Government of India will finish the business in no time. That is certainly true, if time is the only consideration. We shall gladly wait for some more months and I hope the result of the enquiry will be satisfactory."

The resolution was withdrawn.

The Council adjourned to Monday, the 20th March 1911.

J. M. MACPHERSON,

*Secretary to the Government of India,
Legislative Department.*

CALCUTTA; }

The 30th March 1911.

No. 1168, dated the 3rd October 1911.

From—The Chief Secretary to the Government of the Punjab,

To—The Secretary to the Government of India, Home Department.

I am directed to forward for the information of the Government of India a copy of a memorial addressed to His Honour the Lieutenant-Governor by members of the Provincial Civil Service in this Province, praying for the remedying or removal of certain grievances together with a copy of the resolution of His Honour thereon in the Home-Gazette Department no. 1125, dated the 20th October 1911.

To—His Honour SIR LOUIS WILLIAM DANE, K.C.I.E., C.S.I., I.C.S., Lieutenant-Governor of the Punjab and its Dependencies.

Your humble memorialist respectfully begs leave to urge—

1. That your memorialist while deeply grateful for the improvement effected in the Judicial Branch of the Provincial Civil Service in October 1909, would beg respectfully to invite Your Honour's kind attention to some of the pressing grievances of the service, for the remedying or removal of which he now prays. Chief among these are the following:—

- (1) Raising the pay of the 7th or lowest grade of extra assistant commissioners from Rs. 250, which it is at present, to Rs. 300 for the future.
- (2) Grant of first class travelling allowance to all grades of the service.
- (3) Grant of grade promotions and acting allowances in leave and other vacancies in all grades of the service, and allowances to all officers invested with the powers of a district judge or of an additional district magistrate.

2. With regard to no. (1) it is submitted that the pay of Rs. 250 per mensem for an extra assistant commissioner was fixed nearly half a century ago when conditions of life were very different: that is, food was cheap, wages of servants low, and house-rents very moderate, and when the service had not the same official status that the Provincial Civil Service constituted in 1893 has. All these have changed very considerably, and it is very difficult, if not impossible, for an officer on Rs. 250 per mensem to maintain the position of a magistrate of the first class and of a civil judge with the respect that should attach to such a position. On the one hand, the service is recruited for meritorious service from among tahsildars and munsifs whose maximum grade pay is already Rs. 250 per mensem. To promote such officials to the Rs. 250 grade of extra assistant commissioners is often a material financial loss, as it very often entails life in a bigger station the consequent entertaining of friends and altogether a more expensive style of living than in small tahsils in lower office. On the other hand, recruitments are made from among the most efficient and most deserving of head clerks of offices of deputy commissioners and heads of departments. These, if married, find it almost impossible to live on Rs. 250 with the respect necessary to their official position.

Further, recruitments are made by open competitive examination from distinguished graduates whose mode of life is very different now to what it was a few years back.

The strongest reason for praying for the increase of pay to the lowest grade is, that it ordinarily takes an extra assistant commissioner appointed to this grade between 2½ to 3 years to be confirmed, and it takes another 3 years thereafter to rise to the next higher grade on Rs. 300 per mensem, so that it means between 5½ to 6 years on a salary of Rs. 250 before an officer earns the small increase of Rs. 50 per mensem.

It must be thankfully admitted that for the seniors in the service there are open the "listed" appointments, but what is needed is that for the juniors entering the service suitable pay be fixed. Were the starting pay to be Rs. 300 per mensem, it would make living easier. If this cannot be, it is respectfully suggested that the pay of an officiating or sub. *pro tem.* extra assistant commissioner be Rs. 250 per mensem, and that on being confirmed, his pay be increased to Rs. 300 per mensem, each next higher grade carrying an increase of Rs. 100 per mensem as at present.

