MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

UPON

DECENTRALIZATION

IN

MADRAS.

VOLUME II.

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

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NOTE.

Throughout the minutes of the evidence recorded by the Commission, the arrangement has been followed of grouping together the statements of witnesses recorded in respect of each province, even although the strict chronological order of days' sittings is thereby broken. Volume X. contains the evidence of witnesses serving directly under the Government of India.



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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRALIZATION.

FIRST DAY.

MADRAS, *Friday, 22nd November*, 1907.

PRESENT:

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

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

The Hon. Mr. H. BRADLEY was called and examined.

1. *(Chairman.)* You are the acting Chief Secretary to the Government of Madras?—I am.

2. How long have you been in the Indian Civil Service?—This is the end of my 29th year.

3. Would you tell us briefly what your appointments have been?—Assistant Collector, Head Assistant Collector, District Forest Officer, on special duty under the Commissioner of Salt—I was that for nearly two years—Deputy Commissioner of Salt, Secretary to the Commissioner of Salt and Excise, Judge for six weeks, Collector of Kurnool, Malabar, Coimbatore and Madras, and Member of the Board of Revenue.

4. Therefore, you are fully acquainted with the workings of Government both in the districts and at the headquarters of the provincial Government?—I have considerable personal knowledge of it.

5. Have you any knowledge at all of the Central Government in India?—I have none whatever; I served under it on a Special Committee, but I know none of the details.

6. You have never been employed in the Secretariat of the Government of India?—No.

7. Having therefore all this experience which you have set out to us, I suppose you have some ideas as to the relations which ought to obtain between the Central and the provincial Governments, especially in regard to your own province?—I had nothing to do with the relations between the Central and the provincial Governments, until I became Acting Chief Secretary.

8. Perhaps it would assist us in our enquiry if you would kindly give us, as briefly as you can, the constitution of the Government of Madras?—The Government consists of three Members: the Governor and two Members of Council. They each hold portfolios, and pass orders individually upon matters connected with their own portfolio. The Governor holds several portfolios; the principal ones he holds are the Political, Public Works, Ecclesiastical, Marine and Military. He has also one or two smaller portfolios. Members pass orders upon matters connected with their own portfolios, and others are brought before Council, either by the Chief Secretary or by the Members of Government.

9. Does each Member of the Council have power to pass, without reference to his colleagues, orders within his own department?—Yes.

10. Unless they affect the general Government of the Presidency?—Quite so. Important questions are discussed in Council, and, out of Council, by notes.

11. Apart from the Governor, where do the Members of the Council do their work?—In their own houses. They come to the Secretariat for Council meetings. The Governor also frequently calls meetings of the Members, which are held at Government House separately; not formal Council meetings. Sometimes he confers with one Member.

12. Then what is below the Council?—Below the Council come the members of the Board of Revenue, four in number, who are really Heads of Departments. They meet as a consultative body occasionally, and they consult one another upon matters connected with their own departments. There are certain matters referred to the Board of Revenue as a whole by Government, and any member can consult any other member, independently, with regard to the affairs of his own portfolio. The members of the Board tour in the different districts. One of the four members is head of the Settlement Department—all matters connected with agriculture go to him; survey and famine are also under him. Then one member is in charge of forests; one is in charge of separate revenue, that is to say, excise and customs, stamps and salt; and one is in charge of *inams* and the Court of Wards. The two members who are in charge of forests, and *inams* and the Court of Wards, respectively, are called the Land Revenue Members, and they do all work connected with ordinary land revenue questions.

13. That practically concludes the description of the work of the members of the Board of Revenue?—Yes.

14. Now, in the hierarchy of Government, below the Board of Revenue, who comes?—The Collector.

15. What are the Collector's duties?—He is the head of his district. Everything practically in the district is more or less under him.

16. All executive power in the district rests with the Collector?—Practically.

17. Into how many collectorates is the Presidency divided?—At the present moment I cannot say for certain; the number has altered; there are between 23 and 25; the number varies from time to time. There is one appointment in fact which counts as a collectorate which is not a collectorate at all.

18. Then below the Collectors who come?—The next link is the Sub-Collector or Divisonal Officer. They are divided into Sub-Collectors and Head Assistant Collectors. There is no difference between a Sub-Collector and a Head Assistant, except that one is the senior officer?—They are really grades.

19. There is no difference in authority?—None practically.

The Hon Mr. H. Bradley.

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20. Then below the Sub-Collector?—Below the Sub-Collector there comes the Deputy Collector. He is co-ordinate really with the Sub-Collector and the Magistrate in certain of his powers; he holds charges generally of divisions which are less important than those of the other officers.

21. Then beneath them who comes?—The Assistant Collector, but the Assistant Collector as a rule, as soon as he is fit to be in charge of a division, is acting as a Head Assistant and is in charge of a division.

22. Are all these gentlemen Europeans?—The Deputy Collectors are mainly Indians.

23. And the Assistant Collectors?—They are young members of the Indian Civil Service who are under training.

24. Beneath an Assistant Collector who comes?—The next officers below the Divisional Officer are the tahsildar and the deputy tahsildar.

25. Of what are they in charge?—The tahsildar is in charge of a *taluk* of his district. The deputy tahsildar is subordinate; he is in charge of a portion of a *taluk*.

26. Is the tahsildar the lowest executive officer in charge of a geographical area?—Of a *taluk*.

27. Then the next?—The deputy tahsildar's charge is smaller, and he is sometimes in independent charge of a portion of a *taluk*.

28. Is there anything below the *taluk*?—There are revenue charges below running down to villages; but, practically, there is nothing of importance below the *taluk*.

29. In explanation of this system of Government, do you wish to add anything that would enlighten the Commission?—The unit, of course, is the village; that is at the very bottom. The head of the village has small magisterial and executive powers. A *taluk* is really a number of villages.

30. Then, taking these in rotation, you have explained to us the duties of the Board of Revenue; will you explain in brief the duties of a Collector?—The Collector is the Head of the adminstration generally in his district; he is the Head Magistrate and he is responsible for the peace. He is supposed to be the Head of the police, and he directs the Superintendent of Police in his duties. The Superintendent of Police reports to him weekly as to the state of crime and so on in his district. The Collector is also responsible for the collection of the revenue in the district.

31. Then with regard to the Sub-Collector?—The Sub-Collector, the Head Assistant Collector and the Deputy Collector, who hold executive power, are all Divisional Officers in charge, as magistrates, of divisions of the district under the Collector; they have first-class magisterial powers, and all the tahsildars and deputy tahsildars within their own divisions are under their orders. They report to the Collector.

32. You say that these gentlemen have first-class magisterial powers; I do not think you have said anything about the judicial powers of the Collector?—He is the Head Magistrate in the district.

33. He has appellate powers only?—No, he has original powers, too, if he chooses to exercise them. He does not as a rule take up original cases, but he does at times take up important cases.

34. Criminal cases only?—Criminal cases only; the Judge has to attend to civil matters.

35. Has the Sub-Collector, the Head Assistant, or the Assistant Collector any civil jurisdiction?—Very rarely. In out-of-the-way places, here and there, the officers have civil jurisdiction.

36. Has the Assistant Collector any civil jurisdiction?—No.

37. Or criminal?—The Assistant Collector as a rule has no territorial charge; he only takes up the magisterial cases that are referred to him.

38. Has he any executive powers as an Assistant Collector?—The Assistant Collector as a rule does the work that is given to him; he is merely a youngster who is under training.

39. And therefore he is put to do either executive or judicial work?—Either revenue or magisterial work. We distinguish between the Magistrate's duties and civil duties.

40. Now with regard to the tahsildar?—The tahsildar is a Second-Class Magistrate as a rule, but he has no original work in these days. He is chiefly a Revenue Officer, but he tries such magisterial cases as are referred to him by the Divisional Officer; he has no appellate powers.

41. He is principally a Revenue Officer?—Principally.

42. Now with regard to the deputy tahsildars?—Some of the deputy tahsildars are magistrates mainly; others have revenue powers also.

43. When you say revenue powers, perhaps you will explain to us exactly what you mean by that?—They actually assist in the collection of revenue.

44. The deputy tahsildar takes the cash from the person who owes the revenue to Government?—No; the head of the village receives the cash and pays it in either to the deputy tahsildar's treasury or to the tahsildar's treasury, and thence it goes to the district treasury.

45. How often is the cash sent into the district treasury?—It is laid down how many rupees a subordinate treasury may hold at a time, and the cash remains there until that amount is exceeded.

46. Then the Deputy Collector actually comes to these tahsildars and collects the money?—The Deputy Collector stands in the same position as the Sub-Collector and the Head Assistant Collector. The Deputy Collector is a First-Class Magistrate, and is in revenue charge of a portion of a district—what is called a sub-division.

47. Who actually collects the money?—The money is actually collected by the head of the village from the raiyats.

48. But who collects it from the local treasury?—It is sent by the head of the treasury; the tahsildar or deputy tahsildar sends it under the charge of the police to the district treasury.

49. And gets a receipt for it from whom?—From the Deputy Collector in charge of the treasury.

50. When you say that a Collector or a Sub-Collector is a Revenue Officer, what is it that you mean? He does not, so far as I understand it, actually collect the revenue?—The Collector does not actually collect from the raiyat.

51. What is it that he does as a Revenue Officer?—He supervises the revenue accounts, the village accounts and *taluk* accounts. He has under him several other links; there is the revenue inspector who has certain villages under his charge; he has to inspect the lands and so on in the villages.

52. Does the Divisional Officer supervise the accounts?—He supervises the collection of the revenue and the accounts.

53. And besides that what else?—As a Revenue Officer he inspects fields—sees to the granting of land and the transfer of lands from one raiyat to another. All that is done under his supervision.

54. It is only some part—although, no doubt, a considerable portion—of his time which is taken up in the matter of collecting and auditing revenue?—A considerable amount of his time is taken up in that way.

55. And what else does he do?—Magisterial work. He is the First-Class Magistrate of the division to which he is assigned, and he takes first-class cases.

56. Revenue cases?—Magisterial cases. He is the police Magistrate who tries original cases which are triable by a First-Class Magistrate. (Under the Criminal Procedure Code there are three classes of Magistrates.) He has to take original cases, and, as a rule, he also hears appeals from the Second and Third-Class Magistrates in his division.

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57. Therefore, briefly, one may describe both the Collector and Sub-Collector as Revenue Officers for the purpose of collecting revenue and seeing that the accounts and revenue are complete?—Yes.

58. The Sub-Collector is a Magisterial Officer for hearing criminal cases both on appeal and in important matters of original jurisdiction?—He has very considerable original jurisdiction; it amounts to 250 cases and sometimes more in a year—important, heavy cases, too. A first-class case is very often a heavy one. He has also to hear land suits.

59. Then he has various miscellaneous duties besides?—He also hears all suits between raiyats relating to the rent of land under the Rent Recovery Act; they are rather important. Then, he has to deal with excise and matters of that sort in his sub-division.

60. You differ from other provinces, in the fact that you have no Commissioners here?—We have no Commissioners here.

61. In your judgment, the system of a Board of Revenue, which goes on tour, works satisfactorily in the place of a Commissioner?—I know nothing about Commissioners, but I consider that the Board of Revenue does very good work here.

62. Is there any gap in the machinery of Government which could be more satisfactorily filled by Commissioners?—No, I do not think there is a gap here.

63. Therefore, so far as you are concerned, you think that the Board of Revenue and Collectors, between them, satisfactorily do the work which is done in other provinces by Commissioners?—Yes, I think they do their work here satisfactorily.

64. How often do they tour?—They tour at all times of the year. When I was a member of the Board I suppose I spent three, sometimes four, months of the year away from Madras.

65. Have you under you as a member of the Board of Revenue a specified number of Collector's districts, or have you general duties?—You have general duties, within your own branches, in every district.

66. But no settled number of Collector's districts are assigned to you to manage *in toto*?—No.

67. You are well acquainted with the financial working of your own province, having been a member of the Board of Revenue and now Financial Secretary?—The Board of Revenue has practically no original financial powers.

68. You have been member in every branch of the Board of Revenue?—Yes.

69. Therefore you are well acquainted with the financial system of the Government of Madras?—Yes, I can say that I am acquainted with it, but the Board of Revenue has very little to do with finance from the point of view of doing anything but receiving grants and using them. They have no powers practically in the way of transfers, and they are tied hand and foot by the Codes.

70. When you talk of their being tied hand and foot by the Codes, is that a consequence of the wishes of the provincial Government or the Central Government?—I think the Central Government; the Codes are framed by them.

71. And therefore in respect of these financial powers you think there might be a considerable delegation?—I think there might be a very considerable delegation.

72. Without any harm either to the provincial or to the imperial revenues?—I think without any harm.

73. Do you think there might be a more complete separation between imperial and provincial revenues?—I think so distinctly. I think that the Government of India might settle the amount of revenue that was to be at the disposal of the Government of Madras, and leave it a free hand in the disposal of that revenue.

74. Is that not largely the case now with regard to the financial settlement?—No; we are controlled in every possible way after the settlement.

75. You are not free within the limits of the financial settlement?—We have to send up a budget, which is cut about by the Government of India; that budget comes back to us once with alterations and suggestions and corrections, and it goes back again, and then it is returned to us with final alterations, about which we have nothing whatever to say; we have to deal with sums of money which are placed at our disposal for particular purposes, and we have very limited powers of transfer from one head to another.

76. With regard to budgets, which are founded upon this system of what I may call a grant-in-aid under an admixture of imperial and local finance, do you think that that system of grants-in-aid unduly fetters the provincial Government?—I do not think the grant-in-aid fetters us at all, but I think that, if the Government is fit to govern, and when it has a certain sum of money placed at its disposal to run its concerns for the year, it ought to have an entirely free hand as to the disposal of the money within those limits.

77. You get now from the Imperial Government certain revenues assigned to you *in toto*?—I do not think there is anything assigned to us *in toto*; we have certain shares. We receive what is called an assignment.

78. There are certain revenues which are assigned to you absolutely and which you do not share?—Certainly, there are certain sources of revenue; there is Registration for instance—we get the whole of that. Still, it all goes into the budget.

79. You get the whole of the police receipts?—Yes.

80. Jail receipts?—I think so.

81. Education?—Yes.

82. Law and Justice?—Yes.

83. Medical?—Yes, there is nothing in that.

84. Minor irrigation works?—Yes, they cost us more than we receive.

85. But you get the whole of them?—Yes.

86. The provincial rates?—Yes, those we pass on to the local officers.

87. Stationery and Printing?—Yes.

88. Then there are certain services which you share with the Government of India?—Yes.

89. Stamps, excise, income-tax, forests, large irrigation works?—Yes.

90. Land revenue you share?—Yes.

91. You share the revenue, but you bear the whole of the expenditure?—Yes, but we are not given a free hand in spending that money even in provincial matters.

92. You are not given a free hand in spending even the money that you receive the whole of?—That is so.

93. Do you think it would improve your administration if, in addition to these registration receipts, stamps, and so on which I have read out, you were given, say, the whole of the land revenue, provided that, on the other hand, you gave up your share of the excise and of the forests; also if the grants-in-aid were stopped, and you were required to make good out of the excess land revenue the sums now paid to you by way of grants-in-aid?—I think we should get a lot of money; without looking into it in detail I cannot say. I should think our finances would be better off, but that is not the point. The point is that we have not got control of the moneys that are given to us; we have not got a free hand in spending the money.

94. If you are given a grant-in-aid by the Government of India, do they hand it over to you *en bloc*, or is it earmarked for certain purposes?—The grant is handed over to us *en bloc* practically, but for special purposes special grants are given. Still, we have to follow the budget which is drawn up by us, and which is altered by the Government of India, and we have not got a free hand in reappropriating from one source to another. If we find that we cannot spend the money we have in one branch, we cannot without orders use it for another, although it might be a much better purpose.

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95. Do you know of any system of Government which permits of that?—No, I do not; I am not acquainted with the details of the work of other Governments.

96. Either in Great Britain or elsewhere?—No.

97. You do not know whether the Treasury in England, for instance, permits the free reappropriation of major heads of expenditure?—I do not know.

98. You are not prepared to say, supposing the system of grants-in-aid were abolished and certain heads of revenue were transferred to you *en bloc*, whether you would prefer that to the existing system or not?—It all depends upon the extent to which our budget is supervised by the Government of India in regard to the details of expenditure.

99. But at the present moment if the Government of India make you grants-in-aid, are they not entitled to examine your books to see whether you are spending those grants properly or not?—The Government of India receive a great deal more from us than they give us.

100. Do not the Government of India make you grants-in-aid?—Yes.

101. And are they not therefore entitled, while they make these grants-in-aid, to supervise your expenditure in order to see that you have spent the sums alloted to you properly?—Yes; if those grants-in-aid are provided for any particular purposes.

102. Then if you removed the whole system of grants-in-aid and you were given free sources of revenue, would that not be more satisfactory and not necessarily be more expensive to them?—If we had the power of using the money without control.

103. May you not use your own present sources of income without control?—No; it is all put into one budget.

104. Where certain revenues are assigned to you, the sums arising from these sources of income go into the general budget?—That is so.

105. You have no borrowing powers as a provincial Government?—No, not without the sanction of the Government of India.

106. Have any of the local authorities subordinate to you got borrowing powers?—Not without sanction from the Government of India.

107. What about municipalities?—They have to obtain sanction.

108. In all cases?—In all cases that I am aware of. Municipalities are not allowed to raise money in the local market without sanction under any circumstances.

109. Or District Boards?—Not without sanction.

110. Do you think that if you were given a free hand within limits to borrow from local markets, you could borrow without destroying the borrowing powers of the Government of India?—I do not think it would do us any good, because I think the Government of India can borrow more satisfactorily than we can.

111. With regard to the restrictions exercised upon your borrowing powers, you as a Government have no complaint to make?—I cannot speak for the Government, but as an individual, I think it is much better that the Government of India should borrow for the provincial Government.

112. And you think it is an advantage to you?—Yes; or else to be permitted to borrow under their ægis.

113. You have no complaint at all as an administrator to make under that head?—I do not think we find any difficulty here; of course, I am only speaking as an individual.

114. Now could you tell me with regard to the possible further delegation of financial powers?—I think you have handed in, on behalf of the Government of Madras, some papers about appointments, pensions, and so forth?—Yes, we have sent in a lot of detailed suggestions.

115. You point to the relaxation of control as regards pensions. The Government of Madras ask that power to grant pensions to subordinates drawing Rs.100 and less, where there is no question of deviation from rule, should be delegated to Heads of Departments?—Yes.

116. In how many cases would this have avoided references to Government?—The cases which would have been disposed of by Heads of Departments without coming up to Government were, during 1904, 93; during 1905, 92; during 1906, 97. The total number of cases disposed of were, during 1904, 986; during 1905, 1,045; during 1906, 996.

117. Do you think the Heads of Departments are entitled to this freedom of relaxation?—The only proposal is that this power shall be granted in cases which are entirely free from doubt—where the officer is of good character, and where the Accountant-General certifies that the pension is due. It is a mere formal order now.

118. A formal reference?—It is a formal reference which is disposed of by an Under Secretary.

119. Who is junior as a rule to the Head of the Department who applies to him?—Far junior.

120. Then with regard to the creation of new appointments, you ask for the provincial Government greater freedom than they possess at the present moment?—Yes.

121. You ask that the limit should be raised to Rs. 6,000 per annum?—Yes; that is, Rs. 500 per month.

122. Is that not a very great extension of the present powers?—It is double; Rs. 250 is the limit now.

123. Do you know the number of cases which would arise to which this extension of power would apply?—It varies from year to year; it is quite impossible to say.

124. You think that such freedom as the Government of India receives, you ought to receive in turn?—Yes.

125. In all respects so far as regards the creation of new appointments?—In provincial matters, yes.

126. And also so far as regards the revision of establishments?—Yes.

127. It is proposed to abolish the half-yearly return of petty and unusual expenditure prescribed by article 1343-A, Civil Account Code. Do you know how much such expenditure amounted to in the case of the Government of Madras in recent years?—The figures are these—

Period.	Amount.
Half-year ending—	Rs.
31st March 1905	... 465
30th September 1905 ...	... 385
31st March 1906	... 707
30th September 1906 ...	... 287
31st March 1907	... 794
30th September 1907 ...	... 196
Total for three years	... 2,834
Average for a year	... 945

128. It is quite clear that although these items may be petty in themselves and even unusual, they might amount in the aggregate to a very large sum?—I do not think they do.

129. With reference to the writing-off of irrecoverable items, why do you claim for the provincial Government the power to wipe off losses, without reporting them, which fall upon the imperial revenues?—We are already allowed to do it.

130. But you asked to be allowed to do it without reporting them?—We are already allowed to do it when the loss does not exceed Rs. 1,000 even if it falls on imperial revenues, but we do not ask not to make a report when a defect of system appears. The rule is this: the provincial Government has power to wipe off irrecoverable losses, but it must report such losses to the Government of India when the loss exceeds Rs. 1,000 and falls on imperial revenues or when some defect of system appears. We think that, when there has been no defect of system but through a crime or something of that kind loss has fallen upon the imperial revenues, it is unnecessary to make a special report to the Government of India, no matter how large the sum may be. If there is a defect of system which requires the orders of the Government of India, we should then report, whether it was below or above Rs. 1,000.

131. But take the case of crime, which you yourself have instanced. Suppose a crime has robbed the Government of Rs. 999, you need not report it. Suppose a crime, or an aggregate of crimes, robs the Government of Rs. 10,000, do you think that that ought not to be reported?—I do not think that that is likely to occur, but if it did occur, and if there is a defect of system, it ought to be reported.

132. You think then that no limit should be observed above which a report should be made in all cases?—I do not think it is necessary.

133. You desire to dispense with the rule requiring the sanction of the Government of India, and, where necessary, of the Secretary of State, to any remission of disallowances from an officer's pay made within six months from the date of payment?—I consider that the sanction of the Government of India or of the Secretary of State is a needless formality.

134. As regards the power of reappropriation I understand you desire to have power to practically reappropriate from one head to another any local revenue, no matter how widely divergent the heads of revenue may be?—Yes.

135. You claim complete freedom?—In local revenues, yes.

136. Would that not practically mean the abolition of the necessity of submitting your budgets to the imperial Government?—The budget for local revenues, yes.

137. As regards the recommendation that the Local Government should have power to grant an additional pension of Rs. 1,000 to the officers specified in articles 475 and 642 of the Civil Service Regulations, without reference, as at present, to the Government of India: Would it be as satisfactory to you if you were only to be bound by the veto of the Government of India?—The necessity of addressing the Government of India in a matter of this sort when it is perfectly certain that the Government of India will not object, is the only thing that we want to get rid of. In the case of an officer who has held a high appointment for three years, we make a formal report, and the Government of India says yes. There has never been any question raised about it; it has always been done.

138. From a financial point of view you have no objection to delegate these powers to your subordinate officers?—No.

139. And you speak as financial adviser to the provincial Government?—These are the recommendations made by the provincial Government.

140. But, as their financial adviser, you agree that they would not endanger the finances of the provincial Government?—Every one of these has been discussed with the Member in charge of Finance, and he has agreed to them. I cannot say that in all of them my personal opinion has been followed, but all these recommendations have received the approval of the Financial Member.

141. Do you yourself see in any of these proposals any serious danger to the finances of the provincial Government?—I do not see how it could possibly do any harm to provincial finances.

142. Do the Government of Madras still have to make quarterly returns through the adminstrative department concerned to the Government of India in the Financial Department showing every change made in the pay of every officer, every new office created and every existing office abolished?—I cannot say.

143. Somebody in your department makes it?—If it is made, it is sent from the office as a purely routine return.

144. Do you see any necessity for it?—I imagine it is necessary for the Government of India if they hold a check over our budget. I do not know what is done with the return by the Government of India.

145. (*Mr. Meyer.*) You at all events know nothing about these returns?—No. I do not sign them.

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146. I venture to think that it is not sent at all now. If sent, I assume that it is necessary.

147. (*Chairman.*) Now with regard to the rules which require you to submit your budget. I think you said that there were great alterations made in the provincial figures by the Financial Department?—There very often are.

148. Do they give you reasons for their alterations?—Sometimes, not always.

149. Do they make them autocratically?—I do not think so. For instance, last year we had various things cut out of the budget. Generally we lump together a lot for establishments of which we are not able to give the details; these were cut out with a remark to the effect that if the money was wanted during the course of the year it would be found, and that kind of thing; but sometimes figures are cut out without any remarks at all.

150. Do you lump together a whole list of charges?—I mentioned that as an instance.

151. That would not be unreasonable as long as these budgets have to be submitted?—It was known that the establishment would be required in the course of the year.

152. You could not give the details, but you hoped to be able to give them?—We hoped to be able to give them when the final budget notes went up.

153. Under your system you submit an estimate, and then six months later you submit a revised estimate?—Yes, we send up a revised estimate with the budget figures for the next year.

154. Is that usually done?—Yes.

155. It is done in every case in India you think?—Yes.

156. Do you think it is a good provision?—I think if you are going to have your budget estimates in detail it is almost a necessary provision.

157. Do you think it leads to a proper accuracy of estimate to begin with, or perhaps to a more careless estimate to begin with, because you know that you are subsequently forced to present a revised estimate?—I do not think it necessarily leads to greater inaccuracy.

158. Do you not think it might possibly have that tendency?—If you know you are to get what you may call a second shot, is not the tendency to write out your bill quickly and send it in?—I think not.

159. Then with regard to lapses which take place in your budgets. Are they regranted at the end of the year automatically, or do you have to present fresh estimates?—We do not present fresh estimates, but we ask for a fresh appropriation.

160. They do not automatically go to you?—No.

161. You do not know one way or the other?—No.

162. Do you think it leads to extravagance or economy—the fact that you have to reclaim your lapses?—I do not see why it should lead to either, unless you pre-suppose either wastefulness or economy.

163. You have never heard it suggested that the departments of your Government would hurry up to spend money?—They do undoubtedly hurry up to spend money in order to avoid lapses.

164. Does not that lead to extravagance sometimes?—It may lead to extravagance at times.

165. Do you think that if it were known that the money would not be confiscated at the end of the year, you would spend your money more economically?—I do not think so. I think the Government, either way, whether there was a lapse or not, would spend its money as economically as it sees its way to do.

166. But you have said that the money is spent in a hurry, and money spent in hurry is not always well spent?—I was speaking of the subordinate spending departments. I was thinking

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specially of the Public Works Department, for instance. It is not the Government that is spending the money; it is being spent under Government, but I do not think the Government can control that detail. It must trust its officers to control that.

167. But as a matter of fact it is the officers of the Government that spend all money; it is not the Government itself. Is there not a tendency on the part of the officers of the Government to spend the money extravagantly if they have to spend it in a hurry?—I should think there might be.

168. Would it not, therefore, tend to economy if the lapses were allowed automatically to go back to the provincial Government?—Yes, it might.

169. It is only a case of "might" in your judgment?—I think there would be that tendency.

170. (*Mr. Hichens.*) Do I understand that any money which is unexpended by the provincial Government at the end of the year lapses to the Imperial Government?—No.

171. (*Chairman.*) Suppose you were granted a sum of money that was earmarked for particular purposes and it lapsed?—It does not lapse to the Government of India.

172. To whom does it lapse?—It goes into the provincial balance.

173. Then the department concerned has to claim it from the provincial Government *de novo*?—Yes, and it practically always gets it.

174. Any grant made by the Government of India and earmarked for any purpose always remains; it never goes back to the Government of India?—No, I do not know of any case in my time where it did.

175. Therefore, the extravagance, if it occurs, would occur as between the department concerned and the provincial Government, and not between the department concerned and the Imperial Government?—If it occurs at all, it is simply the hurry of the spending officer to spend as near to allotments as he can every year so as not to have to apply for re-allotments.

176. Is there any way in which you could give extended powers to the Board of Revenue?—I think they might be given increased powers. We have sent in certain lists showing detailed powers which could be delegated.

177. With regard to the further delegation of powers to Collectors; would you deal with that?—Financial powers I should deal with, not revenue powers.

178. Could you suggest any financial powers which you think could be advantageously delegated to Collectors?—The Local Government has made various proposals. For instance, the sanctioning of temporary establishments in district presses; permission to deposit the cash chest of one department in the treasury for safe custody.

179. Does that cause much correspondence now?—No, not much.

180. It would be no real relief to the provincial Secretariat?—There would only be an occasional letter about it, but of course taking all these lists the total would be very considerable; these are all details in which there is unnecessary reference to higher authority.

181. It is suggested that the power of entertaining temporary criminal process-serving establishments should be vested in District Judges and District Magistrates. Here again is there much correspondence?—Not very much. I remember perhaps in the course of the last two or three years half-a-dozen cases.

182. I suppose, practically, you very seldom refuse to accept the proposals?—Very seldom.

183. Have you ever had to refuse them?—I do not remember any case in which they were refused.

184. That is in a great number of years?—I have only had a year in the Secretariat.

185. But when you were a District Magistrate, you do not remember any case in which your own proposals were refused?—No.

186. It is proposed that the first supply of a type-writer should be sanctioned by the Local Government, and subsequent renewals by the Superintendent of Stationery. What officers have to ask for type-writers?—The Inspector-General of Police we will say, or the Inspector-General of Registration, or the Inspector-General of Jails, etc.

187. Then it is asked that the Heads of Offices should be empowered to obtain cloth umbrellas. I suppose a cloth umbrella is not a very costly purchase?—No.

188. What does a cloth umbrella cost?—I suppose you could get a cloth umbrella for about Rs. 2, perhaps less.

189. How long does it take you to get the sanction for the purchase of these articles?—Not very long; it depends upon the distance the district is from headquarters. These do not have to go to the Secretary of State or anything of that kind; they go merely to the Secretariat.

190. Do you know that with regard to the Telegraph Department it is proposed that Superintendents of districts should be allowed to purchase bicycles for their officers?—I know nothing about that.

191. Then with regard to the proposal that Heads of Departments should be empowered to sanction charges for window delivery tickets, is that a Collector's business?—There is a system now by which you can get your letters from the post-office more rapidly if you have a window delivery ticket; to get that now they have to apply to the provincial Government; I had one application to-day. I think it was from the Criminal Investigation Department.

192. Under whose orders are these references made to the Head of the provincial Government?—It is under the Financial Code.

193. As sanctioned by the Government of India?—Yes.

194. Has any application been made to the Government of India for freedom in these matters?—Not in detail. This particular one happens to be in the Madras Treasury Manual.

195. Who is responsible for the Madras Treasury Manual?—Without examining the Manual I could not say.

196. Is the Collector concerned with the disposal of escheated estates or property?—The proposal is that the Board of Revenue should be authorised to dispose of such cases not exceeding Rs. 1,000 in value, and that the annual statement to the Government of India should be discontinued.

197. Then it is proposed that *all* Heads of Departments should be empowered to sanction the grant of travelling allowance to an inferior servant on transfer: would that concern a Collector?—No.

198. Has he power to give travelling allowances to inferior officers?—No.

199. On no occasion?—In ordinary travelling he would make the allowance without reference—under the Civil Service Regulations the man would get an allowance.

200. Are you aware that there is a proposal to eliminate local funds from the imperial budget?—I am not aware of it.

201. Although you know nothing about this matter yourself, can you tell us whether or not that would diminish correspondence with the Central Government?—Yes it would.

202. Very considerably?—I should think considerably.

203. Would it increase the correspondence between the local authorities and the provincial Governments?—I should think not.

204. Would it diminish it?—I do not think it would make much difference either way.

205. You think it would really diminish your correspondence with the Central Government?—Yes.

206. And therefore you would welcome any such arrangement?—Certainly.

207. Do the details of the expenditure of district authorities come to the Heads of Departments?—Yes.

208. Do they come in great detail?—In considerable detail.

209. Have you sufficient experience to enable you to tell us whether that detail could be diminished?—I have not considered that question, but I think it might be diminished.

210. For what purpose is that detail now insisted upon?—I can hardly say without thinking it over; it would take me a considerable time to look it up and find out the history of the thing.

211. But could you not tell us what is the practical reason for now asking the local authorities, the District Boards and municipalities and so on, to submit their estimates in detail?—I do not deal with local estimates at all here. All the local budgets go to the Secretary of the Local and Municipal Department; they do not come to me at all.

212. But you have had experience as a Collector?—Yes.

213. Speaking from your experience as a Collector do you think it is a good or a bad thing?—I think that a great deal of it might be abolished, and that a very much greater control should be given to the local bodies. When I was replying to you before I thought you were speaking of the provincial finance, but, as to local finance, the details I certainly think could be greatly diminished.

214. That would greatly decrease your correspondence with the local bodies?—Yes.

215. It would decrease the correspondence between the Collectors and the local bodies and between the Collectors and the Secretariat?—It would very much decrease the bulk of the correspondence generally.

216. Do District Boards and *taluk* Boards render their accounts in much greater detail than municipalities?—I think they do, but there have been many changes made since I have had to deal with local bodies as a Collector ten years ago.

217. To the best of your judgment you think that not only the District Boards and *taluk* Boards could have their details reduced, but the municipalities also?—Yes.

218. So that there would be saving of correspondence and clerical work all round?—I think there would be.

219. Do you give to these District Boards large grants-in-aid from the provincial revenues?—Yes, considerable.

220. Would it be simpler and perhaps more satisfactory if you gave them larger sources of revenue?—I do not think we could do that. We give grants-in-aid for special purposes.

221. Such as ——?—Water-supply, drainage, and things of that kind.

222. Would it be possible to raise a water-rate or a water-tax?—A rate is raised, but the grants are to cover the capital expenditure.

223. Then it would be impossible to recover from the district directly the capital expenditure?—That is so.

224. All you can do is to charge a sum which represents interest on that capital?—No; they are free grants in many cases, chiefly to municipalities. We very often contribute half the capital cost. It depends entirely upon the funds of the municipality, how well off it is and so on.

225. So that to that extent the municipality has the advantage of the general revenue of the province?—Yes.

226. Would you allow Collectors greater freedom of expenditure in their districts?—Collectors have not much expenditure to deal with except from local funds.

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227. They have power to remit revenue in case of famine?—They have power to remit revenue in case of damage to crops due to the excessive or insufficient supply of water, but for general losses on dry crops, which are not irrigated, they have to get sanction; special remissions may be made on dry lands over large tracts of country, but the ordinary remissions are only on irrigated crops.

228. What is the practical reason for making the distinction?—In ordinary years different sources of irrigation may fail, or a channel may break, and a Collector can remit the revenue in such circumstances; the rest of the country all round may have splendid crops, but for some reason there may be a shortage at one particular place which is ordinarily irrigated, and then he remits revenue there. At a particular place there may be many fields that have a splendid supply of water and individual fields that have none. In case of an occasional failure of crops over a large area a complete remission, both on wet and dry lands, is given, and that is given by the Board of Revenue or the Government.

229. In the case of a shortage in a particular village which for some reason or other does not receive its full share of rain during the season, or by reason of locusts appearing, or something of that sort, the Collector would have no power to remit?—As a rule not.

230. What is the reason for that distinction?—Because in the one case the Government makes itself responsible for the supply of irrigation water, and the crop failure in the other is due to Providence, and we make a deduction in our settlement arrangements for failure of crops. After arriving at what ought to be the revenue, a percentage is deducted in order to cover all ordinary losses of crops from ordinary causes.

231. That will not bring relief to the village affected?—But the village affected is very slightly affected; a man may lose his individual crop, but he has ordinarily to pay much less than he would have to pay if the Government gave him remission in special cases.

232. That is to say the system of land assessment is calculated on the law of averages, and assumes that a good crop in one year will pay for a bad crop in a previous year?—Yes.

233. Is that found to work well in practice?—Yes; very often a man does not cultivate a dry field every year.

234. You rely in the case of a wet crop upon the discretion and judgment of the Collector?—Yes.

235. Why should you not rely upon it in the second case?—Because we know exactly what the size of the field is; we know that this particular field is an acre and a half in size, that its assessment is so much, and that it had no water and bore no crop. In the other case an individual field perhaps is not cultivated, but still the man pays upon it.

236. Is not the Collector aware of the facts in that particular case?—Yes.

237. Then why should not he be trusted to remit revenue in a case of real necessity?—Because the percentage reduction covers the cases of fallows and things of that sort.

238. In cases where the Collector knew that for one reason or another the percentage had not been worked up to on that particular field, would you give him no discretion? Is he not fit to exercise discretion in such a case?—He is particularly fitted, but it would increase his work enormously. Take a good season; a man very often does not cultivate his field; he does not attempt to plough it; he is responsible for the revenue; if he allows the field to go fallow, he pays the assessment just the same whether he cultivates it or not. In the year in which there is a failure of crop over a small area, say, over part of the village fields, it is impossible for the Collector to know whether this man has failed to grow his crop in consequence of the lack of rain, or has simply allowed the field to go

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fallow. I think we should have to have a very large increase of establishment if we went into all that.

239. The suggestions you have previously made are all intended to free the local officers from clerical work?—Yes.

240. If the Collector had time to go into these matters, you would have no objection to give him the power?—It would be a very difficult thing.

241. I do not say it would not, but in principle you would have no objection?—We should have to revise all our settlements. If we agreed to remit the land revenue upon all the fields which were uncultivated in a particular area———.

242. I was not suggesting that for a moment. What I suggested to you was, in cases where there was real and general distress in the case of dry crops, whether the Collector held such a position that he was fitted in that case to remit revenue, just as he was considered fit and specially responsible by the Government to remit revenue in the case of wet crops?—The one is an individual field, and the other is a great tract of country. The rule about dry crops is this——.

243. I am not talking about rules. It may be that the climatic conditions of India are such that it is impossible that scarcity should visit one particular village without visiting a large area, therefore bringing the place within what you define as a "large area"; but what I suggest is that if scarcity visits a particular field and that cultivated with dry crops, ought not the Collector to be in a position to remit revenue in such a case?—If he considers that revenue should be remitted, he reports the matter and it is remitted.

244. But ought not the Collector to have that power; is he not fit to exercise that power?—I think he is fit to exercise the power.

245. And therefore that power of remission, under the special circumstances I have indicated, might well be added to the powers of the Collector?—Certainly it might be, but it is not the practice.

246. I was not talking of the practice; I wanted to know whether it was possible?—It is certainly possible.

247. And advisable?—It might be advisable, but we do not grant remissions on particular lands in small areas.

248. Now, are there not other directions in which you think the powers of a Collector might be increased?—I cannot make detailed proposals. I think you might ask the Collectors themselves as to that.

249. But I wanted to get an opinion about it from above as well as from below?—I have not thought the matter out.

250. To go back to the question on which I was pressing you as to the delegation to the Collector of power to remit revenue in times of distress, there would be no real danger to the local funds?—There might be very great danger if the losses were spread over a very large area.

251. But in the case of a large area he now has power to go to the Government?—He goes to the Government.

252. But with regard to remissions over smaller areas which I have rather hinted at, that would probably not cause any serious dislocation of the finances?—It would not cause any serious dislocation of the finances; we should have to revise our settlements of course.

253. Now, with your knowledge of Secretariat work—which I understand has only lasted for about a year—is that so?—I have had this appointment for a year now, and I previously had it for a few weeks on two occasions.

254. Suppose we get rid of some of this correspondence which you have indicated, what is going to be the result upon the Secretariat?—It will reduce the work, not very appreciably.

255. Could you reduce the numbers?—I do not think so; we might be able to. The total altogether may be very considerable, especially if we are able to get rid of the Local and Municipal business.

256. Does that occupy the greater portion of the time of the Secretariat?—It occupies a portion of the Secretariat a considerable time.

257. A very considerable portion?—Well, say a fourth or a fifth.

258. Can you give me in general terms what in the remaining four-fifths of the time the Secretariat is occupied in doing?—The Secretariat is divided up into branches.

259. May I put it in this way, that you could only therefore so far reduce the Secretariat in that branch which has to deal with the administration of municipal affairs?—Yes—District Boards and municipalities.

260. That is the only part of the Secretariat that would be reducible under the proposals of the Government of Madras?—I do not know what the proposals from the other departments will amount to.

261. Perhaps you mean a reduction by one-fifth of the work in the Local and Municipal Department?—Yes: a reduction in the Local and Municipal Secretariat of one-fifth. I take it that we should still have to watch their budget, and to have a very strict audit of the accounts.

262. How many members of the Secretariat are there in your Local and Municipal branch?—I do not know how many clerks there are.

263. Is there nobody who knows the total numbers of the Secretariat?—It varies almost from day to day; temporary clerks are taken on.

264. Are there many of them?—Yes, they run up to over a hundred altogether.

265. One hundred superior clerks?—No, a hundred altogether.

266. You could get rid of one-fifth in the Local and Municipal Department?—Yes.

267. You have read more or less these proposals of the Government of Madras for getting rid of references and correspondence?—I have only read those that have passed through our hands. I have not seen all of them I think.

268. Would these enable the Secretariat to be still further reduced?—I do not think so; I cannot judge what the result would be without working it out.

269. Have you found the Secretariat, speaking of it as a whole, rather inclined to look at things from the point of view of "how much money are we going to get"? Is that their first aim and object—to get their revenue?—I do not think so. The Secretariat has very little to do with the getting of the revenue.

270. But do they refuse to exercise their powers of remission or relief because their first fear is lest the revenue should unduly go down?—I think not.

271. Do you think that the Government as a whole is too much inclined to look at matters from the revenue point of view?—I think not. I think that is a very minor consideration.

272. Now you have made a great many suggestions as to decreasing references to the Government of India. In your judgment, do you think as a whole the proposals for change come from inside the Government of Madras or outside the Government of Madras?—The proposals we have made are entirely from inside.

273. Have you never had considerable proposals for improvements from the Government of India which have turned out to be really advantageous, although they were first regarded with hesitation or alarm?—I have not had sufficient experience of the Secretariat to answer that.

274. You have never had any proposal from the Government of India which you received perhaps with alarm and eventually accepted with alacrity?—Unless one is in the Secretariat itself, one does not know very often what comes from the Government of India.

275. Would it not be the custom of the Government of Madras to say: "We write to you for your opinion upon this or that suggestion that has

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been made by the Government of India"?—The Government of Madras does not know what comes from provincial Governments and what comes from the Government of India. The Government of India send down certain proposals, but they very often do not tell us that they have come from provincial Governments; they simply say: "It has been suggested," and so on.

276. Is that a good state of things?—I do not know that it matters very much whether a proposal comes from the Government of India or from a provincial Government, if it is a good one.

277. What you would rather like to see is a freedom from the control and supervision of the Government of India generally, so that you could conduct your own administration in your own way and make your improvements at such times and by such methods as seem best to you?—We should always be glad to get suggestions from other Governments or from the Government of India—I mean generally.

278. Do you get proposals, say, from the United Provinces or from Bombay?—We frequently get letters asking "what do you do in such and such a matter," or asking what is the usual practice.

279. And you make the same enquiries from other Governments?—Yes; we often write to Bombay and other provinces.

280. Can you give me a concrete example of some major point?—I cannot give you a concrete example on any major point.

281. This would only occur on minor points?—Yes.

282. Such as ——?—The other day there was a question as to how a certain rule under the Arms Act was worked; it came from Bombay; Bombay referred to Bengal; an order was passed here differing from the practice in Bombay and Bengal, and there was correspondence about it between Madras and Bombay and Bengal.

283. That is a small matter; on larger matters you do not get proposals or suggestions from other provincial Governments?—I think not.

284. I understand there is a right of appeal in all administrative matters from the Local Government to the Government of India, either by law, or by rules having the force of law, or by practice?—Yes.

285. Can you make any proposals that you think would be an improvement on the existing system?—I think it would be a great improvement if it were arranged that wherever an order was made against an officer, he should have the right of appeal to the officer immediately superior to him; I think the appeal should stop after the immediate superior of the person who passes the order has heard the appeal. I think that is quite sufficient.

286. You think that there should be one appeal from the judgment pronounced?—Yes. I am not speaking of a judicial judgment; I am speaking of executive orders; I think it would be quite sufficient if the person aggrieved had one appeal to the immediate superior of the officer who passed the rule.

287. For instance, if an Assistant Collector thought himself aggrieved, he would have an appeal to the Collector?—In his case the person who felt himself aggrieved by the order of the Assistant Collector, would have an appeal to the Collector, and there it should stop.

288. And therefore in the case of an order passed by a Collector, there should be an appeal to the Board of Revenue, and there it should stop?—Yes.

289. Now what is the present practice? Take the case of a tahsildar?—If a tahsildar passes an order, the person who considers himself aggrieved appeals direct to the Divisional Officer, who might be a Deputy Collector; then the Deputy Collector passes an order, and as a rule there is an appeal to the Collector; it often goes as far as the Board. There are certain rules which have had the effect of reducing the number of appeals; still, there may be two or three appeals, or sometimes more.

290. In your judgment, however high or however low the person aggrieved may be, you think the right of appeal should stop at a point where it has been heard by some person superior to the original pronouncer of the decision?—I think so.

291. I was told the other day by a District Officer that (in a case I think it was of land revenue) supposing a Collector pronounced judgment in such a case there would be an appeal along two lines; first, through him up to the Commissioner, and then from the Commissioner gradually up to the Local Government, and then, supposing the verdict was not satisfactory to the original appellant, the whole appeal might be further repeated in a Civil Court. Is that so?—That is not so, as a rule, but it is possible that cases may be found in which a civil suit might be brought.

292. Is that in your judgment satisfactory?—Most unsatisfactory.

293. Does it occur often?—I do not think it occurs often in this Presidency.

294. Not so often as to be an abuse of the right of appeal?—I should call it an abuse if it ever occurred.

295. And if it did occur, you think it ought to be confined to one line of appeal and not extend to two lines?—Yes.

296. Have you known of any case being pursued along two lines in such a way?—I have not known of such a case.

297. Who makes the selection for the promotion of officers in this Presidency?—In the case of the Indian Civilians, the Governor has the right of promotion.

298. And that is exercised through whom?—In higher appointments the Governor in Council makes the selection.

299. Then with regard to the lower appointments?—With regard to the lower appointments, the Member of the Council in charge of the particular branch makes the selection. A note is put up stating the appointment which is vacant and who are in the running for it; then it passes through the Member in charge of the portfolio to the Governor.

300. Is a record kept of the conduct and service of every officer?—Yes.

301. Do you know at all what weighs in the selection or rejection of an officer for a particular appointment, what is the principal factor which would weigh in the selection?—Ability.

302. Ability in doing his work?—Yes.

303. In what sort of work?—The work which he is about to be put to.

304. Is it by his clerical powers?—It depends upon the nature of the appointment.

305. Take the appointment of a Collector; suppose there are two candidates for a good Collectorship?—All Collectors of the same standing are paid the same. There are two grades of Collectors, and all the senior ones are paid alike. The only question is whether it is a pleasant district or not.

306. What would weigh in the selection of a man principally; would it be his power of writing a good report?—A man is made a Collector in order of seniority, unless he has shown that he is unfit to be promoted, and when there is a district vacant, the next man for promotion gets that district.

307. Seniority is the first claim?—Seniority is the first claim up to the rank of Collector.

308. Where does that right of seniority stop?—After the rank of Collector.

309. Then it goes by merit?—Yes. Other things being equal, Collectors are put in, in order of seniority, unless the man has shown himself unfit. Then the Board of Revenue is selected by merit, and the Governor in Council selects in the case of higher appointments.