As regards grievance no. 2, it is urged that the present scale of travelling allowance is regarded as lowering the prestige of the office of an extra assistant commissioner whose pay is below Rs. 500 per mensem, as he is entitled to only 2nd class travelling allowance, and this is a source of constant humiliation to him. There are numerous instances where an extra assistant commissioner has to travel 2nd class in the same railway compartment with his sub-inspector of police, or naib-tahsildar, or munsif—the extra assistant commissioner probably being a district judge, that is, invested with the powers of a district judge. Apart from this, there is an instance where an extra assistant commissioner and an assistant superintendent of police were deputed to enquire into an important criminal case at a place not connected by railway and some distance away from head-quarters, the police officer being for the purposes of the enquiry subordinate to the magistrate. At the end of the enquiry which lasted four days, the two officers returned to head quarters together, using one another's traps and horses by turns. The police officer claimed and obtained his 1st class travelling allowance (mileage and daily allowance) whereas the extra assistant commissioner had to be content with his 2nd class travelling allowance.

Whatever the basis of the rule, it is submitted that the great change in existing conditions of service require that the position of an extra assistant commissioner of all grades be entitled to 1st class travelling allowance as is the case with assistant superintendents of police, Provincial Service, and probationary engineers, temporary engineers, probationary superintendents of post offices, inspectors of the Provincial Educational Service, and deputy magistrates and deputy collectors in Bengal and the United Provinces, and extra assistant commissioners in Assam and Burma, when in charge of Sub Divisions.

As to grievance no. 3, it is submitted that having regard to the slowness of promotion, the rare instances where furlough or long leave is taken, and taking into consideration that acting allowances and grade promotions are given in all grades of the Punjab Commission and in all other services, it is respectfully prayed that the same rule be extended to the Provincial Civil Service. The vacancies being chiefly due to the taking of privilege leave, the grant of acting allowances and grade promotions would not, it is expected, press very heavily on the finances of the country. Though short privilege leave vacancies are expected to be filled up in either the district or the division, they sometimes necessitate transfers, which would be compensated by the grant of acting allowances. It is not on the principle of the discharge of higher duties that acting allowances and grade promotions are given to officers in the Punjab Commission. Whatever the principle be, it is prayed that the same principle be extended to the Provincial Civil Service.

It is further strongly but most respectfully urged that all extra assistant commissioners, whether in the Judicial or Executive line, be granted an allowance of Rs. 100 per mensem in addition to substantive pay when they are invested with the powers of a district judge or of an additional district magistrate. This principle was recognised before the reorganisation of the Judicial Service in 1884, and allowances were granted to extra assistant commissioners who performed the duties now performed by district judges, and it is understood that to some extent the principle was followed till recently. It is only when an officer has by approved service shown his special fitness, that he is invested with such powers. The work performed by him is far above the ordinary, and the powers vested in him and the responsibilities entailed are great, and the satisfactory discharge of the duties he is called upon to perform make a very heavy demand on his ability, energy and resources, which equitably requires a suitable money allowance.

For the grant of all the reliefs prayed for your humble memorialist will be ever deeply grateful.

Resolution of the Government of the Punjab, No. 1125, dated 20th October 1911.

READ—

Memorials from 88 members of the Provincial Civil Service praying for the remedying or removal of certain grievances.

RESOLUTION—The concessions which the memorialists desire are—

- (1) Raising the pay of the 7th or lowest grade of Extra Assistant Commissioners from Rs. 250, which it is at present, to Rs. 300 for the future.
- (2) Grant of 1st class travelling allowance to all grades of the service.
- (3) Grant of grade promotions and acting allowances in leave and other vacancies in all grades of the service, and allowances to all officers invested with the powers of a District Judge or of an Additional District Magistrate."

2. In support of their prayer that the pay of the 7th or lowest grade of Extra Assistant Commissioners be raised from Rs. 250 a month to Rs. 300 the memorialists urge the following considerations:—

"With regard to No. (1), it is submitted that the pay of Rs. 250 per mensem for an Extra Assistant Commissioner was fixed nearly half a century ago when conditions of life were very different: that is, food was cheap, wages of servants low, and house rents very moderate; and when the service had not the same official status that the Provincial Civil Service constituted in 1893 has. All these have changed very considerably, and it is very difficult if not impossible for an officer on Rs. 250 per mensem to maintain the position of a Magistrate of the 1st class and of a Civil Judge with the respect that should attach to such a position. On the one hand the service is recruited for meritorious service from among Tahsildars and Munsifs whose maximum grade pay is already Rs. 250 per mensem. To promote such officials to the Rs. 250 grade of Extra Assistant Commissioners is often a material financial loss, as it very often entails life in a bigger station, the consequent entertaining of friends, and altogether a more expensive style of living than in small tahsils in lower office. On the other hand recruitments are made from among the most efficient and most deserving of Head Clerks of offices of Deputy Commissioners and Heads of Departments. These, if married, find it almost impossible to live on Rs. 250 with the respect necessary to their official position.

"Further recruitments are made by open Competitive Examination from distinguished graduates whose mode of life is very different now to what it was a few years back.

"The strongest reason for praying for the increase of pay to the lowest grade is, that it ordinarily takes an Extra Assistant Commissioner appointed to this grade between 2½ to 3 years to be confirmed, and it takes another 3 years thereafter to rise to the next higher grade on Rs. 300 per mensem, so that it means between 5½ to 6 years on a salary of Rs. 250 before an officer earns the small increase of Rs. 50 per mensem.

"It must be thankfully admitted that for the seniors in the service there are open the 'listed' appointments, but what is needed is that for the Juniors entering the service suitable pay be fixed. Were the starting pay to be Rs. 300 per mensem, it would make living easier. If this cannot be it is respectfully suggested that the pay of an officiating or sub. *pro tem.* Extra Assistant Commissioner be Rs. 250 per mensem, and that on being confirmed his pay be increased to Rs. 300 per mensem, each next higher grade carrying an increase of Rs. 100 per mensem as at present."

3. Several different questions are raised by the statement of reasons set forth in the last paragraph. It will be convenient to deal with these *seriatim*. regard to the general question of the pay of the Provincial Civil Service the Public Service Commissioners in their report of 1888 confined themselves to the broad principle that the pay of the service should be such as will secure locally India candidates possessing the requisite qualifications, and they expressed the opinion that the conditions of service need not bear any relative proportion to those which are necessary or suitable in the case of officers recruited for the Imperial Service in England. It would be entirely contrary to fact to assert that the existing scale of pay has proved insufficient to attract candidates of the desired stamp, possessing the qualifications necessary for the executive and judicial duties which fall to the Provincial Civil Service to perform. So keen is the competition for admission, whether by examination, nomination or selection, to the ranks of the Provincial Civil Service, that there is no difficulty

whatever in securing a high qualification standard among entrants. In fact the standard tends to become higher in correspondence with the general progress of education.

4. But it is not with the pay of the Provincial Service as a whole but with the initial pay of the lowest grade that the first prayer of the memorialists is concerned. It is regrettably true that prices and cost of living have generally increased in India as elsewhere, but that circumstance has not led to any general revision of initial salaries in other departments. The initial salaries of members of the Indian Civil Service, for instance, have remained the same for at least 40 years. The practical question in the present case is whether a salary of Rs. 250 a month or £200 a year is insufficient for those who obtain admission to the Provincial Service. These entrants are of two classes—young men who are recruited for the first time and officials promoted from a subordinate service. The Lieutenant-Governor is unable to agree that an initial salary of £200 a year is insufficient for the "distinguished graduates, whose mode of life," as alleged in the memorials, "is very different now to what it was a few years back." In a country in which the cost of living is relatively higher than it is to Indians in India £200 a year is the *maximum* initial salary allowed to the no less distinguished graduates of Oxford and Cambridge who obtain admission to the superior branch of the Civil Service of the United Kingdom. The more usual initial rate of pay in class I of the Home Civil Service is £150 a year. In class II £200 a year is not reached until the 20th year of service.