310. Do you know at all what weighs in the selection? I am trying to get at whether the fact that a man writes a good report—has a ready pen

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and that sort of thing—is practically what carries promotion with it?—I do not think so ; I think it is his general ability ; I do not think writing has much to do with it.

311. Is a great deal of weight attached to the fact that a man would, or would not know the people amongst whom he lived?—That would be so certainly.

312. How would you arrive at a knowledge whether a man did or did not know his work?—From the reports he sends in.

313. That is to say the written reports?—From the knowledge he shows of his district. The Board of Revenue in travelling about would see his work, and they would tell the Members of the Government what they thought of him. Sometimes they are consulted in writing. I have often been asked to report upon a man, not as to promotion, but, generally, as to what I thought of him. All these communications go to the Chief Secretariat and they are recorded, and the record is used in the Council when the appointment is made by the Governor and the Members of the Council.

314. Is some personal knowledge by somebody or other always insisted upon?—The Governor or the Members of the Council have a personal knowledge of every Collector.

315. Either the Members of the Council or the Governor?—Yes. The Governor, of course, knows some of them ; by this time he probably knows half or more ; the Members of the Council know them all.

316. Personally?—Yes, personally.

317. There would be no Collector throughout this Presidency who would not be known to one or other and probably to all the Members of the Council?—I do not think there is a single Collector now that one or other of the two Members of the Council does not know.

318. How do you recruit your local Secretariat?—From the members of the Civil Service as a rule.

319. How are they chosen?—They come in first after they have had about 6 or 7 years' service—the juniors—then they go out again.

320. Is it an unbroken law that they should go out?—Practically.

321. How long do they stay in the Secretariat before they are returned to the districts?—The highest pay of the Under-Secretaries is Rs. 1,050 a month ; then when their turn comes for promotion above that they go out.

322. Have you any officers in this Secretariat who have been here continuously for say 6 or 7 or 10 years?—No, not one.

323. How long would a man return to the district for?—Until his turn came for promotion ; it might be 10 years.

324. How long does it keep him out of the Secretariat in practice?—I think the officer who has been longest in the Secretariat now is the Revenue Secretary ; he was Inspector-General of Jails for a long time ; I should think he was away from the Secretariat about 10 years.

325. Without coming back?—Without coming back. He became Inspector-General of Jails, I think, direct from the Secretariat ; I cannot be certain about it ; then after some time he became a Collector.

326. Have you got any fixed rule or is it merely the practice of this Presidency?—It is the practice. I know of only one case of a man who got into the Secretariat and stayed.

327. When was that?—That was many years ago.

328. Practically now the rule obtains, and is strictly observed, that all members of the Secretariat who come in are recruited at about six or seven years' service, and go out and remain out for some considerable period?—Yes.

329. Are there not a great number of languages spoken in Madras?—There are four that are classed as languages of a district. For the purpose of work in the district, each district has a language, and there are four.

330. When you appoint a young Civilian to a district, how many charges would there be in that district?—In the biggest there would be four or five.

331. Then he is appointed to a district in which a particular language is spoken?—Yes.

332. When does he pass the language test?—At the beginning of his service he passes in two languages.

333. Before he comes out?—No ; he passes out here in two standards—the Higher and the Lower Standards.

334. When does he pass the Lower?—At once, as soon as he can. A good man will pass the Lower Standard within a year, and the Higher sometimes in eighteen months or two years ; sometimes it may be three or four years.

335. Is there any limit of time laid down?—Yes Without looking it up, I think it is about five years ; then if he has failed to pass, he is placed under suspension and made to learn.

336. Then, after he has passed, he is appointed to a district and learns the language of that district?—An officer is appointed to a district and learns the language before, not after, he has passed.

337. Is he often removed from that district?—Yes.

338. For what reason?—He goes away—he asks for leave—and his appointment is filled up, and then he goes to another district because there is a vacancy there.

339. Is that a satisfactory state of things?—I think it is ; I think an officer should know something of more than one district.

340. How many districts does the ordinary Civilian go through?—They do not now go through so many as they did formerly, because we have graded the service ; formerly men were moved about very much.

341. A man comes out first of all as a stranger more or less to the language spoken in his district?—No, because as a rule he has passed in a language that is spoken in the district in which he has to serve.

342. When is an officer selected for the province in which he has to serve?—Before he comes out.

343. What language does he study?—He studies the language which is spoken in the Presidency for which he is selected.

344. Take the case of Madras?—When I came out I studied two languages, but I understand the younger men—some of them—have only studied one. I was at home two years, and these men are at home for one year only.

345. If a man has come to a district in which the language which he has studied is not spoken, he must find himself in a difficulty?—Those who have studied the language of a district are sent to that district, so that it makes no difference.

346. He is a stranger in any case?—Just so.

347. What is the practical use of an officer in a district with large executive powers who cannot speak to the people of the district?—He is under training.

348. But take the case of a man who having studied the language in his district goes on leave and then is removed to a new district?—He is rarely removed to a new district the language of which he cannot understand. Every man studies two languages ; it is very unusual for a man to be sent to a district in which he has not passed in one of the two languages.

349. But there are four languages?—There are four languages ; two of them are spoken only in a single district, Malabar and South Canara ; in all the other districts either Telugu or Tamil is spoken.

350. Suppose a man finds himself in a district of which he cannot speak the language ; for about

12 or 18 months he is not much good as an officer in that district?—Oh yes, he is.

351. Why?—Because a great deal of English is spoken in this Presidency.

352. By the village people?—No.

353. But are not his duties among the village people as well as among persons who speak English?—Yes.

354. Then he is unable to communicate during this period with the village people?—He is able.

355. How?—Because we have hardly any villages in which there are not people who speak English.

356. In other words he has to speak through an interpreter?—He has to communicate through an interpreter until he can speak the language.

357. Is that a satisfactory system?—It is a system which cannot be helped.

358. Is it a *satisfactory* system?—It is not a satisfactory system.

359. Is there no way of avoiding it?—None whatever.

360. None?—None. We have a certain number of men trained for instance in Telugu ; if all these men happened to be at home on leave, men must be sent who cannot speak the language.

361. You think the advantages to be gained by transfers from district to district are greater than the disadvantages of a man knowing hardly anything at all of the language of the district in which he finds himself?—It is very unusual for a man to be sent to any district the language of which he has not passed an examination in.

362. Can he speak it?—Not always when he first gets there ; but in a very short time he is able to.

363. In two of the four divisions there is a duplicate language, but in two there is only a single language ; is that not the position?—There are four languages in the Presidency ; two of them are spoken in all the districts, but two languages are spoken in two single districts. If a man who is trained in South Canara is transferred from South Canara, he must have passed in Canarese and one other language ; then if he is transferred to some other place than Canara, he will be sent to a district in which the language spoken is the other language in which he has passed.

364. Then in the re-appointment of an officer who comes out from leave, the language which he is able to speak is a considerable factor?—It is.

365. And he is sent (as far as it can be done) to a district in which he can speak the language?—To the district in which the language in which he has passed is spoken.

366. I thought you told me a little while ago that a man might come out from leave and find all the appointments filled up in the district the language of which he could speak?—In the case of South Canara that might happen.

367. Might there not be cases in other districts?—It is very unlikely that in the whole of the Telugu country every appointment would be filled up.

368. You say it is unlikely that it would happen?—Very unlikely.

369. Therefore you are practically always able to appoint a man to a district the language of which he knows, I mean the language is spoken by the raiyats themselves?—Yes.

370. Will he have good knowledge of that language?—Many of them have.

371. A fair knowledge?—A very fair knowledge.

372. Quite enough to enable him to talk about village crops and common-place matters—sufficient for a man to be able to hold a conversation with an educated native?—The educated natives, almost all of them, speak English.

373. But would he be able to hold a conversation with educated natives in their own language?—He would not perhaps be able to carry on a scientific conversation in the vernacular.

374. Will a man open his mind as readily to you speaking in another language as he will speaking in his own language?—A man who knows both languages, I think, will.

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375. A man who can talk a little English will, you think, speak quite as freely to the Assistant Collector or Collector as he would if he talked in his own language?—I was speaking of a man who understood English, not a man who was a poor English scholar.

376. And there are a great number of people who are good English scholars?—There are a great number of people in the Presidency who talk English very well.

377. Would you say certainly one man in every village?—I do not think there are many villages in the ordinary tracts of the Presidency in which there are not people who speak English.

378. And who can act as interpreters?—Yes.

379. Therefore you think it really does not matter very much that an English officer may not be able to speak except through an interpreter?—It really does not very much matter.

380. Do the Government give rewards for the acquisition of languages?—Yes.

381. Are these largely made use of?—Not so largely as they used to be.

382. Is that on account of the accumulation of clerical work?—I happened to be looking at the list the other day, and I think more men have passed latterly than in the few years immediately previous.

383. There has been an increase lately in the acquisition of the native languages?—Yes.

384. That you would regard as very satisfactory?—Yes.

385. Is that merely a power to pass a set examination, or is it a real increase of linguistic knowledge?—I should say probably the power to pass an examination. I think some of our best linguists are men who have not passed the High Proficiency Standard.

386. They can talk the language thoroughly well without knowing the language classically?—They can talk it very well indeed, and they are up in the handwriting of the country.

387. Is any attempt made in this Presidency to instruct young gentlemen who come out from England in the etiquette and customs and habits of the races within the Presidency?—Not in the sense of instruction being imparted to them here. I do not think there is any attempt made before they come out.

388. Is any attempt made afterwards?—The young men under training go into camp with the Collector, and the Collector is called upon to report how they are getting on every six months, and one of the questions he reports upon is how the Assistant gets on with the natives ; that is a regular portion of the Collector's report.

389. As to his conduct and so on?—Yes, he reports on that very point.

390. At what age do young officers come out?—About 23 and 24.

391. Do they all come out as single men?—No.

392. Some come out married?—Some, not many.

393. Would you say 25 per cent.?—Nothing like that—about one a year out of 6 or 7 on the average—perhaps an eighth.

394. I suppose this has a deterrent effect upon his going into camp while he is under training?—No, I think not ; I think they go into camp and take their wives with them.

395. Would it be satisfactory if there were some—I hardly like to use the word "manual," because manuals seem to me to be things that are very much overdone—but would it be satisfactory if there could be some little book prepared, not in the shape of a manual, which would enable officers in this and other Governments to know something of the habits and the social customs of the people

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amongst whom they were going to work?—I think it would be a good thing.

396. Is there anything of that sort?—I am not aware of it.

397. It would be desirable that it should be very short?—Yes.

398. The shorter the better?—The shorter the better.

399. But it might in your judgment be of service?—If it could be made reliable.

400. There are a great number of manuals published?—Yes, there are departmental manuals in each department practically.

401. Which a District Officer is supposed to know?—A District Officer is supposed to be able to refer to them—I mean, they will use the index.

402. Have they been overhauled at all?—Yes, they have been regularly overhauled.

403. Every year?—Not every year, but as alterations are made, corrections are sent out and they are entered in that way in the book itself.

404. How many of these manuals would an officer of necessity have in his library?—I have not the least idea.

405. Eight or ten?—More than that.

406. Twenty?—I do not think that he would have twenty in use.

407. Could they be reduced by codification or something of that kind?—If you take *this* manual for instance (the Civil Account Code), the thickness of this book could be reduced, because it contains a lot of forms at the end.

408. If you could reduce the number of volumes through which a District Officer has to wade in order to arrive at a just decision upon this, that or the other point, would it not be desirable?—It would be desirable, but I think manuals are always found useful, and they are continually used.

409. Do you think they could not be compressed advantageously?—I do not think so.

410. There are a great number of recent appointments of Inspectors-General?—Yes, there have been several.

411. Have they paid much attention to Madras?—Several of them have been here. I hope they all pay attention to Madras; we have not seen many of them.

412. Do you think on the whole their influence has been for good?—No, I do not.

413. Have they attempted to interfere with your administrative powers?—The tendency is distinctly to interfere.

414. You find that they begin by correspondence and they end by orders?—That is the tendency distinctly.

415. Do you think there is any benefit to be derived from the concentration of the knowledge of practice and of what is occurring in other Governments, and the dissemination of this concentrated knowledge to the various Governments?—Yes.

416. Could that be done by any better method than through the Inspectors-General?—I think so.

417. In what way?—By correspondence between the Heads of Departments.

418. In the various Governments?—Yes.

419. Or by conferences?—Yes.

420. Has the practice of conferences been much taken up? I understand it began with a conference of Directors of Education when Lord Curzon was Viceroy?—I do not know when it began.

421. Quite recently, I think?—I do not know whether that was the first or not. I know that Police Officers for instance in adjoining territories have conferences, and have had them for years.

422. In preference to the present system of Inspectors-General you would like to have a system of conferences?—I should prefer a system of conferences.

423. Do you think that system in itself is necessary?—I certainly think it would be unnecessary to have regular conferences at fixed times.

424. A conference once a year you think would be unnecessary?—Yes, I think it would be quite sufficient for correspondence to take place and for these men to consult one another and to meet occasionally.. For instance, I would allow the Bombay Excise Officer to meet the Madras Excise Officer and talk over matters independently of any formal conference.

425. Has that ever been done?—Not as to Excise Officers.

426. They meet as friends?—They meet in other ways.

427. Has this appointment of the Inspector-General of Excise been of use to you here?—Giving you my own opinion only, I do not think the appointment of that official has made any difference here at present; so far I have not heard of him in any way.

428. Still this suggestion that Excise Officers or similar officers might meet is not actually put in practice by the Local Government?—No. The reason I mentioned Excise Officers was because I was on a Committee with the chief Excise Officer in Bombay, and I had some talk about it with him then.

429. Have not the Government of India to sanction expenditure under various heads?—Yes.

430. How are the Government of India to know that the policy which the various Local Governments are carrying out is wise or not—whether they are sanctioning the expenditure of money for a good purpose or for no purpose whatever—unless they have something like an Inspector-General?—If the Government is fit to be a Government, I think it ought to be trusted to spend the moneys entrusted to it to good purpose. I do not think the appointment of an officer at Simla, who may be inferior in position and service and everything else to the Head of a Department under the Local Government, will make any difference.

431. I will put it in this way. Has any attempt been made by the various provincial Governments to find out what other provincial Governments were doing in the same class of matter; for instance, in the matter of police; would your Inspector-General at Madras write all round to see what was going on in the United Provinces or the Punjab for instance?—I cannot tell you, but I know that Superintendents of Police and Deputy Inspectors-General of contiguous portions of India have met in conference and talked things over.

432. Officially?—Officially; I know of several individual cases. The Superintendent of the Bellary district would meet the Superintendent of Dharwar.

433. In different Presidencies?—In different Presidencies, and I am pretty confident that the man at Ganjam has met the man at Puri.

434. But they have not gone outside?—No, except the Criminal Investigation Department; they go outside sometimes.

435. May I take it that so long as a Director or Inspector-General confines his attention to inspecting and suggesting, if it could be confined to that, you would have no objection to it?—I do not think his inspections would be of much use.

436. You think that the time he would have to give would be so small that it would be of not much use?—I think it entirely depends upon the position which the particular branch has reached in the Presidency; for instance, I do not think that in Bombay the inspection by the Commissioner of Salt for the Government of India would be of any benefit whatever.

437. For what reason?—Because he has really no experience of sea salt, and all Bombay salt is practically sea salt.

438. Then with regard to the inspection of Public Works, would the experience of a man who had been round all the great irrigation works of the north be of no value to you here in your irrigation works in Madras?—I do not know enough about the details to speak as to that.

439. I understand that the complete administration of excise rests with the provincial Government?—At present.

440. You share the revenue?—Yes, the revenue is shared.

441. Could it be advantageously taken over by the imperial or local exchequers?—I do not think it matters at all.

442. Not for the simplification of accounts?—I do not think it makes any difference; the proportion is to be half now, and I do not think it would make much difference.

443. Does it lead to much correspondence?—I do not think so.

444. You simply collect half your revenue and say: "This is half the revenue and there it is"?—That is so.

445. And they ask no questions about it?—No.

446. Practically nothing?—No.

447. Has there been much interference with the administration?—There has been none hitherto.

448. You have an Inspector-General of Excise?—I do not know what he is called, and I do not know what will happen.

449. You have not yet seen him?—I have seen him and I know him well, but I have had nothing to do with him officially.

450. Who is the responsible Excise Officer in the district?—The Collector is the Head of the Excise.

451. Then you have an Excise Commissioner?—There is an Excise Commissioner, and he has Assistant and Deputy Commissioners under him and inspectors.

452. It has been suggested somewhere that the control of the Government of India over the Excise Department of the provincial Governments is necessarily closer than its control in other branches of administration. Is that so?—I have not found any control of the Government of India in Madras; I do not know how far it is due to the fact that it is assumed, from the way things have turned out, that we have been working on correct lines.

453. With regard to the Inspector-General, you know nothing of him officially?—No, he has been appointed since I had anything to do with excise.

454. There is this restriction upon the action of Local Governments which I should like you to explain. You are not allowed to alter the rates on exciseable articles without the sanction of the Government of India?—I think we are.

455. Do you often do it?—Often.

456. Upon the same articles of excise?—Yes.

457. Would you give me an illustration?—The duty on spirits was raised on the 1st April last.

458. Was that not done under the direction of the Government of India?—No, I think you are talking of customs.

459. No, I am talking of excise?—I am not aware that the Government of India did it.

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460. Here in Madras you on your own account raised the duty on spirits?—We have often raised it. I have not had anything to do with excise now for two years, but the duty was raised from the 1st April last. It was the result of the Government of India raising the customs duty which enabled us to do that; otherwise our duty on spirits would have been higher than the customs duty.

461. Then you are practically dependent for your excise duty upon the amount of the customs duty?—We are to a great extent.

462. All the customs duties being under the control of the Government of India, you cannot practically raise your duties?—Not beyond the tariff rate.

463. And you cannot practically alter them unless the customs duties are altered?—If they are to remain below the customs duties.

464. I am not talking of the theory of government, but of the practice; you cannot practically raise them, unless the customs duties also are raised?—Yes we can, because in many parts of the country the excise duties are lower than the customs duties; if they were higher, the spirit would enter the country from outside, and the local product would not be used.

465. In that case you are independent of the customs duties?—Yes.

466. You think this advantageous?—Yes.

467. You submit an excise report?—Yes. A yearly report is prepared by the Commissioner and sent to the Government, and the Government send it to the Government of India for their information.

468. Is that necessary?—I think it is advisable.

469. Very advisable?—Yes.

470. Is it a lengthy document at all?—I should think about 16 pages of print with statements at the end.

471. Customs is entirely an imperial department?—Yes.

472. Has that been a wise change; has it changed the classes of officers?—Well, it has not entirely. Except Madras, all our local ports are under the customs authorities of this Presidency.

473. Do you think that is wise?—I think so, because the Government of India have not the establishment under them to control those in charge of the local ports. We have got a whole sea-board with over a hundred ports.

474. And the ports controlled by the Government of India are, although very important, few in number?—Yes.

475. Is there any interference as between the Government of India and your customs administration?—I have not heard of any.

476. Nothing unnecessary at all events?—I have not heard of anything.

477. Have you got a Director-General of Customs?—I really do not know; I think not.

478. The customs duties of course are fixed by the Government of India?—Yes.

479. There is not much correspondence, as I understand, between you and the Government of India in the matter of customs?—No.

480. Nothing more than is expedient?—No.

(*The witness withdrew.*)

Adjourned.

SECOND DAY.

MADRAS, *Saturday*, 23*rd November*, 1907.

PRESENT:

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

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

Surgeon-General WILLIAM RICHARD BROWNE, C.I.E., was called and examined.

Surgeon-General W. R. Browne.

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481. (*Chairman.*) You are Surgeon-General with the Government of Madras?—Yes.

482. What are your duties?—The administration of the Civil Medical Department in the Presidency.

483. How is that department constituted?—It is made up of Commissioned Medical Officers, of a large body of Assistant Surgeons, Civil Apothecaries and Hospital Assistants.

484. How are you recruited?—The Commissioned Medical Officers belong to the Indian Medical Service; they are recruited in the ordinary way in England by competitive examination; the others are all recruited locally; the Assistant Surgeons, Civil Apothecaries and Hospital Assistants are all trained here.

485. What departments have you got under your control?—The whole of the medical administration of the province. That includes all the hospitals and dispensaries, and I am an official visitor of jails and allied institutions.

486. Who appoints you?—I am appointed by the Government of India on the recommendation of the Local Government.

487. And who appoints your subordinates?—The Indian Medical Service officers are men lent from the Military Department to the Civil Department, at first temporarily, then permanently; they are liable at any moment to be required, as we still are a Military Service.

488. Have you the full power within the limits of the Presidency to promote and appoint your subordinates?—All, except the Commissioned Medical Officers; the appointments of Commissioned Medical Officers go chiefly by seniority, not to certain appointments, but as regards rank. They belong to the Indian Medical Service, and their rank goes by seniority.

489. Entirely by the efflux of time?—Yes, as regards promotion to military rank, which of course governs their pay to a great extent; but as regards appointments, they are made by the Local Government on the recommendation of the Surgeon-General.

490. Then you have under you the hospitals and some part of the jail administration?—As an official visitor.

491. Only as an official visitor?—Only as that. Lunatic asylums come under the head of the general medical administration.

492. Do you know why your appointment as Surgeon-General has to be referred to the Government of India? Is there any reason in the working of the Presidency Medical Service that would require that?—No, not as regards directly the working of the Presidency, but the selections to the administrative grades, viz., what are known as Colonels' appointments, Principal Medical Officer, and to the Surgeon-General grade are supposed to be by selection and merit—not merely by seniority—and they have to obtain the approval of the Secretary of State.

493. You are part really of the central organisation which is loaned out to the various provincial Governments?—Yes, but with this difference, that we are entirely independent.

494. Once you are appointed you are entirely independent?—Once we are appointed. I correspond with the Director-General, but apart from that the Local Government is supreme in all matters relating to the Department in Madras.

495. You correspond direct with the Director-General?—Yes.

496. Now you have got a Sanitary Commissioner under you?—Yes, he corresponds direct with the Local Government. He is not under me.

497. Is he co-equal with you?—He is of course junior, and not of the same rank.

498. Is he under your control in any way?—Not in any way.

499. Have you any control over the Sanitary Board?—I am a member of the central Sanitary Board of the province, which consists of three members. There is only one Sanitary Board consisting of the Chief Engineer who is the President, the Secretary in the Local and Municipal Department who is a member, and the Surgeon-General who is the third member. All matters in connection with sanitation are referred to that Board for approval and for recommendation to the Local Government.

500. Has the Board plenary power?—No.

501. No power at all?—No power at all beyond that of recommendation.

502. Who has the power in the Sanitary Department?—Plans and everything else must be approved by the Sanitary Board.

503. Who has the power of deciding sanitary questions?—The form in which they run is this. They go through the Sanitary Commissioner and the Sanitary Engineer to the Sanitary Board; the Sanitary Board recommends to Government, who pass the final orders without question.

504. Who is the person in the Government who, as a matter of fact, passes these final orders?—Chiefly the Secretary in the Local and Municipal Department, who is also a member of the Board.

505. Has he any practical knowledge of sanitary questions?—No, not beyond that derived from his general knowledge in administrative work throughout the Presidency.

506. Then what is the necessity of going behind the Sanitary Board for further decision to a member of that Board?—The Government do not disagree on sanitary matters, of course, but you then come to the financial aspect, that is to say, who is to provide the money to work these different sanitary problems and sanitary measures. That must, I take it, rest with the Local Government; they have to provide the funds.

507. Does the Sanitary Board budget at the beginning of the year?—No, we do not budget.

508. You live from hand to mouth?—The Board outlines certain works which have to be done. The big works with which we are chiefly concerned run into lakhs of rupees; these are outlined at the beginning of the year; certain works have to be undertaken in the course of the year; when they get to anything like completion they go up, and provision is made on the financial side.

509. What do you mean by saying that when they arrive at completion the plans go up? I should have thought they would have gone up before the works were completed.—They take some time, because there are nearly always alternative designs for any of these big works in connection with drainage or water-supply; there are perhaps three or four different schemes; these are outlined, and the local bodies and the Government have to agree what particular scheme is feasible under the circumstances.

510. That you call outlining?—I call that outlining, because no definite orders have been passed.

511. Then having got your plans for your sanitary works, you then send your plans up to the Secretary in the Local and Municipal Department?—Yes.

512. Who is also a member of the Sanitary Board?—Yes.

513. Therefore one member of the Sanitary Board recommends to the Government either to accept or to reject the plans of his colleagues; is that the proceeding?—Yes.

514. Do you think that that is a good procedure?—In a way, yes, because he is thoroughly acquainted with what has gone on as regards plans and estimates, and so he is at home with the subject when it comes before Government.

515. He, of course, having received it as Municipal Secretary, refers it to the Financial Department?—Yes.

516. And the Financial Department decides then whether the money can be spent or not?—Yes.

517. And then who finally sanctions the expenditure?—Government eventually. When, we will say, an estimate for any big drainage works has been settled as to technical details, it is referred for the supervision of the technical details to the Department of Public Works—the Chief Engineer.

518. Then it goes round to another Department?—It has to go in that way for professional scrutiny of the plans.

519. Which the Sanitary Board is quite unable to give it?—Well, they have been advised by their professional adviser, viz., the Sanitary Engineer.

520. Then it goes from the Sanitary Engineer and in course of time finds its way to the criticism of another expert in the Public Works Department?—That is so.

521. Is there any other expert who has to be called in after these two gentlemen?—No, not after those two; but on sanitary lines the Sanitary Commissioner has expressed his views.

522. He has already intervened in the matter?—Yes; the Sanitary Commissioner and the Sanitary Engineer have been consulted on the sanitary problem.

523. Suppose some district or some municipality has to be drained or provided with sewage works; in that case the plan, I take it, originates with the municipality or with the District Board?—Yes.

524. Passing during that time under the inspection of their engineer?—Not necessarily. For instance, take Bellary, or any other town; it is decided that a water-work is necessary for that town; the proposal is sent up to Government in the ordinary way through the Local and Municipal Department.

525. Whom is it sent up by?—It is sent up by the Chairman of the municipality.

526. Have the Chairman of the municipality and his colleagues consulted their expert engineer?—They have hardly got an expert engineer; they have a Local Fund engineer, but for the municipality they may not even have that; the District Boards have an expert engineer.

527. You do not mean to tell me that the Chairman of a municipality is competent to frame a drainage scheme?—No.

528. Then who frames the drainage scheme to begin with?—First of all it is decided that it is advisable to undertake this work; then it is referred to the Sanitary Engineer and the Sanitary Commissioner; they consult; then their plan is outlined; as soon as it becomes tangible it is referred to the Sanitary Board.

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529. Who also have an expert engineer?—There is no other expert engineer on the Sanitary Board.

530. One of the members of the Board is an engineer?—Yes.

531. Then he is the second expert who examines this scheme from the engineering point of view?—Yes.

532. It then goes from there to the Secretary of the Local and Municipal Department?—Yes.

533. Who then passes it on to the Finance Department?—Yes.

534. Who then pass it on to the Public Works Department?—Yes, for the ultimate revision.

535. There it receives a third engineering criticism?—There I must tell you this:—The Chief Engineer serves in a dual capacity also in this case. He is a member of the Sanitary Board.

536. The Chief Engineer examines it first of all as a member of the Sanitary Board, and then as a member of the Public Works Department?—Yes.

537. Does that seem to you a sound and economical procedure?—I do not think it adds to the cost.

538. It does to the delay?—Yes.

539. And do you not agree that time means money?—But I mean that no further charges are incurred.

540. Then what happens to this unfortunate scheme finally?—Then we have arrived at the final stage. After the Chief Engineer has expressed approval of the plans and estimates, the orders are passed in his department, the Public Works Department, as regards the carrying out of the scheme.

541. Then it goes back to the Financial Department?—No, it has already been sanctioned by the Financial Department.

542. Is it sanctioned by the Financial Department before it passes to the Public Works Department?—Yes.

543. So that the Financial Department passes it, whether it is a good scheme or not?—It has already been through the hands of two experts as it were, the Sanitary Engineer and the Sanitary Board, and therefore when it comes to that stage it is in fairly good working order; there may be small technical details, as to the strength of a girder or something of that sort, that may require revision from an engineering point of view.

544. But still the Financial Department have agreed to the cost before the final expert examination by the Public Works Department?—I would not like to say definitely whether a final formal reference is made in the Secretariat on that point.

545. Now have you any other powers in the Sanitary Board?—Not in the Sanitary Board.

546. That is enough for their exertions to cope with schemes in that way?—I think so. You then of course go into the financial question.

547. I take it that what you have told us about this suppositious scheme covers the whole of the relations of the Sanitary Department with the provincial Government; you have no power of decision at all, but you have power of recommendation?—That is so.

548. You have no power of decision?—No power of decision, but merely of recommendation.

549. Can you tell me anything about the relations of the Civil Surgeon to the Collector? Either from the sanitary or the medical point of view are those relations satisfactory?—Yes, on the whole they are.

550. The executive authority lying with the Collector, he gives all the necessary support and assistance to the Civil Surgeon?—Yes.

551. And there is no unnecessary complication of decisions or orders?—No. As the head of a district, for instance, the Collector must sanction, on the recommendation of the Medical Officer, such a thing as privilege leave to the Medical Officers

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serving in the district. Therefore as the head of the district, I do not think that needs alteration.

552. You think there is no unnecessary delay in carrying out orders that the Civil Surgeon may give?—No. The District Officers never interfere in purely professional matters.

553. I understand that there is a Director-General of the Medical Service in India?—Yes.

554. Is he also a Military Officer loaned to the Imperial Government?—Yes.

555. And he is loaned practically throughout the greater part of his career?—Yes, in the ordinary course of events he is in exactly a similar position to that in which he is in the different provinces, viz., that he has probably been in civil employment, as we call it, for the greater part of his service, and then he becomes a Colonel—a Principal Medical Officer—and then becomes Surgeon-General.

556. Will he have served as Surgeon-General under a provincial Government?—No.

557. When was this appointment created?—The constitution of the service was altered in 1880; then he was not called Director-General; I think it was in 1894 or 1896 that he was again called Director-General.

558. What I understand to be the position is this, that an officer who has not necessarily had experience as a Civil Medical Officer, and who certainly has not as a rule had experience as a Civil Officer in the higher grades, is selected by the Government of India to be Director-General of the Medical Services; is that, roughly speaking, the position?—No, not quite, because they have invariably had extensive experience on the civil side.

559. But not the highest?—Well, the highest of course is the Director-General's appointment itself, but leading up to the highest, yes. The present one is a good illustration.

560. Has he been Surgeon-General under a provincial Government?—No.

561.—That is what I mean; he has not had the experience of a Surgeon-General under a provincial Government.—No, he has not.

562. What are his relations to you?—As regards the administration of the Civil Medical Department in Madras, I do not consider that there is any necessity to adopt any measure that would alter the existing relations between the Director-General of the Indian Medical Service and the administrative Head of the provincial Medical Department—the Surgeon-General with the Government of Madras. The Local Government is supreme in all matters relating to the department, and reference is only made to the Director-General in questions connected with the grant of furlough to officers of the Indian Medical Service and the filling up of vacancies (caused by death, retirement, or leave) in the number of officers lent to the province for civil duty. The Director-General also supplies the Military Assistant Surgeons who, to the number of 22, are lent for civil work. The Director-General has the right to ask for any information he may require from the Surgeon-General with the Government of Madras, but the latter is not subordinate in any way to the Director-General, but is entirely under orders of the Local Government.

563. With regard to the grant of furlough, is that necessary because you draw all your officers from the Government of India?—Quite so.

564. And as long as you continue to have a central and not a provincial system, you must refer the question of furlough to the authority who is to supply you with the substitute?—Yes, in case a man is wanted.

565. Do you find that the Director-General tends in any way to interfere with the provincial Government?—No, not in the least.

566. Not in the way of giving orders?—Not in the least.

567. In this particular case, the papers of which have been laid before us, do you think that the Director-General in the matter of the control exercised by him over the officers of the Madras Civil Medical Department exceeded his functions?—Yes, technically he did.

568. And practically?—Well, I take it his view was that this was a purely professional matter which the Director-General and the Surgeon-General would know more about than anybody else.

569. Do you think that the direct correspondence between yourself and the Director-General saved or did not save time?—It probably saved time.

570. Now if that was constantly the practice of your department—if it became the general practice—do you think it would involve the provincial Government in difficulties?—I can imagine it might; it would depend upon the two officers concerned; you would have to take the personality of the men into consideration.

571. But a practice like that, once begun and continued without protest on the part of the provincial Government, might grow into a custom so strong that the provincial Government could not overthrow it?—They could always come down and say "please stop it," or without the "please" they could always tell them to stop it. The local Surgeon-General is under the orders of the provincial Government; they can pass orders to him.

572. And this direct correspondence with the Director-General you do not look upon as an infringement of that rule?—As I said, I think it was technically an infringement.

573. But practically you do not think any harm was done?—Practically, I do not think any harm resulted.

574. Then with regard to the second case that has been referred to, which relates to the selection of senior officers of the Indian Medical Service in civil employ for training in military medical administration; was that an instance where the Surgeon-General and Director-General corresponded directly with each other?—They did.

575. Was that, do you think, to the detriment of the provincial Government?—It would have added a little to the time, but it ought to have been sent through the provincial Government.

576. What department of the provincial Government are you under?—I am under all. In the Public Department I correspond with the Chief Secretary. Many matters come up in the Local and Municipal Department as well.

577. Do you correspond direct with the Chief Secretary?—Yes.

578. You do not correspond with the Under Secretary?—No; with the Chief Secretary.

579. Have you seen anything of the Sanitary Commissioner of the Government of India?—I have practically nothing to do with the Sanitary Commissioner of the Government of India.

580. Does any correspondence go on between your Sanitary Board and the Sanitary Commissioner?—None at all.

581. Has the Sanitary Commissioner ever been in Madras?—Yes, I know him; he has been here since his appointment was made.

582. Do you know at all what he did when he came here?—Yes, I am acquainted with what he did, because he came and called on me, and we discussed matters—really in connection with plague.

583 You think, as far as you can judge as a Medical Officer of experience, that the appointment is a good appointment?—The new appointment, undoubtedly.

584. You think that that would aid the Government of India in taking up sanitary questions?—Undoubtedly.

585. Is it better to have a Sanitary Commissioner with a conference say of the various Surgeons-General, or could a conference do the work of the Sanitary Commissioner?—I do not think a conference could do the work of the Sanitary Commissioner. On the other hand, I am not sure that as regards these particular questions a conference of the different heads is required. Personally, I do not see why the work cannot be equally well done without any conference of the Surgeons-General in India; there is only one other Surgeon-General, viz., the one in Bombay.

586. You think that an annual conference of these gentlemen could serve no useful purpose?—Yes, I do not think so.

587. Or at all events that such purpose as it might serve is served better by the Sanitary Commissioner of the Government of India?—Or could be served quite well by correspondence.

588. Does any correspondence take place between the Heads of the Medical Service in different Governments?—No, very little. Occasionally the Director-General sends round a general note regarding medical matters, as they affect India altogether. He may draw attention, when the various annual reports come before him, to different things that come up out of the reports.

589. And suppose you, as Surgeon-General here, take no notice of his suggestions or recommendations, what happens?—Well, that has not occurred. If one had reason to doubt the advice tendered, one would at once represent the matter.

590. Direct to him or to your Government?—It would probably be an important question, and would come through the Government; unless it was on a purely professional matter, such as the way in which a return of operations or something like that ought to be sent in.

591. Then, in your judgment, both the Director-General and the Sanitary Commissioner of the Government of India are good and necessary appointments?—Undoubtedly.

592. And they have rendered you service in your department?—It is not perhaps quite so easy to say that they have rendered the department any particular service, because I think I have stated already that the local administration is entirely independent.

593. Then in what way are these two appointments of use?—Take the Director-General: owing to the fact that it is one large Imperial Service for India, it is absolutely necessary that there shall be some central man, even if for no other purpose than to allocate the men to the different provinces.

594. Is it necessary that a person whose duty it is to allocate officers to the various Governments should be a Director-General? I should have thought a much less ambitious title would have been sufficient.—Then you come to another question as to the number of Surgeon-Generalships. There happen to be four; two in Bengal, one in Bombay, and one in Madras. I understood that you were thinking whether some central office might do that duty; that would mean of course the doing away of an appointment.

595. And the promotion which goes with that appointment?—Yes, it is the highest-paid appointment in the service.

596. I thought you told me a little while ago that these gentlemen who were at the head of the Service were practically not promoted to be Director-General?—No; they are not.

597. Therefore, if the office of Director-General were abolished, it would not affect the promotion of these Surgeons-General?—It would affect the promotion of all the men in Bengal.

598. I ask you whether it would affect the promotion of these Surgeons-General, the Heads of the Medical Service under provincial Governments?—No.

599. Then with regard to the Sanitary Commissioner; does the creation of that post affect promotion?—Yes; it has made another post with high pay.

600. Has the Sanitary Commissioner been of service to your Government here?—Yes.

601. In what way?—The point I have in mind is purely a professional one, viz., a most excellent report written by him in connection with jails and all the medical questions springing up from the treatment of prisoners.

602. Is there a Director-General of Jails?—There is an Inspector-General of Jails in each province.

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603. But not of the Government of India?—I think not.

604. You did get, as a practical matter of fact, from this Sanitary Commissioner, some excellent advice concerning jails?—From the sanitary point of view, yes.

605. Do you know what the salary of the Sanitary Commissioner is?—The salary of the Sanitary Commissioner of India is Rs. 2,000; I forget whether it rises. The appointment from about 1880 was amalgamated with that of the Director-General; he was called the Surgeon-General and Sanitary Commissioner with the Government of India.

606. Now there is a separate appointment?—Yes; since 1904.

607. When did you get this valuable report on the sanitary condition of jails?—Last year.

608. Do you remember any other notable service that he has rendered to your department?—You mean in Madras itself?

609. Yes.—No, off-hand, I cannot say that I do.

610. I mean, is he generally useful?—I think the Government of India finds him useful.

611. I am not talking of the Government of India; I am talking of Madras.—I think you will have to ask that question of the Sanitary Commissioner; he will be able to tell you better.

612. So far as you are concerned as the Surgeon-General, you do not know of anything in particular that he has done for your department?—No; it does not concern me particularly.

613. (*Sir Frederic Lely.*) Can you tell us approximately how many hospitals and dispensaries there are in the Presidency?—610, including dispensaries.

614. There would be a few large civil hospitals?—Yes. Perhaps I may say that we here use the term "hospital" as those in which in-patients are treated; "dispensaries" as those in which out-patients are treated. We have about 267 institutions with in-patients, and the balance, up to 610, are dispensaries.

615. The great bulk of them would be rural institutions?—Yes.

616. In remote places many of them at a great distance from head-quarters?—Yes.

617. Some of them 50 miles or more away?—Perhaps if you said 40 miles it would come to about the limit.

618. The men in charge of these small rural institutions are of the grade of Hospital Assistants?—Yes; that is, in the dispensaries. The hospitals are nearly all in charge of men of the Civil Assistant Surgeon or Civil Apothecary grades.

619. And the rest are dispensaries?—Yes.

620. So that practically all dispensaries are under Hospital Assistants?—Yes.

621. Men of very limited education?—Well, we do not think so down here; we think that our Hospital Assistants up to recently have been the best trained in India.

622. Possibly that is not very extravagant praise?—It is not very extravagant.

623. Anyhow, you would not regard them as qualified medical practitioners in the European sense of the term?—Not in the European sense of the term.

624. What is their pay?—Their pay begins at Rs. 25. The question is now before the Government of India as to an increase of their pay. Rupees 25 is the pay in the fourth grade; it rises to Rs. 35, Rs. 45 and Rs. 55, and 10 per cent. of them are senior Hospital Assistants whose pay is Rs. 70. Then there are small allowances in addition.

625. What are the arrangements for supervising the work of these men?—They are supervised by the District Medical Officers.

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626. How do they exercise that supervision?—By visiting and inspecting and examining the books and looking at their work generally.

627. How often in the year would that supervision be exercised?—If possible, twice. In a large district like Madura, where there are some forty institutions, it is nearly impossible to get round twice a year

628. Practically I suppose you may say that each one of these men is visited—can only make sure of being visited—once a year by the Civil Surgeon, who comes and looks over the building and the instruments and makes enquiries about the work, makes his return, and goes away again?—Yes.

629. In the case of a suspected murder in the locality, is the hospital assistant solely responsible for the *post-mortem*?—Solely.

630. That is, it practically lies with him to say whether the man has died of a blow, or whether a murder has been committed or not?—Quite so.

631. Is that not a very great responsibility for a man of that class?—Undoubtedly. I may say here that the Government have been good enough to acquiesce in a proposal of mine of sending as many men as I can spare for a course of post-scholastic training at the Medical College and General Hospital after their ninth year of service. As far as possible I restrict the control of dispensaries to men of the second grade. Then before they get promoted to that grade, I want to train as many as I can in the second course of training, with special reference to this very point of training for *post mortem* examinations.

632. I take it it is not only a case of professional competence, but of moral reliability?—I think it is chiefly professional; of course, there have been instances of the other.

633. Do you recognise the duty or the right of the Head of the district to co-operate with you in supervising these men? For instance, to take a concrete case, suppose the Head of the district wrote to you and said: "I consider a certain man to be totally unfit for his place"—not professionally—that would be out of his sphere altogether—but morally unfit?—He might do that; that does occur occasionally.

634. Do you interfere as a matter of course then?—Undoubtedly.

635. You have had cases of that kind lately?—Yes, in my time.

636. Are they frequent?—No, not very; they are not frequent, but they have occurred.

637. Suppose the Head of a district thought a Medical Officer was unfit, and he wrote to you and you declined to take that view, would you recognise his right to demand an enquiry?—I cannot imagine myself declining to interfere. If for no other reason than to defend a man who might be wrongly accused of incompetence, I should take up the case and have it investigated through my District Medical Officer.

638. That is, you would send your District Medical Officer to enquire whether the opinion of the Head of the district was justified or not?—Yes.

639. If the Civil Surgeon thought that the Head of the district had interfered without reason, what then?—He would communicate with me, and I should take any further action that I considered necessary.

640. But the probability is that you would take your subordinate's view?—It would depend upon the evidence adduced in the first instance. If the man had made himself thoroughly unpopular for any reason and the evidence was quite clear, I should probably at once transfer the man to some other work. That I do constantly when it is called for.

641. You would not only receive the opinion of the Head of the district, but you would expect it of him?—Undoubtedly.

642. And then you would make your own departmental enquiry through the Civil Surgeon, and if you thought there was no occasion to intervene you would allow the matter to drop?—I would directly inform the District Officer concerned that in my opinion no further action was necessary, or the contrary.

643. (*Mr Dutt.*) Is there a Civil Surgeon in charge of every district here; is not the District Medical Officer generally a Civil Surgeon?—Our term down here is "District Medical and Sanitary Officer." We also have Civil Surgeons in a few places, but the 22 districts are provided with a District Medical and Sanitary Officer; emphasis is laid on that to show his dual duty.

644. They are generally members of the Indian Medical Service lent from that service?—Exactly.

645. What is the number of them in this province?—We have 54 sanctioned appointments.

646. I mean those that have belonged to the Indian Medical Service.—They number about 57 on the Civil List.

647. And what is the number of Assistant Surgeons approximately?—We have 22 Military Assistant Surgeons lent. We have Civil Assistant Surgeons and Civil Apothecaries.

648. I am not speaking of apothecaries now.—I will tell you the total strength; there are 677 Medical Subordinates, and there are 466 Hospital Assistants; that leaves us 211 approximately.

649. How are these Assistant Surgeons selected?—The Assistant Surgeons are all local graduates who enter the service by competitive examination. I fix the date when sufficient vacancies occur to render it necessary to have an examination.

650. Is the examination held annually?—According to circumstances. I have held three in the last 15 months.

651. But generally there is always one examination every year?—At least one.

652. What is the pay of the Assistant Surgeons?—The Assistant Surgeons begin at Rs. 100 and go on to Rs. 150 and Rs. 200.

653. And you consider them well qualified doctors in the European sense of the word?—The Assistant Surgeons undoubtedly are.

654. Are they in charge of some of the important hospitals and dispensaries?—Yes.

655. Whereas the least important ones are in charge of apothecaries?—Yes, and also of the Hospital Assistants. The selection I may say is left entirely to me; I select men for the different places according to my knowledge of their professional capability.

656. But Assistant Surgeons are always selected by means of competitive examination?—Quite; they must be graduates.

657. How are the apothecaries selected?—The apothecaries are now dying out. They were a class of men who were stipended by Government during their college career.

658. Did I understand you to suggest that there was a question pending about their pay?—That is with regard to the low grade Hospital Assistants who only begin at Rs. 25 a month.

659. We come to the Civil Hospital Assistants. What is the rule about their selection?—These Civil Hospital Assistants are men who pass a qualifying literary examination, and they are then stipended during their four years' course at the Medical College; they are examined every session by a Medical Board of Examiners, and they pass a final qualifying examination at the end of their fourth year; if they satisfy the examiners, their names are sent to me and I admit them into the service.

660. Supposing more names are sent to you than you want, do you keep them on your list?—I fix the number of men who are in the college.

661. Their pay is from Rs. 25 rising to Rs. 45?—Rupees 25 rising to Rs. 70.

662. Is any question pending as to their pay?—There is a question before the Government of India as to increasing, especially in the lower grades, the pay of these Hospital Assistants.

663. Has a specific recommendation been made as to the minimum pay of these Hospital Assistants—that the minimum should be so much?—It has been recommended that the minimum should be Rs. 30. I think the maximum is the same.

664. Are some of these Medical Officers paid by District Boards; are there any dispensaries and hospitals made over to District Boards in this province?—The great bulk of the institutions are paid by District Boards and municipalities.

665. And is the Medical Officer in charge of such hospitals and dispensaries paid by the District Board?—If he is a District Medical Officer, he is paid from provincial funds; he has nothing to do with the local funds.

666. The local funds never pay the District Medical Officer?—No, not the District Medical Officer.

667. But the subordinate Medical Officers?—They are paid locally.

668. Their service is lent to the District Boards, and they meet the cost?—Yes.

669. You said that, when privilege leave is granted to subordinate Medical Officers, the District Medical Officer generally does it with the sanction of the Collector?—The formal sanctioning authority is the Collector.

670. Those questions do not come up to you at all?—If necessary they might, because it might be necessary for me to send a man in his place to act for him.

671. But the Collector's sanction is considered sufficient?—Yes.

672. The cases are placed before the Collector by the District Medical Officer, and there is an end of it?—Exactly.

673. In reply to a question from the Chairman, you told us something about the Sanitary Commissioner of the Government of India and the Director-General of the Indian Medical Service. Formerly I understood there was only one officer?—Exactly; it was an amalgamation; he was Surgeon-General and Sanitary Commissioner with the Government of India.

674. And now the second officer has been created?—The duties have been split up, and two officers perform them now.

675. I understood you to say that so far as your duties were concerned, the Sanitary Commissioner's suggestions have not been of any particular use?—I do not want to "crab" the work of the Sanitary Commissioner with India. It is a recent appointment. As I said, I think that is a question that the Sanitary Commissioner here in Madras would be better able to speak about, because it does not concern me directly.