5. The case of officials who reach the 7th class of Extra Assistant Commissioners, by promotion from the subordinate service is different. The complaint as to the insufficiency of the salary reached by such promotion is based on another ground. It is asserted that the promotion entails a more expensive style of living. There are no circumstances, so far as Government is aware, which render it incumbent upon the promoted Tahsildar, Munsif or Head Clerk to adopt a style of living differing materially from that previously observed. There is certainly no obligation to do so imposed by Government. Where, as generally is the case, the promotion carries with it an increase of pay the officer will not be without the means of defraying any additional outlay which he may deem called for in consideration of his enhanced dignity.

6. There are, however, a few cases in which promotion does not carry with it an increase of salary; that is to say, there are a few cases in which the promoted Tahsildar or Munsif was promoted from the first or Rs. 250 grade of the subordinate service. Out of 37 ex-Tahsildars and ex-Munsifs among the memorialists only 9 were promoted to the Provincial Service from the first grade of Tahsildar or Munsif, so that less than one-ninth of the 88 memorialists who all lay such stress on this point, have ever been personally affected by it. However, the Lieutenant-Governor recognises that there is legitimate ground for complaint in the case of those who, in passing from the subordinate to the Provincial Service, receive no increase in pay, and he accordingly proposes in future to arrange that accepted Extra Assistant Commissioner candidates, who are Tahsildars or Munsifs of the first grade, shall *on confirmation* be appointed to the Rs. 300 grade of the Provincial Service. While holding an officiating or sub. *pro. tem.* appointment the salary of such officers will be Rs. 250 only, because prior to confirmation they can only be regarded as on probation.

This last consideration seems to have been lost sight of by the memorialists when they reckon the period of officiating or sub. *pro. tem.* acting as a period of service in the 7th grade, and complain of the time which it takes to pass out of that grade into the next. As a matter of fact it only takes about three years from the date of confirmation to reach the Rs. 300 grade.

7. Lastly, in connection with the memorialists' demand that the Rs. 250 grade of Extra Assistant Commissioner should be abolished and the lowest rate of pay be fixed at Rs. 300, it should be mentioned that Rs. 250 per mensem is the rate attached to the lowest grade in the Provincial Service in the provinces of Bengal, Eastern Bengal, United Provinces, Central Provinces and Madras.

8. With reference to the second concession asked for by the memorialists their representation is as follows:—

"As regards grievance No. (2), it is urged that the present scale of travelling allowance is regarded as lowering the prestige of the office of an Extra Assistant Commissioner whose pay is below Rs. 600 per mensem, as he is entitled to only 2nd class travelling allowance, and this is a source of constant humiliation to him. There are numerous instances where an Extra Assistant Commissioner has to travel 2nd class in the same railway compartment with his Inspector of Police, or Tahsildar, or Munsif—the Extra Assistant Commissioner probably being a District Judge, that is, invested with the powers of a District Judge. Apart from this, there is an instance where an Extra Assistant Commissioner and an Assistant Superintendent of Police were deputed to enquire into an important criminal case at a place not connected by railway and some distance away from head-quarters, the Police officer being for the purposes of the enquiry subordinate to the Magistrate. At the end of the enquiry which lasted four days, the two officers returned to head-quarters together, using one another's traps and horses by turns. The Police Officer claimed and obtained his 1st class travelling allowance (mileage and daily allowance), whereas the Extra Assistant Commissioner had to be content with his 2nd class travelling allowance.