676. What is the length of service of the Surgeon-General with the Madras Government, and the Sanitary Commissioner with the Madras Government?—As regards length of service, the Surgeon-General, as a rule, is a good deal senior; it depends on circumstances. May I illustrate it from my own case? My service is 34½ years; the Sanitary Commissioner's service is 24 years; but until two years ago, when Colonel King was promoted to be Inspector-General in Burma, we were nearly co-equal in service, though not in rank; he was only one year my junior. It varies. Colonel King held it for years, until his turn for promotion to the administrative grades came.

677. He is not in any way subordinate to you?—The Sanitary Commissioner is in no way subordinate to me. When the reconstitution occurred in 1880 that was made quite clear.

678. Is there anything to prevent a senior officer being appointed Sanitary Commissioner and the Surgeon-General being junior to him in service; is it possible that a senior officer may be selected as Sanitary Commissioner?—Of course it is possible.

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679. There is nothing to prevent it?—No, but it is very improbable.

680. The usual practice is the other way?—Quite so.

681. (*Mr. Hichens.*) Is it the case that all the dispensaries in the districts are under the Local Boards?—Yes; of course we have provincial ones. For instance, almost all those in Madras City are provincial, and all the expenditure is defrayed directly by Government.

682. But in the districts?—Up-country they are all financed from local funds.

683. Who makes the appointments to the hospitals and dispensaries?—The appointments of the medical staff are made by me.

684. Has the District Board any voice?—None whatever; not as regards medical subordinates.

685. They find the money?—They find the money.

686. But what responsibility would the District Board have in regard to a hospital or a dispensary; would they have any responsibility?—None. They provide the funds for running the hospital or dispensary; I provide the staff. They have no direct responsibility beyond that. Of course, they have to finance it, and so the budgeting has to go to them for approval. The Local Medical Officer budgets all the wants of his institution, and that is passed by the Local Board.

687. But they do not interfere in any way—that is to say, they have not got a Hospital Visiting Committee?—Occasionally; in a few cases they have. If they wish they may appoint a Hospital Committee, and they do exist in certain places in the Presidency; but they are not common.

688. Do you find that they give valuable advice?—No.

689. You do not encourage the formation of such bodies?—Not in the *mufassal*; in some of the larger towns it would be advisable, or might be.

690. Even in the district, would not a local Committee bring to your notice any little grievance that they might have; for example, one of your subordinates might be rather imperious let us say; would they not be just the people to bring a matter of that kind to your notice?—I have no hesitation in saying that I get a great many complaints, anonymous and otherwise.

691. I am talking of a responsible report of a responsible body as opposed to anonymous communications?—I understand, but my experience is that in the smaller and more remote places in the Presidency these local Committees rather tend to unnecessarily interfere with hospital work, and do not aid in the efficient working of the institutions.

692. Are the dispensaries under the *taluk* Boards or under the District Boards, or under both?—Under certain circumstances they may be under the *taluk* or under the District Board; they are under both in some cases.

693. Are you brought into contact with the local authorities in any other way than through the hospitals and dispensaries?—No.

694. For example, in regard to vaccination?—No, in this province that is under the Sanitary Commissioner.

695. That is the only point of contact between you and the local authority?—That is the only one.

696. Your medical inspectors do not go into the villages to inspect for any purpose?—In certain districts here we have Sanitary Assistants who do the sanitary work; that is directly under the Sanitary Commissioner.

697. (*Mr. Meyer.*) I think you told us that the only hospitals directly maintained by Government are in Madras City itself; is that so?—We have a few others scattered through the Presidency. Take for example the Leper Asylum at Palliport and a few others in the Presidency.

698. I am speaking of hospitals for general relief?—The great bulk are, of course, supplied by the local bodies.

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699. Is there any place outside Madras where there are Government hospitals?—Yes, in the Agency Tracts.

700. Where there are no Local Boards?—Just so.

701. And at Ootacamund?—That is local, but largely subsidised by Government.

702. In the headquarters of a district if there was a municipal hospital, it would be a purely *municipal institution*?—Yes.

703. With a subscription possibly from the District Board?—Yes.

704. Outside in the rural areas they belong to the District Boards and the *taluk* Boards?—Yes.

705. Therefore your Medical Officers are practically serving under these local bodies, except District Surgeons?—That is so.

706. And therefore I take it that the reason that the Collector gives privilege leave to these persons is that he gives it, not as Collector, but as Head of the District Board?—Quite so; he is the head of the civil authority.

707. As the President of the District Board, has he any disciplinary authority?—Yes. He can fine a subordinate, but in those cases if it is on a professional matter it must be referred to me to see if I agree. Should I disagree with the punishment, I inform the Government to that effect, and then the decision I give is final.

708. That is to say, he would only fine a man for being late at hospital, or something like that?—He would probably reprimand him for being late.

709. What would he fine him for?—For absence without leave we will say, or some case where there was negligence in the administration of the hospital, such as being unnecessarily dirty, etc., or unduly late on many occasions; he would probably fine him for that.

710. As I understand, he could not make the fine valid—he could not recover the money, until it had gone up to you?—No, I must agree to it.

711. Do you happen to know whether this power of fining which is given to the District Board Presidents is confined to the Madras Presidency, or does it exist in other provinces?—I cannot tell you about other provinces.

712. Suppose the District Board President fines a Hospital Assistant and you do not agree, what happens then?—Then it is referred to Government, and their decision is final.

713. Has the Chairman of a municipality the same power?—Yes.

714. Ordinarily, the biggest hospital in the district would be in a municipality?—Yes.

715. And if it is at headquarters, it would be in charge of the District Surgeon?—Yes.

716. But as the District Surgeon travels a good deal, there would also be an Assistant Surgeon?—Yes.

717. Could the Chairman fine that Assistant Surgeon?—No, he could not fine the Assistant Surgeon.

718. It is only Hospital Assistants that he can fine?—The lower subordinates.

719. And in the same way with the District Board Presidents; they cannot deal with Assistant Surgeons?—The President of a District Board can deal with Assistant Surgeons. I should like to explain this: there is in each district an Assistant Surgeon told off, who is the special assistant to the District Medical Officer; the President of the District Board would not be able to fine him.

720. He is a provincial officer?—Yes.

721. You have other Assistant Surgeons who are gradually replacing your apothecaries?—Yes.

722. I am speaking of an Assistant Surgeon in a hospital belonging to a District Board; could the President of the Board fine him?—He could.

723. Then as regards provision for medical relief; do the District Boards send extracts from their budgets to you?—They do.

724. Then if you think they are spending too little—if they are not making hospitals enough and so on, you send your remarks to the provincial Government?—Exactly.

725. What happens then?—It is always a question of asking for more money. My point is that in this financial matter I can only advise that if possible more money should be spent on providing increased nursing, for instance, to a hospital; that is considered by the Board; if they have funds, they of course are only too willing to carry out the recommendation.

726. In making your recommendation, do you consider the financial position of the Board or the municipality, or do you simply say what you think ought to be done if they had the money?—I consider the financial position, because it is a mere waste of time recommending to a bankrupt municipality that they should largely increase their expenditure on hospitals.

727. Do you often have to differ from the budget provision made by municipalities or Boards?—Not often, for this reason; no increase can be entered in the budget, unless it has obtained previous sanction; and when they apply for previous sanction, it is sent to me by the Government for my remarks.

728. But I am speaking not of a case where the Board has proposed to increase the expenditure on medical relief, but of a case in which it does not propose to increase it and you think it should be increased?—In that case I should, in forwarding it, comment on the fact that it was insufficient.

729. Speaking generally, do you consider that, as a rule, the District Boards and municipalities do their best and that you have not to interfere much?—They do their best as far as their finances will permit them.

730. In case of a difference of opinion between you and a District Board, would it go back to the President for his opinion, or would the Government pass orders direct, or what?—I think the usual procedure is that Government would refer it; it goes through me to Government, and Government would send it back for the Board's reconsideration.

731. Have there been many cases in late years in which a District Board or a municipality has been over-ridden and your recommendation adopted?—No, very few.

732. Then we will take the other case that was in your mind. The District Board proposes to start more dispensaries or otherwise to increase the expenditure on medical relief. Do those proposals come to you for criticism?—They do.

733. And do you have to state whether you think a dispensary is necessary in such and such a place?—Exactly.

734. Are you also concerned with the estimates for the building?—Yes; I am also concerned, in smaller sums directly, and in bigger ones as a member of the Sanitary Board.

735. You said a little while ago that the Sanitary Commissioner was absolutely independent of you. Is that altogether the case? For instance, are you not the Head of the Medical Service in the province?—Yes.

736. Take a question of medical discipline. Suppose—if I may be allowed to put a purely hypothetical case—suppose some officer in the Sanitary Department had been accused of absolutely unprofessional conduct; would not that come to you as Head of the Medical Service?—If he was a medical subordinate, yes, but the Sanitary Commissioner has a large sanitary staff under him.

737. Are there not Deputy Sanitary Commissioners?—Yes.

738. Suppose there was any case referring to the future professional prospects or otherwise of the Deputy Sanitary Commissioner, would you not have to advise as the Head of the Medical Department?—It would come through me when he is in the Indian Medical Service.

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739. Then is the Surgeon-General consulted, as to the selection of the Sanitary Commissioner?—Confidentially.

740. The Sanitary Board consists of yourself and the Chief Engineer to Government who is President, and the Secretary to the Local and Municipal Department?—Yes, three members.

741. The Sanitary Commissioner is not on the Board?—No, he is the sanitary adviser to the Board.

742. What is the general rule as to projects which have to come up to the Board; are they mostly from District Boards and municipalities?—Yes.

743. What sort of cases come up to the Board?—*Everything of a large nature.* The present drainage and water-supply at Madras, for instance, has been before the Board. All the large sanitary measures that are considered for the whole province come before the Sanitary Board.

744. Take the smaller cases; take the case of a dispensary. Would that come before the Board?—Yes, the expenditure of anything over Rs. 1,000.

745. The question of the expenditure of anything over Rs. 1,000 by a municipality or a District Board has to come before the Sanitary Board?—Yes.

746. Suppose they wanted to spend Rs. 1,500, would your Board have to approve the plans and so forth?—Yes.

747. In some cases do you refer back to them with advice, or does the case always go on to Government?—It must go through Government.

748. Would it not be possible for a District Board President or the Chairman of a municipality who was meditating some sanitary work to get a preliminary engineering estimate from the Sanitary Board, so that he could see what the design would cost, so that he would be able to consider it when he knew all about the scheme?—He could do that, but it would come through the official routine of Government; he does not address the Board direct.

749. But could he address the Sanitary Engineer or the Sanitary Commissioner?—Yes, he might ask for advice.

750. My point is how far do you act as advisers to the District Board; you say they do not come to you for advice except very indirectly?—Indirectly; I take it we are advisers all the time, but they do not communicate directly; it is not the usual official channel.

751. Then how does the case come before the Sanitary Board; it has been referred by the municipality to the Government, and the Government refers it to the Sanitary Board for their criticism; is that it?—Yes.

752. As a Sanitary Board, you simply consider what would be best from the sanitary point of view; you do not trouble about the finance of it?—We do in this way. There may be three different schemes. Take the case of Berhampur; there were three different schemes that we considered; we ultimately decided, partly for finance and partly for sanitary reasons, as to which was the most feasible scheme.

753. Would the bulk of your schemes belong to *municipalities*?—Municipalities and District Boards.

754. There is very little work which comes direct from Government, although Government may contribute?—Not much from Government.

755. Then you think it is advantageous that you should do over again the work that the Sanitary Commissioner and the Sanitary Engineer have done?—Well, we criticise and determine what should be done.

756. (*Chairman.*) You said "determine." In answer to a question of mine, you said you had no power of decision?—Well, we cannot determine eventually that any particular plan shall be carried out, because it invariably hinges on the financial question.

757. (*Mr. Meyer.*) It is a matter that I have had put to me when I was serving in this province and otherwise, that sometimes the Sanitary Board adopted, if I may say so, counsels of perfection; that it works upon model plans that are really beyond the means of a necessitous municipality. Should you say that there was any truth in that accusation?—It is an accusation that is easy to make. On the whole, I think, we try to exercise as much common sense as we possess, and, on the whole, I should say the accusation is not true.

758. If a municipality cannot afford to have first-class latrines, you would let them have second class?—I should always consider that half a loaf is better than no bread.

759. Then with reference to the Government of India. You say that the Director-General of the Indian Medical Service has never been in medical charge of a province. Is that quite accurate?—Did I say never? I was thinking of the recent appointment. I see no reason why the Inspector-General of Hospitals in Bengal, for instance, could not be promoted to be Director-General.

760. Here in Madras and Bombay you have got Surgeons-General; in the other provinces you have Inspectors-General, but their functions are precisely the same?—As far as I know, they are precisely the same.

761. Is there any reason why the Director-General of the Indian Medical Service should not have been a Surgeon-General of Madras or Bombay?—There is. It was a question of policy decided years ago. It is necessary, in order to equalise the number of the highest administrative appointments for the whole of the Indian Medical Service, to have two Surgeons-General that will fall to the lot of the Bengal men, one to Bombay and one to Madras.

762. But are you not speaking of the time before the Indian Medical Service was amalgamated? You are all one Service now?—True, but we are still told off to different provinces.

763. But in theory would there be anything to prevent a Surgeon-General in Bombay becoming Director-General?—Not eventually; not after the men who have joined the Service before 1896 are provided for; there will not be in the distant future.

764. But apart from Madras and Bombay, the Director-General of the Indian Medical Service has generally had experience as an Inspector-General of a province in Northern India?—I cannot remember exactly what their former experience has been; I was thinking of the present Director-General.

765. Was not Surgeon-General Franklin in the Punjab as Inspector-General of Hospitals?—Yes, I think he was. Those points do not come before one in any way. I personally only speak from my general knowledge of what has happened to men in the Service.

766. Now you say that in medical matters the Madras Government is practically supreme here; is that quite the case? Is it not the fact that general lines of medical policy are laid down by the Government of India? Take the question of the reorganisation of the Hospital Assistant Service even for India as a whole; would the general lines not be laid down by the Government of India?—Quite so, if the Service was treated imperially, but I was holding chiefly in my mind our Assistant Surgeons and our Apothecaries. They are not exactly the same as they are in other provinces; they have grown up in course of time, and have developed on local conditions.

767. But are they not being amalgamated now?—Yes. The tendency is to adopt a general policy as regards these Services all over India; that is the tendency undoubtedly, but what I meant in

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saying that the Local Government was supreme was that they dispose of them in every way; the men act under their orders, and they can enrol them and dismiss them without any further reference.

768. Take again a matter like the policy dealing with plague; that is surely a matter for the Supreme Government?—I presume you know that the local policy has differed here from that of almost any other province in India.

769. As plague does not respect provincial boundaries, in the last resort the Government of India must decide what the general plague measures must be? It may, no doubt, make allowance for the different circumstances in different provinces?—No doubt.

770. There are functions of that sort that might rest, or do rest at any rate, with the Central Government?—Yes. May I say that they have not directly interfered with the local policy.

771. But if they thought that the local policy was wrong and injudicious, I suppose they might have interfered?—I suppose so.

772. Suppose (if I may put a purely hypothetical case) that the plague policy in some province had been such as to provoke serious political discontent, would not the Government of India be justified in intervening?—I think so undoubtedly.

773. The Government of India having these powers in regard to general medical administration, ought they not to have an expert officer of their own of the highest possible rank to advise them, such as the present Director-General?—I certainly consider it advisable. Let me just say that I did not mean to outline the duties of the Director-General; I was merely thinking of him in connection with the local medical administration here.

774. He is the officer of the Government of India in matters that come to it on all medical subjects?—Quite so.

775. And he ought to be the best man available in the Service?—Yes.

776. There was a reference made to some correspondence about Netley, in which you said there had been a technical infraction of orders. When did that take place?—That was in 1900.

777. That was a long time ago; has there been anything of the sort since?—There is a subsequent one of 1903.

778. That relates to the selection of senior officers of the Indian Medical Service in civil employ for training in Indian medical administration. There is a difference there, I think. In 1900, as far as I can recollect, the Government of India admitted that their officer was wrong, and they apologised. In 1903, I think they said their officer was right?—I think that is so.

779. Therefore although the Government of Madras thought that the action of the Director-General in corresponding with you was wrong, the Government of India did not think so?—That is so as regards this last instance.

780. And it saved time?—Perhaps it did.

781. Suppose the thing had been done as the Madras Government wished, it would have gone from the Government of India to the Madras Government, then to you, then back to the Government of Madras, then to the Government of India, and then to the Director-General of Indian Medical Service; am I correct in that?—But have you not omitted the military—is there not a further stage?

782. True; it would have gone to the Head of the Army Medical Department and to the Military Supply Department of the Government of India, and so on?—Quite so.

783. That was saved by a direct demi-official correspondence between yourself and the Director-General of the Indian Medical Service?—Quite so.

784. As to the Sanitary Commissioner: as you have brought out, he is only a new appointment as a separate officer; he used to be Director-General of the Indian Medical Service?—Yes, it was a combined appointment.

785. Suppose the provincial Government embarked on a large sanitary scheme, would that not have to go to the Government of India for approval, under financial rules?—I am not thoroughly well up in the financial rules. Surely that would depend upon whether they wanted to borrow money or not.

786. I was thinking of a financial rule which says that public works costing more than 12½ lakhs must go up for the approval of the Secretary of State?—That is so.

787. Then it may be a question of the Madras Municipality, say, being desirous to borrow money for sanitary works, and for that borrowing, I think, the sanction of the Government of India is necessary?—I think so.

788. Do you think it is advantageous for the Government of India to have an officer of their own whom they can send down here to give an outside opinion as to how matters stand?—I think in all large sanitary matters it might be advisable that they should have their own special man.

789. Who would look at it from the point of view of experience in other provinces, and so on?—Exactly.

790. Therefore you think it is a decided gain?—I think so.

791. (*Sir Steyning Edgerley.*) How do you recruit your service?—When vacancies occur, we apply through the Government of India to the Home Department, who refer the matter to the Director-General, and he consults with the Principal Medical Officer in India, and on their conjoint nomination a man is placed at the disposal of the Provincial Government.

792. The whole reserve, I understand, remains with India?—That is so.

793. Theoretically, you have got no voice in choosing A, B, or C; you have to take whomsoever they send you?—Theoretically; they objected to our asking for men years ago; they preferred our not asking.

794. So that if you happen to have a special appointment and you know that A B is a very good man for it, you cannot ask for A B to be appointed?—Theoretically, no.

795. (*Chairman.*) And practically?—I have done so.

796. Did you get what you wanted?—We should get it, if possible. My point was that they did not ask that we should not ask for men by name; they said that it might be inconvenient; but certainly I have not always strictly adhered to that.

797. (*Sir Steyning Edgerley.*) About what stage of service do they come in?—The average is about five years; they must spend two years in military service.

798. What becomes of the three years when they are not necessarily military?—They are continuously doing military service.

799. Are there many young men under five years' service in the Madras Presidency?—Do you mean in civil employ?

800. No, in military; do you happen to know what is done with them up to five years' service?—They are kept with regiments.

801. In sole charge, or attached?—It varies. They are nearly always in sole charge, acting.

802. When they first come out, is that so too?—When they first come out, the first thing they do is to attach them to a station hospital, and then as vacancies occur in regiments they are drafted to act.

803. How many would there be in a station hospital?—The station hospital is, of course, a purely military thing and for British troops.

804. But how many of these young officers might there be?—When the first batch comes out, there may be four or five or six temporarily attached to that station hospital. I think in the last list I got there was at Bangalore a batch of half-a-dozen.

805. Do you not think you might be lent some of these young men for a short time; would it be

advantageous to them to serve in a civil hospital for a time?—That is a policy that has often been discussed; I personally think it would be advantageous.

806. For the civil administration, you get no help at all from the young reserve men?—No.

807. Then they come into the Civil Department, and they are confirmed there?—Yes.

808. After that, subject to a liability to military service, they never go back until they reach administrative rank?—They never go back, unless of course an unfavourable report is submitted and they are withdrawn; they can be reverted, but the process is rather an elaborate one.

809. It has to be a very bad case?—Exactly.

810. The first stage in promotion to the Administrative Medical Officer's stage is that these officers are put on what is called a selected list?—That is so. That is done while they are still in civil employ.

811. Who does that?—The Director-General.

812. What does he know about the men?—He gets annual confidential reports.

813. He does not know the men personally?—He may not know the men personally; the chances are he does not, but he has confidential reports from both sides.

814. It is all paper so far as he is concerned?—Quite.

815. When you come to special appointments, for instance college appointments, professional teaching appointments, have you difficulty in getting the Professors you want for your colleges?—That of course rests with the Director of Public Instruction, and the Surgeon-General; they are supposed to consult as to the men whom it is advisable to nominate. Here the college appointments are directly under the Director as regards the professorial chairs.

816. The Director must come to you as regards medical knowledge?—Quite so.

817. And under this system of recruitment do you find a difficulty in getting first-class men for the college?—Do you mean the original recruitment for the Indian Medical Service?

818. Let us say a Professor of Surgery goes away; do you find any difficulty in filling his place with a really first-class man?—I should make a selection from the men I know here serving in the province.

819. Suppose you know a man outside your Presidency, and you do not think you have a quite good enough man in civil employ inside the Presidency?—In that case, of course, the present system would stand very much in the way.

820. Are the Chemical Examiners under you?—No.

821. The Examiners for the Pasteur Institute, I mean?—The Chemical Examiner is not directly under me; he sends his reports to me.

822. Is he under the Sanitary Commissioner?—No, he is directly under the Government of Madras.

823. The Pasteur Institute at Coonoor you mean?—That is under me. That is of course a special thing; it is demi-private, and I am the President of it; I am President of the Central Committee.

824. It is a private institution?—Largely subsidised by Government.

825. Is a Government officer in charge?—Yes.

826. Then the King Institute?—That is under the Sanitary Commissioner.

827. As between the provincial Government and the Central Government, do you think that the work of research and enquiry in these big institutions is better managed by the provincial Government or by the Central Government?—Shall we take the King Institute as a case in point?

828. Yes, we have a similar institute in Bombay. I was thinking of the bacteriological laboratories; is it better that they should look to you for everything, or that they should look to a man who could co-ordinate better with regard to the other institutions?—I think on the whole it is better worked locally.

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829. You think it is better that they should be under provincial management?—I think so.

830. In the interests of research?—Yes; because they will be able to get their wants more readily attended to, we will say, by not having to go through the longer process of appealing to India.

831. Do you think they would get money more easily?—That of course depends—judging from my experience here—upon the financial condition of Government.

832. I suppose you talk over these things with the Director-General when he comes round?—Yes.

833. Do you find that you get it more easily in Madras than in other provinces?—No, I doubt if we do.

834. Then I put it to you that it would be in the interests of research that they should be under the Imperial Government?—I was not thinking of the financial side of the question; if that is the only point, I think it would be better to have one central policy.

835. Now looking at the fact that your officers come to you for a permanency, and practically remain with you permanently, what benefit have you got out of the unification of the service in 1896?—I am not sure whether I can say that we have obtained any direct benefit.

836. I should say that it has simply tied things up in a knot and lessened your freedom; do you think that is so?—To alter it would mean a change in the whole policy of the Service.

837. That is not an argument, if you will excuse my saying so?—I know; it is not an easy question to answer directly.

838. You have been 34 years in the Presidency, and this change has occurred in the last ten years. Do you consider it is a change for the better or for the worse in the management of the department in the Presidency?—I do not think it has had any great influence as regards the civil administration beyond doing away with the reserve that in the old days existed.

839. That is a disadvantage?—That is a disadvantage; it is more cumbersome now to get men.

840. I suppose when the reserve was available for use, the liability to military service was exactly the same on occasion arising?—Exactly the same.

841. As to the change to an imperial reserve, do you happen to know whether there was any practical administrative reason for it, or was it simply a consequence of the unification of the department?—I think it was merely the latter.

842. You do not think that they have secured any great advantage from it?—I do not think so.

843. Your Civil Medical Officer in the district is the Head, in the district limits, both of the medical administration under you and of the sanitary work too?—Yes.

844. He serves two masters?—You may put it in that way.

845. Do you find that that ever causes any difficulty?—Yes.

846. You do not think it is a good system?—It has caused difficulty. It caused difficulty with the former Sanitary Commissioner, because he thought the men were not doing enough sanitary work and were doing too much medical work.

847. Do you think it would improve matters if the Sanitary Commissioner, being as a rule a considerably junior officer, were in a measure subordinate to the other?—It would not affect that other question; it would not relieve the District Medical and Sanitary Officer in any way.

848. I was thinking at the moment whether, supposing you were a Surgeon-General with a Deputy Surgeon-General for sanitary duties that would probably work more smoothly than amalgamating the work in the districts and then placing it under two distinct heads?—Personally, I think that if

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one or two or three Deputy Surgeons-General worked under the Surgeon-General, it would conduce to improving matters considerably.

849. Now the Civil Surgeon has to tour a great deal to see to all these subordinate things; in the meanwhile what happens at the hospital?—That is the reason that the Assistant to the District Medical and Sanitary Officer has been created in this province, and he is left in charge; he is a medical graduate, and the selection of these men is carefully gone into and they are very good men.

850. You do not consider them the equal of a Civil Surgeon?—No.

851. So that for a time the hospital is deprived of the services of the Civil Surgeon or of an officer equal to the Civil Surgeon?—That is so. That point actually came out upon one occasion, when the Sanitary Commissioner found that the men were not going out into the district sufficiently for sanitary work.

852. How long do they tour in the year as rule?—Our districts vary a great deal.

853. Would they be away two months in the year?—Quite.

854. Three months?—Hardly that; I should say between two and three months.

855. So that for nearly a quarter of a year your big hospital at headquarters is deprived of the services of the Civil Surgeon?—Yes, of course they are not necessarily all away at one time; that would make a great difference.

856. Then, is the Civil Medical Officer overloaded with routine work?—He has a great deal of routine work.

857. What sort of establishment has he?—He generally has two or three clerks—two or three writers—serving under him.

858. Getting 30 or 40 or 50 rupees?—Not so much; they run up to Rs. 40.

859. He has no head-writer?—No.

860. He has got to do the work personally, or almost personally?—Yes, he is supposed to do it and has to do it.

861. So that with the hospital and the sanitary work he has got a good load?—Quite a good load.

862. Does the Assistant Surgeon act as a sort of superintendent in the office, or help in the office?—I think not, as a rule; when he is at headquarters the Civil Surgeon does the office work himself.

863. The Assistant takes it up whenever the Civil Surgeon goes on tour?—Yes.

864. Then he will know nothing about the work?—He very quickly picks up the routine work.

865. (*Chairman.*) There was a question raised with regard to the Government of India considering the question of raising the pay of Hospital Assistants?—I believe so.

866. Who finds the money to pay these Assistants?—When they are lent to local bodies, the local bodies find the funds. Otherwise, provincial funds.

867. So that the Government of India are now considering the question of raising the pay of persons paid, not from their revenues, but from local or provincial revenues?—Yes.

868. What is the reason of that?—Eventually they come on the pension list; that is not paid by the local bodies but by the provincial Government. Of course, I do not like to state that that is the view held; I merely point it out.

869. At all events it is one of the financial reasons?—Quite so.

870. Who finds the money for the provincial Medical Service?—Is that raised from provincial rates or from provincial funds generally?—From general provincial funds.

871. Or is there a special sum assigned by the Government of India for medical services in the provinces?—So far as I know, no special sum is assigned by India.

872. It only comes within the general financial settlement?—That is all.

873. With regard to appeals from the decision of the Collector, you said that appeals might be made in the case of fines and so forth; how far can those appeals be carried?—To Government.

874. From the Collector to whom?—To me. That is to say, an appeal would lie from the decision of the Collector to the Surgeon-General.

875. Direct to him, or through some intermediate channel first of all?—The subordinate concerned would send it through his immediate superior.

876. The Hospital Assistant, for instance, is fined by the Collector; to whom does the appeal go?—He appeals to me through the Medical Officer.

877. Not to the Medical Officer, but through him?—Yes.

878. He says: "I have been fined by the Collector, and I desire to lay my case before the Surgeon-General"?—Yes, and he sends it up to the Surgeon-General.

879. Does the Surgeon-General decide?—No.

880. Who does?—Government.

881. Who is Government?—In that case probably the Secretary in the Local and Municipal Department.

882. What does he know about such establishments?—He would have the papers before him.

883. Would not the Surgeon-General have the whole case before him?—Of course.

884. But he is not allowed the decision?—No.

885. He has to apply to the Secretary in the Local and Municipal Department?—Yes, to get the orders of Government.

886. And the Secretary of the Local and Municipal Department knows nothing about the case, save as it is presented to him on paper?—Exactly.

887. Does the Secretary of the Local and Municipal Department actually decide, or does it go to the Council, or is there an appeal, if the Secretary of the Local and Municipal Department decides the matter, to the Council?—It goes first of all to the Secretary; then in any matter of importance it is the Member of the Council who has that portfolio who is communicated with.

888. There is no power of decision on the part of the Surgeon-General or on the part of the Secretary of the Local and Municipal Department, but the appeal has to be carried to the Member in Council?—Yes.

889. Does he decide that as a question of departmental procedure, or does he actually take it to Council?—I cannot tell you.

890. Do you think that this lengthy process of appeal is desirable?—Of course it is necessary to remember that these are the cases in which there is a difference of opinion.

891. Between the person who is convicted and the person who makes the decision?—And also between the Surgeon-General and the Collector.

892. You did not tell me that?—I think so. I was wanting to bring that point out quite clearly—that in case of a difference of opinion between the Collector and the Surgeon-General, the ultimate decision rests with the Government. Should the Surgeon-General agree with the Collector, there is an end of the matter; he simply sends it back.

893. Then there is no further appeal if you agree?—Not if we agree.

894. If you do not agree you go through the process you have described?—We go through the process I have described of getting the decision of Government on the matter.

895. What is the pay of the Surgeon-General?—Rs. 2,500.

896. What is the utmost fine that can be inflicted by the Collector upon a Hospital Assistant?—The limit is Rs. 5 for Hospital Assistants; Rs. 10 for Assistant Surgeons; then of course a bigger fine still is suspension.

897. I am talking about fines, not suspension.—Suspension practically is a very severe fine.

898. Do you not think that an officer who is working for the Government at a salary of Rs. 2,500 a month is capable of deciding whether a man ought or ought not to be fined the sum of Rs. 10?—Yes.

899. You think that an official filling the post that you now hold ought to be sufficiently responsible to settle a case of that kind?—I certainly think so.

900. Do you get many of these cases?—No, not many.

901. Would you tell me how many departments of Government the medical budget submitted by a municipality or a District Board would have to go through? It comes up to you first of all?—Yes. It passes through me to the Secretary in the Local and Municipal Department.

902. What does he do with it?—I am afraid I cannot tell you the exact procedure in the Secretariat.

903. Does it pass to another department?—I am not clear as to that.

904. Has the Director-General of the Indian Medical Service ever intervened in the conduct of medical affairs in Madras? He has on small points, such as sending a particular officer to Netley or something like that, but on the large questions of medical administration has he ever effectually and beneficially intervened?—He has not directly intervened in any of the administrative work done in the Presidency; but, for instance, a very instructive report, as long ago as 1896, was sent round by Surgeon-General Cleghorn, who was then Director-General, on the total medical work performed throughout India. That is a case in point. He was the only one who would be able to issue such a general report, and it was very instructive.

905. That was eleven years ago?—Yes. It occurred to me just now, because it was a particularly instructive report and I saw it just recently.

906. Could that kind of report and the suggestions that went with it have been equally satisfactorily done by an officer specially deputed from time to time by the Government of India—a Government officer of high rank?—A specially selected officer you mean?

907. Yes.—Yes, I presume it could, but, underlying that, one is always supposed to keep in view the fact that the Director-General is a specially selected officer, and his views are probably those of a large and wide scope.

908. I would ask you to put yourself in the position of conceiving, not that there is a practice in existence which must be continued, but a new practice which would have to be instituted, viz., whether it would be better to have an officer perpetually in existence like the Director-General, or, in order to give the advice which provincial Governments might require, whether it might be as well, and more economical, to have from time to time a special officer selected and deputed for the purpose of making suggestions to the provincial Governments.—Do I understand you to mean as a temporary measure?

909. I am referring to an officer temporarily selected and replacing a permanent officer.—It would be a feasible plan; I am not altogether prepared to say that it would be a better plan.

910. You prefer the permanent Director-General?—I think so.

911. You said in the case of large sanitary works requiring reference to the Government of India entailing the expenditure of over 12½ lakhs, it was advisable for the Government to have a Sanitary Commissioner who could comment on or criticise the proposal. Does the Sanitary Commissioner ever come and look at such a work?—His appointment has only been recently started.

912. Two years ago?—Yes. I do not think he has visited Madras during that time.

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913. During that time perhaps the Government of Madras has never made application in respect of such works, and the Sanitary Commissioner has never been called upon to criticise any proposals?—No, I do not think it has.

914. You said that there was a difficulty in reverting officers from civil to military service if they were unsatisfactory; has that been found to be of considerable detriment to the Civil Surgeons?—I could not say of considerable detriment.

915. Has it been detrimental?—No, I am happy to say that such cases do not often occur.

916. Suppose you had an absolutely free hand in discharging these officers, would you have exercised that power of discharge more frequently than you exercise the present power of applying to revert officers?—I should.

917. Therefore, you are now keeping in your service officers who, if you had a free hand, you would have got rid of?—Exactly.

918. I do not want the names, of course, but are there several such?—Yes, there are several.

919. To that extent, therefore, the centralization of administration is not a satisfactory feature?—It is hardly a question of centralization; it is a question between the Military Department and the Civil Department. The Military Department has hedged the process of reverting men to military service with very considerable difficulties.

920. In fact, they have landed you with all their bad hats?—Well, they do not want to get them back very naturally.

921. Since the centralization of 1896 has your correspondence with the Government of India increased very much, or has it kept stationary?—I think it is fairly stationary; there would be some little increase, but not enough to trouble my office greatly.

922. (*Sir Steyning Edgerley.*) You said it was an advantage to the Government of India to send down an officer who could examine a matter and make a separate report to them, and that the Director-General was useful from that point of view. That means that after an officer such as yourself has advised the provincial Government, and the provincial Government has considered the question with all their local knowledge, you think that it is not an inconvenience that an outside officer who has very little local experience should come down and report separately on the top of that?—Did your question arise out of these large sanitary problems?

923. Take any big question that has gone up to the Government of India through the provincial Government. Do you think it is an advantage that the channel of report and advice to the Government of India should be duplicated by an officer who simply comes down and visits the place?—My answer I think was founded upon whether eventually there was to be one general policy adopted throughout India.

924. You mean that, having got the officer, they could send him down to any place to see to anything?—Yes. I cannot conceive that it is a great advantage if it is purely a local question, but so many of these things tend to become important questions for India generally.

925. They do under the present administration, because it is centralized?—Certainly.

926. But there is no inherent necessity that they should go outside the province?—No, I think there is no inherent necessity.

927. Do you not think that it is likely to produce considerable difficulty between the provincial Government and the Government of India, if the Director-General comes down and differs strongly on a scheme from the provincial Government?—Yes, it is likely to cause difficulty.

928. Then you said again (this is a different illustration of the same thing) that the Director-General

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sometimes circulates a note, and that you possibly act on it; and if you disagree with it, you then call in the provincial Government to represent matters; so that really if you yourself agree with it and do not call in the provincial Government, the provincial Government may be left entirely outside.—True, but the provincial Government would of course be cognisant of it, because it would not probably come direct, but it would come through them in the ordinary official routine.

929. Do you think there is any tendency among officers recently to look to the Director-General in matters of personal promotion and so forth, rather than to their own Government?—Am I to understand you to mean promotion to the administrative grades?

930. Possibly. Do you think it weakens their sense of being tied to the provincial Government and being under their control?—All appointments, as apart from promotion to different ranks, are in the gift of the provincial Government.

931. Under the selected list?—No; that is on the road to the administrative appointments; from those selected men the administrative officers are taken.

932. Quite so, but do you not think that the very fact that they have to depend upon the Director-General for entrance into the selected list has some effect in making them look to the Director-General rather than to the provincial Government?—Naturally it would have some effect.

933. (*Chairman.*) I still do not understand what the selected list is?—Officers are selected from the rank of Lieutenant-Colonel for higher pay, and from them the promotions to the administrative grade are made.

934. And appointments to the selected list are made by the Director-General?—By the Director-General in consultation with the Military Surgeon-General who is called officially the Principal Medical Officer in India.

935. And are you, under whom these officers are serving, not consulted (in the case of the Madras officers) as to whether they should or should not be placed on the selected list?—Probably it is on my reports that the selection is made.

936. But only probably?—In this way: they are selected from the record of their service; the record of their service is made up chiefly from the annual confidential reports made about them. I make these annual confidential reports, together with the opinion of the provincial Government which is also expressed, and they are filed in the Director-General's office.

937. Once on the list can they be moved from province to province?—When they are promoted from the selected list to the administrative grade—the rank of Colonel—they can go to any part of India.

938. With regard to the Superintendents of lunatic asylums, who appoint these now?—The provincial Government, on the recommendation of the Surgeon-General.

939. Is it proposed that these appointments should be in future made by the Government of India?—I have not heard so. I take it that if there were to be one general list, the appointments would be made by the Government of India. I can illustrate it by the case of the Chemical Examiners. In recent years they keep a separate list of men suitable for the appointment of Chemical Examiner; that has to be centralized of course.

940. But in the case of these Superintendents of lunatic asylums, ought they to be centralized?—It depends upon the question of specialisation. If you have specialisation, it is better to have it centralized, as you are likely then to get men to go in for special study. The off-chance of a man becoming a Superintendent down here in the future is probably comparatively small. Therefore, unless his study is likely to lead to such an appointment, he is not likely to take up the study of mental diseases especially.

941. I suppose, taking India all over, the competition to obtain such appointments would be equally great in all provinces?—I suppose it would; they are not favourite appointments.

942. Therefore, the throwing open to a man of the possibility of such an appointment in some other province would really open to him no greater career than is now already open to him in his own province?—No; but if he had specialised in mental diseases, he would be more likely to put that to practical use by being appointed to an asylum somewhere else.

943. Would there not be an equal number of people in other provinces also specialists in mental diseases?—There might be.

944. Therefore the openings would be no greater if the department were centralized?—We find I think in the special appointments that they do tend to be greater. For instance, take the Chemical Examiners; although other men may be appointed, still there is a greater chance of a man being appointed Chemical Examiner if there is a separate special list made and the man is upon that list.

(*The witness withdrew.*)

The Hon. Mr. H. BRADLEY was recalled and further examined.

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945. (*Sir Steyning Edgerley.*) You said in answer to the Chairman that Government can refer questions for consideration to the full Board of Revenue, and that any member can consult any other member about a matter in his subject. Have you got any rules in the Board which render consultation regarding certain subjects obligatory?—Yes, there are certain subjects that are obligatory—the Court of Wards, the taking over of estates, and things of that kind.

946. Can the Land Revenue member run the whole of that subject?—Certainly.

947. If he chooses to consider himself strong enough, he need not consult anybody?—He need not, except on the particular things that are sent for the consideration of the whole Board.

948. I take it that they tour more or less about three or four months in the year?—Personally, I used to tour about three months in the year, sometimes more; I have been away for seven weeks at a time.

949. Do you divide the Presidency up, or do you go where the work happens to call?—At the time the work happens to come, but there is a rule that every district in the Presidency shall be visited by at least one member of the Board during the year.

950. How long would you stay when you visit a district?—It entirely depends on what the work may be. The Settlement Member stays a very long time in a district where a settlement is going on.

951. Is there one annual obligatory visit?—There is nothing laid down, but as a matter of fact nearly every district is visited three or four times by different members. Personally I have been to as many as fifteen districts in a year, and I know that the late Settlement Member went in one year to nearly every district in the Presidency.

952. The result is that you think the whole of the Presidency is thoroughly inspected in the course of the year by the Board?—Yes.

953. Then as to financial separation between the Government of India and the provincial Government. Your idea is that you would not try to separate the shared heads of revenue any further; but assuming that the Madras Government shared them up to 550 lakhs, or whatever it may be, you would simply give them a complete disposal and control of that 550 lakhs?—Subject to the budget.

954. You would not try to get a complete separation of the revenues?—I do not think so.

955. In your Presidency I understand you have got no Revenue Code at all? There is a manual,

but there is no Act of the Legislature?—There is no single Act; there is a Madras Code.

956. Passed by the Legislature?—Partly by the Government of India. The whole Code contains all the Revenue Acts in force in the Presidency.

957. You have got no Land Revenue Code?—No, we have Board's Standing Orders, but no single Land Revenue Code.

958. Your revenue is managed under a Code of rules which can be altered at the pleasure of the Government?—To some extent. I do not go so far as to say that they can be altered at the pleasure of the Government.

959. In either forests or land revenue administration is there any control exercised by the Government of India at all?—I think we are practically free in that way, except as regards the control of the different Directors under the Government of India.

960. Are there any Directors?—I think in Forests there is a Director.

961. But for land revenue?—Not for land revenue; I am speaking generally of Collectors' work.

962. I am speaking of land revenue alone?—We are practically free.

963. Still the Government of India, *vis-a-vis* the Secretary of State, would hold themselves responsible for what goes on in the province?—I suppose so; I really cannot tell what the Secretary of State would do.

964. But they are responsible for the whole of the administration?—I believe so.

965. And I suppose in many cases the Madras Government is responsible to the Government of India for many things about which they know nothing whatever?—They are responsible for everything that happens.

966. The work is divided up, and a great deal of what they are responsible for they never see?—Certainly in a way. I mean they cannot tell what is going on at the bottom of the ladder. They never see a village account.

967. Take an enquiry into a crime in a district by the Superintendent of Police; they know nothing about it?—Not unless it is a special crime.

968. Would you say then that in protecting your own interests in the matter of collecting the revenue under a shared head you had adequate motive, and the Government of India had a sufficient guarantee that you would protect their interests too?—Yes, under shared heads.

969. The point I was trying to come to was that really there was no more reason that they should know about that matter than there was why they should know about your revenue administration, in which they have a technical responsibility for administrative control?—Exactly.

970. If the work was so divided, they could get on very well?—Quite so.

971. Would you say that that was equally true of expenditure? Will it be necessary for the Government of India to make all expenditure provincial, and slightly to alter the proportion of receipts?—I do not think it would be possible to make all the expenditure provincial.

972. Why not?—Take the Customs.

973. That is an imperial department. I am talking of the shared heads?—I think it would be possible certainly.

974. For instance, you share forest expenditure and revenue half and half?—I think forest revenue is a fourth now.

975. Whatever it is, it is a certain proportion. Suppose it is half and half, and suppose that the Government of India's share of the expenditure represents one-eighth of the gross receipts; is there any necessity, on the ground of economy and guarantee of the Government of India getting their revenue, to divide it into eighths and call three-eighths imperial and five-eighths provincial?—I think not; I think they ought to be content with the guarantee which a responsible Government gives.

976. They would be, I suppose, nominally safer if they did that?—I do not think so. I think the men could be relied upon to do their work and do their duty.

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977. You were inclined to think that the Government of India should do the whole of the borrowing?—I think so.

978. Does that apply to what we may call small rupee loans for particular works?—Do you mean local works?

979. Suppose you want to spend money on some locally needed work that you cannot meet out of your balances, say 30 or 40 lakhs: would not the local loan tap capital that would never go to a Government of India loan?—I cannot say.

980. Then as to pensions: you thought that the provincial Government might devolve powers to sanction pensions up to Rs. 100 (that is the Madras Government's recommendation), providing that the claim to pension was clear and in conformity with rule; but suppose it is clear and in conformity with rule what is the object of the hundred rupee test?—The hundred rupee pensions generally are pensions of men whose pay is not immediately under Government; it might be much larger without doing any harm, but at the same time, as a rule, the hundred rupee test will cover most of the appointments that are under District Officers, under the Board of Revenue, and so on.

981. The tahsildars?—Many tahsildars are paid Rs. 175 and Rs. 150.

982. Does the Board of Revenue appoint the tahsildars?—Not exactly; they are appointed by the Board, through the Collector; they are recommended by the Collector.

983. But, assuming that you pre-suppose conformity to rules, no question as to the amount of pension arises?—It does not matter how you take it; the higher you go, the number of cases decreases; and if you put it up to Rs. 300, it would not very much decrease the amount of correspondence which would be saved.

984. It would *pro tanto* decrease work?—It would increase the number, but the number of pensions between Rs. 100 and Rs. 200 is very much smaller than between Rs. 20 and Rs. 100.

985. We went into a number of questions about these lists under the headings "Delegation of Powers to Local Governments" and "Delegation of Powers to Heads of Departments." Do you think it would be a safe principle to say that if a power was delegated by the Central Government to the provincial Government, or by the provincial Government to the Board of Revenue or some other authority, the authority which receives the delegation might be trusted and left free to exercise the power in the way that seemed best to it?—To a certain extent; I would not go down very low.

986. You would go to the Head of the district?—In many cases—to a certain extent.

987. If he is fit to have the power, I suggest that the easiest principle is that he should be allowed to say how he will use it; do you agree with that?—Yes, you must draw the line somewhere.

988. If you give a man power, he is either fit for it or he is not fit for it?—Yes, you should not give it to him, unless he is fit for it.

989. And if he is fit, it is no use prescribing all sorts of limitations as to how he should use the power?—I quite agree.

990. Some of these delegations that are mentioned are delegations under Acts, for any alteration of which legislation would be necessary?—Yes.

991. Have you ever looked at Bombay Act V. of 1868?—Yes.

992. Do you think that that would be the best way of tackling a subject of that sort, or should it be by a specific amendment?—I would not try a specific amendment; I think there would be too many. I think an Act of that kind would be likely to be very useful.

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993. Specific amendments would mean constant legislation concurrently with evolution?—Yes.

994. Do you see any objection to a general Act?—No.

995. Have you got any illustration in the Madras Presidency about general powers of that sort?—I do not think there is any Act exactly analogous to it.

996. For instance, we have got another provision of law in the Bombay Presidency, Section 11 of our Land Revenue Code, by which a Collector, subject to appeal and revision, can devolve the whole of his powers under the Code to an Assistant Collector and practically make him a Collector for his sub-division. Have you anything of that sort?—Yes, we have an Act of much the same sort; it gives a Sub-Collector in his own division all the powers of a Collector subject to certain slight conditions.

997. Can you give me the number of that Act?—Regulation VII. of 1828.

998. Would it be difficult to give us figures for three years, say 1887, 1897 and 1907, which would illustrate the growth of the Secretariat?—I do not know about the earlier years; we could give you figures to illustrate it.

999. Now you said that there were certain rules limiting appeals in Madras?—There are the Government of India Memorial Rules, and similar rules referring to memorials to the Government of Madras.

1000. Do they limit you administratively?—They enable you not to send on a memorial from certain persons who have already had their cases disposed of on appeal by certain intermediate authorities. Of course the appeal still lies to the Government of India, if they choose to call for the memorial.

1001. Would it be possible, or advantageous, to require in the case of any appeal a certificate that there were fair grounds of appeal?—That would be possible of course; it might be advantageous in some cases, but I do not think it would be advantageous altogether.

1002. Take the case of an appeal above a Collector?—I think it might be sound to introduce something of the sort, but I do not think I should allow a tahsildar, for instance, to certify that there should not be an appeal against his decision.

1003. The granting of that certificate you would limit practically to a Collector?—Yes, perhaps a Sub-Collector might be allowed to do it.

1004. Then as to these Inspectors-General: which of the departments do you deal with?—The Financial, Public, Political, Ecclesiastical, Marine—those are the principal ones.

1005. What Inspectors-General do you come in contact with?—The Sanitary Commissioner with the Government of India, the Surgeon-General with the Government of India, the Director of Archæology, the Controller of Printing and Stationery—there may be one or two more.

1006. As to the control of printing, there is a document which has been sent to us; is there any objection to that going upon the record of the Commission?—I think not.

1007. May we understand that the Madras Government consider that the suggestions which the Superintendent of the press makes regarding the Controller are more or less well founded?—Yes.

1008. And may we take it that it is more or less approved by the Government?—Yes, that is what it is intended to be.

1009. And may we do the same as to the note about the Director of Archæology?—Yes. So far we have had very little from the Director of Archæology. Recently, he wrote to the Assistant (who is Epigraphist here) asking him to ask the Government of Madras to take on a full-time photographer for his work. The matter is not disposed of yet, but I do not think the Government of Madras is entirely convinced of the necessity of a full-time photographer. It does not come as a suggestion to the Government of Madras that they should employ such a man, but it is an instruction to the Epigraphist who is under the Government of Madras that he should address the Government of Madras and suggest an appointment which will be paid for as provincial. I am merely putting this forward as an example; we have not yet ascertained whether it is necessary that this appointment should be made, but it is an example of what occurs.

1010. Does the circle of your Superintendent of Archæology here go beyond the Presidency?—I believe not; I know we had to give him special directions to go up the other day to Mysore to meet the Director, as that is out of his range.

1011. Looking at the class of work done by the Superintendent, do you think it is work that should be under the direction of the provincial Government or the Central Government?—I think it might be very desirable that the provincial Government should have something to do with it, because it affects temples and things of that sort; and if a man who was not conversant with what was going on in the district were to give instructions for something to be done to a temple, it might raise dissatisfaction amongst the people who worship at the temple.

1012. Then may I take it you think printing presses ought to be provincial?—I certainly think the local press ought to be provincial.

1013. You would not go to it as you would go into a shop and say: "I want this done for me," and leave the business with the Controller?—I think it would cause an immense amount of trouble and correspondence.

1014. Now the Government of India say that they want this help occasionally on questions that come before them. What do you consider are the proper functions of an Inspector-General in the Government of India who has to deal with work that is primarily administered by provincial Governments?—As far as provincial Governments are concerned, merely to advise.

1015. To advise whom?—The provincial Government.

1016. Directly?—Through the Government of India; I do not consider that he ought to advise the local Heads of Departments.

1017. Take it that he comes down here on tour and goes about the province and sees things of which he knows the technical side probably quite well, although he may not know all the local factors; do you think it better that he should take that information away and give it to the Government of India, or might he not give it direct to the provincial Government?—I think he might give it to the provincial Government.

1018. Does he do so at present?—I have not had anything personally to do with any of these Inspectors-General.

1019. When they leave the Presidency you do not receive any notes from them saying "I shall have to bring all this before the Government of India"?—So far, I have not seen any.

1020. They go away, and the first you hear of it probably is some request from the Government of India for an improvement?—Some request from the Government of India. We do not even hear what it is founded upon very often; it may be founded upon this visit, or it may be founded upon something else.

1021. And it might be a matter that you would have been only too glad to know about?—Certainly.

1022. I suppose you would say with regard to the Inspector-General or expert officer or whatever you may like to call him—the Sanitary Commissioner and so forth—that research and enquiry is a fair subject for him to deal with. Take the Director-General of Agriculture; I suppose experiment and research would be a perfectly legitimate activity there?—Yes, I should not allow him to interfere in a similar institution if there was one in the Presidency, except in the form of giving advice; he should not give orders.

1023. I suppose it would be a very good thing if he circulated notes and leaflets in the province; that would be useful?—Certainly.

1024. So that so far he would be beneficial?—Certainly.

1025. Then he would advise the Government of India in cases that came before them?—Yes.

1026. That would be another perfectly legitimate function?—Yes.

1027. And lastly, he might consult and advise the provincial Governments?—Certainly.

1028. To do that, he must tour freely and consult people in the various districts?—Yes.

1029. Do you think it is necessary to enable him to do that, that he should correspond?—Yes in matters within his powers and all that kind of thing, but he should not give orders behind the back of the Government.

1030. Several of these expert advisers of the Government of India are also allowed to correspond as to statistics and departmental rules, and it is not a very clearly defined sphere?—Quite so.

1031. We have had instances given where the sphere is not clearly defined. Do you think that any of that correspondence is necessary at all?—I cannot say whether it is necessary; I do not know enough about the statistics that are called for.

1032. You would limit it severely?—I would limit it as far as possible. I know that some of these officers have called for statistics that are very difficult to prepare, and have given much trouble.

1033. Do you think that the correspondence grows?—Certainly, and very frequently it passes to an order.

1034. Take the reverse side of the shield; does it tend to make the provincial officer look past his own Government?—Yes.

1035. Can you give us any instance of that?—Yes. At the King Institute here an officer was placed on special duty (Captain Patton) under the Sanitary Commissioner with the Government of India, under Captain Christophers, who is under the Madras Government. The Madras Government wanted Captain Patton to assist the Sanitary Commissioner, and Captain Christophers considered that it was his duty to apply to the Sanitary Commissioner with the Government of India before he could allow Captain Patton to assist the Sanitary Commissioner here. The Sanitary Commissioner's work was delayed two or three days by what Captain Christophers thought was the necessity for this reference.

1036. Then I take it that the two risks of these expert advisers of the Government of India, unless they are properly limited, are partly the tendency to encroach on the provincial Government, and partly the tendency to weaken the control of the provincial Government over their officers?—Yes, and of course there is increased correspondence.

1037. If they do not report to the Government of India, how are the Government of India to know what goes on?—They get administration reports every year, and they have printed copies of all important orders of the Government of Madras.

1038. Would you consider that the information which one of these officers carries away to the Government of India is likely to be rather more really living information about what goes on in the province than the information received from the provincial Government?—I cannot express an opinion; I do not know the officers; I think it depends upon the men.

1039. Suppose you have reported, as a Government, after enquiry here, and the Government of India call upon the Inspector-General to advise them; suppose for that purpose he happens to come down and forms his own opinion, which is opposed diametrically as to facts to that of the provincial Government?—I think his report would be very mischievous. I do not think that an Inspector-General who is ignorant of the Presidency, could by his enquiries during the short time of his stay in the Presidency possibly get at facts better than the report of the provincial Government based upon information that has been gathered for years.

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1040. You would not call it really living information?—I think not.

1041. Of course the Government of Madras gets it from the men who have served for years in the Presidency?—Men who are living in the Presidency, and who have been able to observe the facts for a long time.

1042. Do you think it possible that any one officer could go to all the provinces and extract material which would be in any way equal to that supplied by the experience of men who have been 20 and 25 years in a particular province?—Decidedly not.

1043. Do you think the 25 years' man is a safer guide?—Yes, I consider that the man who has been 25 or 30 years in the Presidency is a much safer guide than a man who is sent to the Presidency for a smaller number of days.

1044. Do you not think there is a tendency for the Government of India to be misled in that way?—I think there is.

1045. Then you practically come to direct adminstration by the Government of India on the advice of the Inspector-General; that is a risk?—Yes, that is a risk of course, unless the Inspector-General comes from the particular province that he is advising about.

1046. Even so, they are acting upon his advice, and not on the advice of the provincial Government?—Just so.

1047. And to give that advice has been the function of the provincial Government, ever since government by a system of Local Goverments has been introduced?—Yes.

1048. I suppose we may take this from the Government of Madras too, that in one instance they were told that this central officer was the agent to carry out the orders of the Government of India?—Yes.

1049. That was entirely a new departure?—Yes.

1050. That is ousting the Local Government so far as it goes?—Yes.

1051. I may take it that that is a statement by the Government of Madras?—Yes.

1052. Do you think that if the Inspectors-General were really kept to simple advice and research and experiment and the circulation of information, they might be extremely useful?—Yes.

1053. It is only where they go outside that sphere that danger at once crops up of disturbing the functional relations of the Government of India and the provincial Government, and of the provincial Government and its subordinates?—Yes.

1054. It is apt to upset the co-ordination that should exist?—Yes.

1055. (*Mr. Meyer.*) I think you rather gave us, though no doubt unintentionally, the impression that the work of the Sub-Divisional Officer was confined to revenue collection and magisterial work; is that so?—I think I also mentioned rent recovery suits.

1056. Do not his functions go beyond that? Take the *jamabandi*. I should say that is revenue.

1057. Would you describe the *jamabandi* system to us?—The *jamabandi* is this: Every year the Divisional Officer, or the officer appointed to do the *jamabandi*, makes a progress through the *taluk* that he is holding the *jamabandi* of, and, at camps fixed beforehand, he receives the village officers and their accounts for a certain portion of the *taluk*. Those are all thoroughly overhauled and examined, and there are brought before him statements showing the proposed remissions and the

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proposed transfers of holdings and many other details on which he passes orders with regard to those villages for which he has given notice to the raiyats that they may appear before him and receive orders in these sorts of cases. Every case of remission of revenue under wet irrigation works comes before him at the time, and he passes orders upon them; many points are reserved for *jamabandi*, in order that they may be disposed of with more or less publicity when the villagers are about, and this process goes on until the whole of a district has been examined in this way by the Sub-Divisional Officer. The Collector takes every *taluk* in the district in turn within each five years, and his overhauling is more complete because his establishment is larger than that of the Sub-Divisional Officer.

1058. Then in addition to the work that comes up once for all at *jamabandi*, the Sub-Divisional Officer has a great deal of work in the course of the year in dealing with a succession of *pattas* of transfers?—Yes.

1059. Then, he had to deal with *darkhasts*?—Yes. An application may be made for a piece of raiyatwari land which is unoccupied at the time; a man who wishes to have possession of it for cultivation puts in an application for it, notice of which is given in the village, and if no objection is taken it is granted to that man, subject to the payment of revenue, for as long as he chooses to hold it. *Darkhasts* are disposed of from time to time, and many are disposed of at *jamabandi*.

1060. The Sub-Divisional Officer also deals with the occupation of lands without cultivation?—Those are mainly dealt with at *jamabandi*; these are all revenue matters.

1061. The Sub-Divisional Officer has a great deal to do with other matters beyond the collection of revenue?—Exactly.

1062. Has he not a good deal of work in connection with village establishments?—Yes.

1063. Village establishments in Madras are hereditary generally?—Some are hereditary.

1064. Would you kindly explain, in the case of hereditary village officers, how the succession is managed?—It generally goes to the man's nearest heir, who is sufficiently well aquainted to perform the duties of the office. If there is a dispute, it comes before the Divisional Officer under an Act of about 1831, and inquiry is made into it.

1065. The Chairman, in questioning you yesterday about appeals, spoke about the double line of appeals, one, departmental appeals, and the other, appeals as to suits. Is it not the case that as the old regulation of 1831 was at one time interpreted by the Madras Government that sort of thing did go on in Madras?—I have never had a case; it has never been in force in any district in which I have served as a Divisional Officer.

1066. In what districts have you served?—South Canara.

1067. Are village officers hereditary?—They are, in a way, hereditary in South Canara, but in my time there was no settlement. I have never tried a suit myself under that Act.

1068. Is it not the fact that this large number of appeals in the case of hereditary village officers has been reduced very considerably of late years?—An attempt was made to reduce them.

1069. You have not dealt with them as a Member of the Board?—I have not dealt with them as a Member of the Board for a good many years.

1070. Can you tell us whether they go up to Government at all?—I think you had better ask the Revenue Secretary as to that; I have not got to deal with them.

1071. Then in the case of famine, the Sub-Divisional Officer would take a large part?—Certainly.

1072. And besides this work that all belongs to revenue in the broad sense of the term, he also presides over a *taluk* Board?—Certainly one; he may even have more than one.

1073. Are there any sub-divisions in which there is more than one *taluk* Board?—I have known some; but as a rule there is only one for each division.

1074. The Divisional Officer is the responsible authority over them?—Yes.

1075. What is his position in respect of the municipalities in his division?—Sometimes he is Chairman, sometimes a member, sometimes not even a member.

1076. Is he always an *ex-officio* member?—I think not; I think you will find the Divisional Officer is sometimes not a member of outlying municipalities which are away from divisional headquarters.

1077. He is not entitled to attend?—Any one is entitled to attend.

1078. But you do not think he is an *ex-officio* member?—I think not always.

1079. Suppose there is control to be exercised over the municipality by the Government; does he exercise it in the first place? For instance, does the municipal budget pass through him in the first instance?—Yes, as a rule.

1080. And suppose there is some grievance about neglecting sanitation?—That might be done by the Collector too; the Collector may take action himself if he observes it himself.

1081. Generally the Sub-Divisional Officer is largely responsible for the efficiency of municipal adminstration within his sub-division?—Yes and for the *taluk* Board.

1082. He is also, I think, *ex-officio* a member of the District Board?—Yes.

1083. Now, taking the work of the Collector, speaking generally—I think there has been one small exception—a Collector in Madras has no direct charge of the sub-division of a district?—I believe not.

1084. There is one exception, I think, in the Nilgiri district?—I think there is also another instance in Travancore. As a general rule, he has no direct administration.

1085. Taking it altogether, the work of a District Officer—as the work is generally understood in Northern India—is done primarily by a Sub-Divisional Officer; you call him the Divisional Officer here?—I am not quite sure of the bearing of your question.

1086. Each Divisional Officer as you call them has his own part of the district?—Yes.

1087. He has his own headquarters?—Yes.

1088. I think I am right in saying that he cannot leave his division without the Collector's permission?—Yes; he comes in to District Board meetings and so forth.

1089. On duty, but otherwise he cannot?—No, of course not.

1090. In all matters affecting the Collector's relations with the people in revenue matters, is the first application not to the Divisional Officer?—When the Collector is in a village he receives many direct petitions himself when he is travelling, but ordinarily the person nearest to the raiyat is the Sub-Divisional Officer.

1091. The Collector has no direct charge, and as a general rule there is an appeal to the Collector from the acts of the Sub-Divisional Officer?—Yes.

1092. Then as you were saying just now, the Collector takes a certain part of the *jamabandi* each year; by that means he is brought into direct contact with the villagers?—Yes. Not less than once in five years.

1093. And he also tours about the district?—Yes.

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1094. Might you not say in a way that, although you have got no Commissioners in Madras, the Collector has, to a certain extent, developed into the place of a Commissioner?—I have no experience of Commissioners, but I know that a Collector who is a strong man has great control over his district—probably far closer than could be possible with a Commissioner.

1095. You have travelled in provinces where there are Commissioners?—Yes, but I saw none of their work.

1096. You have not studied their administration?—No, not on the spot.

1097. Are you prepared to say whether the Collector of Madras, owing to the absence of Commissioners, is a bigger man than the Collector of other provinces?—I should say decidedly bigger than those I have seen in other provinces, but to a great extent that is because his charge is a much larger one.

1098. And also owing to the sub-divisional system. In Northern India you are aware that there are few Sub-Divisional Assistants, and the Collector is in direct charge?—Yes, but the districts are very small, and he is able to be in direct charge for that reason.

1099. You said yesterday that the Collector has almost complete power in his district. Is that so? What about the Public Works Department?—The Public Works Department is practically independent of the Collector in regard to works of public utility, irrigation and so on; in irrigation the orders as regards the raiyats are passed chiefly by the Divisional Officers and the Collector.

1100. Has the Collector any control over the Public Works Engineer?—No real control.

1101. Does he see the Public Works budget relating to his district?—I think he does—he ought to. He can see it.

1102. Does he as a rule?—I always saw it as a rule; I always knew what works were sanctioned in my district.

1103. In your experience as Collector, supposing you wanted a particular tank repaired, did you find that there was any difficulty raised by the Public Works Department?—I did.

1104. That they refused to do it?—I do not say that they refused to do it, but they went to the highest authority, and I was ridden off very often.

1105. Am I correct in saying that in regard to minor tanks they are under the Collector altogether?—Some are. It is difficult to define the words "minor tanks," but certain channels and certain tanks are under the Collector.

1106. And the important irrigation channels and so on are under the Public Works Department?—Just so.

1107. Your experience is that the Collector has not quite sufficient power there?—Yes.

1108. Suppose for instance you desired that certain tracts should receive water, and the District Engineer said he had not enough water to let down; he would have the best of it?—He would be able to ride me off; he could easily do it by delay; he would say: "All right, I will make a reference to the Superintending Engineer," and it would be too late to do it by the time the reference got through.

1109. Is it desirable that the Collector should have control over the Public Works?—Yes.

1110. How would you arrange that?—The thing has not come within practical politics so far.

1111. Then the district forest officer; how does he stand with the Collector?—So far as I am concerned, I have always had everything I wanted done by the district forest officer.

1112. The Collector is the Head in matters which affect the forests?—Yes.

1113. And when it comes to technical forestry, the forest officer is under the Conservator?—Yes.

1114. Have you found friction with the district forest officer under that double relation?—I have never had friction of any kind. I was in a particularly favourable position, because I was district forest officer myself for some years in addition to being Divisional Officer in the early part of my service.

1115. You think that that is generally a satisfactory arrangement?—As far as I have seen it, the arrangement is satisfactory.

1116. Would you advocate having a similar arrangement for the Public Works, making the Public Works Engineer Assistant to the Collector?—I think it might be useful; but it is a matter that requires very much consideration.

1117. Naturally, but, speaking generally, you would advocate it?—Speaking generally, I think it would be an improvement on the present system.

1118. Do you think the Collector has sufficient control of the salt and excise?—I think the Collector, if he chooses, can have sufficient control.

1119. Have you read the report of the Excise Committee?—I have not read it since I last came to India; I saw it at home.

1120. It was a strong Committee, consisting of representatives of each of the provinces, presided over by Sir James Thomson, a Madras officer. Do you remember that the Committee reported that in Madras the Collectors had too little control over the working of the Excise Department?—I do not remember the exact details, but I think there was an idea of that kind. I do not think the accusation was made generally against all Collectors. It is a considerable time since I read the report.

1121. You have been for some time Commissioner for Salt and Excise, and you have gone round the districts. What is your view? If the Collector has not sufficient power, was it the fault of the system or the fault of the Collector?—I think it was the fault of the Collector.

1122. Take preventive work. You have a special preventive establishment consisting of inspectors and other people, headed by Assistant Commissioners and so on; would they be subject to the interference of the Collector with their work?—I think they would; it entirely depends upon the individual.

1123. You would make the relation of the local Excise Officer to the Collector the same as the relation of the District Superintendent of Police to him?—I do not think there would be any objection.

1124. At the present moment in many cases the Collector has a better control over an excise man than he has over the police?—In some places; it entirely depends, I think, on the Collector.

1125. You spoke of the Collector yesterday as being the Head of the police?—Technically he is the Head of the police: he is supposed to be responsible for the peace of the district, and the District Superintendent is supposed to consult him in all important matters, and to send his diaries to him and keep him in touch with what is going on in the district.

1126. Does he interfere with the actual discipline of the police at all?—No.

1127. Does he interfere in case-work? The ordinary case goes by territorial jurisdiction?—Yes, it goes to the magistrate having the jurisdiction.

1128. The District Magistrate has the power of taking a case from one magistrate and giving it to another?—Yes.

1129. Does he exercise that power often?—No.

1130. When he does, on what ground does he exercise the power?—I think there may be many grounds; he does it because he thinks it is advisable that the case should be tried by another magistrate than the one who happens to be the territorial magistrate, or, sometimes, when the territorial magistrate has not sufficient power to deal with the case.

1131. Would a case be removed from one magistrate to another because the Superintendent of Police thought that he would be more likely to get a conviction from one magistrate than from

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another?—I should be very much surprised if any District Magistrate did that sort of thing here.

1132. You spoke of tahsildars being relieved from magisterial work. Is that the case in all *taluks*?—No. It depends whether there is a stationary magistrate for the *taluk* or not; in the majority of cases he is relieved, but there are cases where he still has to do the work.

1133. You spoke of deputy tahsildars. Are there not two classes of deputy tahsildars?—Yes, there is the stationary class, and the deputy tahsildar who has a deputy tahsildar's charge as revenue officer.

1134. Is there not a class of deputy tahsildars directly under the Divisional Officer?—You are speaking of zamindari tracts; yes.

1135. Then there is a class subordinate to the tahsildar?—Yes.

1136. You mentioned in regard to village officers that they have petty magisterial powers?—I do not think I mentioned it, but it is a fact.

1137. You said that they had criminal powers; have they not also civil powers?—Yes.

1138. Can you give us any idea of the extent of these powers?—One power is to imprison a man for six hours in the village stocks and to confine him in the *choultry*. They have power to try cases of assault and petty thefts to the value of one rupee, also to try petty civil cases.

1139. Does it often happen that a petty case of that sort, which might be disposed of by a village magistrate or a village judge, is taken by the complainant or by the defendant to a regular officer of Government?—Do you mean after or before the plaint.

1140. Before?—I think it does happen.

1141. The village headman is called a munsiff for civil work, and a village magistrate for criminal work?—Yes.

1142. Is the village munsiff really trusted by the people?—It depends upon the man; some are, and some are not.

1143. Would you be in favour of giving them larger powers, and so to relieve the other Courts?—I do not think so.

1144. Why not?—Not as a single individual; I would be prepared to give larger powers to village Benches.

1145. You mean a sort of panchayat?—We have village Benches in a few cases now; they have been introduced in certain places.

1146. Your answer, I gather, is that you would like to see village Benches, both civil and criminal, for the disposal of civil and criminal cases?—I do not say I should like to see them; but if there is to be an increase of powers, I should prefer a village Bench to giving the power to the munsiff.

1147. But you would not give it to either as a matter of choice?—I should not. I think it is better that cases should be tried in a proper Court in the proper manner.

1148. But it would be an advantage for the people to be able to get their cases disposed of in their own village and under the pressure of public opinion such as may exist there?—Within limits, yes.

1149. You do not think that that outweighs the superiority of the deputy tahsildar over the district munsiff. You think it is better for a man to have to go 20 miles off, rather than to get his case disposed of in his own place?—In some cases; it entirely depends upon the nature of the case.

1150. You mentioned yesterday that the Board of Revenue had no financial powers?—I really do not think I said so; I think there has been a mistake made.

1151. What you meant was, I understand, that it had no powers to deal with the provincial budget?—Yes; in that sense it has no financial power; it passes estimates and things of that sort that come up to certain sums.

1152. It uses the executive machinery, but not with regard to financial questions, except those relating to establishments and so on?—Quite so.

1153. It has no connection either with local and municipal work?—None.

1154. Sir Steyning Edgerley asked you about the Madras Codes. There are several Acts bearing upon the collection of revenue in Madras?—Yes.

1155. Will you mention some of them?—The Rent Recovery Act; the Revenue Recovery Act; the Abkari Act; and the Forest Act.

1156. In addition to these there are what are known as the Board's Standing Orders?—Yes.

1157. Those are what you might call a Departmental Code regulating the duties of officials?—Yes.

1158. In some provinces everything is put into the form of a law and rules under the law; would you consider that an advantage?—I think we get on very well as we are.

1159. It gives you a greater elasticity?—I think so.

1160. You are able to alter your procedure without having to invoke the legislative machinery?—As far as I can judge it gives us greater elasticity.

1161. As far as I gather, you want the provincial Government to have full power to spend within its own budget?—Yes; not absolutely full power—power to spend within its own budget its provincial funds.

1162. Its budget is made up of provincial and local funds?—Provincial and local and imperial.

1163. But taking that portion which is assigned by the provincial financial settlement to the Local Government, you desire that the Local Government should have an absolutely free hand in spending it?—After the budget is passed.

1164. Has the Government of India a free hand in dealing with imperial revenue?—The Government of India of course has not a free hand in certain matters.

1165. Are you not aware that the Secretary of State exercises considerable control over the Government of India?—Certainly.

1166. Do you desire to give the Madras Government higher power than the Government of India itself possesses?—The Government of India would control the budget.

1167. But you objected yesterday to the Government of India controlling the budget?—I think there has been a mistake about that.

1168. You say now that you do not desire an absolutely free hand in the disposal of your revenues; is that it?—Quite so.

1169. You recognise that the Secretary of State imposes certain restrictions on grounds of public policy over the Government of India, and the Government of India must impose certain restrictions over the provincial Government?—Yes.

1170. You would not for instance allow a provincial Government to double the pay of the members of the Civil Service in its province, because they had the money to do so?—No.

1171. You agree that there must be a general control by the Government of India?—Yes.

1172. Also you are aware that the Secretary of State and the Government of India are responsible to Parliament?—Yes.

1173. Then you desire further freedom for the provincial Government, as I understand, not on any broad question of independence, but purely in regard to certain matters in which you think that your liberties are unduly curtailed?—Yes.

1174. You complained yesterday of the cutting of the provincial budget by the Government of India. Is it not the fact that as a rule the Government of India reduces the figures simply with reference to probabilities of expenditure and income in the year?—It may be the case, but I have so little experience of budgets here that I do not know the principles on which cuttings and so on are made.

1175. You said that in certain cases the Government of India explained why they cut and sometimes they did not?—That is so.

1176. Is it not the case usually that the Local Government, with the budget figures as finally passed by the Government of India, receives a covering letter saying generally that the alterations have been made with reference to what the Government of India considers actual probabilities of expenditure and income within the year, but that that will not debar the Local Government from incurring any expenditure which has been struck out if they have the funds?—My experience is confined to one year's budget, which I did not draw up myself. I did receive a letter of that sort.

1177. Then you admit that the control of the Government of India is largely from the point of view of correct estimating?—I do not know what the reasons of the Government of India are for cutting.

1178. Under present conditions the provincial Government shares certain important items of revenue with the Government of India?—That is the case.

1179. Also as regards expenditure, certain items are partly imperial and partly provincial?—Yes.

1180. Is it not necessary therefore that the whole figures, imperial and provincial, should be exhibited in a consolidated form for India as a whole?—Yes.

1181. That being so, who is responsible for the correctness of the budget?—The Government of India.

1182. And if owing to bad estimating the receipts largely exceeded what was budgeted for, or the expenditure fell short of what was budgeted for, would the criticism not fall upon the Government of India?—Yes.

1183. Then is the Government of India not entitled in the interests of what they consider accurate estimating to cut down your figures when they think they are not likely to be realised?—They are certainly entitled.

1184. And does it do any real harm, provided that if you have the money afterwards you are allowed to incur the expenditure?—If the budget were left as it stood on the expenditure side for the departments, it would do no real harm; but when you are told that you are cut by two lakhs of rupees in the Forest Department, and you have cut all your estimates down in the districts in order to agree with the figures which are given by the Government of India, it is a difficult position.

1185. But what else could you do? We will say that you have estimated your expenditure in some department at 37 lakhs; the Government of India having regard to the fact that last year you estimated for 35 lakhs and only spent 30 lakhs, cut you down from 37 lakhs to 32 lakhs; then you have necessarily got to cut somewhere, have you not?—No doubt.

1186. That is what you are complaining of—the inconvenience of having to distribute those five lakhs cut somewhere or other?—The result is that the department that expected to get 37 lakhs, and budgeted up to 37 lakhs, has to limit its proposals to 32 lakhs.

1187. But you are also told in the covering letter that if the department later on finds that it can spend 37 lakhs and you can find the money, the Government of India will raise no objection?—In practice you are obliged to cut your budget down to the figure of the Government of India, which in that case would be 32 lakhs instead of 37 lakhs.

1188. My point is that the Government of India in the interests of accurate estimating must occasionally alter the provincial figures?—I think I have agreed to that.

1189. And therefore, when that has been done, obviously the province must tell its departments to make the further alterations required?—Yes.

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1190. Then you said that you had to go up to the Government of India later on in the year whenever you had to make any reappropriation from one head to another?—I do not think I said any reappropriation.

1191. Is that correct?—No, it is not the case with regard to any reappropriation.

1192. What reappropriations?—I must examine the Codes and consider it.

1193. Is it not the fact that you can reappropriate as much as you like within your income and expenditure, provided you do not exceed the aggregate budget provision of the year; that is, supposing your budget works out to four crores expenditure, you can transfer 20 lakhs from one item to another provided that you do not increase the aggregate beyond four crores?—But when we come to local expenditure we have great difficulties.

1194. But with regard to the provincial budget, is that not correct?—Yes.

1195. Therefore you do not have to go to the Government of India on every occasion of reappropriation, but only when you desire to increase the sum total of your expenditure?—Yes.

1196. Is not that necessary under the present system? Is the Government of India not responsible for all the treasury balances of the country?—Yes.

1197. And your provincial balances are what are called book credits?—We call them balances.

1198. The Government of India, anyhow, is responsible for all the ways and means, the movement of cash and the provision of money outside the budget amounts, and so forth?—Yes.

1199. Does the Government of India not utilise its cash balances to a certain extent upon capital expenditure, such as loans and so forth?—It grants loans.

1200. Then would it not obviously inconvenience the Government of India if a provincial Government were suddenly to draw a large amount from its balances without informing the Government of India?—Certainly; it depends upon the amount.

1201. Therefore you agree that, even if you had 60 lakhs to your credit to balance, you could not draw it all out at one time without notice?—No.

1202. Practically, therefore, the only question is whether you should not have some little latitude. I think in one of your suggestions you said you might be allowed to exceed your provincial budget by one lakh or something of that sort?—Large sums, I admit, would affect the Government of India.

1203. You spoke about the local budgets. Is the rule there not the same—that you can make reappropriations so long as the total local budget is not exceeded?—No; we have difficulties there. The other day we wanted a certain sum to make a road in a district; we could not reappropriate for that under a comparatively recent order, unless we could withdraw money from one or more Local Boards and point out the particular Local Board from which the money could be withdrawn and placed at the disposal of the Local Board which desired it to spend this year; it could only be done in the next budget.

1204. My recollection is that in the Government of India the rule is the same as in the provincial. The Local Government formerly used to appropriate between the local and the provincial; the Government of India said: "These are entirely different heads of account; one is your money, the other is not, and you ought not to have mixed them up"?—Anyhow, the rule I think you are alluding to causes great trouble.

1205. However, such inconvenience as has been caused by that rule will now be got rid of under the Secretary of State's orders excluding local funds from the Imperial Government's budget?—I understand from what I have heard of the order that that will be so.

1206. You have admitted that these orders, though you have not seen them, will, if they are

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as I have put them, decrease references to the Government of India?—Probably.

1207. Will they not also decrease the work of your Secretariat?—From what I have heard of the order, I believe it will.

1208. Is there much correspondence with the Government of India on these local fund re-allotments?—There has not been much.

1209. But I understood you to say that there was where the shoe pinched—that you did not so much mind having to go up for transfers of provincial funds or reappropriations for provincial funds, but it was the local funds that gave all the trouble?—I do not think I spoke of trouble; I said we could not do it without going to the Government of India.

1210. Taking it practically, do you often have to go up to the Government of India or not?—We do not often go to the Government of India.

1211. Then it does not pinch you much?—We do not go, because we do not expect to get the funds; we cannot always be asking for funds.

1212. You may take it from me, as Financial Secretary, that if you had the balances as a rule there would be no difficulty?—I am very glad to hear it.

1213. Now to take this very important question of reappropriation; are you not very strict with your own District Boards; do you not prevent a District Board making reappropriations within its own budget without the sanction of Government?—I really do not deal with this, until it comes within the Financial Department; it is done in the Local and Municipal Department.

1214. But you were a Collector, and have had to deal with the District Board finance for some years?—I have not dealt with District Board finance for ten years.

1215. You are not prepared to say what the position is with regard to District Boards?—Not the position now.

1216. With regard to borrowing powers, you are not in favour of giving the provincial Governments borrowing powers?—No.

1217. Under the present system would there be anything on which they could borrow particularly?—Things will have to be changed, decidedly.

1218. A District Board and a municipality can borrow because they have got definitely ear-marked sources of revenue: a provincial Government has sources of revenue which are assigned to it by the Government of India and which it shares; therefore it stands rather on a different footing, does it not?—Yes.

1219. Your only security would be the half share of the land revenue, the excise, and so on?—Yes.

1220. That would not be so satisfactory a security as a full source of revenue?—I could not say until we have tried to raise money.

1221. The Chairman was asking you yesterday whether you would prefer getting the whole of the land revenue and giving up the rest, and you said, very properly, that you could not say till you had worked it out, because you did not know whether it was advantageous financially or not. But supposing that giving you the whole of the land revenue and giving you nothing else would give you much the same as the present settlement, would you be in favour of it?—I really cannot answer off-hand.

1222. Suppose, for instance, the Government of India had the whole of the excise, would there not be some disadvantages in that; would it not shut off the interest of the provincial Government in the working of that department?—As you say, the Government of Madras might not take so much interest in excise questions if the revenue was not shared.

1223. Therefore the system of sharing has this advantage, that it gives the provincial Government an interest in the various branches of administration and a share in expanding revenues?—Yes.

1224. Is it not the fact that excise is a matter in which there is a good deal of Parliamentary criticism and public criticism, generally from persons belonging to the temperance party?—Yes.

1225. And the Government of India and the Secretary of State have to meet that criticism?—Yes, and I think the Government of Madras has to do so also.

1226. The Government of Madras have to meet it no doubt to a certain extent, but the people at home look to the Government of India more than to the Government of any particular province?—Probably, those that do not know.

1227. I do not say in Madras (because that has always been held up as a model to the rest of the provinces in excise matters), but in some of the other provinces where the excise system was, in the view of the Government of India, not in accordance with the canon of getting the maximum of revenue out of the minimum of consumption, it might be necessary for the Government of India to occasionally interfere?—Yes.

1228. It would interfere much more easily if it possessed a financial share than if it had not?—Yes.

1229. Therefore giving the provincial Governments the entire receipts from some branches of revenue and none in others would have this result, that it would slacken their efforts in the case of the departments where they got no financial benefit, and it would make such control as the Government of India has to exercise more ungracious, seeing that the Government of India would be in some cases interfering in matters from which they derived no revenue?—I hope provincial Governments understand their duties better than that.

1230. You think that if the provincial Government got all the revenue, it would be equally amenable?—I do not see that there would be any less control if the provincial Government had all the revenue.

1231. We will say that a provincial Government has the excise revenue, and is developing it so that a certain number of people think it is working in the interests of the liquor trade, and the Government of India thinks there is some foundation for that and intervenes; the provincial Government says: "It is our revenue; you have nothing to do with it." Is that not a source of friction? Whereas now the Government of India says: "If we call upon you to sacrifice revenue, we at any rate sacrifice our half with you." Does it not make it easier to deal with a problem of that kind, if the Government of India is, as it were, a money partner with the provincial Government?—I think the provincial Government ought to be able to be trusted to do its duty.

1232. You think the general policy ought to be full trust in the provincial Government?—I think so.

1233. You have a Board of Revenue here?—Yes.

1234. Does the provincial Government always trust the Board of Revenue?—Not always.

1235. Have there not been many cases in which the provincial Government have overruled the Board of Revenue?—Yes.

1236. And the Board of Revenue in its turn overrules Collectors?—Yes.

1237. Then why should the provincial Government alone be exempt from the power of being overruled? Is the provincial Government necessarily infallible when it is disagreeing with its own Board of Revenue, we will say?—Not necessarily.

1238. Then I gather that your idea is that if the Government of India interfere with the provincial Government, it is necessarily always the case that the Government of India is wrong and the provincial Government right?—I do not think I have given any justification for such an idea.

1239. You deprecate interference with the provincial Government beyond what is the absolute necessity?—Beyond what is necessary.

1240. I gather from what you were saying that it is because you think that the provincial Government is more likely to be right?—I think the provincial Government has local knowledge, and the Government of India as a rule has not.

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1241. Take the case of the Revenue Board and the Collector; has not the Collector local knowledge?—Certainly, so has the Board.

1242. Has the Board as a rule as good a knowledge as that of the Collector?—I think the Board as a rule has local knowledge; it is very seldom that some member of the Board has not served in the particular district.

1243. In the Government of India until lately the Home Member was a Madras officer; had he not local knowledge of Madras matters?—Within certain limits; he had not had immediate touch with any district in Madras for a great many years.

1244. Is it not possible that the Members of Council in Madras have not had immediate touch with any district for a number of years?—Certainly.

1245. Then you do not mind reversals of opinion and not trusting to a man on the spot, so long as it is done in the family, if I may say so—in the province itself—but you object to the provincial Government being overruled from outside, is that it?—I do not think I have said anything to justify that assertion.

1246. Well, you think it is right and proper that the provincial Government should overrule the Revenue Board where necessary?—Yes.

1247. And that the Board should overrule a Collector?—Yes.

1248. And that a Collector should overrule a tahsildar?—Yes.

1249. But you do not think it right that the Government of India should overrule the Madras Government?—I do not think it right that the Government of India should overrule the Madras Government in local questions.

1250. What do you mean by local questions?—Questions which affect this Presidency itself, as distinct from other parts of India.

1251. Is it always possible to put a province within a ring fence, and say that this question affects one province only, and not others?—I have not suggested that.

1252. Is it not possible that what is done in Madras may react on some adjoining province?—Certainly it is possible.

1253. And is it not desirable that there should be some general *co-ordination* of the administration, or would you allow each provincial Government to go entirely on its own lines?—I would allow the provincial Government to go as far as possible on its own lines.

1254. As far as possible?—Yes.

1255. But every now and then it has to be pulled up?—Yes.

1256. *Now take a personal matter.* Would you allow a provincial Government full power of punishing its own officers, or would you allow an officer an appeal to the Government of India?—I should allow an appeal to the Government of India, if the Government of Madras punished an officer.

1257. The Government of India not having the local knowledge?—There is no question of local knowledge in regard to the punishment of an officer.

1258. There is knowledge of the man?—There is knowledge of the man, yes.

1259. Suppose the Madras Government reduced a Collector; would you allow him an appeal to the Government of India?—Yes.

1260. The Madras Government knowing the Collector and the Government of India not knowing him?—Yes.

1261. On what ground—why should you allow an appeal there?—Because I consider that it is just as well to allow an appeal from the Court of first instance.

1262. Your point is that the Madras Government would be the Court of first instance?—Yes.

1263. And that it occasionally might make a mistake?—Certainly.

1264. If it makes a mistake in personal questions might it not also make a mistake in administrative questions?—Certainly.

1265. Therefore might not the Government of India occasionally be justified in overruling it?—I have agreed with that.

1266. You refer to the Government of India Resolution constituting the Controller of Printing and Stationery. Are you aware that as regards printing, the most important presses that the Controller has to deal with are those directly under the Government of India?—I know that he has to deal with them; I do not know the relative importance of them.

1267. And he therefore stands in a different position with regard to those presses than he does in regard to the provincial presses?—Yes, I believe he does.

1268. Your complaint is about paragraph 4 in which it is said: "The Controller will refer all matters requiring orders to the Finance and Commerce Department and will be the general adviser of the Government of India on all matters connected with printing and stationery and their agent for giving effect to their orders." Later on it says: "The Controller will inspect, supervise, and control all printing presses under Local Governments and Administrations, especially in Northern India, advising them in matters connected with printing and stationery. The Controller will not have executive control over provincial presses, but Local Governments should arrange to help him in his inspections, and should pay due attention to his reports." Reading those two passages together, is it not fair to say that when the Government of India said "their agent for giving their orders" they meant in respect of imperial presses?—Certainly, if you read the two passages together.

1269. Before the Controller of Printing and Stationery existed you had the entire control of the Madras press except on any questions which under the Civil Service Regulations would have to go to the Government of India?—Yes.

1270. There was nobody in the Madras Government who had any practical experience of printing?—I believe the Superintendent of the press had practical experience. If you mean in the Madras Government itself, I think not.

1271. Does the Chief Secretary or the Under Secretary know anything about printing?—No, there is no personal experience.

1272. Did you find it embarrassing to have to deal with a person about whose technical work you knew nothing?—I have not found it so.

1273. You found no necessity to have an officer of higher status come down from outside and able to advise you?—Certainly it would be of advantage.

1274. Therefore the Controller of Printing and Stationery need not be objectionable to you?—He need not be.

1275. He might be of great service to you?—He might be.

1276. Do you think the working of your Madras press was altogether satisfactory?—I really do not know.

1277. Was the late Superintendent not rather dilatory in his work?—I really do not know.

1278. What you object to is the fact that the Controller has issued orders?—I object to the Controller issuing orders.

1279. But does he issue orders?—Well, he has issued things which have resulted in increase of establishment and so on.

1280. But as I understand he had no power to make you do the work; he could only advise?—I think if he advised and the Government of Madras refused to do it, it would expose itself to being overruled by the Government of India.

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1281. You did refuse to do it, and have the Government of India overruled you?—I am not aware that anything has happened yet in which the Government of India has had an opportunity of overruling us.

1282. In the Madras Press Superintendent's note he says "The adoption of the task system on the basis of other presses, one of the suggestions of the Examiner, caused a long and expensive strike." I suppose he is referring to the strike of 1904?—Yes.

1283. Was that not rather due to the bad management of the local press Superintendent?—I do not know what it was due to.

1284. You have referred to the case of the Sanitary Commissioner and Captain Christophers and Captain Patton. Will you kindly tell us who Captain Patton is?—He is a member of the Indian Medical Service.

1285. How did he come to be in Madras?—He was posted in Madras to study some particular questions under Captain Christophers at the King Institute.

1286. Posted by whom?—By the Sanitary Commissioner of the Government of India, I believe.

1287. Then he is not a Madras officer?—No, he is an imperial officer.

1288. He was sent to prosecute work for the Government of India in connection with some diseases at the King Institute?—Yes.

1289. The Government of Madras desired him to accompany the local Sanitary Commissioner to Ennore; Captain Christophers thought that this man, being an imperial officer, ought to get the orders of his superior officer. What is it you impugn in that? Was his superior officer in the Madras Government?—No.

1290. Then had you a right to order him to accompany the local Sanitary Commissioner?—Yes. He was employed in this Presidency under one of our men; he was asked to accompany the Sanitary Commissioner on a short visit to a place almost within a drive of Madras.

1291. He was working in your laboratory?—He was working in our laboratory under Captain Christophers.

1292. Did the Government of India put his services at your disposal under Captain Christophers?—No, but he was working under Captain Christophers in the study of these questions.

1293. Is it not the fact that the Madras Government appointed this officer to act for Captain Christophers without reference to the Government of India?—They did.

1294. Is that altogether correct?—Well, it increased his pay.

1295. But as a matter of etiquette was it a proper thing to appoint an imperial officer to a provincial post without reference to the Government of India?—There is not the slightest doubt that it was not the usual thing.

1296. You admit that you appointed an officer belonging to the Imperial Sanitary Commissioner to take up that work without reference to the Sanitary Commissioner. Now what complaint have you against the Sanitary Commissioner in regard to this matter at all?—We have not made it a ground of complaint against the Government of India.

1297. Assuming that there was an error of judgment, it was due to Captain Christophers?—Certainly.

1298. Then how can you blame the Sanitary Commissioner?—The position is this. The fact of the existence of the Sanitary Commissioner led our officer to order a man working under him in his own place not to obey an order of the Government of Madras. The position was a most unfortunate one, but our complaint is that the system led an officer under the Government of Madras to forbid an officer working under him to carry out an order of the Government of Madras without reference to the Government of India.

1299. If there had been no Imperial Sanitary Commissioner, but Captain Patton had still been an officer of the Government of India, might that situation not have arisen equally?—I do not think so.

1300. Is that the only grievance you have against the Sanitary Commissioner, that his existence led to this little friction?—The Sanitary Commissioner of the Government of India has called for statistics which are not available and which involve a great deal of work; I think you had better ask the Sanitary Commissioner about the matter. Without reference to this Government he has interfered considerably with the work of the office.

1301. If the local Sanitary Commissioner has reason to believe that statistics called for would be vexatious could he not represent that view?—But surely no one ought to be in the position of being able to call for vexatious statistics.

1302. Is it not the fact that in all Government matters statistics may be called for which somebody may think to be so troublesome as to be vexatious?—Quite so.

1303. Then as to the Inspector-General of Excise, you have no experience of him?—I have not.

1304. Is it not quite likely that the Inspector-General of Excise would have a lot to learn in Madras?—Possibly.

1305. Suppose he did learn in Madras, would what he learnt not prove of use to Bengal or Bombay or some other province?—Yes.

1306. Are not these Inspectors-General useful from that point of view, that they convey to one province the knowledge that they have picked up in another?—I really do not know—I know nothing about what they convey.

1307. You said that you had read the report of the Excise Committee. That was a strong representative Committee presided over by a Madras officer?—Yes.

1308. Did they not state unanimously that they found that in excise matters the different provincial authorities were working in ignorance of each other's methods, and that that was an extremely inconvenient situation?—Yes.

1309. Would such a situation have grown up if you had had an Inspector-General in years gone by?—I do not know.

1310. Have you got any real grievance against the Inspectors-General apart from these *quasi*-personal matters? Can you point to another matter in which the Inspectors-General have really been a nuisance to you?—There was a case regarding the Surgeon-General with the Madras Government. It is against the rules and against the departmental rules and orders that he should correspond on professional matters directly with the Government of India; we found the Surgeon-General was corresponding about the transfer of an officer to do work at Netley.

1311. That occurred in the year 1900?—Yes.

1312. I think when you brought the matter to the attention of the Government of India they went into the facts and admitted that there was a mistake, and they apologised?—It is not the only occasion on which the Government of India have said that there have been mistakes made in that way.

1313. When such an appointment is created a new Inspector-General comes in. Is it not natural that with the best intentions there should be a little over-lapping which would cease when the man's functions became better known?—I think it is possible that it would cease, and I think it is possible that it might make them exacerbated.

1314. Have you any complaints to make of the Director of Criminal Intelligence?—I have not seen his work.

1315. It was suggested that the place of Inspectors-General might be filled by periodical conferences of provincial officers; do you believe in that plan?—I think that occasional conferences might be valuable.

1316. Who would preside at such conferences?—I cannot say.

1317. It is rather an important matter?—Quite so, but it is not for me to say.

1318. Does not everything in a conference of this sort depend upon the Chairman as to whether it leads to good results or not?—I do not know; there might be a strong lot of members and a very weak Chairman, and the result might be most satisfactory.

1319. If you have a number of equal officials from the various provinces, who is to take precedence?—I cannot imagine the case of a number of actually equal officials from various provinces.

1320. You would put the man who was senior in rank in the chair?—You might.

1321. From various causes do not officers rapidly change from one part of the country to another?—Yes, within certain limits. Now and again you get a man who has been a Collector or a Judge for 10 or 12 years.

1322. Not in the same district?—Sometimes even in the same district.

1323. Might an officer not go to a conference and get useful knowledge there, and then in two or three months time be sent elsewhere, and therefore, so far as he was concerned, the conferences might have no useful effect?—I think if the officer was worth his pay he would probably place on record before he left anything valuable that he had obtained from the conferences he had attended.