"Whatever the basis of the rule, it is submitted that the great change in existing conditions of service require that the position of an Extra Assistant Commissioner of all grades be entitled to 1st class travelling allowance as is the case with Assistant Superintendents of Police, Provincial Service and Probationary Engineers, temporary Engineers, Probationary Superintendents of Post Offices, Inspectors of the Provincial Educational Service, and Deputy Magistrates and Deputy Collectors in Bengal and the United Provinces, and Extra Assistant Commissioners in Assam and Burma, when in charge of sub-divisions."

9. This claim to 1st class travelling allowance rates formed the subject of a question and answer in the Provincial Legislative Council in March last. The *Punjab Gazette* record of the proceedings is as follows:—

"The Hon'ble Mr. SHADI LAL asked:—'Will the Government be pleased to state why the members of the Punjab Provincial Civil Service drawing less than Rs. 600 per mensem are not classed as 1st class officers for purposes of travelling expenses, when the members of a large number of other Provincial Services mentioned in the Civil Service Regulations, including Postal Superintendents on Rs. 200 to Rs. 600 and Provincial Engineers on Rs. 200, etc., are classed as such and are granted 1st class travelling allowances? Having regard to the above fact and their position as Civil Judges and 1st class Magistrates, will the Government be pleased to place the abovementioned officers of the Provincial Civil Service on the same footing as regards travelling allowances as the officers of other services having similar status and drawing equal salaries?'

"The Hon'ble Mr. FENTON replied:—'It is not only members of the Punjab Provincial Civil Service drawing less than Rs. 600 per mensem who are excluded from the 1st class for the purpose of the travelling allowance rules in the Civil Service Regulations. The 1st class is a limited one, and includes only members of the Indian Civil Service, members of the Provincial Civil Service holding listed appointments, Military Commissioned and Departmental officers, Chaplains and all other officers holding appointments the pay or maximum pay of which exceeds Rs. 500. Certain appointments of which the pay is Rs. 500 or less have also been admitted exceptionally to the privilege of 1st class rates. These appointments are shown in appendix 18 of the Civil Service Regulations.

"The classification of officers for the purposes of the travelling allowance rules rests on the authority of the Government of India and not of the local Government, and any alteration in such classification, which is in force in all provinces, can be effected only with the sanction of the same authority. The Local Government is not in a position to make any statement as to the principle upon which the classification has been made by the Government of India, nor is it empowered to make the alteration in the classification which the Hon'ble Member suggests. Any such alteration would have to be considered with reference to its effect in other provinces where the corresponding officers are on the same footing as in the Punjab, except such members of the Provincial Civil Service in Bengal, the United Provinces and Assam as are in charge of sub-divisions having separate head-quarters, and Extra Assistant Commissioners in Burma employed as Sub-Divisional or Assistant Settlement Officers."

To what was said in answer to the Hon'ble Mr. Shadi Lal the Lieutenant Governor has nothing to add except that he has recently procured the sanction of the Government of India to the concession of 1st class rates to Extra Assistant Commissioners in charge of sub-divisions having separate head-quarters, whatever their pay may be. Equality with the Provincial Service in other provinces has thus been secured, and more than this His Honour is no

prepared to recommend. Sir L. Dane does not understand the allusion to a "great change in existing conditions of service" which is said to necessitate 1st class travelling allowance rates for all grades of Extra Assistant Commissioner. If the meaning is that officers who previously were content to travel 2nd class by rail now deem it incumbent on them to travel in 1st class carriages, His Honour can only say that it has never been the desire or expectation of Government that officers should incur unnecessary outlay by travelling in a class of carriage or in a style involving expenditure disproportionate to the rate of travelling allowance sanctioned for the class to which they belong.