1324. Is it not rather natural for every officer to be rather prepossessed in favour of the method of his own Presidency?—I do not know.

1325. Is there not a certain amount of what you might call provincial patriotism?—There is a certain amount of provincial feeling no doubt.

1326. If an officer imbued with such a feeling went to a conference and found the majority against him, could he not simply go back and tell the Government that these objections were dictated by ignorance of local circumstances?—He could.

1327. The Local Government would not hear the other side of the case?—I cannot tell you; it depends on the procedure of the conference.

1328. On the other hand, would not the Inspector-General be able to tell you the other side of the case?—I understood you to say that the Inspector-General would not hold the conference.

1329. I do not see why he should not hold conferences too. However, my point is that he could go to the Local Government and say "Things are being done in a different way in (say) Bengal, and it would be worth your while to see if the Bengal procedure would not suit you." The local man would say "Oh no, our plan is best," and then there would be the argument on one side and the other?—I do not think so. In my own experience I think the local man would be ready to do anything good that suited his own province.

1330. Do you find that Heads of Departments in India are peculiarly receptive of new ideas?—I have found Heads of Departments receptive of new ideas.

1331. You were speaking yesterday of transfers of Civilians especially, and you said that the number of transfers had been considerably reduced by the grading system amongst Collectors and Head Assistants. Formerly the Head Assistant when he was promoted had to change his division, probably his district also?—Yes.

1332. Now he stays where he is and draws extra pay according to seniority?—Yes.

1333. Did the Madras Government adopt that suggestion of their own accord?—I think not.

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1334. Was it not forced upon them by the Government of India?—I cannot tell you as to its being forced upon them; I have not read the exact papers.

1335. Could you give us the returns showing the transfer of Civilians from Collectors downwards?—I think it would be difficult to get a return.

1336. It would cause a lot of labour?—I think so.

1337. May we take it from you that this system has reduced the number of transfers?—Certainly.

1338. And you think it is a good system?—I think it is.

1339. Nevertheless, your Government, if left to itself, would not have adopted it?—I cannot tell you; Governments change.

1340. The Government of that day would not have adopted it?—I cannot tell you who the Government of that day was.

1341. Is it not the fact that reforms in police and education and agriculture generally have owed their initiative to the Government of India?—I really cannot say.

1342. Putting it on *a priori* grounds, is not a Central Government which can overlook the whole of India more likely to be able to initiate general reforms than a Government which can only deal with its own province?—Yes.

1343. Now we have had a list of financial powers which the provincial Government proposes should be delegated to them. Which of these do you lay stress upon—which would you really like to get?—We should like to get them all.

1344. Do you regard them as all of equal importance?—No.

1345. Some are of more importance than others?—Yes.

1346. Could you tell us some of the most important?—I cannot tell you which would save most work without having it looked up.

1347. Do you regard them all as important?—I regard them as important as a whole—taken together.

1348. But suppose you were coming into a meeting which had power to pass final orders, which would you be prepared to fight over and which would you be prepared to compromise over?—I should have to think it over in order to make my selection.

1349. There are some of these things that may be open to *primâ facie* objection, which may be cleared up in the course of discussion and in the course of evidence, but I want naturally to speak to somebody who has thought about the matter and who can give me an authoritative answer; you say you are not in a position to speak in that way?—I have not thought which are the most important of these matters.

1350. Are you prepared to give me an answer on any one of these matters?—To the best of my ability.

1351. As to the proposal that the Local Government should have power to remit disallowances made by the Audit Officer within six months of the date of payment; what is the position of the Accountant-General in regard to the Local Government?—Do you mean in regard to this matter?

1352. In regard to all matters of audit what is the position of the Accountant-General?—He is the Head Auditor.

1353. He is not an officer of the provincial Government?—No.

1354. He is an officer of the Government of India?—Yes.

1355. Is it not his duty to see that the rules are not infringed?—Yes.

1356. And if he differs from the provincial Government, the provincial Government takes the matter up to the Government of India?—Yes.

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1357. I do not know whether you are aware that in the same way if the Government of India pass any expenditure which the Accountant-General or the Comptroller of Indian Treasuries objects to, the Government of India must go to the Secretary of State?—I was not aware of that.

1358. Now the existing rule is, to save a long correspondence about long time-past matters, that if the Accountant-General raises an objection over an officer's pay which may have been going on over a long series of years, it is held that he ought to have acted more promptly. You say "The rule requiring the sanction of the Government of India in the Financial Department, and, where necessary, of the Secretary of State, to any remission of any disallowances made within six months from the date of payment should be abolished." Would that not strike root and branch at audit control?—I do not think it would strike at the root of audit control.

1359. Supposing there is an officer on a pay of Rs. 500 and you increase it to Rs. 600, and the Accountant-General says "You cannot do that without the sanction of the Government of India;" in the meantime, the officer has drawn his Rs. 600, and as soon as the Accountant-General disallows it you disallow the objection under this section?—I think we should not do that. Here we have to go to the Government of India for sanction.

1360. In many cases you do not accept the disallowance and you go to the Government of India; would you not find it much simpler, if you had the power, without going to the Government of India at all, to simply refund the amount of which he had docked the officer?—I do not think we should do it so as to interfere with the authority of the Government of India seriously.

1361. You think then that to give you *carte blanche* about remitting disallowances made by the Accountant-General would not weaken audit control?—I do not think that the Government of Madras would pass orders interfering with the finance of the Government of India or that it would unjustly allow these disallowances.

1362. I do not think that it is quite an answer to my question?—I am afraid I cannot give a better one. I do not think there is any danger in granting this delegation.

1363. You think there is no danger?—I do not think so.

1364. Then you do not attach any importance to the requirement that a provincial Government shall have to refer to the Government of India whenever an Audit Officer challenges its action as *ultrâ vires*. Do you regard that as a valuable safeguard or not?—The Accountant-General can always refer to the Government of India.

1365. Do you regard that as a valuable safeguard or not—that when an officer challenges the action of a provincial Government they cannot do anything further until the matter is referred to the Government of India?—I do consider it a safeguard.

1366. Will you explain further the proposal that the Local Government should have power, without reference to the Government of India, to grant a pension to an officer according to the rules in force when he entered the Service?—At present a considerable number of cases come up in which an officer entered the service of Government before the present pension rules were in force. Under the pension rules which were in force when he entered the Service he would obtain a larger pension; under the rules now in force every one of these cases has to be referred to the Government of India for disposal. It has now become a complete matter of routine; the officer always gets the pension that he would have got if the rules had not been altered since he joined the Service.

1367. Let me read to you Article 4 of the Civil Service Regulations: "An officer's claim to pay and allowances is regulated by the rules in force at the time in respect of which the pay and allowances are earned; to leave, by the rules in force at the time the leave is applied for and granted; and to pension, by the rules in force at the time when the officer resigns or is discharged from the service of Government." Therefore, his claim to pension rests on the rules in force at the time he retired, and he cannot, as a matter of right, have a better pension?—He cannot. All those matters are referred to the Government of India, and it is not the practice of the Government of India to refuse such pensions.

1368. Are you aware that as a rule reference has to be made to the Secretary of State?—No, I am not aware of that.

1369. Do you consider it quite safe to give the the provincial Government unchallenged power in that matter?—I consider it quite safe, inasmuch as it has now become a matter of routine and the Government of India never interfere.

1370. What class of cases are you referring to when you say that they are all treated as matters of routine? Do you mean to refer to clerks chiefly or were you referring to Gazetted Officers?—I have not known any case of a Gazetted Officer.

1371. Would you be prepared to give Public Works officers such scale of pension as they might have been entitled to under the rules in force at the time they entered the Service in lieu of the present scale?—If the Government of India were in the habit of granting that pension, it would save a great deal of correspondence if the power were given to the provincial Government.

1372. That is so far as regards the general delegation of a particular class of cases, but would you give full and complete power to the Local Government in all cases without any communication with the Government of India?—No, but I want to save routine correspondence.

1373. Then when the Government of India accept the view with regard to one class of officers you desire that it should be applied to any cases that arise hereafter?—Yes.

1374. That is rather a different matter from what I was putting to you. How many cases of that kind have occurred?—I should have to have the figures looked up, but they are not infrequent.

1375. You have been Chief Secretary for about a year; you sign all these letters that go to the Government of India?—Not all of them.

1376. But you deal with the cases?—I deal with the cases.

1377. Have you not a general recollection of the number of cases that have occurred?—There have been a good many, 10 or 15, or 20; they come up pretty frequently.

1378. Now I will take you to Article 180 of the Civil Service Regulations, extension of joining time. You would propose to give the Local Government full power in respect of joining time?—Yes.

1379. Is it that you have to make many references, or that the references which you make are nearly always sanctioned, or why do you ask for this power?—To save trouble.

1380. Are the references of the same character that you have described before—purely routine?—I should say they are not routine, but the Government of Madras may be trusted not to misuse that power.

1381. You may take it as a matter of general principle or a matter of practical policy. By practical policy I mean a thing that would save a lot of reference. Is it practical policy that you are dealing with?—It would not save many references.

1382. Is not joining time a rather ticklish business; do not officers sometimes extend their joining time to give themselves a bit of a holiday?—I do not think officers do that, and I do not think the Government ever extend it for that purpose.

1383. Are not the rules as to joining time fairly liberal?—Yes; fairly liberal; you get six days preparation time, and so many days for every 250 miles by rail, or 200 miles by steamer, or 10 or 15 miles by road or canal, and you get each Sunday on which you do not travel.

1384. It can only happen very rarely that the joining time is exceeded?—It is very rarely that the 30 days' joining time is exceeded.

1385. But when it does you would give the power to the Local Government?—Yes, it is a very petty power.

1386. Then as regards Article No. 368: "Service does not qualify unless the officer holds a substantive office on a permanent establishment; but, upon such conditions as it may think fit to impose, the Government of India may allow temporary service to count for pension if the pension does not exceed Rs. 10 a month." What you want is that the Government of Madras shall have power if the pension does not exceed Rs. 50?—Yes.

1387. You do not ask that the Government of Madras should have greater powers than those possessed by the Government of India?—No; we ask that the section shall be widened and more authority given all round.

1388. Therefore it would be necessary for the Secretary of State to delegate his authority?—No, I do not think that is so.

1389. Are you not aware that in regard to any concession not sanctioned by the pension rules in black and white the sanction of the Secretary of State is necessary?—But that could all be done in one; I do not think the Secretary of State would object; what we are asking for is the widening of all powers.

1390. You desire the Secretary of State to give larger power to the Government of India and that the Government of India should delegate larger powers to the provincial Government?—That is so.

1391. Then will you turn to Article 924 of the Civil Service Regulations. Under 924 (*b*), the Government of India have been authorized "to grant pensions up to a limit of Rs. 10 a month, or gratuities not exceeding the equivalent value of that amount, without reference to the Secretary of State in any case, even where no pension or gratuity is admissible under rule, provided that the general spirit of the regulations is observed." Would you be in favour of giving that power, or any larger power if the Secretary of State could be induced to give any, to Local Governments in respect of officers serving under them?—Yes.

1392. Now as regards the proposals for the "Delegation of powers to Heads of Departments"; do you regard all these as equally important, or are there any that you regard as specially important?—I think my answer must be that I have not considered which are more necessary than others; I think they are all desirable.

1393. There are certain proposals in respect of the purchase of articles of European manufacture. Are you aware that a Stores Committee appointed by the Government of India has been sitting on that matter, and that the Secretary of State has been addressed on the subject?—No, I am not aware of it.

1394. Will you look at the suggestion that Heads of Departments should be empowered to sanction recurring contingent expenditure subject to a monthly limit of Rs. 25 for any item. Would you impose any limit of time?—Monthly.

1395. But would you allow a man to go on month by month sanctioning up to Rs. 25, or would you impose any limit of time within which he must get sanction?—I should empower him to sanction generally.

1396. But is there not a danger that there would be a tendency on the part of some officer to try to put menial servants and other persons under the head of "contingencies"?—I do not think there is a tendency of that sort.

1397. You are very strict in Madras, as in most provinces, as to sanctioning powers of officers in the matter of establishments?—Yes.

1398. Subject to exceptions in the case of temporary establishments even the Board of Revenue cannot sanction any additional establishments?—I think that is so.

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1399. Is there not a risk, if you impose no time limit about contingent recurring charges, that things will be sanctioned by different officers?—No, you can watch the Collector; the Heads of Departments can be watched carefully.

1400. Then you would allow it to be challenged by the audit office?—Certainly.

1401. You are acquainted with the Madras Manual?—Yes, the Manual is a collection of rules by the local Accountant-General which we are supposed to follow.

1402. Then take the proposal relative to Article 232, "Commutation of absence without leave into leave without allowances." What you say is that the Local Government should be empowered to authorise specific Heads of Departments to commute leave without absence into leave without allowances. Would you make that subject to any exception?—I do not think any exceptions would be necessary. The authorisation should be to specified Heads of Departments; it would not be granted to Heads of Departments generally. There are different persons who count as Heads of Departments who are not nearly so senior as others who are Heads of other Departments. The Local Government would specify the Heads of Departments to whom the power should be given.

1403. It would be in the discretion of the Local Government to decide to whom the power should be given?—Yes.

1404. Then as regards Article 339. You say "the Board of Revenue, the High Court, the Inspector-General of Police and the Director of Public Instruction should be allowed to grant extraordinary leave without allowances for a period not exceeding two months, even though the applicant for leave is eligible for other kinds of leave." Will you explain that?—A considerable number of references are made to Government on this point.

1405. The general rule is that an officer may not get leave without allowances till he has exhausted every other kind of leave?—But sometimes it affects a man very seriously having to take furlough; he may not be able to get furlough again for four or five years under the strict rules; I am referring to Uncovenanted Officers. Take my own case; if I am compelled to take furlough for more than three months I can get no furlough for another three years. With the Uncovenanted man, that rule really does not apply; it is a shorter period for me. It might have a serious effect upon a man's career to compel him to take the only leave to which he is entitled. He might not be able to get any more long leave for many years.

1406. Will you read the Note 1 to which you refer?—"In cases in which the duration of the extraordinary leave to be granted does not exceed two months the Local Government may dispense with the condition in this Article that the leave can be granted only when no other kind of leave is by rule admissible."

1407. The ordinary rule is that if you have other leave you must not take this, but there is a dispensing power vested in the Local Government. Is it not possible that there may be abuses of that if delegated?—I hope not.

1408. Is it not rather a delicate thing sometimes, as the officer may be a personal friend of the Head of Department?—I do not think the Heads of Departments are liable to allow themselves to be moved in matters of that sort by personal friendship.

1409. You think it is quite safe?—I think it is safe.

1410. You spoke about the power of granting pensions under Rs. 100; would it not be a sounder thing to lay down the general rule that, provided the Accountant-General certified there was no objection, pensions might be given by the officer who would fill up the appointment in case of a vacancy?—I think that is very much the same thing as this proposal, but this proposal has been

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limited because it is considered advisable not to give wider powers.

1411. Do you see any objection to it?—Speaking personally, I do not see any objection to it, but the Government of Madras have put forward this proposal.

1412. Would it be possible by any system of budget allotments to enable the Board of Revenue, and if necessary the Collectors, to sanction minor increases of establishment?—I think it might be possible.

1413. Might the Board of Revenue not have power to sanction Rs. 15 clerks say, or people of that sort?—It would do no harm; it is only a question of budgeting.

1414. I mean within the budget allotment?—Within the budget allotment there would be no difficulty.

1415. Would you be in favour of it?—I think it would be a good thing; it would save many references.

1416. Would you give the same power to Collectors?—Not the same power as I should give to the Board.

1417. But certain minor powers in respect of permanent establishments?—Yes.

1418. Among the matters that are full Board matters does not the Court of Wards come in?—Yes, I mentioned that yesterday.

1419. Court of Wards matters are full Board matters?—Some of them, *not* all; *most of them* are disposed of by one member.

1420. You think that that is advisable?—I think, as things are, that is advisable.

1421. Could not Collectors have larger powers in Court of Wards cases?—Not without legislation.

1422. But suppose it is convenient to legislate, would you give them larger powers?—No, I do not think I would give larger powers to all Collectors. I might be prepared to give them to a Collector in respect of a particular estate that came under his charge, and to some Collectors in respect of all estates.

1423. Are there not a large number of petty sanctions which come up to the Collectors which the Secretary of the Board deals with and never passes on?—I cannot tell you about that.

1424. Are there not a large number of these petty sanctions?—I cannot say whether there are a large number.

1425. Surely as Collector you had them before you?—I had, but I do not know what the number was.

1426. Were they relatively petty cases?—Some of them must have been petty cases. You must remember that I have not been Collector with a Court of Wards estate under my charge for about 13 or 14 years.

1427. Anyhow, you are not prepared to give larger powers to Collectors generally in respect of the Court of Wards?—I should not give them larger powers generally.

1428. You spoke of dry remissions yesterday and you said you were not prepared to give the Collector any powers in respect of dry remissions?—I said that the revenue system is such that dry remissions are not granted in ordinary circumstances.

1429. But they are granted occasionally?—They are granted occasionally.

1430. By the Board of Revenue?—Or by the Government, but it is only in exceptional cases of large areas suffering from famine or from loss of crops.

1431. But the Collector has no independent powers in such cases?—No.

1432. At the same time, the remissions granted are granted on the report and recommendation of the Collector?—Yes.

1433. That being so, would you think it dangerous to give the Collector some powers in respect of this?—The difficulty is the budgeting; the difficulty is the large area that affects the budget.

1434. I am speaking of minor powers?—But it is impossible to give minor powers for remissions without altering the whole settlement system.

1435. Therefore you first of all say "*de minimis non curat lex*," and then when it comes to big things "it upsets the budget," is that it?—No. The position is this. Our assessments on dry lands are based on an arrangement which gives a very large percentage of reduction for losses of crops; it is intended that all ordinary failures of crop in a given year shall be covered by that large percentage of reduction. The consequence is that dry remissions are not included.

1436. But might it not happen that through some special accident, a land-slip or something or other, the dry crops got destroyed in certain villages; in such a case would you not consider it a case for remission?—If the lands are not injured—if they are suitable for cultivation next year—I do not think it is necessary to allow Collectors to grant remissions, because that is covered by the reductions that are made generally.

1437. Although every raiyat in the village had lost his whole crop?—Yes.

1438. Do you think your settlement rules are too rigid?—No; I do not think they are too rigid under the present system.

1439. Then they do not want alteration?—I would not demand alteration.

1440. You at present have some limitation of the right of personal appeal in that nothing goes to the Local Government in the case of men below Rs. 50 unless it is a first appeal?—Yes.

1441. You would be ready, I understood from your previous answers, to raise that to Rs. 100 at any rate?—Yes.

1442. You say that every man ought to have one appeal?—Yes.

1443. Therefore, if you, as a member of the Board, dismiss a man, he should be able to go to Government?—Yes.

1444. But if some subordinate of yours has dismissed a man at Rs. 80 and you confirm the sentence, then he should not go to the Government?—No.

1445. Could not District Magistrates be given power to invest subordinate magistrates with second and third class powers?—They could.

1446. Would you be in favour of that?—Yes.

1447. You do judicial work as Chief Secretary?—Yes.

1448. You have a number of applications for second and third class powers?—Yes; we should require legislation to alter that; that is under the Criminal Procedure Code; it would be a good thing to be able to do.

1449. Would you be in favour of going further and allowing them to give first class powers?—No.

1450. Now take the revenue side. You post an officer not merely to a district as a Sub-Divisional Officer, but to a particular division in the district?—Yes.

1451. The Collector could not remove a man from one division to another?—The Collector ordinarily could not.

1452. Would you be in favour of posting the officer to a district and giving the Collector his complement of Divisional Officers, and letting him move them about at his discretion?—No, because it would mean the transfer of Covenanted Officers without the orders of Government. I think the Government should decide what Covenanted Officers should be in charge of what divisions.

1453. Does not the Collector know best the capabilities of his officers? You can trust a man to be a Collector; cannot you trust him to apportion his district?—There are certain rules that the Government carry out with regard to the posting of officers, and I do not think there should be any alteration.

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1454. You mean that there are certain divisions which are usually held by Covenanted Civilians and certain divisions that are held by Deputy Collectors?—In some cases, but I also think that generally the former should be held by the Covenanted Service, and that Deputy Collectors should not be able to be posted to them.

1455. Might there not be exceptional cases in which they might be appointed for short periods?—Certainly, there are exceptions to every rule.

1456. Subject to certain provisions as to what sub-divisions were to be held by what class of officers, would you be prepared to give any discretion to the Collector in posting officers?—I do not think it would save any trouble, and I think it would be better that the Government should retain their present power.

1457. Now with regard to the tahsildars. There are generally from 8 to 12 *taluks* in a district?—In some districts yes; roughly 5 to 12 we will say.

1458. Those are divided into grades of pay?—Yes.

1459. Five grades running from Rs. 150 to Rs. 250?—Yes.

1460. The pay belongs to the *taluk*?—Yes.

1461. Therefore to promote a tahsildar is to remove him from one *taluk* to another?—Yes.

1462. Are you in favour of that system?—Speaking individually, I am not, but speaking for Government I must ask to be allowed to reserve my opinion; at present I am not speaking for the Government.

1463. Speaking as an individual?—Speaking as an individual, I am in favour of a change analogous to the change which was made in the case of Sub-Divisional Officers. Of course, among these officers, moves are not anything like so common as they used to be.

1464. You imply possible objections; can you indicate any objections that there might be?—I do not think there are any objections that could not be controverted. Speaking for myself I am in favour of what you suggest.

1465. And I think I am correct in saying that the proposal was once made to the provincial Government and was rejected?—I think it has been made many times and it has been rejected at times; as to these things one does not know in detail what occurred before one came into the Secretariat. It is a reform that I think myself would be advantageous.

1466. As has sometimes been suggested, would you put the tahsildars upon a provincial list and have them appointed by the Board of Revenue?—No.

1467. You think that that would weaken the power of the Collector?—Yes; at present the Collector chooses and nominates a man, and goes to the Board direct.

1468. Does the Collector now send each case to the Board or does he send a number of persons, who are *primâ facie* fit, to the Board?—I cannot tell you what he does now; formerly he used to send up several.

1469. The Board had no actual power of appointment; they could veto the Collector's appointment if they thought the man unfit?—Yes.

1470. And in that case the Collector had to appoint some one else?—Yes.

1471. It was not a case of the Board appointing some one else?—No.

1472. And you would deprecate that?—Yes.

1473. You spoke yesterday about all Codes being prescribed by the Government of India?—I do not think I said that.

1474. You did speak about Codes?—Yes, there are many Codes. I must have been entirely misunderstood if I am supposed to have said that.

wards rigidity and Codes are just as much responsible as the Imperial Codes?—I do not think you can complain of the departmental Code being too rigid. The object of a Code is to see that the officers of the department carry out their duties in the same way.

1476. Is it not the tendency of some Indian subordinates to look at the letter rather than the spirit in interpreting the rules; are they not interpreted too literally?—I do not think a subordinate would find his path very clear if he did.

1477. You spoke yesterday of a District Officer having to rely on about 20 Codes?—Yes, there is the Civil Account Code and the Civil Service Regulations; there is a Local Fund Code and a Municipal Code.

1478. There are any number, but how many volumes have you really to take out into camp with you for constant reference?—I have not counted; I used to have a considerable number of books; I occasionally wanted the Government of India Acts and things of that kind.

1479. Would you take the Civil Service Regulations out to camp with you?—I think so.

1480. And the Civil Account Code?—Not the Civil Account Code. Certainly, as the Salt Member of the Board I should take the Civil Service Regulations.

1481. The Collector has not so much to do with the Civil Service Regulations?—I think I used to take them when I was a Collector.

1482. He has to take the Board's Standing Orders and the Civil Procedure Code?—Yes, and I should say probably the Abkari Manual, and he would probably take the Stamp Manual.

1483. He has to take several books?—He has to take several books, and every one has an index, and if the Collector knows his work he can very easily find anything in them.

1484. There is one question here as to whether the provincial Government, or the Government of India too for that matter, was too much led by considerations of revenue. Putting the Government on one side, have you known that in the case of subordinate officers?—I think that is so.

1485. In the Excise Department especially?—Yes.

1486. Do you find officers who have the idea that they have to run the excise for the sake of revenue?—Subordinate officers, yes.

1487. And in the case of the land revenue?—No, I think the tendency on the tahsildar's part is only to collect his revenue up to time; I do not think it is so much to increase it as to get it paid in time.

1488. He has not the idea that it would be against him to recommend a large amount of remission?—I do not think so.

1489. Have you had any experience of famine work?—Very little; I had three months in 1892.

1490. Do you think the provincial Governments should not have greater latitude over their Famine Code?—I do not think so.

1491. You spoke yesterday of transfers of officers; you said that in your opinion it was not good for an officer to spend too many years in the same district. How many Telugu districts have you got?—About ten.

1492. Could you not keep officers more in the districts speaking the same language?—We do our best.

1493. You do now?—Yes.

1494. I put it to you that in former times, officers were habitually transferred from a Telugu district to a Tamil district and *vice versâ*?—There were constant changes; that had to be done in order to give promotion; I believe that that accounted for many of the transfers.

1495. Take the Collector or the Judge: is he not often transferred?—I think he is not often transferred to a district in which a language he knows is not spoken.

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1496. But is not a distinction to be drawn between a man who has been speaking the language for years and a man who has passed an examination in the language years ago?—The language is always considered whenever it is possible.

1497. Sufficiently?—I think so; I think it is considered as far as it can be.

1498. Are your acting appointments of Collectors and Judges generally given by seniority?—They are given to some extent by seniority. I remember in one case where the Collector fell sick, the man in the nearest district, although he was not ripe for an acting Collector, was put in for a couple of months.

1499. What do you mean by ripe for a Collectorate?—He was not the next for promotion; he was put in because he happened to be handy.

1500. At what time does a man act as Collector now-a-days?—Men who came out in 1892 or 1893 are the juniors acting as Collectors.

1501. They have served 14 or 15 years?—Yes.

1502. You have got a Collector of a district who goes home on privilege leave for three months; the senior Sub-Divisional Officer is, say, a man of seven or eight years' service; would you put him in?—I should, if possible, put him in; if he is a man the Government consider fit, he ought to be put in.

1503. That is to say, in the case of a privilege leave vacancy you would put in the man who was on the spot?—Yes.

1504. Suppose the leave extended to six months?—If he were in, and the leave was extended for three months after he had been there three months, he would not be moved.

1505. But if the leave were six months in the first place?—Then the senior man would ordinarily get his promotion.

1506. You would not put the junior in in preference to a senior man a few districts away?—No, not for a six months' vacancy.

1507. Supposing you did do that, would not things right themselves in the long run; would not a man who lost his promotion by that system in one year get it by the same system in another year?—I do not know; it would fall heavily on some men; it would be a matter of luck.

1508. Do you think it is in the interests of the public service to transfer rapidly from one district to another?—You say rapidly; I do not quite understand what you mean.

1509. If a man goes away for six months; which is the best in the interests of the public service, putting all personal considerations out of account—suppose you have a good man on the spot, is it best to put him in district charge or to bring in a man from another district?—It is entirely a personal question as to the abilities of the two men—whether they both know the language and so on.

1510. Suppose the man on the spot is a good man but junior?—If the other man is an equally good man and senior, I think it is for the benefit of the public service, as well as for the man himself, to put him in, because I think it is a mistake to make a man discontented. If a man who really ought to be promoted by seniority sees his juniors in three or four districts drawing more pay than himself, it is naturally a cause of discontent.

1511. You think it would cause Civilian discontent?—I think so.

1512. Suppose it were to become the general rule of the Service and it did not affect permanent promotion, would it cause an equal amount of discontent?—If it became the general rule and everybody understood that it would be done in every case, that would be another matter, but I think it would not work well.

1513. You spoke of the appointment of Collectors and the question of selection and so on. I do not want you to mention any names, but, looking back in the last few years, have there not been some Collectors—and Judges too for that matter—who ought not to have been Collectors and Judges?—I am inclined to think that there have been individual cases.

1514. Would you be in favour of keeping out a man who was unfit?—Certainly; I would try him first.

1515. He would be tried by the operation of your acting rules?—Yes.

1516. By the time he had come to permanent appointment he would have acted several times, and you would have an idea as to whether he was fit or not?—Yes.

1517. If you thought he was unfit what would you do with him?—I think, as an individual, I should ask the Secretary of State or the Government of India to do what they could to retire him on a proportionate allowance.

1518. You would not allow him to remain as a Divisional Officer?—I do not think he would be fit to be a Divisional Officer, and for that reason I should move for his retirement.

1519. How would you see whether an officer was fit or not; it is rather a serious responsibility?—Certainly: I do not think any one man should take the responsibility.

1520. Would you have a Committee of Selection?—No, I think it should be done by the members of the Board being asked to go down and inspect his district, and see how his work had been done.

1521. All the four members?—No, two or three, or one or two, according to circumstances.

1522. And then it would go to the provincial Government?—Yes; of course in the case of a Judge it would be the High Court.

1523. Then, the Board of Revenue, you say, is constituted purely by selection?—Yes.

1524. Does seniority play a great part there, too?—Naturally; unless a man is senior, he is not likely to be eligible for the Board.

1525. Suppose you have a vacancy on the Board of Revenue, and there are three senior Collectors: one is a fairly good Collector and you cannot say he is unfit to be a member of the Board of Revenue; the second is slightly better; and the third is much better. Would the third usually be put on the Board in front of the other two?—It is all a question of degree—a question of how much better one man was than the others. Ordinarily speaking, if three men of the same standing were merely separated by seniority, one below the other, the ordinary man who happened to be second, who was good enough for the Board, but was not the best of the three, would be put in by order of seniority; seniority would give him a better chance, assuming that, out of the three, two were fit to be members of the Board.

1526. That is even if they were close together in point of seniority?—Yes, that is what would be done.

1527. But if there were some years between them—if what you may call the merely good man was three years senior to the next man—the merely good man would go in as a matter of course, would he?—I think so.

1528. You mentioned yesterday that there were no directions for young Civilians as to the etiquette to be observed in the course of their conduct with educated natives?—I am not aware of any directions published.

1529. Do you know the Civil Service Manual?—I do.

1530. Are there not extracts from instructions by Sir Thomas Munro as to how to deal with tahsildars and so on; would that not be some guide to etiquette?—To a certain extent.

1531. Outside that, you are not aware of any manuals?—No.

1532. Would you give Collectors any larger powers in regard to the grant of agricultural loans?—I think the powers they have are large enough.

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1533. We have had some evidence about Advisory or Administrative Councils; would you be in favour of giving an Advisory Council to a Collector?—I do not think so.

1534. You do not think it is required?—I do not think so. I think that a Collector who wished for advice from men in his district would obtain it independently of a Council.

1535. But if he is a new man would he know quite where to go for advice?—Perhaps he would not know where to go to, but I think by asking his Divisional Officers and the people about him he would soon find out.

1536. It is rather difficult for a new man to distinguish between people who can give good advice and people who are really wind-bags or people who advertise and push themselves or look after their own interests only?—That is the reason why I think it would be difficult to appoint an Advisory Council.

1537. The Advisory Council would be selected by some Collector who knew the district?—You could not be sure of that.

1538. If you are not in favour of an Advisory Council, still less I suppose would you be in favour of a Council which would have *quasi*-administrative powers?—I do not think it would be a useful institution yet.

1539. Are you in favour of giving larger powers to villages generally?—Of course not to every village; to some villages.

1540. In what directions would you give them larger powers?—In the disposal of petty criminal and civil cases; in matters of sanitation they already have power in the larger unions; as to other matters I am not quite sure what it means.

1541. Is there a union in every village?—I am speaking of village unions; the larger villages always have sanitary arrangements under the Local Funds Acts.

1542. Would you give any power to a panchayat to get a grant and run a school, for instance?—In certain cases it could be done.

1543. Take the case of remissions of revenue; would you make a lump grant of revenue to the village and let the panchayat distribute it?—I do not think that would be desirable.

1544. You think there might be corrupt influences?—Possibly so.

1545. At present you have to rely considerably on the recommendation of the village officials?—Yes, the inspectors and the tahsildar and so on.

1546. If there has been a large loss of crops, of course the village officer can go round and make a rough inspection, but could he make a field-to-field inspection?—He could do that.

1547. Then as regards a field-to-field inspection, is not an applicant at the mercy of the village officer?—If the remission recommended is too small the raiyat has the right to petition the Divisional Officer.

1548. But if the raiyat has got too big a remission he does not petition?—Naturally not.

1549. Do you not think that the panchayat would be deterred by the public opinion of the village from doing injustice?—I do not think there is enough public opinion in most villages to deter them.

1550. With reference to one matter that came up in the examination of Surgeon-General Browne; there was a scheme which went up to the Government of India with regard to the raising of the pay of Hospital Assistants. Can you tell me why that should go up to the Government of India necessarily?—I suppose it was under the Rs. 25,000 rule or something of that sort; I do not know why it went up.

1551. It would have gone up under some financial rule in the Civil Service Regulations?—I suppose so.

1552. If the cost of that measure was over Rs. 25,000, till the other day it would have had to go not merely to the Government of India but to the Secretary of State?—I believe so.

1553. You are also in charge of the Marine Department?—Yes.

1554. You have made some suggestions here about the Port Trusts; you want the sanction of the provincial Government to be sufficient in the matters you refer to without the necessity of going to the Imperial Government?—Yes.

1555. Is there not a great deal of coasting trade that goes on between one province and another?—Yes.

1556. Might there not be discontent if, for instance, the British India Company was to be charged as traders at this port double the amounts charged by Burma or Bengal?—Precisely, but it is sufficient surely to lay down what the maximum port dues may be, and say that they must not be exceeded. Every proposal that is made goes to the Government of India and comes back here after sanction.

1557. You do not want the provincial Government to fix the maximum?—No, we simply want the port dues to be levied at a particular place.

1558. But within the maximum the law prescribes, the provincial Government should have freedom?—I do not see why the provincial Government should not have a free hand; it would not give an advantage to one port as against another.

1559. But does it not cause discontent that a coasting line like the British India finds one rate of port dues in force at one port and another rate in force at another port?—I do not think they would find that to be the case; we group our port dues.

1560. You would let each provincial Government run on their own rates within the maximum laid down in the Act?—No, I do not think I said that. I say impose the leviable port dues at a particular port under section 33.

1561. You agree that the general rate of port dues should be subject to the sanction of the Government of India?—I have no objection to it.

1562. Then as to pilotage fees, do you find that the trade complains as to these?—No, we have not had any complaints. We have altered the pilotage fees for the benefit of the trade in various places.

1563. You do not propose to recommend any addition to the powers now exercised by your own Madras Port Trust?—No.

1564. I find that in Madras, apart from passing the Port Trust budget, the provincial Government have to sanction the construction of all works the cost of which exceeds Rs. 25,000; in Bombay it runs up to 2 lakhs. In Madras I think you have a very experienced engineer as Chairman of the Harbour Trust Board; do you think it is necessary to have this low limit?—I would rather not answer this question, if you do not mind. I think it is necessary to have a limit; I do not wish to give my reasons for saying so.

1565. The sanction of the provincial Government is necessary in case of leases by the Port Trust of immovable property for over ten years?—I believe that is the case; that is a matter of land revenue which will probably be better gone into with the officer in charge of that department.

1566. As far as you are concerned, you do not think the Port Trust needs to have any more powers?—Not at present.

1567. Sir Steyning Edgerley asked you some questions about delegations that you have proposed; as you were saying just now, a number of your suggestions if accepted would involve a change in the law?—That is so.

1568. You are in favour of a general Delegation Act?—I am not in favour of an absolutely general Delegation Act, but the delegation should be limited to different Acts by order.

1569. There are two forms which a General Act might assume; you might put into schedules section 3 of this Act or section 10 of another Act, and

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say that in all the sections of Acts contained in the schedule the words "subject to the previous sanction of the Governor-General in Council" are repealed; or you might, as I think Sir Steyning Edgerley suggested, say that in any section in which the previous sanction of the Governor-General in Council is required, the Governor-General in Council shall have power to delegate his power to some subordinate authority?—Yes, I should accept the first alternative; I should think that would be the preferable.

1570. The schedule system?—Yes; in order to formulate my reasons specifically, I should have to see the draft Act, but I think as a general rule that appears to be the better arrangement.

1571. The one deals with specific things that you want to relax, and the other gives power to operate in the future; you would rather have the matters specifically set out in the Act?—That, I think, would probably be the better course.

1572. (*Mr. Hichens.*) With regard to appointments, I understand that the Indian Civil Servant when he comes out to Madras is first of all posted to some district where he learns the language and learns the district work?—Yes.

1573. How long will he be there?—Roughly, until he has passed his second standard.

1574. Will that be two or three years?—Yes; that depends upon the man; he cannot pass under a year and he is not likely to pass under a year and a half.

1575. Then he is eligible to be a Divisional Officer?—Yes.

1576. Do officers go into the Secretariat for a term of years?—Not for a fixed term of years; a man may come into the Secretariat and stay four or five years, and at the end of that time there may be some district promotion open to him, and he goes out.

1577. But if a man gets into the Secretariat, he does not stick there usually for the rest of his time?—No.

1578. Then is it policy for the Government of Madras to get as much diversity of experience amongst the Covenanted Civil Service as possible?—I think an ordinary District Officer gets a very diverse experience.

1579. But they do not view with approval appointing a man to a department and then keeping him there for the rest of his time?—No, it is not done.

1580. But is it purposely not done?—The conditions of service to some extent prevent it, because he gradually comes to get promotion, and his pay will be smaller in his department than if he went back to the ordinary line.

1581. He might go back again, as, let us say, a Sub-Divisional Officer?—Yes.

1582. Then he might go off to some other department?—As a rule, he will then stay and be promoted to a Collector; he may become a District Judge.

1583. The Collector in the district has relations with practically all the departments of the Government?—Practically.

1584. Does that involve a very large amount of secretarial work?—A large amount of correspondence, yes.

1585. Does that take up a large proportion of his time?—It does.

1586. Do you think that could be or should be reduced?—I think it would be very pleasant for the Collector if it could be.

1587. Can you suggest any way in which it could be reduced?—I think if we could gradually reduce the control in some of the ways that have been suggested both by the Government and by members of the Commission, a certain amount of correspondence would disappear.

1588. There is no other way that you can suggest?—Of course, there is a possibility of increasing the number of officers.

1589. Would you recommend that?—In some places it has been done; there is an Additional Joint Magistrate in some districts—certainly in one district at the present moment—to reduce the amount of routine work that falls upon the Collector.

1590. Is it your view that in Madras that principle should be carried further?—I think it should be carried further in one or two places; in fact, it is proposed under a scheme that is known as Mr. Meyer's scheme that it should be done.

1591. (*Mr. Dutt.*) Have you told us how the departments are distributed between the Governor and the two Members of the Council?—I do not think I have in detail.

1592. Does not the Governor take the Political, the Military, the Public Works, and a few other Departments?—Yes.

1593. Then what does the Senior Member take?—It is not laid down that any department shall be taken by a particular Member. The Senior Member takes now Revenue and Finance; those are the two principal ones; he has Pensions, too. The work is divided from time to time; if a new Member came in it is quite possible that the present arrangement would be altered. The allocation of the departments to the different Members is altered as fresh men come in. For instance, if a new man who came in happened to be a particularly good Revenue Officer, he would probably take over the Revenue; and perhaps, a judicial man, the Judicial from one of the other Members.

1594. And generally all questions referring to his department are disposed of by the Member in charge of that department?—They go to him, and, generally, they are disposed of by him.

1595. Are the more important questions referred to the Council?—Yes; a Member very often refers matters to other Members and they do not go before the Council, but the more important ones go before the Council.

1596. There is no fixed rule as to what is to go before the Council?—No.

1597. It depends on the discretion of the Members?—It depends on the discretion of the Members and of the Secretaries. A Secretary can lay things before the Council. For instance, if a whole Government Order has been superseded by an order of a single officer, it has to go to two Members. There are rules of that sort laid down in print. In a particular question if the Secretary thinks necessary he refers it to the Member and says, "I think it ought to go to Council," and the Member says yes or no to it.

1598. Then most of these questions are disposed of by one Member of Council, and "the order of the Government" merely means the order of one Member of Council?—Yes, the other Members see them, or rather they know what orders have been passed; they do not see them till afterwards.

1599. Is there any rule as to what matters should go up from the Board of Revenue to the Member of the Council in charge of the Revenue Department?—All things that come from the Board of Revenue go first to the Member in charge of the Revenue Department as a matter of course.

1600. But the Board have definite powers for the disposal of certain matters themselves?—Yes.

1601. And those that they cannot dispose of themselves they refer to the Member of the Council?—Yes.

1602. Are these powers laid down in any rule or code?—Not in any particular rule or Code; they come into the various laws and Standing Orders, but there is no single Code covering all the subjects.

1603. There are four members of the Board?—Yes.

1604. One of them is in charge of Forests?—Yes, he deals with Forests and Land Revenue.

1605. Then another is in charge of Surveys?—There is one member in charge of Survey and Settlement and Agriculture; Famine goes to him when famine occurs, and all the miscellaneous departments.

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1606. Has the member in charge of forests anything to do with pasture lands and common grazing fields?—Yes.

1607. Is it a fact that in olden days every village had its common pasture lands?—I am very doubtful about it; I should think not. I should think in many parts of the country there were no pasture lands, but of course it is impossible to say. There are many places where there is still village pasture land.

1608. Have many of these pasture lands been now included within forest areas?—I cannot tell you.

1609. You would not say that that is not the case, speaking from your general knowledge?—I do not think that many village communal lands have been included in the reserve forests.

1610. Has any difficulty been felt by the villagers in pasturing their cattle because of the absence of communal village lands?—I can hardly say that.

1611. Who is the member of the Board in charge of Irrigation?—Irrigation goes to the member of the Board who has to deal with land revenue.

1612. Major irrigation works are in charge of the Public Works Department?—Yes.

1613. And what you call minor irrigation works are in charge of the Collector's Department?—Yes.

1614. Do you think that the Public Works Department have sufficient control over the major irrigation works for the varying requirements of the people?—I think it could be improved.

1615. Are there small irrigation works which you call in Madras *kudimaramat*?—You can hardly call them *kudimaramat*—they are minor irrigation works—river channels, or where a temporary dam is made half across a river and the river is diverted into the channels.

1616. Who is generally in charge of these works?—The tahsildars or the revenue officers.

1617. These would be works that go through several villages?—Sometimes.

1618. Would you give the village unions any share in the charge of those works?—No, I would not.

1619. Not even when they are entirely situated in one area?—Then I might; I think a satisfactory way to the villagers would be for a cess to be levied on every landholder in the village, and to have the work done under the tahsildar.

1620. You would not object to that being done by village unions?—I would object to its being made as a rigid necessity and having no other way of providing for it; but I think at places and at times it might be done by the village authority in small matters, and in many of them it is already done.

1621. Is there not a system of seasonal remissions in Madras?—You mean crop remissions?

1622. Yes, remissions in the case of calamities?—I do not think you can call them seasonal remissions here. You mean widespread calamities, cases of famine causing distress.

1623. In those cases has the Board power to make remissions?—I cannot answer that off-hand; I have never had to deal with that myself; I have never been in charge of land revenue in a season that has been bad.

1624. Would you have any objection to the Board exercising that power as they do in Bengal and some other provinces?—I do not think there is any objection to the Board doing it, providing that they keep Government informed of it; that is practically what the present system is.

1625. I understood you to say yesterday that under the tahsildar there are some minor charges, until you come down to the village union itself. Would you let me know what they are?—There is the deputy tahsildar and the revenue inspector.

1626. The deputy tahsildar usually has charge of a portion of a *taluk*?—Yes.

1627. What is the charge of a revenue inspector?—Also a portion of a *taluk*—a number of villages together; there are more inspectors than deputy tahsildars.

1628. Are the revenue inspectors under the deputy tahsildars?—Some.

1629. And some under the tahsildars?—Yes.

1630. Do the tahsildars always exercise judicial powers?—No. They all have magisterial powers—practically all—but they only exercise them in cases specially requiring them. The deputy tahsildar as a rule has magisterial powers.

1631. What is the pay of the deputy tahsildar?—Rupees 100 and 120.

1632. The revenue inspectors have no magisterial powers?—No.

1633. Does the deputy tahsildar generally try criminal cases?—Yes.

1634. Do you find it necessary that they should try criminal cases according to the present arrangement?—Most certainly.

1635. I am asking you this question because there is a difference between this province and Bengal. In Bengal we have generally no magistrates below the Sub-Divisional Officer, but you find it necessary here?—It is necessary at present.

1636. Do you think that that interferes with the revenue duties of the deputy tahsildar?—I do not.

1637. Do you think it helps his revenue duties?—I do.

1638. You think that the exercise of his criminal powers helps him in the discharge of his revenue duties?—Yes.

1639. In what way does it help him?—He does his revenue work more efficiently; it gives him a wider knowledge of the country and the people.

1640. He would not have that wider knowledge unless he tried such cases?—He might, but when a man goes and tries a case in a village he finds out a great deal about the people of the village that he might not hear at all as a mere revenue officer.

1641. Does it help him at all because he enjoys some prestige by the exercise of criminal powers?—I dare say it does.

1642. By whom is the village munsif appointed?—He is appointed by the Divisional Officer, that is the Sub, Head Assistant, or Deputy, Collector, under rules prescribed by Government.

1643. You said you would rather have cases tried by Benches than by single village magistrates?—Yes, if Benches could be constituted.

1644. In that case would you recommend that the cases should go to the members of a village union where there was one established?—I have not thought about it at all, but I imagine some members of the village union might very properly be upon the Bench.

1645. That experiment has been tried in other provinces?—We have not got it here; we do not make a Bench out of the members of the village union.

1646. You think it is quite possible?—Oh, yes; and some of the members of the village union might be members of the village Bench.

1647. You said that you would generally allow only one appeal?—Yes.

1648. That is to say in the case of an order passed by the deputy tahsildar you would allow an appeal to the tahsildar and no other?—In most cases the appeal would lie to the Divisional Officer.

1649. You would not allow it to go any further?—I should not as a rule allow it to go any further.

1650. Take the case of a higher official. In the case of a man in the Civil Service who was degraded by Government order, would you allow an appeal only to the Government of India and no higher?—I do not think it would be necessary to go higher.

1651. Do you think that this restriction of appeal would be at all popular in the country?—I do not think it would be unpopular if understood; I think they would be quite ready to accept it.

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1652. Do you think it would help to improve the administration?—I think so.

1653. You think there is a necessity for restricting appeals?—I think there is a great deal too much appeal now.

1654. What evil would you say is caused by it?—The evil that the same facts have to be tried over and over again by two or three different tribunals.

1655. That means only a little additional work?—I think it means a great deal.

1656. That is the only argument against second and third appeals that occurs to you?—Yes. If you can trust your officers to hear an appeal I think you do not want to go any further.

1657. Do you think there would be the same feeling of security among the people if you restrict the right of appeal?—Yes, I think so.

1658. You do not think it would be an unpopular measure if you restrict the number of appeals?—I do not.

1659. I understand you to say that generally you would like some additional devolution of powers to Local Boards in some way?—I think it is possible.