10. The third concession asked for in the memorials is explained as follows:—

"As to grievance No (3), it is submitted that having regard to the slowness of promotion, the rare instances where furlough or long leave is taken, and taking into consideration that acting allowances and grade promotions are given in all grades of the Punjab Commission and in all other services, it is respectfully prayed that the same rule be extended to the Provincial Civil Service. The vacancies being chiefly due to the taking of privilege leave, the grant of acting allowances and grade promotions would not, it is expected, press very heavily on the finances of the country. Though short privilege leave vacancies are expected to be filled up in either the district or the division, they sometimes necessitate transfers, which would be compensated by the grant of acting allowances. It is not on the principle of the discharge of higher duties that acting allowances and grade promotions are given to officers in the Punjab Commission: Whatever the principle be, it is prayed that the same principle be extended to the Provincial Civil Service."

11. The question thus brought forward has also been the subject of an interpellation in Council. The following is taken from the *Gazette of India* of 3rd March 1894 recording the proceedings of the Supreme Legislature:—

"The Hon'ble MAHARAJA PARTAB NARAYAN SINGH OF AJUDHIA asked:—

"Whether the Government will allow grade promotions in the subordinate judicial and executive branches of the Provincial Service in the event of temporary vacancies, as is done in the case of certain services enumerated in Part II, Chapter V, section 1, of the Civil Service Regulations."

"The Hon'ble SIR ANTONY MACDONNELL replied:—

"The various services under the Government have different rates of pay and different rules as to grade promotions. The rates of pay in the services to which the Hon'ble Member refers are affected by limitations as to grade promotions; and the Government of India cannot consider the question of removing the limitations without reopening the whole question of rates of pay. This the Government, as at present advised, see no reason to do.

"I may mention, with reference to the Provincial Executive Service of the Province from which the Hon'ble Member comes, that there has been within the last few months a revision of grading to the advantage of the members of that service."

12. The grade acting allowance system is nothing more than a particular expedient for regulating pay. The real issue raised by this third prayer of the memorialists is whether a scale of salaries ranging from £200 a year to £640 a year is an adequate one for the Provincial Civil Service. The last mentioned sum does not of course represent the maximum attainable by a member of the service. The listed posts, of which there are ten, carry salaries which range up to £1,440 a year. The dissatisfaction with such a scale of salaries which has found expression in memorials such as those now under consideration has, His Honour thinks, been engendered by the habit of regarding the pay of the Indian Civil Service and of other Imperial Services recruited in England as the standard with which comparison should be made. The views of the Public Service Commission in this connection have been referred to above. There can be no comparison between the conditions of service in a foreign country of officers, who have to carry the burden entailed by separation from the country of their domicile, and the conditions of service in their own native land of those who like the memorialists are not burdened with the trials and disabilities, physical, moral and material, of the Englishman in India. If comparison be made, let it be made with the Civil Services locally recruited of other countries. The countries to which the following particulars of salary rates

relate certainly do not fall behind India in point of civilization. These particulars have been supplied by the British Consular Officers.

Spain.—

	£	£
President of Supreme Court ...	...	1,200
Other Supreme Court Judges ...	...	600 to 700
Provincial Magistrates and Judges ...	...	170 „ 400

Denmark.—

Chief Judge, Supreme Court ...	...	555
Other Judges ...	...	177 „ 444

Italy.—

Judicial salaries vary from ...	...	80 „ 600
Commissioners and District Commissioners receive from ...	...	180 „ 240

Japan.—

Judges appointed by the Crown receive from ...	...	306 „ 612
Those appointed by the Prime Minister from ...	...	102 „ 306
Administrative officials receive from ...	...	76 „ 377

Norway.—

Judicial salaries vary from £183 to £533, the latter being the salary of the Head of the Supreme Court.

Greece.—

Judicial salaries vary from £67 to £288 and Administrative salaries from £34 to £237.

Netherlands.—

Judicial salaries vary from £125 to £666.