1660. And it might be beneficial?—Yes.

1661. With regard to the creation of Advisory Boards, you are against that?—As suggested here, yes.

1662. Do you not think that in certain matters these Advisory Boards would be of help to the Collector?—*I have not seen them working.*

1663. Of course, we have not got them here yet?—As far as I can see, I am against them.

1664. Could you not have some proper officers appointed from every district for consultation?—The whole point is that word "proper."

1665. I mean men selected by the Government and elected by the people for the purpose of consultation in such matters as those with which the people themselves are likely to be acquainted. Do you not think the Collector would get some help and information from them which would be useful to him?—I think the Collector could obtain help and information which would be useful to him without having an Advisory Board appointed.

1666. But if an Advisory Board was constituted would it not be likely that he would more frequently consult them than he does now?—I cannot offer any opinion on that; I have not seen the system at work; it is all hypothetical.

1667. In plague relief measures would not the Collector receive great help from a few members selected by the people in carrying out his measures, and also in testing the real feelings of the people?—I think he would, but I do not think that the few men who would be able to do that would necessarily be those who would be on the Board selected before the plague occurred; I think it would be much better to allow the Collector to select his men at the time; he would be much more likely to get the real feelings of the people than by consulting a Board that had been selected or appointed before the occasion arose.

1668. Then you would recommend that whenever plague breaks out the Collector should consult the people of the district?—I would let him consult if he thought he could do so with advantage.

1669. You would lay down no rule on the subject?—No.

1670. Some Collectors might consult and some not?—Just so.

1671. You would leave it entirely in their own hands?—Yes.

1672. Do you not think that the creation of Advisory Boards would make the administration more popular? If the people felt that there was some confidence reposed in them and that they were sometimes consulted, would not the administration of the Collector be more popular?—I cannot offer an opinion.

1673. Would you advise the creation of some Boards experimentally in some districts?—No. I do not think I should.

1674. Then if it is not done experimentally and you cannot offer an opinion until you see it at work, how will you ever be able to offer an opinion?—I should ask the Collectors to try the experiment themselves, without fixing any particular persons to be consulted on any particular occasions.

1675. Would you leave the District Officers to form or not to form these Boards according to their discretion?—I should think a District Officer would be very foolish to form a Board that would bind him about anything; I should say to the District Officer, "You know the men in your district; if anything arises in any particular place you will consult such persons as you think advisable at that place and at that time." I think that a Board to whom the Collector would be bound to go would be a most dangerous thing.

1676. You have put forward a recommendation for the enlargement of the powers of the Board of Revenue and of District Officers, and I understood you to say that for the purpose of such enlargement many provisions of the Civil Service Regulations might be extended?—Yes.

1677. Amongst the authorities to which greater freedom should be given do you not think that you should include village communities?—Can you give me an instance of a power that you would like to see extended to them?

1678. I would leave that to you, because you are better acquainted with Madras. I simply ask, as you are in favour of extending powers to the subordinates of the Local Government, are there not any directions in which you would similarly give enlarged powers to village bodies?—The village union is a matter which comes under the Local and Municipal Acts, and it is provided for by the *Local Funds Act.*

1679. (*Sir Frederic Lely.*) Is there not a class of cases which come to the Government and are disposed of by the Under Secretary?—Yes.

1680. Would there be any objection to an order transferring all those cases in a body to the Collectors or to the Heads of Departments?—*I think* there might be objection.

1681. A selection would have to be made?—A selection would certainly have to be made.

1682. But it is not clear why if a case can be decided by an Under Secretary, a man of 4 or 5 years' experience, it should not be decided by a man of 25 years' experience?—It first of all has to be decided whether it is in accordance with precedent by the Member who is in charge of the particular portfolio.

1683. A man who has access to the records?—Yes; things which are in accordance with precedent are passed in that way by the Assistant Secretaries; such things as passing magisterial powers for instance.

1684. Then as to examinations in languages. Do you consider that the language test is a satisfactory one?—I do not think the present High Proficiency and Honours tests are satisfactory.

1685. But the ordinary test?—The ordinary test—the standard test—is a satisfactory one, but the High Proficiency and Honours tests are not.

1686. Those are not compulsory?—No.

1687. There is no suspicion that the examiners are over lenient?—I have not heard that suspicion mooted.

1688. I understand that you do not claim that the provincial Government should be the only body in India not under control; you make no such claim as that?—No.

1689. As a matter of fact, the Madras Government, I suppose, allows its Board of Revenue a very wide field in which it does not interfere?—Yes.

1690. Is it not part of the theory of decentralization that you should allow more latitude to these subordinate bodies?—The theory of decentralization, I suppose, is to that effect.

1691. That the Madras Government should allow more latitude to its subordinates and in its turn receive more latitude from the Government of India within certain restrictions?—Yes.

1692. You are not prepared to lay down those restrictions exactly?—No.

1693. But you think it would be possible to lay them down?—It would be a difficult business to lay them down in detail. I think the thing will have to crystallise itself. After some rules have been drawn up, it will be found that they will have to be altered and so on; I do not think you could do it all at once.

1694. Then as to the question of the interference of the Government of India when the provincial budget is sent up for their sanction. I understand you do not object to changes in particular items. For instance, suppose a budget is sent up showing a gross expenditure of 4 crores, you do not object to paper changes in the budget providing the gross expenditure as sent up is not interfered with?—They do interfere considerably.

1695. They interfere with the 4 crores; they reduce it to 3½ crores?—I do not say that the Government of India reduce it to 3½ crores, but I do think that alterations in individual grants might interfere with the work of the province.

1696. But if the gross expenditure sanctioned remains at 4 crores, and if the provincial Government has power to transfer from one head to another, there would be no difficulty and you would not object to that at all?—No.

1697. What you do object to is making changes in the gross expenditure?—No—making changes in the details when we cannot reappropriate at all.

1698. If you have the right to reappropriate you have no objection at all?—No.

1699. As to Inspectors-General, you would agree that a fifth wheel in the coach is presumably an encumbrance?—Yes, on general principles.

1700. It is not worth while to impose uniformity for its own sake?—I do not think that uniformity ought to be aimed at in such a large country as this; strict uniformity is impossible.

1701. A particular change may be theoretically for the best, but in practice it would not be for the best, is that what you would say?—It may be theoretically, and in practice, the best for one province, but not in practice the best for another province.

1702. Do you remember some years ago Mr. Buckland being sent down by the Government of Bengal to enquire into excise matters?—I remember his being in Madras; I do not know what he was here about.

1703. He was an officer well versed in provincial arrangements in Bengal and he went down and studied every other province; would you think that a good arrangement to make?—Yes; I do not think it would be necessary for him to go to every province.

1704. Would you prefer that system to having a permanent Inspector-General?—I should prefer it.

1705. You object to a provincial Government being authorized to raise loans?—I do not think I objected; I said I did not think it was necessary.

1706. Take the case of a rupee loan—it is only proposed, I believe, in the case of rupee loans. Suppose the case of an irrigation work in a certain district; do you not think that if the provincial Government had power to raise a local rupee loan it would stimulate local sentiment as well as bring out hoards in the district itself which probably would never be touched for an imperial loan?—I have not heard of such a thing happening, and I do not think so.

1707. As to excise, you mentioned that a Collector if he is a good man exercises a good deal of authority in excise matters. Is there any excise authority between the Collector and the Board of Revenue?—No, there is no one superior to the Collector. There is an authority between the Inspector who runs the details of excise work in the district and the Board of Revenue, but he is not under the Collector.

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1708. Then if the Collector interferes in excise matters, is he not likely rather to clash with that person?—I do not think so.

1709. Do you not think it would be a good thing to put him under the Collector?—I do not think it is necessary to put him under the Collector.

1710. Is it not true that in Madras as a rule Collectors are very greatly overwhelmed with work?—They are heavily worked.

1711. The administrative divisions that now exist are the same as have existed for many years past?—In my knowledge there have been a great many alterations; since I came to the country there have been many alterations.

1712. In the direction of providing Collectors with greater help?—Yes.

1713. Is there not now a great deal of work thrown on the Collector immediately without any assistance?—Of course he has a great deal of work.

1714. As to the Court of Wards work the Sub-Collector has nothing to do with that?—It depends on the Collector; the Collector can employ him on anything that he wishes.

1715. In all estates under the Court of Wards they require a certain number of agents or officers? There is an agent, I suppose, appointed to manage every considerable estate?—Yes.

1716. Is he not a very low paid man?—On a considerable estate he will not be a low paid man; some of them are on pretty high pay.

1717. But usually he is low paid—he is a man without any qualifications?—It depends upon the size of the estate.

1718. I am thinking of the average estate. What I am trying to get at is this; does not the working of the Court of Wards throw on the Collector a great deal of detail work which he ought to be able to leave to the Sub-Divisional Officer?—It does throw a lot of work upon him.

1719. Then as to irrigation tanks. Is the Collector not responsible for the maintenance of most irrigation tanks?—The Public Works Department is responsible for the maintenance of some—I cannot say most, because there are petty tanks in every village, but the main irrigation works are under the Public Works Department.

1720. You mean the larger ones?—Large and small. The greater number and the greater revenue and everything of irrigation works is under the Public Works Department.

1721. But does not the Collector take charge of a great many of these small tanks and has he not a subordinate engineering staff under him?—In some districts.

1722. That is unsuitable work for the Collector surely?—It is a matter of opinion.

1723. It involves the Collector in examining and signing estimates for every little petty work?—The Collector does not always do it himself.

1724. But he is responsible for it?—Yes.

1725. And he has to sign the estimates?—I do not think the Collector personally signs them.

1726. Anyhow he is responsible for the work?—Yes.

1727. Is it not true that all the roads are practically in charge of the Collector?—The roads are in charge of the Boards, who usually employ a Local Fund Engineer.

1728. Is he an efficient man?—I do not know many who have been inefficient.

1729. Is he a man who could be trusted to make estimates and measure up the work and so on?—As a rule.

1730. Are they a reliable trustworthy set of men?—Some of them are thoroughly reliable.

1731. Is not the general effect of this direct responsibility over roads to throw on the Col-

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lector a very large addition to his work?—It is a considerable portion of the Collector's work.

1732. You have been in charge of several districts and you know the village unions no doubt?—Yes.

1733. You have been asked how it would be possible to extend their power. Have they at present any power to execute Local Fund works?—I do not think so.

1734. Suppose Rs. 500 is sanctioned for a well, the work is not given to the villagers to do?—No.

1735. An outsider is employed to do it?—A contractor, not necessarily a villager.

1736. What would you say to an arrangement like this, that if the Local Board allotted, say, Rs. 500 for making a new well, the Rs. 500 should be handed over to the village panchayat to spend the whole entirely under their control?—I think it would require supervision; I do not think it could be done safely.

1737. It could not be done on the understanding that if they mis-spent the money they would never get any more?—I am inclined to think that many village communities would never get any more.

1738. Do you not think that after a few experiments they would be able to undertake such matters? They build their own field wells?—Those are very often inspected and watched; all those that are built with loans.

1739. There are many that are built without loans?—Yes.

1740. Do you not think the experiment might be tried?—I think it might certainly be tried in certain villages. I have very little doubt that something of the kind has been tried in various places in larger villages and in unions.

1741. Do you think it would be advisable in the forest areas to hand over to villages a certain tract of land to be run as a village forest; has that ever been done to your knowledge?—Not in a forest area; I have known an arrangement under which certain produce of the grazing lands of a village was allowed to be collected by the villagers and sold to form a common fund for some village purpose.

1742. That was under close control?—It was intended to be under close control; it began in my time in one large district; I believe it was found unsatisfactory.

1743. Would you advocate an experiment of that kind?—I think the experiment might be tried. It was tried in the case I am thinking of; I do not know what the result was, but I know that it is not going on now, and I take it it was not satisfactory.

1744. (*Chairman.*) Have you asked the Government of India for sanction for an increase, however small, in the numbers of your police?—Just at present we are in a state of flux in connection with the Police Commission; we are going on increasing on the lines the Police Commission laid down, without consulting the Government of India, under the general sanction given by the Government of India in consequence of the Police Commission. We have not worked up to the limit.

1745. A good many cases were cited to you in which action by the Central Government was necessary on account of the intervention of the Secretary of State. I suppose your point of view would be that the powers which you ask for might be granted to you even though under special rules they might necessitate the control of the Government of India and of the Secretary of State?—I think they might safely be granted.

1746. And your view is that both these restrictions should be removed—both in respect of pensions and in respect of the increase of establishments?—Yes.

1747. How is the Secretariat of the Government of India recruited so far as you are concerned?—They occasionally write down here and ask for a particular man; sometimes they write and ask for a man.

1748. How do they get knowledge of the particular man?—That I cannot tell you. They took away my Secretary once when I was a member of the Board.

1749. Sometimes they consult you and sometimes they do not?—They sometimes ask for men. When they took my Secretary they did not consult me; they wrote to me and said, will you send up Mr. So-and-So.

1750. And of course you had no power to refuse practically?—No, and of course one would not stand in the way of a man's promotion.

1751. When the Government of India are asked for the preparation of a statement of opinion upon questions which affect Local Governments, whatever advice they may receive from their Secretariat at headquarters, do they consult the Local Governments before giving their opinion?—I think as a rule they consult the Local Governments—they do generally I think.

1752. I thought you gave us a case of a Committee which had just been sitting in which you said that no reference had been made to the Government of Madras?—That was the Stores Committee; I had no personal knowledge of it.

1753. As a matter of fact, does not the Government of India communicate with you saying "Such and such questions have been asked of us and we shall be glad to have your views upon this question"?—Yes, I think so in most cases.

1754. Practically the Local Governments do get sufficiently consulted before the Government of India reply to the Secretary of State?—I think so. Very often we are not told why we are asked, but these questions are generally referred to the Local Governments, I believe.

1755. Then when the Government of India appoint Committees to enquire into certain subjects—reformatories and things of that kind—they do as a matter of fact refer to Local Governments for information?—The Committees do.

1756. Not the Government of India?—They send and inform us that a certain Committee is going to sit and will visit the Presidency at such and such a time, and ask us to help them.

1757. Practically, in consequence of their referring different subjects—one sanitation, another education, and so on—has the whole of the municipal budget to be scattered about the various departments of the Secretariat?—No; the budget passes through the Sanitary Commissioner and he makes his recommendations; then the Local and Municipal Department deal with them within the limits of the funds of the municipality.

1758. But there are questions of education which are in the municipal budget?—Education is in the same department.

1759. Water would be the same?—The water-supply would fall under sanitation.

1760. It is practically confined to one department?—Except with regard to financial business. If the budget affects any department other than the Municipal Department, it is sent to that department so that notes may be made on it.

1761. Do you know of any Government of any country which attempts to regulate all the port dues of its various ports?—I have no knowledge of such a thing.

1762. Would it not be more probable that the necessity of attracting trade would always make the port authorities keep their dues as low as possible owing to the competition of one port with another?—You are speaking of such a port as this or Bombay, but many of these ports here are places where the whole value of the trade is less than a couple of thousand rupees. The local authorities have nothing to do with the port dues there; they are practically uniform throughout; in almost all cases they are covered by entry at a bigger port. The truth really is that they are covered by the port dues paid at the larger port.

1763. And the dues at the larger port are regulated by economic requirements?—Yes.

1764. (*Mr. Meyer.*) You have the Madras Act of 1873 which relates to your Civil Courts?—Yes.

1765. Does not that Act oblige you to go up to the Government of India whenever you want an additional district munsif even temporarily?—There is an Act which obliges that.

1766. Although under the general financial rules you might appoint a permanent additional munsif up to Rs. 250 a month you have to go up to the Government of India under this Act?—That Act is included in one of the lists as one that we should like to do away with in so far as it embodies that provision.

1767. Similarly as regards the Provincial Small Causes Court Act of 1887, it requires that the sanction of the Governor-General in Council shall be obtained to the general establishment in connection with local Small Causes Court?—Yes, I could multiply them *ad libitum*.

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1768. Have you included in your list the Registration Act, section 14?—I do not know whether it is in the lists that you have got so far.

(*The witness withdrew.*)

ADJOURNED.

THIRD DAY.

MADRAS, *Monday*, *November 25th*, 1907.

PRESENT:

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

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

Lieut.-Colonel H. THOMSON was called and examined.

Lt.-Col. H. Thomson.

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1769. (*Chairman.*) You are Sanitary Commissioner of Madras?—Yes.

1770. Will you state briefly the organization of your department?—The organization of the Sanitary Commissioner's office is as follows:—

The Sanitary Commissioner: one Deputy Sanitary Commissioner and Inspector of Vaccination.

The Executive staff under my control consists of 82 Deputy Inspectors of Vaccination—77 in the districts in charge of as many ranges, and 5 employed as Assistant Superintendents in the King Institute of Preventive Medicine, Guindy.

The Sanitary staff throughout the Presidency, not directly under my control, consists of 22 District Medical and Sanitary Officers under the orders of the Surgeon-General: seven Sanitary Assistants recruited from the Assistant Surgeon grade under the orders of the Presidents, District Boards, as assistants to the District Medical and Sanitary Officers of seven districts: 178 qualified sanitary inspectors employed by municipalities: 34 qualified sanitary inspectors employed by eleven District Boards.

The duties of the Sanitary Commissioner are:—

(*a*) To advise Government and local bodies on matters relating to sanitation, vaccination and vital statistics.

(*b*) To advise the Sanitary Board on questions relating to sanitation, that is, schemes for water-supply and drainage and other sanitary works, such as, the laying out of village-sites, construction of hospitals, markets, slaughter-houses, etc.

(*c*) The inspection of municipalities, reports on which are submitted to Government through the Chairman of the municipal Council, and the Collector of the district concerned.

1771. Your duties are to advise the Government on matters relating to sanitary matters generally?—Yes.

1772. To advise the Sanitary Board generally?—Yes.

1773. And you inspect municipalities from time to time to see whether their sanitary condition is satisfactory?—Yes.

1774. Does the same duty of inspecting the districts under the control of the District Boards rest upon you?—No, I can inspect them, but it is usually the Deputy who inspects them.

1775. You order one of your Deputies to inspect them?—I have only one Deputy; I order him to inspect them—not the larger ones, but the smaller ones.

1776. You are responsible for him?—I have to supervise his work.

1777. By whom were you appointed?—I was appointed by the Government of Madras.

1778. Not by the Central Government?—No.

1779. With regard to the Deputy Sanitary Commissioner what are his relations to you?—He is subordinate in every way to me.

1780. And his duties are practically to do what he is told by you?—He is Inspector of Vaccination and Deputy Sanitary Commissioner; his duties are chiefly connected with vaccination.

1781. Are you through him in touch with the Collectors of districts?—I am in direct touch with all Collectors.

1782. Not through him, but personally?—Personally.

1783. Then with regard to the municipalities and District Boards do you, or does he, attend their meetings?—No, we do not attend the meetings of District Boards.

1784. To whom in the provincial Government do you report your proceedings; I suppose you have a yearly report?—Yes; I am under the Local and Municipal Department.

1785. And you correspond with the Secretary?—With the Secretary direct.

1786. Has the correspondence with the provincial Government increased very much since you have held the office, or the reverse?—I think it is much the same.

1787. Their control over you is neither less nor more than it was when you took office?—No.

1788. How long have you held your present position?—I was appointed in April 1906. I was three or four months before that acting for Colonel King.

1789. There has been no noticeable increase in correspondence?—No.

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1790. No tightening up of the control over you?—No.

1791. Have you considered at all whether there are, or are not, any powers which might be usefully delegated to you by the provincial Government which would enable you more satisfactorily to carry out your duties of supervising the sanitation of the Presidency?—No, I do not think so, except in the matter of staff; I have only one Deputy; I think there ought to be more Deputies under me.

1792. You think that another Deputy would be useful?—One or two.

1793. But, so far as regards the mere delegation of authority or influence or power, you have nothing to say?—No.

1794. You have a free hand?—I have a free hand except over these sanitary inspectors in municipalities and districts; they are not under me; they are under the control of the local bodies; I have nothing to say to their appointment, their punishment, or anything else. If they are punished, the punishment is reported to me by the local body. I have the power of suspending their certificates. I have to keep a register of these sanitary inspectors, and when a man is appointed the local bodies refer to my office as to whether there is anything against him. Any sanitary inspector whose pay is Rs. 50 and over can appeal to Government through the Sanitary Commissioner.

1795. If you find that you have to punish—?—I do not punish them except by suspension of their certificates after enquiry.

1796. Is there any appeal against that power of suspension?—Yes; to Government.

1797. What pay do these sanitary inspectors get, whom you can thus suspend without further appeal?—I can suspend no one without the right of appeal to Government.

1798. Do you attend the meetings of the Sanitary Board and give them advice?—I do not attend their meetings; I give them advice.

1799. They write to you?—All proposals from District Boards and municipalities come first to me, and I forward them direct to the Secretary of the Sanitary Board, or through the Sanitary Engineer to the Board.

1800. We had it in evidence the other day that the Sanitary Board have no power of decision. Have you as Sanitary Commissioner for Madras found that the necessity of sending your communications through the Board delayed you in your work?—They have power of decision up to a certain amount. On the recommendation of the District Medical and Sanitary Officer the municipalities and District Boards can carry out a work if under Rs. 1,000; if it is over Rs. 1,000 it must come to the Sanitary Commissioner, and up to Rs. 10,000 it can be decided by the Sanitary Board; they can pass anything under that amount.

1801. After that they go up to Government?—They must go to Government.

1802. Have you any power of decision?—I have no power of decision; I advise.

1803. Do you think it would delay proceedings, or would it help the municipalities or District Boards, if you had the power of decision?—I do not think it would help; I do not think many things are delayed.

1804. On the whole, so far as Madras is concerned, the Sanitary Commissioner has all reasonable freedom and power?—I think so.

1805. Would such experience as you have got in seeing these smaller schemes coming from smaller municipalities or District Boards lead you to think that, if they had greater freedom in sanitary matters, business would be done better and more quickly?—I do not think so.

1806. Do you think that the present limit of Rs. 1,000 is sufficiently high?—That is quite sufficient, and very often it is misspent as it is.

1807. You do not think that if greater power was given, although mistakes might be made, that would gradually lead to a sense of greater responsibility?—It might do that, but there are so few to advise them; the staff that they have at their disposal to advise them in matters of sanitation is so limited—I mean the trained staff.

1808. But supposing the staff was the same and so forth, do you think that the exercise of rather larger powers would gradually lead to an improvement in their way of looking at things?—I do not think so; I do not think there is a tendency towards improvement all through, as a rule.

1809. With regard to your relations with the Sanitary Commissioner to the Government of India. Do you correspond with him directly?—I cannot correspond with him directly; I must inform Government of any communications.

1810. Do you send a copy to the Secretary of the Local and Municipal Department?—Yes.

1811. Have you found during your substantially two years' tenure of office that there has been a tendency on the part of the Sanitary Commissioner to the Government of India to interfere more directly with your administration?—No.

1812. Do you find him a valuable officer so far as you are concerned; does he give you good advice and make valuable suggestions?—I have had no dealings with him.

1813. He does not come in contact with you one way or the other?—No.

1814. Do you think that the creation of a Sanitary Commissioner to the Government of India has in any way affected the Presidency of Madras either for good or for evil?—I cannot say that it has affected it very much. I remember one very good report that he wrote; his annual returns are very full and interesting, and they are a help to any one reading them.

1815. The experience which he puts together in his reports has suggested ideas which might not have occurred to a provincial Sanitary Commissioner?—Yes, touring about as he does, he of course collects a great deal of experience. He came down through Madras last year and saw me here, but he has no official relations with me.

1816. Did he let you know he was coming?—Yes.

1817. And you toured together?—No, I did not tour; he visited the Government here, and at the same time he saw me.

1818. Then did he tour through the province?—No, he went back to Calcutta I believe.

1819. Do you think that the same result, or the passing of ideas from province to province, might be arrived at by, say, an annual conference of the Sanitary Commissioners in the different provinces meeting at some common centre?—I think it would be a great assistance.

1820. Do you think that that should take place as a substitute for, or in addition to, the appointment of a Sanitary Commissioner to the Government of India?—If there is a Sanitary Commissioner to the Government of India he can go through the provinces and he sees things for himself, whereas if we met we could only talk about things; he could put altogether what his views are and what he has seen; he could advise, and his advice would be valuable I consider.

1821. You would like to see an annual conference of the Sanitary Commissioners of the different provinces?—Yes.

1822. With the Chair taken by the Sanitary Commissioner to the Government of India?—Yes.

1823. (*Mr. Hichens.*) Does the Sanitary Commissioner to the Government of India ask for many returns from you?—No, I do not think I have sent him many returns.

1824. With regard to your relations to the District Boards and the municipalities, I understand you to say that the sanitary inspectors of the municipalities and District Boards are not under your direct control?—No.

1825. The only way in which you have relations with them is that they have the power of appeal to you?—They have no power of appeal to me. When I go and inspect municipalities I draw attention to any defects I see. I cannot put sanitary inspectors who have been punished back to their places. They can forward their explanation of a punishment; I have to make a record of the punishment, and if I consider that the punishment was wrongly dealt, I need not make any record against them or suspend their certificates.

1826. If a sanitary inspector is to be taken for any district must he be taken from your register?—Yes, he must be qualified; there is a list of them that we keep in our office.

1827. And if one of them is struck off that register through a misdeed then he cannot be employed by a District Board or municipality?—No; on the appointment of a sanitary inspector, the Local Body refers the matter to my office to see if there is anything against the man; they will not appoint him unless that reference is made to me.

1828. How does a man qualify to get on that register?—He must pass through the Medical College and be qualified in hygiene and physiology with a smattering of bacteriology.

1829. Is it necessary that that register should be kept?—I think so.

1830. In order to secure efficiency in the work of the district?—Yes, that is the only control I have over them.

1831. Have you any relations with the Civil Surgeons?—You mean the District Medical and Sanitary Officers?

1832. Yes.—They are Sanitary Officers; they are not under me, but they make tours throughout the district and report to me on the different villages they visit.

1833. Do they take orders from you?—No.

1834. But if you want any inspection made by them?—I can write to them demi-officially, but I cannot order them.

1835. You have to do it through the Surgeon-General?—Yes.

1836. Is that a convenient arrangement?—Well, I have been a District Medical and Sanitary Officer myself, and I know that the duties of a Medical and Sanitary Officer are such that he has little time to give to sanitary work. He has the whole of the hospitals to look after, and usually a jail also to superintend.

1837. In fact, you can get very little out of him?—Very little; I get a report, and from the reports sent to me I extract what I think is of importance and send it to the body it is concerned with, and ask them what they intend to do upon his report.

1838. In fact, you have to rely almost entirely on yourself and your Deputy?—Yes; lately there has been a different class of officer given to the District Medical and Sanitary Officer to assist him, called a Sanitary Assistant. He is taken from the grade of Assistant Surgeons, and he is directly under the control of the President of the District Board; he is selected and appointed by the Surgeon-General. His duty is to tour in the district and report on the condition of vaccination, birth and death registration, and the improvement of rural sanitation. He reports to the President on the visits that he makes. A copy of the report with the remarks of the President is forwarded to me; upon anything that I find worthy of note I communicate again with the President and ask him what he intends to do, and upon his reply I inform the Sanitary Assistant and the District Medical and Sanitary Officer. This is quite a new thing. It is more to keep in touch with the reorganization of the Vaccination Department that is now under trial. There are seven of these officers appointed to seven different districts—only seven—it is under trial at present; but he is an Assistant to the District Medical and Sanitary Officer because his duty is to be always on the move in his district; he is never supposed to remain at headquarters.

1839. Do you find in practice with regard to schemes of sanitation that the initiative is taken by you, or is it taken by the District Board, or is it taken by the Collector of the district? Let me put it in this way: is it generally the case that a Collector writes up to you in the name of his district and says "We think that a certain scheme ought to be taken in hand here, and we shall be glad to have your opinion about it."—No, very seldom.

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1840. What usually happens is that you tour round, and you point out to the Collector or to the District Board, as the case may be, a certain defect in their system and you recommend that it should be put right?—Yes, and make suggestions very often to the District Medical and Sanitary Officer; that is in the districts out in the *mufassal*, away from the big towns—in small villages.

1841. In the municipalities you yourself suggest things?—Yes.

1842. What is the procedure; to whom do you make suggestions?—In my inspection report and in a special letter to Government on any large scheme. Usually it is all contained in my inspection report, which is sent through the Chairman of the municipality and by him forwarded to the Collector, who forwards it to the Government with the remarks of each as it goes along.

1843. Then is it referred to the Sanitary Board?—If there is anything to be done upon it, it is then referred to the Sanitary Board.

1844. (*Mr. Dutt.*) You spoke of a very valuable report published by the Sanitary Commissioner to the Government of India?—It is an annual report.

1845. How many have been published up to date?—I think the first one was in 1904 or 1905; there have been two or three.

1846. The Sanitary Commissioner to the Government of India is a sort of adviser to the Government of India in sanitary matters?—Yes.

1847. Does the Government of India ever issue instructions or advice to provincial Governments based on these annual reports?—Not as yet, I think.

1848. You have told us that every district has got a District Medical and Sanitary Officer?—Yes, there are 22 of them.

1849. They are Civil Surgeons?—Yes.

1850. Besides their medical duties?—They are supposed to inspect all municipalities, unions, and principal villages; they cannot do them all, but as they inspect them they have to send a report to me on sanitary matters.

1851. They visit a good many of them every year?—Yes.

1852. Do you find that they generally inspect all the municipalities in a district every year?—The municipalities, as a rule, yes.

1853. Of course the number of villages would be too large to be visited every year?—Oh, yes.

1854. You have spoken of seven Sanitary Assistants to the District Medical and Sanitary Officers, appointed as a sort of trial by the District Boards?—They are appointed by Government.

1855. They work under the District Boards?—Under the President of the District Board.

1856. Are they not under the orders of the District Boards?—They are under the orders of the President, and that will be under the orders of the District Board, I suppose.

1857. Is their pay paid by the District Boards or by the Government when they are working as Assistants to the District Medical and Sanitary Officers?—I think they are paid by the District Board, or they would not be under the orders of the President of the District Board.

1858. They have as yet only appointed seven as a sort of trial?—That is so.

1859. Is their duty mainly confined to sanitation or to vaccination or to both?—To sanitation and vaccination and inspection.

1860. Are they supposed to inspect different municipalities and village unions?—No, they are not supposed to visit municipalities; they are under the District Board; the municipalities are not under the District Boards.

1861. They are supposed to inspect village unions?—Yes.

1862. And they have to supervise vaccination work and also vital statistics work?—Yes, they have to scrutinise the registers and verify the work.

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1863. From the list you have kindly given us, I find there are 178 sanitary inspectors under the different municipalities?—Yes.

1864. How many municipalities employ these 178 officers?—There are 60 municipalities.

1865. So that there are two or three on the average under each municipality?—Yes; in the case of Madura I think there are ten; in the others I think one or two or three.

1866. Their pay ranges up to Rs. 60?—The maximum is Rs. 70.

1867. What is the lowest?—Rupees 20.

1868. There are also 34 sanitary inspectors under the different District Boards?—Under eleven District Boards.

1869. The other District Boards have not got sanitary inspectors yet?—They have not applied for them.

1870. Can you describe to us briefly the nature of the work which the sanitary inspectors do under the District Boards?—They are usually attached to unions and *taluk* Boards; in the case of an epidemic or an outbreak of cholera they are employed for the sanitation of different villages. Union inspectors are stationary; *taluk* Board inspectors move about. If an outbreak occurs anywhere I usually refer the matter to the President of the District Board and suggest that he should employ sanitary inspectors. I write to him and ask him to inform me what steps are being taken to check it.

1871. Are they mostly attached to village unions?—No; to *taluk* Boards.

1872. The number of village unions in a district is very large?—No; they average about 20.

1873. Sanitary inspectors are not particularly engaged by unions?—Only eight unions employ sanitary inspectors.

1874. Each district sanitary inspector probably has a portion of the district assigned to him?—Just so.

1875. And he is supposed to inspect the unions in that portion?—He is under the orders of the President, and he can direct him wherever he pleases.

1876. But you do not know if the district is parcelled out among them?—No, they can do as they please; they are not under my orders.

1877. Besides reporting on the outbreak of epidemics, if they find a certain spot which is insanitary, is it their duty to report to the District Board?—Yes, they have to furnish diaries. The diaries go to the President of the *taluk* Board, who deals with them.

1878. Are they sufficiently in touch with the members of village unions and village panchayats? When they visit a village do they go to the panchayat?—That I cannot say.

1879. Are they sufficiently in touch with the members of Local Boards apart from the Presidents?—They work under the *taluk* Boards. I do not know if they are in touch with the members.

1880. But they take their orders from the President?—They are employed and paid by him; they are under his orders; he can dismiss or punish them in any way he pleases; they are servants of the local bodies, they are not provincial servants.

1881. Are the village unions sufficiently in touch with them so that they can frequently consult them and obtain their ideas?—No, I do not think that.

1882. They are simply under the orders of the District Boards?—That is so.

1883. (*Sir Frederic Lely.*) The Deputy Inspectors of Vaccination are under your orders?—They are all under me; they are provincial servants.

1884. And you have power to appoint them or punish them or remove them?—Yes.

1885. Their business is to supervise the vaccinators?—They are appointed each to a range.

1886. What pay does an ordinary vaccinator get?—His pay ranges from 40 to 70 rupees; there are three grades.

1887. I was speaking of the vaccinators?—The vaccinators are not under me.

1888. Are they not under the Deputy Inspectors of Vaccination?—Yes, but they are under the local bodies.

1889. Then the Deputy Inspectors, the supervising body, are under you, but the work of the body of vaccinators is not under your control at all?—No.

1890. I understand that the actual work of vaccination is not under your control at all?—Oh, yes, it is.

1891. Suppose a vaccinator misbehaves himself?—He would be under the orders of the President of the District Board.

1892. You have nothing to do with him?—I have nothing to do with him.

1893. Then as a matter of fact your connection with the district is very slight indeed; have you any other connection with the district besides the control of the Deputy Inspectors of Vaccination?—No.

1894. All the other sanitary employés are directly under the orders of the District Board?—Of the municipalities and District Boards.

1895. (*Sir Steyning Edgerley.*) Have the Sanitary Commissioners always been separate from the Surgeon-General?—Always.

1896. Quite apart from any personal questions, which system do you think is the better?—I think the present system. Sanitation is purely a special subject; it has nothing to do with medicine.

1897. Do you think it works easily?—Quite easily; there is no friction whatever so far as I know.

1898. And you think you get sufficient help?—As I said before, I have been a District Medical and Sanitary Officer, and I can well understand the position; it is only there that the help comes in.

1899. Is the King Institute under you?—Administratively only.

1900. That is for bacteriological research?—For bacteriological research and also diagnostic purposes, and also for the manufacture of vaccine paste. We supply the whole Presidency.

1901. So far as research goes the Superintendent can correspond direct with the Sanitary Commissioner to the Government of India, can he not?—Yes.

1902. Upon any particular subject?—Only in the matter of technical subjects of research.

1903. (*Mr. Meyer.*) There is no network of village unions throughout a district; every village does not necessarily form part of the union, but unions are merely specific large villages or groups of villages which are considered more advanced than the rest?—Yes, that is it.

1904. In a way they may perhaps be considered embryo municipalities?—Yes, they run from a population of from 1,000 to 10,000; in fact, some of them are bigger than municipalities; there are some unions with as many as 27,000.

1905. Now about these sanitary inspectors in the district; is "inspector" quite a good name; do they inspect?—Yes, in the town.

1906. But take a municipality that has three or four sanitary inspectors according to the character of the town; their work is confined to the town?—Entirely.

1907. They go round and see to the sanitation?—Yes.

1908. There is no question of their going round rural areas and inspecting there?—No, they cannot go outside.

1909. Then as regards the inspectors employed under the local authorities, of whom there are a limited number at present, are they employed in a particular union only or can they go outside and go to other villages?—*Taluk* Board inspectors are moveable; union inspectors ordinarily are not, but the President can move them when necessary.

1910. Then the difference is this: in the case of municipalities there is a fixed local establishment, whereas in the case of District Boards it is a peripatetic inspection?—Yes, it is moveable.

1911. Is there any obligation on the part of the municipality to take a trained man?—Yes.

1912. Formerly they could take anyone they liked?—Yes.

1913. How long has this new system been in vogue?—Since 1897.

1914. Speaking from your observation as a District Medical Officer and latterly as Sanitary Commissioner, has that led to an improvement in the sanitation of municipalities?—Certainly; there is no doubt about that.

1915. Do you consider that there is danger on the part of men of perhaps little real knowledge, but full of zeal, trying to force what they think are correct sanitary ideas upon the people?—I think so.

1916. There is a danger which wants to be carefully guarded against?—It ought to be controlled.

1917. You think that the local Councils must be under some control?—I think so.

1918. My point is, do you think that the zeal of the expert requires to be tempered by some outside administrative experience?—These sanitary inspectors very seldom suggest anything; they are over the scavengers and drain sweepers and so on; that is all their duty—to see that these people do their work.

1919. Might they not issue orders which the people might resent?—They cannot; it is the Chairman who does that; I do not think they should be allowed to do that.

1920. They ought to be under control?—Certainly.

1921. You gave us to understand that the District Medical Officer had not much time for sanitary inspection?—Yes.

1922. He does however go out into the district, as Surgeon-General Browne told us, on an average for a quarter of the year and inspect outlying dispensaries and hospitals?—Yes, for about three months in the year.

1923. At the time of his inspection of hospitals cannot he also inspect the sanitation of the village in which the hospital is situated?—Yes, but he will not do it in three months if he does that.

1924. The District Medical Officer goes to inspect an outlying hospital or dispensary; does he, or does he not, as a fact accompany the inspection of the hospital or dispensary by an inspection of the sanitary condition of the town or village?—He ought to, and he very often does.

1925. And in that way, if the time permits, he can do a certain amount of sanitary inspection?—Yes, but he has jail duties; he cannot be away from his headquarters.

1926. I am speaking of the time he is away from headquarters, which, we were told, was about one-fourth of the year, during which the Assistant Surgeon at headquarters takes his place?—Yes, about three months in the year.

1927. Then about vaccination. I understood from one of your answers that you have really no control over the vaccination staff beyond the Deputy Inspectors?—No, I have nothing to do with the vaccination staff.

1928. But at the same time you have a Deputy Inspector of Vaccination?—Yes; one Deputy Sanitary Commissioner.

1929. He goes round and inspects?—Yes.

1930. And if he finds that the vaccination work in any area is badly dealt with he would report it?—Yes.

1931. And you would mention it to Government?—I forward his report with remarks to Government.

1932. In that way there is a certain amount of supervision?—Yes.

1933. You, or your Deputy, would go round and make sanitary inspections periodically, chiefly in municipalities?—The inspection is chiefly confined to vaccination ranges in the districts; my work extends over the whole Presidency.

1934. You go to a municipality and you find that the place is dirty and that in your opinion proper sanitary precautions are not observed; what happens then?—I have to report upon all the places I inspect. I report to Government through the Chairman of the Municipal Council, and it is laid before the Council, who comment upon my notes, and that comment is forwarded through the Collector, who also makes comments, and they are transmitted to Government.

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1935. The Government have your view on the one side and the view of the Chairman on the other, and possibly the view of the Collector on one side or the other also, and pass final orders?—That is so.

1936. In these sanitary reports do you confine yourself to matters of real importance or do you go into matters of detail?—Matters of detail.

1937. All those have to go up to Government also?—It all goes up.

1938. Do you think it would be possible, at any rate in matters of detail, in regard to municipalities, to let the Collector be the final judge?—I really could not say.

1939. Extracts from municipal budgets relating to sanitation are forwarded to you?—Yes.

1940. Then, if you consider the sanitation unsatisfactory, do you make representations to the Local Government?—I do; in forwarding my remarks on the budget extracts I make representations.

1941. Take the municipal budget. Does "Sanitation" come under a separate head from "Medical"?—Yes.

1942. And in the case of the District Board budgets also?—Yes.

1943. Do you frequently have occasion to comment adversely on the provision for sanitation made by municipalities and Local Boards?—On the provision made by Local Boards chiefly.

1944. But that is a matter rather for the administration report than for the budget.—Yes.

1945. Your budget is the forecast of expenditure for the coming year?—Quite so.

1946. And what you are concerned with in the budget is whether the money which the District Board says it is likely to expend is adequate or not?—Yes.

1947. Have you frequently occasion to maintain that it is inadequate?—Frequently.

1948. Of course, you have regard to the finances of the District Board?—To the amount that can be spent.

1949. Speaking generally, on the occasions on which you have taken that position, what has been the final upshot—what has the Government decided as arbiter?—As a rule, the opinion of the Collector is upheld.

1950. The Collector being President of the District Board?—Yes.

1951. That is to say the Government supports the District Board?—Yes.

1952. In the case of municipalities you say you have not so much criticism to make?—No; but sanitary provision is often inadequate.

1953. Now we will take the other point that you raised as to the question of the insufficient expenditure of budget allotments; how does that come before you?—In making up my report I enquire of the different districts how much has been spent, and I am informed how much has been spent in sanitation and how much has lapsed.

1954. Each District Board and municipality, besides a budget statement, submits an administration report?—Yes.

1955. Do extracts from that administration report go through you in the same way as extracts from the budget?—No, a copy of the administration report is sent to me.

1956. A copy is sent to you before the Government review it?—No, when the Government have reviewed it.

1957. Do you consider that it would be advisable that you should have the opportunity before the Government review the administration report of pointing out that you thought, for instance, that the expenditure of funds had not been properly allotted?—Yes, I think it would be advisable.

1958. Now, as regards particular works; in every work relating to sanitation costing over Rs. 1,000, has

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a municipality or District Board to refer to you?—Yes.

1959. Do you think that that is a too rigid limit?—No, I do not think so.

1960. You said that the District Board had no really good adviser?—That is so.

1961. Has it not the District Medical and Sanitary Officer?—Yes.

1962. Might he not be a Medical Officer of large experience?—A few of them are.

1963. The District Medical Officer may become, as in your case, Sanitary Commissioner?—Yes.

1964. Would you say therefore that to-day he is unfit to advise, being only a Medical Officer, and to-morrow he is fit to advise, being a Sanitary Commissioner?—No; I happened to have the D.P.H.; not every one has that.

1965. Then I take it it depends upon the qualification of the particular Medical Officer; some Medical Officers are quite competent to advise?—Some are.

1966. Do these things come to you first?—Yes.

1967. Can you dispose of any on your own authority?—No.

1968. Could not a District Board President write to you and ask your advice as to some little drainage scheme that he was contemplating?—Up to Rs. 1,000 he could do so.

1969. But not outside that?—No.

1970. You cannot give him any preliminary advice?—I can give him preliminary advice if he asks for it.

1971. But you cannot sanction it?—No.

1972. You can correspond as a friendly adviser?—Yes.

1973. Does that correspondence take place officially or demi-officially?—Any correspondence is official; I correspond with him as Sanitary Commissioner.

1974. That is to say, although the matter is not required to go up to you for scrutiny officially, any District Board President or Municipal Chairman could invoke your friendly advice officially?—Not only as a matter of courtesy, but he is entitled to ask my advice.

1975. And he is entitled to get an answer so far as a matter is within your power to give an answer?—Exactly.

1976. You have got a scheme, say, for Rs. 2,000; it goes up to you and you approve it; it then goes to the Sanitary Board?—Yes.

1977. Where does the Sanitary Engineer come in?—In engineering matters.

1978. But are they not rather mixed up? Take a drainage scheme; you have got both functions?—Yes.

1979. Who would come in first?—The Sanitary Engineer brings up the scheme; I could suggest a thing, but he works out the details.

1980. You could go to a municipality and suggest that they wanted a certain drainage scheme?—Yes, and the matter would be sent then to the Sanitary Engineer. The idea would be sent to him, and he would have to work it out and forward estimates and plans and all the rest of it; he would have to inspect, or send some of his subordinates to inspect, the place and say what form of work should be carried out.

1981. When he has made his estimates what happens? Does it then come to you?—It then comes to me; then I deal with it and say whether it is what I want.

1982. Do you criticise the shape of the drains for instance?—Yes.

1983. Then suppose you and the Sanitary Engineer are not in agreement?—We are supposed to consult with each other.

1984. But it may occasionally happen that you take different views?—Then it is laid before the Sanitary Board.

1985. And then through the Sanitary Board it goes to Government?—Yes.

1986. Do you consider that the machinery of the Sanitary Board is necessary; might it not be possible for you and the Sanitary Engineer to give all the preliminary advice required?—We usually do so.

1987. But I understood you that it had to go to the Sanitary Board?—Yes, they have to pass it.

1988. My question is, is the Sanitary Board in your opinion necessary? Could you and the Sanitary Engineer not deal direct with the provincial Government and have no Sanitary Board at all?—No, I do not think so.

1989. You think the Sanitary Board is a useful check?—I think so.

1990. Does it frequently modify your proposals and those of the Sanitary Engineer?—No, very seldom.

1991. I understand that most of the drainage or water-supply schemes that come forward from municipalities are due to your inspections?—Yes.

1992. And generally I take it that the municipality says: "This is a very beautiful thing, but we have not got enough money to do it."—Yes.

1993. What happens then?—The estimate is drawn up, and the Government refer it to the municipality to see what they can do in the way of providing funds.

1994. Does not the Government frequently assist municipalities?—Very often.

1995. And if it assists, it of course claims more power of control than if the municipality were to do it entirely from its own resources; is not that so?—I do not think so.

1996. You think it would control it equally if the municipality were to finance the whole scheme?—Yes.

1997. Is plague under you as Sanitary Commissioner?—I am adviser to the Government.

1998. But is actual plague preventive work done by the District Boards and municipalities, or is there a special Government staff?—It is under the Collector.

1999. The Collector, as Executive Government Officer?—Yes.

2000. Therefore plague establishments are not directly municipal?—Yes.

2001. Do municipalities and Local Boards take any share in plague operations?—Yes, they have to provide a certain amount for the care of their own towns.

2002. To keep plague out of their town or to stamp it out when it gets in?—Both.

2003. When the municipality, say, has to pay for that, does the municipality have any control over the establishment, or is the establishment simply an outside force for which the municipality has to pay?—No, it is under the municipality.

2004. The Collector's establishment is for the rural areas?—Yes.

2005. (*Chairman.*) Your Sanitary Inspector has to keep a diary?—He keeps a diary.

2006. Whom does he send it to?—The Chairman of the Municipal Council.

2007. And whom does the Chairman send it to?—He keeps it himself.

2008. He does not send it on any farther?—No.

2009. The Chairman has not got to send it up to Government or to you?—No.

2010. I understand that you yourself spend a good deal of time in touring in the Presidency?—Yes.

2011. Two or three months in the year?—About seven or eight.

2012. That enables you to see the whole of the sanitary requirements of the Presidency, and it keeps you in touch with the assistants of every grade who are under you?—Yes.

2013. Therefore, you are thoroughly acquainted with the sanitary requirements of the province?—Yes.

2014. I think you said that, on the whole, you are in favour of the continuance of the Sanitary Board?—Yes.

2015. The Sanitary Board can dispose of schemes up to Rs. 10,000.—Yes.

2016. Of whom does the Sanitary Board consist?—The Surgeon-General, the Chief Engineer and the Secretary of the Local and Municipal Department.

2017. Are you acquainted with the proceedings of the Sanitary Board after that?—Yes.

2018. You are their expert adviser?—Yes.

2019. The Engineer-in-Chief subsequently sees, as head of the Public Works Department, what has been discussed at the Sanitary Board of which he is a member?—Yes.

2020. The Secretary to the Local and Municipal Department sees what has been discussed at the Sanitary Board subsequently as the Secretary of that Department?—I believe so.

2021. So that after the matter has been discussed by the Sanitary Board at which three members are present, it is subsequently discussed singly by two members of the same Board sitting in different capacities?—I do not know.

2022. But under the process with which you are familiar that is the case?—I cannot say.

2023. Let us take it that that is the case: do you not think that that might amount to a duplication of work which is unnecessary?—I think it comes to a matter of finance when it goes to Government.

2024. But it is not dealt with as a matter of finance either by the Public Works Department or the Local and Municipal Department?—The Sanitary Board have to consider whether the body that the work is for is able to finance it, and it may fall through on that ground.

2025. But would not the Chairman of the municipality or of the District Board be acquainted with the financial position of the municipality or the District Board?—Yes.

2026. Do you not think that considering all those circumstances it rather looks as if there was a duplication of work?—I think there is more safeguard.

2027. I understand that every District Board and municipality has to submit an annual sanitary report?—That is so.

2028. That you look upon as a safeguard?—Yes.

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2029. Who writes the administration report?—The President of the District Board or the Chairman of the municipality, as the case may be.

2030. They send their reports to the Collector?—Yes.

2031. The Collector considers them and passes remarks?—Yes, and forwards them to Government.

2032. I am only dealing with the sanitary part of the administration report.—He has to consider the whole of it.

2033. It goes from the Collector to whom?—To Government.

2034. Not to you?—No; you are talking of the administration report, I presume?

2035. Yes.—That does not come to me.

2036. That part of it which is concerned with sanitation does not come to you at all?—No. I get a copy of it from Government; it comes back after Government have passed orders.

2037. Would it assist you to have it before it goes to Government?—I think I ought to get the part of it connected with sanitation.

2038. Would it cause any more trouble so far as you know?—I do not see how it could.

2039. (*Mr. Meyer.*) Are you aware of any scheme at present under consideration for having a provincial Sanitary Service?—Not Sanitary—you mean a Sanitary Engineering Service?

2040. The present staff, as you have explained, is purely a local staff?—Yes.

2041. Are you aware of any scheme in contemplation to put matters more on the analogy of the Medical Service; that is to say, to have provincial officers lent to the local municipalities?—No, I have not heard of that.

(*The witness withdrew.*)

Dr. A. G. BOURNE was called and examined.

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2042. (*Chairman.*) Would you tell the Commission what posts you hold?—I am Director of Public Instruction and also Commissioner for Government Examinations, and I have special charge of the Reformatory School. I am the Inspector-General of Jails under the Reformatory Act, but there is only one such school. I am also a Member of the Legislative Council.

2043. Will you state briefly the organization of your department?—The department consists of the—

Indian Educational Service.
Provincial Educational Service
Subordinate Service.

There are also certain special appointments such as the principalship and staff of the Law College and the staffs of the Medical College and schools. These main Services, in their turn, comprise the teaching agency, the inspecting agency, and certain other officers.

2044. The Indian Educational Service is recruited principally in England?—Yes, entirely.

2045. The Provincial Educational Service is recruited entirely in India?—Yes.

2046. How is the Subordinate Service recruited?—I have the power of appointment to all subordinate posts.

2047. Not to the Provincial posts?—These I recommend to the Madras Government.

2048. Selection is made with regard to the Provincial Service on your recommendation by examination?—There is no examination.

2049. So that practically you have the power of appointment both to the Provincial and to the Subordinate Services?—Yes, subject to Government's approval in the case of the Provincial Service. The appointment lies with Government.

2050. What is, roughly speaking, the number of the Indian Educational Service?—About 23.

2051. And the provincial?—About 40.

2052. What are your relations with the provincial Government; with whom do you correspond?—I correspond with the Secretary of the Local and Municipal Department and Secretary of the Educational Department—I correspond with him in both capacities.

2053. You correspond direct?—Yes.

2054. Have you any reason to note that there has been any restriction by the provincial Government on your independent powers or discretion?—No, not as a rule.

2055. Is there any tendency to what may be called red tape?—No; occasionally something is misunderstood in the Secretariat office, but I have only to take the matter to the Member and it has always been put straight at once.

2056. Is that because you happen to be a Member of the Legislative Council?—No, I think not; it is merely because I have expressed myself badly in the first place, or my office has, and it has been misunderstood in the course of correspondence.

2057. Has there been any undue correspondence between your office and the provincial Government?—No, I do not think so.

2058. No tendency to cripple you by undue interference?—No, there is very little.

2059. You are as free as you can reasonably expect to be?—Yes, I think so.

2060. Is there any specific power of a financial nature or administrative that you would like to see delegated to you which is now held by the provincial Government?—What I most want, if I had more power delegated to me, is to be able to re-delegate it to some of my subordinates. Generally speaking, I should give the inspectors of schools very great control in their own circles. Of course it is an extremely complicated department to deal with in a word or two. The majority of the requisite powers

could be given by the Madras Government, but I have not previously made application in respect of them.

2061. Is each member of the Indian Educational Service in charge of a circle?—No; seven of those are inspectors of schools and three are inspectresses; nine are principals or professors of Arts Colleges, and the remainder occupy various positions, some in colleges and one or two in special appointments such as the Deputy Directorship of Public Instruction.

2062. To which of these 23 gentlemen would you like to give greater freedom—the seven inspectors?—The inspectors on the one hand for their circles, and the principals of the colleges on the other for their colleges.

2063. In what way does the provincial Government unduly hamper you in your dealings with the inspectors of circles?—I did not say that the provincial Government hampered me at all; what I said was that I should prefer to give the inspectors more power.

2064. I suppose you cannot give them more power because you have not got freedom yourself?—Because of the rules.

2065. What are the rules which adversely affect your proper control over your inspectors?—For instance, the recognition of diplomas and certificates other than those specified in the educational rules. At present those cases are referred to Government; in many cases I think they might be delegated to the inspector of the circle. If it comes to me I have no personal knowledge of the case, and Government has no personal knowledge; it is the man on the spot that has personal knowledge whether the man is fitted to teach.

2066. Is there any real difficulty which would require, perhaps from the financial side, reference to the Local Government because of the requirements of the Government of India?—Not in that matter; it is purely a local rule; it is one of our educational rules.

2067. And you think that that might well be relaxed?—Quite so; it is only proposed to delegate it to me; I propose to delegate it to the man on the spot.

2068. You desire to receive that power so that you may re-delegate it?—Yes.

2069. I have here a list of suggestions for the delegation of powers which has been filed on behalf of the Madras Government. It is proposed that the power, at present exercised by the Local Government, of prescribing lists of text-books for use in schools under public management should be delegated to you?—The general control should come to me.

2070. I suppose the Government of Madras in drawing up their list of text-books act upon your advice?—Yes, we have a special Text-book Committee which deals with the whole matter.

2071. Of which you are a member?—I am President *ex officio*.

2072. Who are the other members?—There are about 12 other members; they are appointed by the Government.

2073. Who at present nominally decides what shall be the list of text-books; is it the Secretary of the Local and Municipal Department?—It is Government.

2074. Some one above you in the hierarchy?—Yes, I have no knowledge how far it goes.

2075. Have you ever had any book refused which you desired either to exclude or include?—Never.

2076. Practically the Government of Madras always accepts the advice of the Director of Public Instruction in this matter?—I do not remember any instance where there has been any difference of opinion, so that this proposed delegation amounts to nothing; it is merely getting rid of one letter a year, that is all it amounts to.

2077. Then it is proposed that you be empowered to levy fees at reduced rates in schools under public management in backward localities; is that always settled on your recommendation at the present moment?—There has been no difficulty. Whenever I have made a recommendation it has been accepted, I think.

2078. Does that in any way clash with the jurisdiction of the Sub-Divisional Officer?—The Revenue Officer you mean—the Civilian Officer?

2079. Yes, the Executive Officer?—No, not as such. Of course it is conceivable that it might clash with the wishes of the Local Board, but I am afraid that they have very few wishes as to education.

2080. Who at the present moment settles this?—The inspecting officer on the spot writes to me—probably he writes to the *taluk* Board direct, and if it is a Board school they resolve to apply to Government; the application comes through me, and I recommend it, and it is done.

2081. If you refuse to recommend it, what then?—It is not done.

2082. Does it go beyond you on appeal?—Yes, the Board addresses Government, not me. The letter passes through me.

2083. You say, "Yes, I recommend this" or "No, I do not recommend it"?—Yes.

2084. Practically in every case what occurs is that what you recommend is accepted by the Government?—Yes, I think so, practically.

2085. Have you any recollection of your decision or your recommendation being overruled?—Not in this matter.

2086. So that practically you do now decide all these cases, but you have to get the nominal assent of somebody else?—That is so.

2087. It is suggested that the power, which the Government reserve to themselves, of prescribing the list of text-books for use in aided schools and colleges should be redelegated to you?—I do not think it has ever been necessary to bring this rule into force. It is a rule merely to guard against the introduction of any objectionable book—not merely a valueless book educationally, but objectionable from a political or a moral point of view. There have been cases, but I do not think there has been a case in my time.

2088. It is also proposed that you should be empowered to forbid the employment in aided schools and colleges of teachers whose certificates have been withdrawn?—That very rarely occurs.

2089. Is there anything in the Grant-in-Aid Code which would adversely affect the delegation of powers in respect of these two wishes of yours?—No, nothing. The Government would, I believe, have accepted my proposal to delegate, only I did not make it; these are things in which I thought it would have more weight if recommended by government. It stands in the Code here that Government reserve to themselves the right to forbid, and that perhaps has a little more weight with the public than if the discretion was with the Director of Public Instruction.

2090. If these suggestions of the provincial Government were adopted, would they save you correspondence?—A little; it does not amount to much at present.

2091. All these are really not matters of much importance?—No, they are all things which might be delegated to me, and some of them I might delegate further.

2092. Such as making arrangements for the primary scholarship examinations. It is clear that the local man must do that?—Yes.

2093. In all these cases at present you have to refer your views to the provincial Government—quite uselessly, because you are really the deciding authority at the present moment?—Yes, and the Government apparently take that view in making these proposals.

2094. Now beyond these suggested powers is there anything else which would help to free you from unnecessary and over-strict control?—I have not noted anything else which I should ask to be delegated to me.

2095. Is there any general principle in connection with education in which it is desirable to give greater freedom to the Director of Public Instruction?—I have noted one or two matters, which are small matters in a way. One is the Stores Department; we want for our colleges a number of stores from England and we always want rather special things.

It is not like so many drain pipes or iron rails; the things we want are all special articles. There is a tremendous delay in getting these; it is only possible to have an annual indent, and the professor wants something to work with, and very likely he has to wait months before he gets it; and then he possibly gets the wrong thing.

2096. Are these things eventually got from the Stores Department of the India Office?—Yes.

2097. As you know, that subject is now under discussion?—The latest suggestion that I have heard was that there should be a branch of the Stores Department in Madras. That would make matters worse from our point of view, because all our special articles could not be stocked, and many of those they did stock would probably go bad before they were wanted.

2098. Apart from the matters we have been talking about, can you tell us of any other ways in which your work as Director of Public Instruction is unduly clogged or hampered by the interference of the provincial Government?—I think the answer is no.

2099. Is there any other department which unduly interferes with you?—The whole budget system I think interferes very largely with our work. Generally, the rules are too rigid. With a Department like Education we cannot foresee what our needs are as you can in other departments. That is especially the case of course as regards what money we want for grants-in-aid. If I have asked for too much I am blamed and there is a lapse, and when I ask next year I am told that, having had a lapse, I cannot want so much that year, so that we are checked from growing. I am supposing, of course, that the money would be available for growth. Then to prevent these lapses many of my subordinates, I have no doubt, spend money just at the close of the financial year without duly considering whether it is the best method of spending it, merely because they will be blamed if the money lapses and is not used.

2100. What you would prefer is that the provincial Government should give you as Head of the Department power to carry the lapses over to the following estimates?—Certainly.

2101. Would that occasion a considerable reappropriation from sub-head to sub-head—not from major head to major head, but from sub-head to sub-head?—I have power to do that at present myself.

2102. It would only be a transfer from one or two major heads of expenditure?—Yes, or if the total estimate was incorrect. To take this specific instance; for two or three years we have had various big schemes pending, and administrative sanction did not arrive for them in time; we have had the money waiting, and kept it waiting (almost necessarily) too long, as it turned out, and there has been a lapse. The first year I saw my way to spending all the money available; I was told just before the budget had to issue to cut it down by 3 lakhs.

2103. Was that the amount by which your lapses had accumulated?—No, I do not think so; there had always been lapses.

2104. You do not know why the particular 3 lakhs was fixed?—No, I merely received instructions to cut it down. I understood it was not on the ground of general economy, because we had just had grants of 6 and 8 lakhs given to us.

2105. As far as you know the automatic re-grant of lapses would not interfere with the general financial conditions of the Presidency?—As far as I know, it would not.

2106. What you would wish to do would be to carry on your lapses not generally from budget to budget, but from sub-head A or sub-head B in one budget to the corresponding sub-head in the next budget?—Preferably, as a total.

2107. Do you see my point?—Yes—preferably, I say, in the total, for education.

2108. You mean to carry it on as a general lapse, not as specific lapses?—Yes.

2109. What local authorities manage each kind of school?—There are schools managed by Government. These are very few in number in this Presidency.

2110. Are there Universities managed by the Government under your department?—There is a University here; it is not nominally managed by the Government; the Government has power reserved to it in a great many matters to regulate the University. Then there are schools managed by the District Boards.

2111. Are they primary or secondary schools?—They are mostly elementary. I am always trying to reduce the number of secondary schools managed by the Boards, because I think they should devote themselves to elementary work and we could manage the secondary schools in a better way.

2112. Have you found that the management of secondary schools by District Boards has not been successful?—It is so nominal. Our officers do what they can, but they have to correspond with the Board. The Board itself does very little.

2113. Would it be desirable to give them greater control over a school?—Do you mean a District Board or a *taluk* Board?

2114. Either.—I do not see that it would. As a rule the only person on the Board who takes any interest in the school is the President—the Civilian, the Divisional Officer. In the course of his touring he interests himself in the school, but so far as I am aware the other members very seldom take any interest in the schools. Then as to the municipalities, they manage a considerable number of the secondary schools because the secondary schools naturally lie in the larger towns.

2115. And is that management real management?—A little more so possibly, but very little.

2116. There is some greater interest shown by members of the municipalities?—In some municipalities, certainly.

2117. Is that a growing interest?—Possibly; I think it is growing slowly.

2118. Would the extension of powers to them in matters of education stimulate their interest?—I can hardly see in what way.

2119. If you give greater power to persons to deal with something or other in which they are interested, do they not generally take a correspondingly greater amount of interest in it?—I am afraid we are always somewhat doubtful, if they take an interest, what particular line the interest will take; we are so constantly hearing of teachers being brought in because they are relatives of a municipal councillor; that is the common complaint.

2120. You think therefore, so far as you can observe, that the grant of larger powers in educational matters to Local Bodies, and to that extent decentralizing the control of these educational establishments, would not be attended with happy results?—I have no evidence that it would. The last class of schools is the aided schools, which are very numerous in this Presidency.

2121. Who control the aided schools?—A variety of managers.

2122. Appointed by whom?—They appoint themselves. The Missions are very numerous in this Presidency and they maintain a very large number of schools, and if the school is fit, we recognize them and aid them.

2123. And they take a great interest in their schools?—Yes. Then there are also certain cases of native managed schools started by native agencies which we also recognize and aid.

2124. Do you find that there is a great deal of correspondence between your department and the various heads of municipalities and District Boards who control these schools?—A good deal of correspondence passes through me. They do not correspond with me directly, but all their letters to Government pass through the Director.

2125. What would the head of a municipality write to Government about on educational matters?—They have to write with regard to everything; if they want to alter the pay of a teacher, or to have an additional teacher, or to have an additional class, or to purchase a book.

2126. All that is outside your province?—Yes, I have no control there.

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2127. You do not make an educational budget for your Presidency?—Not for municipal expenditure; my budget only deals with the provincial expenditure.

2128. Then they write through you to Government?—Yes.

2129. Does that cause any increase of work in your department?—It is a very large portion of my work.

2130. Do you make any comments upon it?—Yes, always.

2131. You say this is necessary or this is not necessary?—Yes.

2132. And nobody else could say that?—My inspector could have said it just as well—a good inspector who knows the school. When a letter comes to me very often I write back to the inspector and ask him for the local facts, unless I have been to the place recently myself.

2133. Then in the delegation of powers to your inspectors, might it not be possible to add the power of corresponding on this sort of matters direct with the Government?—Then you might call them Government schools; that is what I think would be the best thing for the school; then you eliminate altogether the local management; the inspector goes to the school and sees what he wants, and writes to Government about it, with the result that the municipality is nowhere in the scheme.

2134. But what I understand is that the municipality wants to increase the cost of the school in this or that direction by Rs. 100 or Rs. 200, say: the inspector says "This is necessary and I will forward it to the Director of Public Instruction with my recommendation", and the Director of Public Instruction then forwards it to the Secretary of the Local and Municipal Department. If so, are you only a post office in this matter? Might not the inspector upon the requirement of the municipality forward it direct?—I am a criticising post office; I almost always criticise these proposals.

2135. You criticise the remarks of your inspector?—Very often. *You* have inserted the inspector; I did not say the inspector came into the chain under the present system; the present system is for the municipality to write to Government through me.

2136. Then you send it back to your inspector?—I send it back to the inspector if I want information from him in order to criticise the municipality's proposal.

2137. How would you be able to criticise the proposals without sending it back?—I may have seen the school recently myself, or know its reputation otherwise.

2138. Is there any method which you can suggest to us of shortening the correspondence which follows on the requirements of the municipality being granted by the Government?—We are talking of secondary schools?

2139. Of any school which comes under the control of the municipality.—I cannot deal with the two things together very well. With regard to the secondary schools there is a good deal of correspondence for each school; with regard to the elementary schools there is a smaller amount of correspondence, dealing with an enormous number of schools, not dealing with individual schools. With regard to secondary schools, I think that if they were under our direct management the whole thing would be much simpler.

2140. Would that mean the elimination of the municipality?—Yes.

2141. Would that be a desirable thing?—Well, as I have said, their management is so nominal.

2142. Would it not be possible to give to the municipality the real management?—I do not think it would be for the benefit of the schools, at present at any rate.

2143. You do not think it would be better to let there be a certain falling off in education if it would lead to a real stimulating of the municipality in educational matters?—Of course if the object is to teach the municipality to be a municipality, that would be one way of doing it.

2144. You think there might be a conflict between the Government and the local municipality?—Very likely; in fact, we are constantly watching these municipal schools; if not, they would deteriorate more rapidly than they do.

2145. In short you cannot suggest any method of lessening the correspondence which takes place between your department and the authorities subordinate to it?—Not under the present system.

2146. But without the present system?—I have said, we might take them over and manage them completely without this formality of nominal municipal management.

2147. That is the only way?—That is the only radical cure, or to give up control and let the municipality, as you suggested, take the management, and even let education suffer in the case of a bad municipality.

2148. You must either let the municipality take the school over altogether, or the Education Department take the school over altogether, before you can reduce the amount of going backwards and forwards between the provincial Government and the municipality?—You must get rid of dual management and simplify the matter one way or the other.

2149. What are your official relations with the Director-General of Education?—I have practically no official relations, excepting when he writes to me with regard to furnishing statistics or information; he does not now write to me with regard to any other matters.

2150. He only asks for information?—That is all.

2151. He does not interfere in any way with your powers or jurisdiction?—Not directly to me.

2152. Do you find that he has been of service to you?—It is so difficult for me to say what he does or what is his influence.

2153. You do not know the extent of his influence with the Government of India?—No.

2154. At all events since his appointment by the Government of India has there been any improvement in the suggestions which come to you?—I am afraid I cannot say, because we were appointed about the same time.

2155. There is no record in your department?—It is a matter which would hardly come on record.

2156. Have you had any useful suggestions from him?—I have this impression, that it is so far good, having a Director-General, an educational expert, on the spot, that with the present financial arrangements between this Government and the Government of India we have more chance of getting an educational scheme approved or of funds being allotted for an educational scheme, than if there were no such expert. That is with the present financial system; but generally I think that the educational advice comes in at the wrong moment. The expert educational advice should be before the scheme goes to Government, which has a wider experience and regards the thing from the point of view of general administration—all the expert advice should come before that stage in my opinion.

2157. Will you give me a concrete example?—Suppose my department has a scheme: we have settled it as the best thing for this Presidency; we go to Government; they take a wider view than we do—I mean not merely an educational view, but they see the thing from a financial and political and general administrative point of view; they settle that it is a good scheme; it goes up to the Government of India under some rule, because it exceeds a certain amount; the thing is then re-opened—I imagine from an educational point of view. Of course, education is one of those matters in which no two people hold the same opinion, and probably it is no use searching after an ideal; it is much better to do the best we can, rather than be always seeking for the best; so that, as I say, the second expert advice comes in rather late.

2158. In your judgment then, when you have submitted your scheme to the Government of Madras and it has been approved, do you think it is at that point that the Director-General should come in?—There is no doubt with a special scheme it is as well to discuss it with a number of people, and if I discussed it with another Director or with another expert it would no doubt benefit the scheme, and it might modify my views.

2159. That would rather point to your desiring something like an annual conference of Directors?—Yes, possibly.

2160. That you think would probably save a lot of time and correspondence?—I think it would; annual conferences would possibly be too frequent.

2161. Biennial or something of that sort?—Yes.

2162. You think you would then be able to thresh out your proposals from the educational point of view?—Yes.

2163. With the Director-General there, or would there be no need for the Director-General?—That depends upon what his subsequent position is going to be.

2164. Upon what is to be his influence with the Government of India?—Yes.

2165. Have you any reason to suppose that at present he does not hold a sufficiently important position with the Government of India?—I cannot say.

2166. You have no reason to have any views one way or the other?—No.

2167. But what you would like would be a conference of Directors, you having the opportunity there of threshing out your ideas, and then the matter going up to the Government of India from the larger outlook?—Yes. That is not what I should like necessarily—that they should go to the Government of India; I say they might just as well stop at the Government of Madras.

2168. Then what about finance?—You were asking what I should like from the educational point of view. As to finance, we try to get what money we can.

2169. Suppose you got all you wanted from the educational point of view, who is going to finance your scheme—the provincial Government?—Yes. If a scheme costs under Rs. 25,000, it is sanctioned here; if it costs over that, it goes to the Government of India.

2170. Suppose it was more than Rs. 25,000 and it went to the Government of India, do you think then that the Director-General brings no useful influence to bear on that scheme?—We had a scheme the other day about the training of teachers, which would cost over Rs. 25,000. We had been discussing it for some time. It was a most urgent matter in my opinion. "It was merely intended to be" (I think these are the words the Government used) "a modest instalment of reform"; but so much objection was taken to its being submitted piecemeal, and so much time was taken up in the further discussion, that it was two years before we got it sanctioned, and then it was sanctioned just as it was sent up, with no alteration in it. I do not know that the Director-General came in there at all, but those are the facts.

2171. You think there was some delay on the part of the Government of India in regard to this particular scheme?—There was.

2172. Had the provincial Government had a freer hand in settling the finance of it, you might have got your scheme sooner?—If I had put the scheme at Rs. 2,000 less than I did, it would have been finally approved by them; now it has come into force, but after all that delay had occurred.

2173. Then with regard to these local budgets, they all come through you?—Yes.

2174. And they go on from you to where?—To Government.

2175. What Department of Government?—I send them all to the Secretary of the Local and Municipal Department.

2176. What happens to them after that you do not know?—No; they are dealt with by Government in the Secretariat.

2177. (*Mr. Meyer.*) You say that these references to the Government of India are necessary now from the financial point of view. Are you aware that the Government of India in their turn have to make references to the Secretary of State on similar grounds?—Yes.

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2178. I gather that you would be in favour of abolishing these references from the Madras Government to the Government of India?—Yes, if we knew how much money we had to spend on education, and were left free powers as to whatever money was given to us.

2179. You might like to double the number of your inspectors of schools for instance?—Yes.

2180. You would give the Government of Madras a free hand over that?—Yes.

2181. Then what about the Secretary of State? Would you ask him to abandon his powers of control?—You mean as to doubling the number of inspectors?

2182. I will give you a concrete instance. Until the other day (the powers have been somewhat widened now) the Government of India could not make a new permanent appointment in excess of Rs. 250 a month without the sanction of the Secretary of State; that power, so far as the Government of India is concerned, has now been raised to Rs. 500. What is the salary of an inspector of schools?—Rs. 500 to Rs. 1,000.

2183. Therefore, even now, under the financial rules, the Secretary of State's sanction would be required; would you abrogate that?—Yes.

2184. You admit that the Government of India must have the same power as the provincial Government? You would not have the provincial Government with larger powers than the Government of India possesses I presume?—No, but in a matter of that sort the provincial Government has a reputation with the public, and the Government of India has a reputation, and the Secretary of State has a reputation, for doing their work properly. There is no reason to suppose that one body will do it better than another. The provincial Government is in touch with the local conditions, and knows how many inspectors of schools are wanted; and they should have the power of settling the number.

2185. May I take the converse case; of course it is purely hypothetical. Suppose the Local Government desired to abolish the Director of Public Instruction; would you say that they should be allowed to do so?—Yes; it is a matter of their controlling the province. I take my own educational point of view; if they say that a Director is unnecessary for Madras, I do not see how it affects the other parts of India.

2186. Suppose they chose to abolish the Madras University?—That is different; that is on a legal footing.

2187. Never mind; it is under a Madras Act; could they not repeal that Act?—I think it is an Indian Act.

2188. However, would you give the Government power to legislate and to abolish the Madras University if they wanted to do it; of course, it is an absolutely hypothetical question?—I do not know of any one who has the power to abolish the University.

2189. The Legislature has power; the University is created by the Legislature, and the Legislature can abolish it. I ask you would you allow the local Legislature to abolish the Madras University?—There are five or six Universities in the country, and perhaps it is better that they should be dealt with from a larger standpoint than that of the provincial Government.

2190. Are there not 8 or 9 Directors of Public Instruction in the country?—Yes.

2191. Then what is the difference? You say that one Government might abolish its Director of Public Instruction without reference to other Govrnements; but you say that one Government should not abolish its own University without reference to the other four or five?—Because if one Government chooses to have, or not to have, a particular officer in charge of education—a senior inspector—that affects its own province only; in the case of Universities, the country as a whole has to be provided with a certain number of centres of University education, and you cannot deal with one without affecting all the others.

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2192. You say that the Local Government should have an absolutely free hand in matters of educational policy; am I correct in taking that as your answer?—That is my general standpoint.

2193. Is not the logical implication that, if the Local Government thought it need not spend money upon education at all, it should be allowed not to spend any money at all?—I think that a Government should have that power; the Government of England has that power, and any other Government.

2194. The Government of the United Kingdom is a Supreme Government; is the Government of Madras a Supreme Government?—I suppose not.

2195. It is under the Government of India?—I suppose so.

2196. And the Government of India in turn is under the Home Government?—Yes.

2197. Do you desire therefore to give to this subordinate Government the same powers as the Government of the United Kingdom possesses?—I did not go to that extreme; you have put the very extreme view into my mouth.

2198. I want to know exactly how far you would go. Do you or not wish to give the Local Government absolute power in respect of educational matters?—I cannot use the word "absolute" myself, because you follow that up by asking me whether I would give them power to abolish the Director of Public Instruction, which is an extreme to which one would hardly have supposed that I intended to go.

2199. Then I may take it that you do not think that in a matter like education it is necessary that there should be some co ordination between the different provinces and some control by a central authority?—I think some control is necessary, but I thought it was a question of how much. I complain of interference with details, such as the system under which we train our teachers.

2200. Now you have modified your position considerably; you admit that there necessarily must be some control, and it is merely a question of how much the control should be?—Yes. You put the word "absolutely" into my mouth—I never used it.

2201. I only want to get it clear: you repudiate "absolute," and you admit that there should be some control?—Less control than there is at present.

2202. Can you give us a general statement of the matters in which you think there should be control by the Central Government, and the matters in which you think the Local Government should have a free hand, where at present it has not such a free hand?—It is very difficult to go into details on the spur of the moment, but I can give you some examples. Certainly, with all our provincial appointments I think the Local Government might well settle how many officers there were to be in the Provincial Educational Service—how many assistant inspectors and so on. Further, if the Local Government considered that another professor was needed at the Presidency College I should have thought that it ought to have the power to appoint one or two or more. When I say power to appoint, of course the appointment is made by the Home Government; we can only ask for a man to be sent out.

2203. That is to say in the case of the Indian Educational Service two things happen; in the first place the Secretary of State has to approve the new post, and in the second place he has to select the officer. You desire to limit the functions of the Secretary of State to the selection of the officer. If the Government of Madras say they want two more professors in the Presidency College and that they ought to get so much and so much, the Secretary of State is simply to act as an agent of the provincial Government in obtaining the additional professors?—My view is that if the Local Government thinks fit to spend its money in that way instead of any other way they should be allowed to do so.

2204. You desire to abrogate the control of the Secretary of State in Council to that extent?—Yes, I think it comes to that, with regard to a matter of that sort.

2205. Are you aware that under the Government of India Act, 1858, the control of the revenues and expenditure of India is by statute vested in the Secretary of State in Council?—Yes.

2206. Would you be prepared to go to Parliament to alter that statute?—But what does "control" mean—what detail does "control" cover?

2207. Would you be prepared to urge that the control of the Secretary of State should be more general and far less detailed than it now is?—Yes.

2208. There has been a great deal of educational reform in India in the last half century, has there not?—Yes.

2209. Did those reforms initiate as a rule with the Local Governments or with the Government of India?—I cannot carry in mind the reforms of the last half century.

2210. Take the year 1901; did you attend the Educational Conference at Simla?—No.

2211. Anyhow, I may take it that there have been very considerable educational reforms in the last few years?—Yes.

2212. And that they have emanated from the Government of India?—I thought that the particular reforms to which you are referring were recommended by the local officials at the Simla Conference.

2213. That Conference was initiated by Lord Curzon?—Yes.

2214. Therefore, may we not say that, so far as the Conference did good work, it was due to the Viceroy?—Yes, I suppose you may say so.

2215. Was there not an important Resolution of 1904 issued by the Home Department of the Government of India about Indian educational policy?—Yes; that I understood to be the general review of the Public Instruction reports of the different provinces.

2216. Is the Government of India, overlooking as it does the general educational work of all the provinces, not in a better position to suggest advice than any one province could be, dealing merely with its own provincial affairs?—Well, yes, and no. The Government of India is an impersonal body: I should have thought, with the small number of men forming the Government of India, it very much depended on the individuality of the person who took charge of education. Where you are dealing more directly with the officers on the spot, they would be more in touch with changes of local conditions.

2217. The Local Government would be more in touch?—The Local Government and the local officers; they would get more quickly advised as to what was wanted.

2218. You mean that there would be a tendency on the part of the Government of India for doctrinaire theories to prevail, and undue centralization and the levelling up or down of particular provinces?—Yes. I should have thought the more the policy lies with the Government of India, the more it depends on the personality of the man in charge of that portfolio.

2219. And would you say that is not so in provinces; it does not vary here with the personality of the Member of the Council in charge of education?—It is so, but to a less extent probably, because he is nearer to all the influences—the public opinion, such as there is—that would be brought to bear upon any measure.

2220. Does not the existence of the Director-General who travels round the provinces and gets into contact with the local bodies and the local officers, correct any tendency of that sort which might exist at Simla or Calcutta; would he not come back and inform the Government of India as to what he had learnt locally?—That is pretty much what I said at the beginning; that we felt that as long as there was such a man there we were more likely to get a scheme sanctioned than if he were not there.

2221. Then you said that his advice came in too late—that it came in after the matter had gone up to the Government of India. Is there anything to prevent the Local Government consulting the Director-General before the scheme is sent up to the Government of India?—I can hardly say that; it is outside my province.

2222. You do not know?—I do not know that there is any rule; it is outside my province; I do not know what the Local Government may, or may not, do in the matter.

2223. I gather that if he is to be consulted you would rather that he should be consulted by the Local Government before they send up their scheme?—I would sooner consult him myself beforehand, as I said before, but not if he is then the officer who, if he differs with me, has the last word with the Government of India.

2224. Let us say you have some scheme of educational reform in hand, and you have reason to believe that it has been tried in northern India; would it be of advantage that you should write to the Director-General and say "Will you tell me what the result of this thing was in northern India"?—I think I should get more reliable information by writing to the Director in northern India.

2225. The Director of Public Instruction in the Punjab would not know whether the scheme you were referring to might suit Madras?—I am not sure about that.

2226. Now as to lapses. You spoke of your budget allotments being unduly restricted by reason of the rules as to lapses. Under what budget head does your educational expenditure appear; does it all come under the budget head "Education" or does some appear under "Public Works"?—Some appears under "Public Works" but I have nothing to do with the money under Public Works.

2227. The money that comes under "Public Works" is for the building and repair of schools?—Yes.

2228. You are speaking therefore simply of the money that comes under "Education"?—Yes, that is the only budget I prepare.

2229. That money may be roughly described as consisting of the salaries of the directing and inspecting staff, the actual cost of Government schools, and money that you pay out in grants-in-aid?—Yes.

2230. Are there not considerable lapses every year?—There have been lapses, but they are decreasing, I think, very much.

2231. Is it not almost inevitable that at the beginning of the year you should take perhaps too sanguine an estimate of what you would be able to spend during the year?—So it proves, because we have to wait so long for administrative sanction to schemes that are pending.

2232. Suppose your budget estimate was 20 lakhs and you spent 17; you would like to have 23 lakhs given you in the next budget?—What I meant was that the budget should not be looked upon as giving so much, but merely regarded as what I estimate the expenditure as likely to be. If the controlling authority says "You are not to spend so much," I have nothing to say; I am then limited; but they do not do that; it is regarded as so much money given, which I may spend if I can get only sanction to spend it.

2233. It is an estimate of probabilities?—That is what I say it ought to be; I think it is a little more than that in practice.

2234. It is the financial rule that any entry in the budget does not dispense with administrative sanction if administrative sanction is necessary; therefore the budget is an estimate of what you are likely to spend in a year?—Yes.

2235. If you say that you are likely to spend 20 lakhs and the provincial authorities, from experience, think that you are only likely to spend 17 lakhs, what is the harm in reducing the amount?—Towards the end of the year, if I find that I am right and they are wrong, I should have difficulty in getting the extra money.

2236. Have there been cases in which you have found that you were right and they were wrong?—Last year we exceeded our budget; this year we want two lakhs of rupees.

2237. Is there anything to prevent you, as you know the estimates are likely to be increased, asking them to give you an excess allotment?—There is nothing to prevent it, but it is very nervous work trying to do that so late in the year.

2238. Then you think it is safer to over-estimate than under-estimate, to put it briefly; you would rather have a large amount put in your budget with a possibility of a considerable lapse?—Personally I have tried to estimate as accurately as possible, and I have managed it much more accurately than it has been done in the past, I think, except for certain big schemes for which administrative sanction was withheld unexpectedly.

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2239. These accidents will happen?—Yes.

2240. It was suggested in one of your answers to the Chairman that any amount that lapsed might be regranted in the following year; would that always be possible; might not the Government have a famine or some calamity upon it which would prevent the re-grant?—Yes.

2241. In that case you would be prepared to waive your grant?—If I am told that I am to cut down my expenditure I look round and see the items which I can cut down; that is different from budgeting.

2242. Your education allotment has been largely increased by the Government of India in late years?—Very largely.

2243. They have made additional grants for education?—Yes.

2244. Would they have been likely to have made such grants if education had not been under their control in any way?—I cannot say; it depends on how much they were interested in education.

2245. You think they might have done it all the same if they had had no voice in the management?—One would have thought so, if they were interested in the matter.

2246. Now with regard to Government colleges. You have a certain number of colleges which are not Government institutions in this Presidency?—Yes, a large number.

2247. How does the Goverment assist them?—By grants-in-aid.

2248. Has there been any complaint as to the illiberality of the grants-in-aid?—Yes—they are always asking for more.

2249. Was it not a recommendation of the 1882 Commission on Education that Government should gradually withdraw from higher education and leave that to private enterprise and aided bodies?—I do not know that it was exactly put in that way. You have got to define "higher education" in the first place.

2250. Take collegiate education?—I do not think there was much of that; I would rather not put an answer on record; one would have to refer to the document and study it.

2251. Does Government keep up many secondary schools itself outside the municipalities of which you were speaking?—We have only five or six Government secondary schools throughout the province. I mean by secondary schools what are called upper secondary or high schools: we have a few more lower secondary schools in connection with training schools.

2252. Does Government keep up any special girls' schools?—Yes, the largest number of Government schools which we have are girls' schools.

2253. I want to make it clear how far Government manages schools directly. You say there are a few boys' high schools and a number of girls' schools?—Yes; and there are a few schools for Muhammadans and a considerable number of schools for hill tribes.

2254. Those are managed by the Local Boards?—And by missionaries.

2255. But the Local Boards do not manage girls' schools?—Hitherto they have not.

2256. Take the schools which are under the control, financially, of the municipality; would they ordinarily be municipal schools completely staffed and run by the municipality, or would they be aided schools—private schools, helped by the municipality with grants-in-aid and so on?—There are both sorts.

2257. But which predominate in number and in importance?—The aided schools.

2258. Do the municipalities have to aid the schools entirely or does the Government help at all?—Under the new Code, if it is a secondary school the aid comes entirely from provincial funds direct; if it is an elementary school, the aid comes from, or through, municipal funds; that is to say, it is either municipal money or it is provincial money which is paid through the municipality.

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2259. Never mind how it is paid; is it provincial money in the long run?—Yes, a great deal of it.

2260. Therefore, the Government does aid some schools in municipal areas?—Yes.

2261. Is that a recent tendency?—No, I think it has been going on for some time.

2262. Let me put it generally. Of late years has the tendency been for the municipalities to take more or less of educational expenditure off the shoulders of the Government?—It has not altered much in my period of administration. I am hardly prepared to answer as to the past history of the matter.

2263. But the bulk of the expenditure in the municipalities is provincial and not municipal?—In the municipalities the bulk is municipal; not, of course, in District Boards.

2264. How is the municipality assisted in controlling or aiding its schools? You have got inspectors of schools. They cover several districts?—Yes.

2265. Who is the principal officer within a district?—The assistant inspector. An assistant inspector has usually two districts; there are twelve for twenty-two districts.

2266. Who is the local Educational Officer to whom the municipality would ordinarily look when it became a question of establishing a fresh school or abolishing a school?—Theoretically that depends upon the class of the school; if it was a high school the inspector would be consulted; if it was a primary school the assistant inspector—not necessarily; it might be even a sub-assistant inspector.

2267. Has he to be consulted?—No, he has not; there is no rule by which he is consulted. Of course, a great many of our officers are on the Councils and on the District Boards, and they bring forward their proposals at the Board meetings.

2268. Can a municipality having a municipal primary school abolish that primary school without reference to your department?—Not if it is a municipal school.

2269. Who would do that?—The Government.

2270. It cannot do anything with the school without Government sanction?—No, it cannot.

2271. With regard to aid, can it withdraw its aid to a school or extend its aid to a school on its own authority?—Yes, by rule.

2272. Subject to the rules laid down in the Grant-in-aid Code?—What I meant was rather the other way—that according to the rule it can, but in practice it would never do so.

2273. It would never withdraw a school from its aided list without reference to Government?—Unless the proposal came originally from our department.

2274. All proposals come from your department?—I think so.

2275. If the assistant inspector went to a school and thought the school was in a disgraceful condition, could he not put the matter before the Council?—He could. This does not come to me officially; it is not part of the official routine that the inspectors should advise the Councillors or that they should settle the aid, but I believe that in practice they do.

2276. Is it the fact that, where the municipality pays for the upkeep of schools, it is controlled in every way by the Educational Department?—It is advised at one end and controlled at the other; it is advised to begin with, and controlled to finish up with.

2277. It is advised locally, and controlled at the top?—Yes.

2278. Does that control chiefly come through the budget proposals or through specific proposals?—In the first place, at the beginning of the year the municipality has to submit its budget through you—has it not?—Yes.

2279. And if the municipality wanted largely to alter their educational methods, that would be on the budget, and you would advise in that case?—Yes.

2280. But outside the budget, suppose they wanted to make some minor alteration, would it still have to come up to Government through you?—Yes.

2281. Do you sometimes differ with the municipality as to what is a fair amount of provision to be made for education?—I do not think we often differ in the case of municipalities; the whole extent of municipal operations is so small that we do not pay so much attention to those matters as in the case of District Boards.

2282. When you say the extent of municipal operations, what do you mean by that?—I mean the total amount dealt with, the number of schools dealt with, and so on. The municipal budget for education is small as compared with the District Board budget; and as a matter of fact we rather tend to push them on I expect.

2283. Take the Madras Municipality; does that maintain schools?—Yes, it maintains one school.

2284. Does it not aid education?—No, very little; the Madras Municipality is on an absolutely different footing from all other municipalities. The Act is different.

2285. Does the Madras Municipality undertake educational functions as *mufassal* municipalities do; is it entirely responsible for the administration of education in the town?—No, the Act says it must provide for the education of the poor—that is all.

2286. But is not everybody "poor" when it comes to payment for education?—That is so; there is no definition of "poor."

2287. In practice, is the Education of Madras City financed by the Government or by the Municipality, speaking broadly—I mean apart from the colleges. Take the primary schools first; who finances the primary schools generally; is it the Government or the Madras Municipality?—I should hardly like the figures to go on record, but I think the Municipality gives about Rs. 14,000 a year as their allotment and we gave them about Rs. 22,000 as contribution last year; all the rest of the money comes from private sources, Missions and so on; I am not quite sure about the exact figures.

2288. We may take it that the bulk of the expenditure is Government expenditure?—Yes.

2289. And, in so far as the Madras Municipality spends it, is it under the same control as the district municipalities, speaking generally?—The question has never occurred to me; I have never had anything passing through me from the Madras Corporation except their budget.

2290. Then I may take it that the Madras Municipality has a freer hand, otherwise you would have had the matter before you?—Quite so.

2291. Now with regard to the District Boards. You say your main interest is in District and *taluk* Boards. The *taluk* Boards run the primary schools?—Yes.

2292. Are the bulk of the schools under them board schools or are they aided schools?—The bulk are aided schools.

2293. However, you are doubtful as to the expediency of applying the same principle to female education as you propose for boys' schools?—Under our new Grant-in-aid Code, we have given them the nominal power of giving grants to girls' schools as well as to boys' schools; we have given up an old distinction which we used to have, and given them that power. That is how this case happened to come up where they gave grants to the boys' schools and not to the girls' schools.

2294. You said you would give them larger powers with regard to boys' schools and do away with certain restrictions. Would you do the same with regard to girls' schools?—I said I should like to, hoping that it would work, but I should have my doubts as to whether it would work or not.

2295. Taking this list which the Chairman discussed with you, all these educational rules and the Grant-in-aid Code and so forth, are those the rules and the Code of the Madras Government, or of the Government of India?—These are all Madras Government rules.

2296. Then is there anything to prevent the Madras Government giving you these powers to-morrow?—Nothing with regard to most of them, if not all, I think.

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2297. Then they might have given you the powers two years ago, for that matter, or at any time?—Yes.

2298. They are not in any way fettered by law or by executive regulations of the Government of India in regard to these matters?—Speaking generally, not; I would not answer for all of them.

2299. Take the regulations for European schools; is that a matter that the Government of India would be likely to control, or is it entirely a Madras Code?—No; that is the one Code which is an Indian Code.

2300. There is a centralized Code for India?—Yes. Our power under that Code is very small indeed.

2301. Is there one uniform Code sanctioned by the Government of India for the whole country, or do they sanction separate Codes for each province?—One Code was issued for all the provinces and the Local Governments were asked to modify certain details; but generally speaking they were not empowered to modify the articles of the Code. What was actually done in this Presidency was to add footnotes explaining how the articles should be read in the Madras Presidency.

2302. The Code was sent as a model Code and re-issued as a Madras Code?—Yes, with very slight modifications.

2303. The general principles were fixed for the Local Government, but they might make modifications and re-issue it as a Madras Code?—Yes.

2304. Consequently you could not alter it in any material respect without reference to the Government of India, is that what you mean?—Yes.

2305. I understand you to say that the rules about text-books for use in aided schools and colleges were merely in order to forbid the use of objectionable text-books. Are there not two things there?—One is under Rules 85 and 91 of the Educational Rules; the other under article 12 of the Grant-in-Aid Code; then we have rules for the Text-book Committee.

2306. Generally does the Government prescribe a large list of text-books among which the aided schools may choose, or does it merely say "You can use what you like provided you do not take anything that is in our *index expurgatorius*?—It makes a large list.

2307. And they have freedom within that list?—Yes.

2308. But they may not go outside the list even though the book is not kept?—Quite so. The other list I referred to is in force too, but there has never been an example; the one rule was intended to allow them to build up an *index expurgatorius* if necessary, but there has been no case so far as I know.

2309. It is naturally not necessary, when the other list exists; it is a power proposed to be given to the Director of Public Instruction; would you apply it to an institution like the Christian College in Madras?—It refers to schools.

2310. It is "schools and colleges" according to the wording in some of these items?—The list refers to schools; the power to forbid refers to schools, colleges and all institutions.

2311. The list refers to schools; the college only is subject to the *index expurgatorius*?—Yes.

2312. Has there not always been a certain amount of—shall I say—healthy competition and jealousy between the Presidency College and the Christian College?—Yes.

2313. They look upon each other as rival institutions?—I do not know that the Presidency College picks out the Christian College as its rival.

2314. Is there a tendency to convert aided schools into Board schools or *vice versâ*?—Within the last year or two we have been converting a certain number of aided schools into Board schools—perhaps 200 or 300—a few hundreds out of 28,000 schools that we have got in the Presidency.

2315. Has the *taluk* Board anything like a free hand in the matter of that policy; suppose it wants to convert a Board school into an aided school, would it have to come up to Government through you in every case?—It would.

2316. And in the selection of teachers for its Board schools has it got to consult the local educational authorities?—Yes; I think there must be some financial rule; as to appointments over Rs. 50 they have to consult the local authorities.

2317. The bulk of the appointments in primary schools would be under Rs. 50?—Yes.

2318. The schoolmaster might get Rs. 10 a month or so?—Yes.

2319. In the selection of individual teachers have the *taluk* Board a free hand or must they abide by the decision of the inspector of schools?—I know of no rule which guides them.

2320. But, in practice, they would follow the opinion of the inspector?—I presume so.

2321. These *taluk* Board schools are paid for by the *taluk* Board?—Yes.

2322. But are they managed by them or by your officers?—They are managed by our officers.

2323. Is that a good system?—There is nobody else to manage them; nobody else comes forward; they are nominally managed by the Boards, but the Boards never pay any attention to them.