13. There is a supplementary request in the memorials that an allowance of Rs. 100 should be granted to those Extra Assistant Commissioners who are invested with the powers of a District Judge or Additional District Magistrate. It is not a principle of our administration to treat the conferment of judicial powers as the basis for the grant of allowances without reference to the existence of sanctioned appointments. Any such system would operate to impose limitations upon the powers of Local Governments to employ its officers in the manner from time to time found expedient. Assistant Commissioners, no less than Extra Assistant Commissioners, are often employed as District Judges and Additional District Magistrates without becoming entitled to extra remuneration. Moreover, if the scheme at present under the consideration of the Government of India is sanctioned the post of District Judge will be abolished. In support of their claim the memorialists urge that the principle of allowances to officers exercising special judicial powers was recognised before the reorganization of 1884. This is true; but the arrangement referred to was in force for a limited period only, and the effort of the Provincial Civil Service to have it restored was finally disposed of by the Government of India in the orders contained in Home Secretary's letter No. 85, dated 27th January 1886. These orders may be quoted:—

* * * * * "It is true that the uncovenanted officers then enjoyed certain privileges and special allowances in connection with judicial appointments, but these allowances were granted for the first time in 1875* and were not received by officers of a corresponding class in any other Province. The discontinuance of these allowances followed as a natural result of the recent re-organization scheme, one of the objects of which was to bring to an end the judicial arrangements of 1875, and although this result is not unnaturally regarded as a grievance by the officers concerned, it cannot be urged on their behalf that they have thus been deprived of allowances which they had always enjoyed or which were always or usually

*Home Department letter No. 1417, dated 11th April 1875.

attached to the class of appointments they might reasonably have expected to receive when they originally entered the service of Government. It is certainly the case that the change has operated to the disadvantage of some of the senior uncovenanted officers, but the loss thus entailed has been to a great extent made good by means of personal allowances, and it is not clear that any further concession can be reasonably claimed. On the whole, therefore, the Governor-General in Council does not consider that a case has been established for adopting special remedial measures, and the Government of India cannot admit that it would be justified at the present time in expending further public money on the administration of the Punjab in the absence of a very clear necessity for so doing. In paragraph 24 of the Despatch from the Government

Communicated to the Government of the Punjab of India to Her Majesty's Secretary of State, with Home Department letter No. 705, dated the 29th April 1884. No. 313, dated 5th November 1883, it was pointed out that if a higher scale of pay were once admitted for appointments to which uncovenanted officers in the Punjab are directly promoted, it would be impossible logically to resist similar demands if made from other Provinces. The view of His Honour the Lieutenant-Governor is understood to be that the position of officers of the Uncovenanted Service in the Punjab is exceptional, but the Governor-General in Council cannot regard the exceptional circumstances as being such as to justify the grant of special and unusual concessions."

In view of these orders and of the other considerations mentioned in this paragraph and of the circumstance that since the reorganization of 1884 a number of "listed" posts carrying high salaries have been thrown open to the Provincial Service, the Lieutenant-Governor is unable to accede to this request of the memorialists, unless and until the Government of India see fit to raise the salaries of the Provincial Services generally.

14. In conclusion the Lieutenant-Governor desires to remind the memorialists that a very considerable improvement in their position and prospects was effected by the reorganization of the Judicial branch of the Provincial Civil Service in 1899 and of the Executive branch in the current year. By these reorganizations a number of appointments were added to the higher grades, and while many have thereby immediately benefited in pay and promotion the prospects of all have been materially improved. His Honour has been somewhat surprised so soon after such an amelioration to receive these demands for more concessions. For the reasons explained above they are, in His Honour's opinion, based on misapprehensions and on an inadequate realization of the relative position of the Provincial Civil Service to other services. In saying this Sir L. Lane trusts that his remarks may not be taken as any disparagement or belittlement of the Provincial Civil Service. His Honour fully recognises the ability and devotion to duty of its members, and he is always ready to further their interests and to recognise the claims of the most deserving in every way that is feasible and practicable. The memorialists may rest assured that he will not be wanting in this respect in the future.

By order of His Honour the Lieutenant-Governor, Punjab,

M. W. FENTON,

Chief Secretary to Government, Punjab.

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