2324. Your opinion in regard to the municipalities was that Government should take over the work of the secondary schools?—Yes. I would not put that too strongly, but we might take over at any rate some of these secondary schools with advantage.

2325. But in the Local Boards would you keep the existing method, or if Government controls, would you let the Government take it over straightforwardly?—I would rather like to see all secondary schools under public management as Government schools, that is to say to confine the local bodies to elementary education, and to give them a freer hand in that matter.

2326. You propose that the State should take the secondary education and that the local bodies should take primary education; and that, in that case, the local bodies should not have to come up to you as to any school the status of which they wanted to alter?—Just so.

2327. When you say primary education, do you include what are known as middle vernacular schools?—We have got hardly any of those.

2328. You made a distinction a little while ago; you said there were schools that were nominally secondary schools but were in reality not so?—Even now we are obliged to classify them in two classes; a school which intends to train its pupils for secondary teaching, and a school that has not got that intention. There is no clear distinction between the two.

2329. But if you applied the broad principle you formulated just now the distinction would be clear?—I mean on the one hand the real secondary school, where the pupils are going in for secondary education, whatever stage of it the school may cover, and I mean on the other hand the elementary school, which may go up to what you mean by the middle vernacular standard.

2330. You would call that elementary?—Yes, so long as the bulk of the pupils were not going further.

2331. Then as to female education, would you leave that to Government as it is now, or would you leave female primary education with the Boards?—Well, we have a number of Government girls' schools.

2332. Would you apply the same principle to the girls' schools as you propose for the boys' schools—Government to take the secondary and the local bodies to take the primary?—I should like to, if I thought the local bodies would not neglect it; but I had a case last year where they deliberately gave the grants to the boys' schools and cut the girls' schools short; I think that would often happen, or might often happen.

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2333. Therefore, at present you would keep it in the hands of Government, or would you risk an occasional failure of justice so to speak, and give the local authorities the power?—Of course, it is a wide question. I cannot help thinking that very little will be done for female education until the people realise that they want it, and perhaps they might begin to realise that they wanted it if they were badly treated by a local body. But it might be rather bad for female education in the meantime.

2334. On the other hand, the people would have what they wanted; if they preferred increasing male education rather than female education they would get it?—Yes.

2335. But would there be any dislike on the part of the Christian College authorities to having these text-book regulations vested in you instead of in the Local Government?—It is just possible that they might raise an objection.

2336. They might regard the Director as being perhaps more connected with the Presidency College than with the Christian College?—Objection has been taken by certain of the Missions to the Director being substituted for the Government in other places.

2337. On the ground that the Director is more related to the Government schools with which they may regard themselves as competing to some extent?—Yes.

2338. (*Sir Steyning Edgerley.*) I take it that on the whole you are satisfied with your relations with the Local Government?—Quite.

2339. And so far as they are concerned all you think is that there might be a certain delegation of authority to you and power to you to again delegate that down to your inspectors and principals of colleges?—Yes.

2340. Do you think they could give you that in a general form subject to a monthly or quarterly return of what you have done?—I almost think I would rather not have it subject to the condition of a monthly return.

2341. Would that not help to find out the places where the shoe pinched and so lead on to more formal delegation?—I understand we are speaking of the delegation of matters of detail.

2342. No. I am speaking of anything.—I submit a yearly report on Public Instruction.

2343. In Bombay we are trying, purely as an experiment, a plan by which Government entrusts its right of sanction, so far as it can be assumed, to all Heads of Departments subject to their sending in a statement at the end of the month showing how they have used it; and they in their turn have been given authority to delegate their authority to the next officer below them on the same conditions. The idea is that we shall thus get a body of information with regard to matters in which the control now exercised is useless and may be finally abrogated. Do you think that would help you at all?—Yes, it might; I do not picture exactly at the moment how it would work. A return always invites opposition, I think; I find that when an officer sends returns to me they are scrutinised in my office with the view of finding something in them—some clerk wishes to pick a hole somewhere. A return is always of that nature; it invites criticism from the clerks in the office.

2344. That would depend on how it was dealt with?—Quite so, but I mean that almost naturally follows.

2345. Suppose Government were endeavouring to decentralize and were looking at these returns from the point of view of seeing what they could unload; would that not alter the case?—It depends on who Government is.

2346. I mean Government itself; I do not mean any officer?—Just so.

2347. As to your relations with the Government of India on educational matters, I take it that speaking very generally your position is that education is a function which properly appertains to the Local Government and not to the Central Government?—That is the general position that I wish to take up.

2348. As regards the Director-General (I do not wish to put it at all offensively to the Government of India), your idea rather is that so far as he lessens the educational inefficiency of the Home Department you consider him distinctly beneficial; is that not about what it comes to?—What I really mean is that when a scheme gets on to paper, and there is no expert there, the Home Department may be led astray; office-notes are sent up and may go off at a tangent, and the main issue is very often lost sight of.

2349. The Director-General helps them to understand the case?—Exactly.

2350. So far as you are concerned, if you had to use the Director-General at all, you would like to consult him yourself before you approached the Local Government?—If I consulted anybody outside the Presidency, I would sooner consult the Director of a neighbouring province.

2351. You would not care to consult the Director-General at all?—I would rather consult another provincial Director, I think.

2352. You would not care to go to him for information as to whether there was anything of the same sort at work in another province?—Personally, I have no great passion for that sort of information; I prefer to deal with the facts that we have here, and to do the best we can with them.

2353. Then, honestly, you do not want to consult the Director-General?—No.

2354. There were a number of questions put to you as to the abolition of the Secretary of State's control and so forth. I take it that your position there is that you think that people should recognise that the Local Government is composed of sensible and tried administrators, with a responsibility to the public, and is worthy of the widest confidence as to the application of general principles in its own territory?—Yes: I spoke more as a member of the public than as Director of Public Instruction.

2355. I mean if reference is made to matters like the abolition of the University, you regard that as outside the pale of practical politics?—Yes.

2356. You spoke of an occasion on which 3 lakhs were ordered to be cut down from your budget. Do you happen to know where that came from?—It was a Government of India order.

2357. And I suppose it was on the ground that you had not been able to spend your money in the previous year?—I suppose so.

2358. Your view is that you purchase that accuracy of estimate which is insisted upon at considerable administrative inconvenience?—Yes, that is all; I did not mind whether the budget was cut down; all I could say was "I have said what I want to spend; you do not tell me that I am not to spend so much; you merely tell me that I have over-estimated; you do not tell me to curtail my expenditure; you tell me that I have over-estimated." I say "It does not matter to me; I do not think I have over-estimated, and it will not matter to me so long as I can spend what I want up to the end of the year."

2359. Only if you happen to be right you have got to go through a considerable amount of trouble to get that 3 lakhs back again?—Yes.

2360. And you, being nearer the actual matters to be administered and subject to the delays of administrative sanction, consider that you are more likely to be able to know what you can spend in any particular year?—That is what I thought.

2361. You prefer not to be governed by figures of the past; is that what it comes to?—Yes.

2362. How low down does your cadre of provincial appointments go?—Take the headmastership of high schools—are they provincial?—Yes, but we have only two or three Government high schools in this Presidency.

2363. The assistant divisional inspector?—Yes, what we call the assistant inspector and the college lecturers.

2364. Does the fact of the Government appointing these officers rather give them prestige and status?—No doubt.

2365. As to the Subordinate Service you send up no appointments at all; you make all those yourself?—Yes; they are also gazetted, but they are not technically Gazetted Officers.

2366. They are gazetted by you; you put them into the Gazette, not Government?—Quite so.

2367. Does your system of grants-in-aid give you very much routine work and trouble?—An enormous amount of work is entailed by the Grant-in-Aid Code.

2368. Could that be simplified at all?—I have tried very much. This Code is much simpler than any other we have had. Any proposals I made, I think, would be accepted.

2369. Suppose a school comes up for a grant-in-aid for a building costing Rs. 20,000; what is your procedure?—That is a building grant; we give very large amounts for teaching grants here.

2370. Those are settled on the inspectors' reports?—Yes.

2371. They give you less trouble?—They give a great deal of trouble too. However, take the building grant; you suggest that I am asked for a grant of Rs. 20,000.

2372. You know it is coming; how do you set about it?—All such applications go to Government. We send up the plan; we ask the manager who wants the grant to send up plans of the proposed building, and we scrutinise those plans. I scrutinise them from the educational point of view; we agree to them from that point of view; they go on to Government, who then refer to the Public Works Department, who look at them from a constructional point of view, and generally suggest modifications.

2373. Do you first of all include it in the budget?—We budget generally for all buildings for the following year; it is one of our uncertain items in the budget, because we never know what applications we shall get; still less do we know what applications will be got through during the year.

2374. Then after you have got the administrative sanction you also have to get a trust deed?—Yes; that is in our Code; I have power to exempt from any trust deed.

2375. If it is decided, however, to have a trust deed, can you dispose of that matter yourself?—Yes.

2376. You do not send it to Government?—No, I do it with the aid of the Government Solicitor.

2377. Do you think it would be a practical suggestion that Government should say, your relations being what they are, "Our budget grant for education is so much, 20 or 30 lakhs or whatever it is; we will give you a much closer control of the different heads; we will let you have your own budget in fact"?—I cannot see what harm it would do.

2378. Have you power of reappropriation within your educational budget?—Yes; there must be some limits, but I cannot say offhand what they are. Generally I have no trouble about that. The money for grants-in-aid I can reappropriate from any head to any other head.

2379. (*Sir Frederic Lely.*) I do not quite understand one thing you said about the municipality having to get sanction through you for every item of expenditure. Do you mean that if there is a grant of Rs. 100 for repairs to furniture, the repair of every broken bench has to go up for Government sanction?—I am not quite sure as to repairs.

2380. Take the matter of the purchase of a book.—In the matter of buying a new book or adding any periodical to the list, I know that both those cases go up.

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2381. The municipality's budget for the year having been duly sanctioned, if there is any expenditure against a budget item for a book, say a one-rupee book, does that have to go up to Government for separate sanction?—Apparently; usually they send me a list of books, and I am expected to scrutinise them, and say whether they are good books or not.

2382. That is probably necessary?—That comes in in connection with the sanction for expenditure.

2383. Every separate act of expenditure has to go up?—Yes, I think so, if of that nature.

2384. I do not quite understand what is meant by the great majority of primary schools being aided. They are most of them in the villages?—Yes.

2385. Who are considered the managers of a village primary school for the purpose of receiving a grant-in-aid?—A large number of them have Mission managers.

2386. I am speaking of the ordinary village primary school?—We have an enormous number that are Mission schools; we have many others—a larger number—where we speak of the teacher as the manager.

2387. Is he responsible for the running of the school?—It is his school.

2388. It is his private speculation so to speak?—Yes, that is what it comes to. He starts a school in the village.

2389. Suppose a village is in want of a school, what would be the first step towards creating one? Does a private teacher come to a village and propose to set up the school?—What usually happens is that an officer like the munsif or the *karnam* has children to educate; he sends round to a man and says, "You come here and start a school and I will give you two or three of my boys, there are others who will do the same and you can take in other children; then you can ask for a grant-in-aid, and Government will probably give you a grant-in-aid."

2390. Who decides upon the man?—There is no rule; it would be a private arrangement; he is not paid in any way; he makes what he can.

2391. Who decides the holidays that should be taken; do you interfere in a matter like that?—We have a list of holidays, but we do not know what happens in these villages. It is usually only once a year that any of our officers get to any particular village.

2392. But you theoretically assert the power of fixing the holidays and the hours of attendance?—Yes, theoretically. We have relaxed those rules very much in our new rules. We have educational rules which lay down those things; then we have grant-in-aid rules which take count of some of the educational rules for the purposes of the grant, and we say that if certain of these rules are not complied with, we shall cut down the grant.

2393. How far do you leave the management of a school in regard to all those details to the discretion of the villagers, and how far do you, through your officers, interfere?—For instance, with regard to free scholars, have you any rules about fees?—We know nothing about fees.

2394. Practically you leave the school to be run by the villagers?—Practically it comes to that, and the inspector goes round once a year, or twice if he can do so.

2395. There is no such thing as the formal appointment of a village school committee?—No.

2396. You deal with the master?—Yes. I have been to very few villages where the people would take sufficient interest to form a committee. There is no objection now to their forming a committee; if they compose a school committee we would deal with them now under our rules; we should call them the managers.

2397. Have you annual examinations?—Yes; when the inspector can, he goes round and examines.

2398. And upon the result of that you base your grant-in-aid?—Yes; or rather we fix the grant

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first; we say so much per teacher and so much per pupil, and the District Officer might recommend the grant being cut down by so much, or enhanced by so much per cent. We do not give him absolute power to withdraw the grant; we give him power to reduce it or increase it by 25 per cent., and we give the set of sub-assistants belonging to a district the power to distribute a certain allotment in that way, cutting down the bad schools and giving the balance to the better ones.

2399. Do you give any money in building grants for village schools?—No, not in building grants; what we have done is to build school-houses—not as a grant.

2400. Are repairs left to the villagers?—In some cases; it differs in different districts; we are trying to let the system develop.

2401. In the case of a new school, would you build a house for them?—We have been doing that lately, in the last year or two.

2402. Do you not think it would be much better to leave it to the village itself to house its own school?—There again we have tried to help the villagers to do it, but it has been different in different districts. In some districts it has been given into the hands of the Public Works Department, which has led to greater expenditure.

2403. That is taking it entirely out of the hands of the villagers?—Yes, that is one extreme; then we have had other cases where we have allowed the local Revenue Officer to do it, and there the villagers have co-operated with him; and lastly, there have been cases where it has been given to one of their own village contractors.

2404. Do you think there would be any objection to saying to the villagers when they come to you and ask for help to build houses "You build your own houses; we will leave the school house to you entirely"?—You mean to make them pay for it?

2405. Perhaps they are scarcely ready for that, but to give them a small grant to spend themselves. —Yes, that might be done. What happened in some districts where we were building, to my personal knowledge, was that the villagers said "Now, if you will build this school twice the size that you contemplate we will provide the other half of the cost." We encourage that as much as we can, and there is a great deal done in that way.

2406. So far as superintending the building goes, might not the expenditure of such money as you give be left entirely to the villagers very often in the case of the better class of villages?—I am afraid I am not sufficiently conversant with the village communities here to say how it could actually be done; I suppose it could be done.

2407. One question about the Training Schools. Have you more than one Training School for high class education in the Presidency?—We have between 20 and 30.

2408. For secondary schools?—We have two colleges where we take graduates and train them to be teachers, and there are between 20 and 30 Training Schools where we take people of lower educational qualifications and train them to be teachers for elementary, and in some cases for secondary schools.

2409. Do the Collectors and Sub-Divisional Officers and District Officers generally visit the Training Schools and Training Colleges; do they take any interest in them?—It depends on the man: some of them take a great interest.

2410. If a Collector, for instance, never goes near a Training School which happens to be in his district, does it excite any remark?—I do not think it does; you mean does it excite any remark in the village?

2411. Or in the department?—Yes, I think our officers rather wish he would.

2412. Are you aware that there are any specific Government orders to that effect—that the Collector should visit the various institutions—primary schools to begin with?—I could not quote the orders; I have an impression that it has been laid down somewhere that officers should interest themselves in schools and colleges.

2413. You think there may be orders to that effect, but if so they have probably become obsolete according to what you say?—I do not know of them as orders.

2414. In your knowledge, Collectors very seldom do visit schools?—I say sometimes they do; it depends upon the man; some men do, and some do not.

2415. So that the orders of the Government, if they exist, have become rather obsolete?—If they exist, yes.

2416. Suppose a Collector visited a Training School and found the discipline very bad; suppose he formed a very poor opinion of it and wrote to you to say so; what action would you take?—We have got an Inspector of Training Schools: I should write in the first place to him and await his report.

2417. And if his report was that the school was in a bad state?—It depends how bad the state of things was; presumably, if it was something very serious, I should go and look at it myself at once.

2418. Suppose the Collector discovered what he considered to be a serious defect in the Training School, but not serious enough to call for your personal attention, you would send it to your subordinate and call for his personal opinion?—Yes.

2419. If his opinion was different from that of the Collector would you let the matter drop?—I should not follow a general rule: it would depend entirely upon what the matter was. If I thought the Collector was quite wrong in the mater, I should ask Government to give a ruling; if it was a serious matter and I thought the Collector was wrong, that is what I should do.

2420. A Collector is an officer of high standing in his district?—Yes.

2421. Suppose he went to see a Training College and formed a strong opinion about it and communicated that opinion to you, and it was submitted by you to an officer of inferior rank, it would put the Collector rather in a false position, would it not?—But our Inspector of European Training Schools is one of our senior inspectors; of course he has not the rank of a Collector.

2422. Would not that rather discourage District Officers from co-operating with you, or rather do you think there is any objection to making it a rule that if the Collector brought to your notice any special point, any defect or otherwise in the department, and your opinion after enquiry disagreed with his, you should forward the case as a matter of course for the orders of Government?—No.

2423. It would put the Collector in a stronger position?—Yes.

2424. And it would encourage him more to co-operate with you?—Yes. I see no objection to making such a rule.

2425. (*Mr. Dutt.*) Referring to the list of powers which the Government recommend for delegation, did you say that in these cases you would like the powers delegated to you or that they should remain with the Government?—I am confining my question to the items relating to text-books?—I am not aware that I have expressed an opinion about it.

2426. Then I would ask you whether you would recommend that those powers now exercised by Government should be delegated to you or that they should remain with the Government?—I would recommend that they be delegated.

2427. That is as to prescribing text-books for use in schools, and prescribing lists for unaided schools and colleges, including I suppose missionary colleges?—Yes.

2428. In fact, all these items you think might be delegated to the Director?—Yes.

2429. Then you would undertake the duty of framing rules for the Text-Book Committee, and also of appointing the members of the Committee? Yes, I always have done so, and the suggestions have been accepted speaking generally.

2430. But you would have no objection to doing it yourself?—No.

2431. A large number of Board schools are aided schools?—Not Board schools.

2432. The schools maintained by District Boards from their district funds?—If they are really what are called Board schools they are not aided.

2433. They are entirely supported by the District Boards?—Either with their own funds, or with funds that we give them for the purpose.

2434. From the educational grants?—Yes.

2435. The others you call aided schools?—Yes, they are under private management.

2436. But aided by Board funds?—Yes or from funds paid through the Board. We really pay the bulk of the contribution.

2437. Their net expenditure is very small?—Our contribution is very large.

2438. Have the District Boards any deputy inspectors or sub-inspectors under them?—They have at present certain inspecting officers called supervisors.

2439. What would be the pay of those officers? —It varies from Rs. 20 to Rs. 25, or even Rs. 30, Rs. 40, and Rs. 50; there is some difference under different Boards, but that is about what those men draw.

2440. They inspect these schools as well as your Educational Officers?—Yes, they go to the schools. The idea is that if they have been properly looked after by the inspector and he has trained these men, as some of them are being trained, they really try to help the teacher rather than to inspect the school, and show them how to do things; they teach them a few things; they even spend a few days there; that is the theory, and the theory is gradually coming into practice in some of the districts under the more active inspectors.

2441. You say your inspectors and officers are not able to inspect these schools frequently?—It comes to about once or twice a year. It is either once or twice. If a man has 150 schools scattered throughout the country, it is not likely that he will visit them all twice in a year.

2442. You made a suggestion that the primary schools might be made over to local bodies and the secondary schools might be kept under the management of the Educational Department?—That seems to me to be the most rational course.

2443. Would you in that case suggest that the inspection and management of these primary schools should be vested in the local bodies subject to such special instructions as your department may lay down?—I think it would be much better that the inspectors should be a Government agency.

2444. Are you familiar at all with the Bengal system? The District Boards have got their own schools and their own educational inspecting staff, and all the schools aided or supported by District Boards are inspected by their staff, who are paid by themselves; practically they take over the whole management of the schools which they pay for. Would you recommend that system for the primary schools which you say may be placed under the District Boards?—Perhaps I should if they paid for them, but I say they do not pay for them, and as they do not pay for them, I recommend that the person who pays should inspect.

2445. Would it not be more consistent with the objects of the Local Self Government Act that the institutions should be made over entirely to the Local Boards and should be inspected and maintained by the Local Boards?—I think it would if our object is to teach the people to govern themselves. If our object is an educational one, I think perhaps we had better save education from their control for the present.

2446. So far as primary education is concerned, would not the staff under the District Boards, under the instructions which your department would lay down, be fairly able to inspect the institutions? Of course it may be necessary to increase their pay, but if the duty was devolved on them, you could decentralize to that extent. The Government might require the Boards to keep more inspectors, and the whole duty of inspecting these primary schools might be devolved upon them?—I do not see any reason for it. I should think that one man is as good as another for inspection purposes: perhaps I do not quite follow you.

2447. In your opinion could not the Bengal system, as I have described it, with certain help from you, be introduced into Madras?—If you have the inspecting agency under Government, it is a larger Service, and there is more prospect of promotion to the men—it is all one Service—and we get better men in that way than a Board would get. There are many men who would come and serve Government who would not serve under a District Board.

2448. You mentioned incidentally the little interest taken by members of the District Board in such secondary schools as there are under their management?—In all schools under their management.

2449. You are aware of the section in the Local Self Government Act which gives the entire executive power to the Collector?—I am not familar with the terms of the Act.

2450. The section runs thus: "Resolutions of the Local Board" (that of course includes a District Board and a *taluk* Board), "shall be carried into effect by the President, in whom the executive power of the Board shall be vested, and who shall be directly responsible for the due fulfilment of the purposes of this Act." I understand that the entire executive power of the Board vests in the District Collector as President of the District Board?—Yes.

2451. And under those circumstances would you not expect that the duty of looking after these schools would require to be performed by the President and not by the members?—Yes, but then I say they are not performed by him as President, but they are performed by him as Collector; that is a subtle distinction, but you are making a more subtle distinction still; he is touring as Collector, and he would inspect equally if there were no District Board at all; that is the point.

2452. He is the President of the District Board? —Yes.

2453. And when he goes round he goes round as Collector and President of the District Board?—Yes, in a sense.

2454. You mentioned something about the mismanagement or neglect of the schools by the members of municipal councils and of your receiving complaints that their relations are very often recommended as teachers. Would you like that to go down as part of your formal evidence?—I say that I think there are complaints with regard to these matters.

2455. You would like that to go down as part of your formal evidence?—I have no objection one way or the other.

2456. May I ask you in how many cases have you generally received such complaints?—That I can hardly say; these things do not come to me in detail; I spoke of it as hearsay; I mean, it is what is told me when I am touring.

2457. Can you tell me who makes these complaints?—I believe they come both from officers and from teachers themselves.

2458. Have you thought any particular case sufficiently important to make any enquiry into it?—There have been cases where I have asked Government to interfere in the appointment of teachers in municipal schools.

2459. And have Government taken action by cancelling the appointments?—Yes.

2460. Within this current year or the last two years?—I think the last case was two years ago perhaps.

2461. So they are very rare?—They are very rare, but we do get them.

2462. Occasionally, but rarely, you do receive such complaints and action has been taken?—Yes; as a rule I pay no attention to them.

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2463. Comparing the results of examinations have you found that schools worked by municipalities are worse than schools of the same standing worked by Government?—I could not generalise as to that.

2464. You made some remark as to the inferiority of the schools managed by municipalities?—I did not compare them with anything. I did not say that they were inferior to some other class of schools. I think I said that they were inferior to what they might be, and what I hope they would be, if we could have a free hand in managing them.

2465. You would not go so far as to say that the schools worked by municipalities are worse, judged by their annual results, than schools worked by Government?—I could not generalise in that way.

2466. Now in the list that is before us, recommendations have been made for the devolution of power from the Local Government to the Director of Public Instruction; is there any way that you can suggest by which any powers of control or supervision now exercised by the Education Department could be devolved on local bodies, either District Boards or *taluk* Boards?—With what object?

2467. Simply with the object of decentralization; a great deal of work is in your hands, and for that reason proposals have been made to give you ampler powers; in the same way would you trust Local Boards or municipalities to perform certain duties and to exercise certain powers which are now exercised by Government officers?—That must depend on the point of view. If you tell me to take the point of decentralization, it could be done, but if you mean would that improve education, I say I am very doubtful whether it would.

2468. Have the village unions got any power of supervision over the primary schools in the villages?—No, I think not; I am not sure; I have never come across a village union.

2469. Would you agree with the suggestion that they should have some powers in managing or supervising the schools within their own limits?—I really cannot answer.

2470. If by giving them some supervision they got more in touch with the village schools, they might probably come forward to build houses, and you would save that cost?—My impression was that there was a union here and there, but that there was no system.

2471. (*Mr. Hichens.*) You have indicated in general terms where the shoe pinches in the relations between the Government of India and the provincial Government with regard to education. Is one of the points that you feel most strongly about the financial point, viz., the reduction in your budget, and another point, not a financial point, but in regard to appointments to your staff; you want further freedom on those points?—When I spoke of reduction of the budget I did not mean curtailing funds.

2472. But you meant the reduction of your estimates?—Yes.

2473. Then you wanted further powers in regard to the appointment of your staff?—That the Madras Government should have further powers.

2474. Are there any further points that you can suggest in regard to which you would like to have freer powers?—No. I cannot give you any points with regard to which I could suggest that this Government should have freer powers; of course, it is not my business to do so; I do not know exactly what the relations are at present between this Government and the Imperial Government.

2475. So far as you are concerned, those are the two points that appeal to you?—Those are the points that appeal to me as Head of a Department under this Government.

2476. (*Chairman.*) You have advocated several times, and you have repeated again, your desire that there should be greater financial freedom to yourself as Director of Public Instruction?—Freedom from financial rules.

2477. And control?—I do not quite catch the difference.

2478. Have you reflected at all what would be the effect on the finances of the Government of India if ten provincial Governments were all allowed to have unrestricted power of sanctioning large educational schemes involving considerable expenditure?—I assumed that they would have so much money to deal with, and it was for them to decide how they would deal with a certain sum; that is all.

2479. You are quite contented then, from your point of view as Head of a Department, that the Government should allot to you a certain sum of money, and, having allotted it to you, that you should be free to spend it as you liked?—Yes, and afterwards, if I can show that it has been well spent and that we can spend more, they should be prepared to consider whether they can give more, without considering in detail what it is to be spent upon. I mean that they should not go into detail; that is the point.

2480. But suppose that the Government of India desired to give you more, yet, having themselves only a certain sum to spend, and desiring to allot that sum to the best of their ability between the different provincial Governments, are they not bound to examine the proposals of the various Governments in order to see which best deserve the grants that they can afford to give?—Of course this is a little out of my province, but I should have thought that the area of the province, the number of the people, and the revenue which it contributed, were elements to be taken into consideration—not the value of the scheme proposed.

2481. Do you at present consult either officially or unofficially the Directors of Public Instruction in other provinces?—Two years ago we all met together and had a conference, and exchanged our views pretty freely.

2482. I do not quite mean that, but do you communicate with them pretty constantly?—We agreed then to send to each other all our publications of any importance. I have looked through all the documents that I have had sent to me; nothing, I think, has actually cropped up recently; I have got all their Codes.

2483. When you are confronted with any difficulty in solving an educational problem, do you ever write to the other Directors officially or otherwise?—I should write demi-officially.

2484. You have told us that you cannot make any further suggestion which would affect any delegation of power to provincial Governments. Is there any direction in which you, as Head of the Education Department in Madras, would like to see further delegation of general power other than particular power—I mean in larger questions?—I can only note details. I have noted the details of certain work which I have to do which could be done equally well by other people.

2485. (*Mr. Meyer.*) Would you give a statement of the amount to be spent in grants-in-aid this year on schools aided by District Boards? How much comes from "Provincial" and how much from "Local"? Does such amount as is shown as contributed from "Provincial" to "Local" really represent contributions by the Government of India to District Boards passed *pro formâ* through the provincial account?—The total amount required for grants-in-aid this year to schools aided by District Boards is about Rs. 8,24,000, of which only Rs. 2,64,720 may be expected from "Local" funds, the balance if paid must come from "Provincial." The Boards also require a sum of Rs. 4,18,262 towards the cost of maintenance, &c., of their own schools. In reply to the last part of the question I do not know whether this is or is not the correct way of stating the case. With the permission of the Government of India 6 lakhs has been of recent years added to the Educational budget for expenditure by or through the agency of Local Boards.

(*The witness withdrew.*)

Colonel R. J. MACNAMARA, I.M.S., was called and examined.

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2486. (*Chairman.*) You are Inspector-General of Prisons in Madras?—Yes.

2487. Have you any general remarks which you wish to make?—I think that centralization in the Jail Department exists more in the relations of jails to the Inspector-General of Prisons than between the latter officer and Government. Superintendents are much too restricted in the powers they can exercise, and their energies are not judiciously directed. There is too much office work and too many statistical returns of various sorts to be prepared. I would recommend that Superintendents be given more power in the matter of managing the jail guard, for instance, without reference to headquarters, except in certain important matters, and would relieve them of the duties of submitting many of the detailed statistics they are now required to do. Superintendents as a class are officers of intelligence and integrity, and quite capable of conducting their duties without too large a measure of interference from without. They have, moreover, the advantage of being on the spot and can, I believe, be trusted to exercise their initiative with judgment and discretion.

2488. What are your general duties?—My general duties are to inspect all the jails in the Presidency and some of the sub-jails; to check the expenditure on jails and to sanction expenditure; and, generally, to see that the orders of Government and the Prisons Act and rules made by the Government are duly carried out. I act as the go-between between the Government and the Superintendents of Jails.

2489. You are a Commissioned Officer in the Indian Medical Service?—Yes.

2490. What is the class of officer in charge of jails?—There is a Superintendent over each jail.

2491. Are they Commissioned Officers?—Some of them, not all.

2492. What department of the provincial Government do you correspond with?—I correspond directly with the Chief Secretary.

2493. In the Public Department?—Yes, and in the Judicial Department, too.

2494. Do you find that you have full and easy access to him?—Quite.

2495. The relations between the Public Department and yourself are free and unfettered?—Yes, quite free.

2496. Is there any particular direction in which you would look for somewhat greater latitude?—Well, I think there is a good deal of correspondence that goes on between my office and Government that might be cut down, and I think there is a good deal of correspondence between myself and the Superintendent of Jails that might be done away with.

2497. First of all as to the correspondence between yourself and the Public Department?—For instance, I have to go to Government for sanction on very trivial matters—matters sometimes of very small expenditure.

2498. Can you give us any idea of the amount of expenditure involved?—If I wanted, for instance, a rubber stamp, which would cost two or three rupees, I have to go to Government to get sanction for it.

2499. Do you know the reason of the restriction in that particular case?—I believe the Stationery Manual rules prescribe that I should do so.

2500. How much does that kind of petty and trifling expenditure come to in the course of the year?—Not very much; I simply give you that as an instance.

2501. Would it be a couple of hundred rupees in the year?—No, nothing like it; the items are small.

2502. So that if you had general sanction to spend Rs. 100 a year in petty cash, that would cover a good deal of correspondence?—Not a good deal; but a certain amount. That is only an isolated instance of correspondence which might be cut down.

2503. Can you give me any other instances, not on matters of expenditure?—I will take one question that is not so much connected with expenditure. The Inspector-General of Prisons is not allowed to fix the number of convict warders that are attached to the various jails.

2504. Who fixes the number?—The Government of Madras.

2505. On the recommendation of yourself?—Yes.

2506. That would involve expenditure?—It involves a certain amount; these convict warders are paid some small amount, from 4 to 8 annas a month.

2507. That again would involve very small expenditure?—Very trifling.

2508. Is there a good deal of correspondence on that subject?—No.

2509. How much would the expenditure in a year be upon these convict warders?—Probably it would be less than a thousand rupees; I could not give you exact figures.

2510. So that we may say a provision allowing you to spend up to Rs. 500 would get rid of that correspondence?—If permission were given to me to fix the number of the convict warders without reference to Government at all, that would meet the case.

2511. But you must have some limit?—The total number of convict officers that can be employed in a jail is limited to 10 per cent. of the population; convict warders are also limited according to the qualifications of the man appointed, according to the time he has been in the jail, and so on; so that I could not go beyond 10 per cent. if I wanted to.

2512. So that without fixing an absolute limit, the 10 per cent. restriction would practically prevail?—Yes, or if you fix the sum to be given to me, I could always keep within it.

2513. Is there any other similar point?—In the Postal Department they issue what are called window-delivery tickets. The jail is supplied with a postal bag for its letters; for the window-delivery ticket Rs. 12 a year has to be paid; I cannot get a ticket for any jail without going to Government for it, although the amount is only Rs. 12.

2514. There are practically a considerable number of references necessary by you to the Public Department about which a small fixed annual sum would enable you to get rid of correspondence?—Yes.

2515. Who settles these questions in the Public Department: do they go as a matter of fact to the Secretary in the Public Department or are they settled by a clerk?—That I cannot tell you; they go to the Chief Secretary, and I hear nothing till I get my reply; I do not know whether the Chief Secretary even sees them; all I know is that the letters generally come back signed by an Assistant Secretary.

2516. If there is any considerable difficulty owing to the gradual accumulation of precedents and rules in the department, that could be obviated by the granting of leave to you to spend up to a small yearly sum?—Yes. As a matter of fact, a budget estimate is prepared, and it will be quite easy to limit us to the budget.

2517. How much correspondence in your department would that get rid of?—Not very much.

2518. Would it enable you to get rid of the services of one clerk in your department?—No, not the things which I have recommended.

2519. But the accumulation of all these things?—Well, possibly.

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2520. When you refer these questions to Government, do you actually see and sign the letters conveying the remarks to Government?—Always.

2521. It is not done by one of your clerks or subordinates?—No.

2522. Now, having made suggestions of that sort, suppose you were free from these pretty restrictions, what powers could you advantageously delegate to your Jail Superintendents?—I would give them far more authority over warder establishments in jails than they possess at present.

2523. For instance, you want power to appoint convict warders to a certain number; would you delegate to each Jail Superintendent the power to select the warders?—They possess this power as it is; as long as they keep within the limits laid down, I have no objection to their doing it themselves.

2524. Do you mean that you would be prepared to delegate up to a 10 per cent. limit?—I think so, as regards convict officers of all grades.

2525. Could you do it in all cases, or would you choose the Superintendents to whom you would like to delegate the power?—What I mean is this. There are 10 per cent. of the prisoners in a jail who are convict officers; as a rule, there are a small number of this percentage who are convict warders.

2526. There are three grades; there is the warder overseer, the ordinary warder, and the convict warder?—Yes; the convict warder comprises two or three out of the 10 per cent. If you limit that, there is no objection whatever to giving the Superintendent power to appoint his own individual men, provided that they comply with the rules as regards their selection.

2527. Now it comes to you?—Now it comes to me and goes up to Government if the number is to be increased.

2528. Suppose you were free yourself, would you be prepared to let the Superintendent have the power?—Certainly, but within limits.

2529. Do you come into relations at all with the District Magistrate?—No, not at all; he is the official visitor and he comes and makes remarks, and I see copies of his remarks and sometimes action is taken upon them, if there is anything that requires action to be taken.

2530. Is there a good deal of correspondence between your office and the various District Magistrates?—No.

2531. Or between your office and any other department of the Government in consequence of the remarks of District Magistrates?—No.

2532. None at all?—Of course a District Magistrate might remark "repairs wanted," or something like that, and we should send round to the Public Works Department; or perhaps he might raise a question concerning a prisoner, and there would be enquiry made into whatever he suggested.

2533. When a District Magistrate visits a jail, how do you know whether he finds it satisfactory or not?—He says so.

2534. To whom?—In the book: he makes a written record saying, "I have visited jail so and so, and I find so and so; things are satisfactory," and it ends there.

2535. If it is unsatisfactory, your Superintendent reports to you?—He makes a report. The book remains at the jail, and a copy of the District Magistrate's remark is sent to me.

2536. Is there a Director-General of Prisons under the Government of India?—No.

2537. Do you find that you, as Inspector-General of Jails in Madras, suffer at all from the lack of some centre of information from the Government of India?—I cannot say that I do.

2538. Do you ever correspond with the Inspectors-General of Prisons in other provinces?—Occasionally.

2539. Officially and unofficially? — Sometimes officially, sometimes demi-officially. If there was a question regarding which I wanted to know the practice in another province, I should write to the Inspector-General in that province.

2540. Do you ever have a conference between the various Inspectors-General of Prisons?—I have never been to one.

2541. How do you know whether your administration of jails in this Presidency is better or worse than the administration in other provinces?—Our administration report goes on to the Government of India, and the Government of India generally issue a review of the whole administration of jails throughout the country, comparing the different provinces and the conditions in the different provinces.

2542. Is the review prepared entirely from the administration reports of various Inspectors-General?—Yes.

2543. There is no actual human contact between the Government of India and the jail administration of the provincial Government?—No; there is no direct communication between me and the Government of India in any way; all correspondence goes through the Local Government.

2544. Is that a satisfactory state of things or not?—So far, I see nothing to object to about it. There are a few points perhaps where it might be advisable to have general rules applying all over the country in preference to provincial rules.

2545. Is there great difference between the rules in one province and the rules in others?—Yes, there are differences in practice; the differences are brought about by matters that are really insurmountable, like climate, diet, and so on.

2546. Of course, you could not have absolute rigidity?—No, but there are certain points where conditions might be absolutely the same all over the country.

2547. Would that be practically brought about by annual or biennial conferences?—At present the Government of India frames rules under the authority of the Prisons Act, which are applicable to the whole of India, and at the same time they allow the Local Government under a section of the Act to make rules which are applicable to the province itself.

2548. Before those rules are made for the province, is the Local Government consulted and in turn does it consult you as to the suitability of the proposed rules?—I think so. In fact, my department probably made the rules and submitted them to the provincial Government for approval.

2549. (*Sir Frederic Lely.*) I take it you see no necessity for co-operation between the different departments?—Very little; we have a certain amount of correspondence with other departments, with the Public Works Department, and the Accountant-General's Department and the Judicial Department.

2550. Apart from isolated cases you do your own work and leave other departments alone?—To a certain extent I think that is so; we are seldom interfered with, and seldom interfere.

2551. Do you think it is possible that you might obtain the co-operation of other departments even in jail work?—In what direction.

2552. For instance, I suppose you have a large number of men fit to employ on outdoor work?—Yes.

2553. Do you employ men in that way?—Yes.

2554. You have strict rules relating to them?—Yes.

2555. You cannot employ them unless you can show a cash profit?—I do not think that is the rule.

2556. What is the restriction on the employment of outdoor gangs?—The only restriction is that the work must be something connected with jails.

2557. Suppose it was something connected with the public advantage, not necessarily jail work?—You mean municipal work.

2558. Not necessarily municipal work; it may be an embankment to keep out floods or something of that kind, some matter of public advantage;

would you be precluded by the rules from supplying labour?—We are not precluded, I think, but I do not think anything of the kind has ever been tried in this Presidency.

2559. Suppose a Collector came to you and said, "Here is something that would be of great public advantage, although it is not strictly urgent, and nobody here can afford the funds for it"; could you arrange to turn out a lot of men to do that work?—I should not arrange it without reference; I should not consider myself competent to employ prisoners in a case like that.

2560. Looking at it from the broadest point of view of the public good—the jail is a public institution and supported by public funds—would it not be a good thing if more elasticity was allowed in the way of employing prisoners?—I do not know; it might be a great disadvantage in some ways; if we put prison labour to do certain work, it would deprive the public of a certain amount of labour.

2561. On this question of co-operation between your department and other departments, most of your jails have gardens in which you grow vegetables and fruit?—We grow vegetables. Some of them grow fruit.

2562. For the use of the jail population?—Yes.

2563. Do these gardens pay as a rule?—I do not think so. I think jail gardens in Madras are not well managed.

2564. Would it be an advantage to your department if you were to go to the Agricultural Department and ask them for advice and assistance?—Possibly it would.

2565. You have never done that?—No, but it is not everywhere that the Agricultural Department is in a position to visit the jail and give advice.

2566. But it might be done?—Quite so; it has been done in one place, I think.

2567. A further advantage would be that it might not only make the jail garden a profitable place, but it might advance the culture of fruit and vegetables and so on?—Yes.

2568. The District Magistrate is also a visitor?—An official visitor.

2569. Suppose he made a criticism of the management with which you did not agree, what would you do?—I should probably send a copy of his remarks, with my comments, up to the Government.

2570. I remember a case, years ago, in which at a time of heavy flood the District Magistrate sent word to the Jail Superintendent that he had prepared a place of safety for the prisoners, and the Superintendent refused to avail himself of it because the care of the jail was not the District Magistrate's business. Would that be possible under you?—I should not approve of such action by a Superintendent, and never heard of such a case.

2571. It is not a rule of your department that whenever you disagree with the District Magistrate you must send a copy of his remarks with your comments to Government?—No; I have, so far, never seen an instance that called for action on the part of Government.

2572. But do you not think that ought to be the rule?—I think so.

2573. (*Mr. Dutt.*) Is it the fact that Civil Surgeons in districts are generally the Superintendents of the district jails?—In some cases, not in all. There are only three jails in the Presidency where the District Medical Officer is also Superintendent.

2574. In other cases there are special Superintendents, specially paid?—Yes.

2575. There is a sub-jail in each sub-division of a district?—Yes, sometimes more than one.

2576. Who are the Superintendents of those sub-jails?—Generally the Sub-Divisional Officer or Magistrate.

2577. Not the Hospital Assistant or any medical officer?—No, he acts the part of a jailor or medical officer.

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2578. The Sub-Divisional Officer will be either a young Civilian or a Deputy Magistrate?—As a rule he is a Deputy Magistrate.

2579. You have to submit an annual budget?—Yes.

2580. Do you not in that annual budget provide a lump sum for articles of stationery which will be required?—Yes.

2581. Then could you not, when the budget is passed, buy what you wanted out of the lump sum which is already sanctioned?—I do not think so. It does not follow, because I have budget provision which will meet the purchase of the rubber stamp, that therefore I can always purchase the stamp; I may have to get sanction to the purchase from the Government apart from the financial provision.

2582. The passing of the budget does not empower you to purchase articles included in the budget?—No. The same question comes in with regard to articles made in the country and articles imported. I have permission to sanction up to a given amount, but further than that I cannot go. For instance, I have power to sanction up to Rs. 50 for the purchase of articles of European manufacture; if the article costs Rs. 52 I have to go to Government for sanction.

2583. Are these difficulties created by rules prescribed by the Indian Government or by rules prescribed by the Madras Government?—With regard to this particular question of the purchase of articles of European manufacture, that is laid down in the Civil Account Code which is applicable to the whole of India.

2584. And with regard to other matters?—With regard to the purchase of articles of country manufacture, that is a general order of the Financial Department of January, 1895.

2585. Except so far as the rule has been prescribed by the Civil Account Code, the other difficulties could be removed by the Local Government?—I think so; as regards articles of country manufacture, I think they could be removed.

2586. Are there any non-official visitors to the districts jails?—There are.

2587. Are they generally named by the Government, or are they visitors *ex officio*?—They are named by Government as a rule; they are not officials at all but private people.

2588. Do you find anything valuable in the suggestions that they make?—Sometimes their suggestions are of use.

2589. Then does the Superintendent adopt them, or does he wait for your orders as to adopting them?—It depends upon whether there is any immediate action called for, or whether it is something trifling. Of course if a non-official visitor was to recommend some large work involving a large expenditure, there would be no action taken upon it until I saw it.

2590. You have mentioned the Prisons Act of 1894. Have any rules been passed by the Government of India under this Act?—The rules passed by the Government of India are based on the Act.

2591. Those rules, as far as I remember, have not been changed since?—I do not think so; they may have been altered slightly.

2592. Anyhow the changes are not frequent?—No, certainly not in the Government of India rules.

2593. Besides those, certain rules are framed by the Madras Government?—Yes.

2594. And these are changed from time to time?—Yes.

2595. They apply to food, discipline, labour, clothing, and so on?—Yes.

2596. Do they apply to the whole Presidency?—Yes.

2597. Is non-official opinion consulted in the framing of these rules?—I could not say that.

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2598. So far as the food of the prisoners and prison labour are concerned would non-official opinion be of use in framing these rules or in changing these rules?—*I am quite sure it would*; in framing these rules, local advice would be most useful.

2599. You do not know whether in these matters the public are consulted?—I cannot say.

2600. (*Mr. Hichens.*) Have you a central jail in this province?—There are eight central jails here.

2601. It is only life sentences that are sent to Port Blair?—Yes.

2602. You see no objection to that being under the Government of India?—None whatever.

2603. (*Mr. Meyer.*) Is it only life sentences that go to Port Blair?—At present. Formerly they used to send term prisoners—men condemned for 7 and 10 years' transportation—but of recent years the population has overgrown the premises, and they have restricted the number.

2604. Would you say that the sentence of transportation to Port Blair was any great hardship as compared with incarceration in a central jail in the Presidency?—I have never been to Port Blair; but as far as my information goes a prisoner sentenced to transportation prefers to go to Port Blair to remaining in Madras; I have known them sometimes to make the request.

2605. I was not clear whether you had the appointment of convict warders; do you say that the matter has to go to the Local Government?—Let us say that there are 300 warders for the province; suppose I wanted to make 305; I could not appoint them; I should have to go to Government, although the nominating of the particular men rests with the Jail Department.

2606. Not with the Superintendent of the central jail?—No; he appoints the convict warders, but he generally sends me a list of them.

2607. For your information or for your approval?—It depends; if he appoints them according to the rules laid down, well and good; but if he has violated the rules because he has not sufficient men available, then he sends the list on to me for approval.

2608. The rules provide certain tests of fitness and behaviour and so forth?—Yes.

2609. As long as the rules are complied with the Superintendent can make anybody he pleases a convict warder?—Quite so, up to the limit allowed him.

2610. If the limit has to be departed from, whether as to number or as to qualification, then it has to come up to you as to qualification, and in certain cases, as to number, it has to go up to the Local Government?—Yes.

2611. You have said that there are only three District Medical Officers in charge of district jails; is that really so?—That is so.

2612. I should like to be certain of that, because when I was a Collector here the Medical Officer took charge of the district jail as a matter of course; has that ceased to be the case?—At the present time there are only three jails; one is at Mangalore, the other is at Madura, the other is at Berhampur.

2613. How many district jails are there?—Eight.

2614. You are not speaking of central jails?—No; there are eight central and eight district jails; it is the policy of the Government to reduce the jails and to increase the number of sub-jails.

2615. The district jail is now generally in charge of what you may call a professional jailor and not of the District Medical Officer?—Yes.

2616. The sub-jails are under the control of the District Magistrate?—Yes, they are under him.

2617. You said that you had no personal relations with the District Magistrate; is that so? Are you not concerned with statistics?—Of course, but there is no correspondence; there are merely a certain number of forms filled in.

2618. Suppose statistics showed that the cost of the inmates in a certain jail was higher than it should be, would you call for an explanation?—We should call for an explanation. Considering the number of sub-jails there are, the small amount of correspondence that goes on is surprising.

2619. You tour a good deal?—Yes.

2620. When you go on tour into a district would you go and see the District Magistrate?—I do not always see him.

2621. You would not make a point of seeing him and asking him about the sub-jails in his district?—I cannot say that I have done so. To begin with, I have not been in Madras very long.

2622. Suppose the District Magistrate happened to be in the headquarters station when you were there, you would try to see him?—Possibly I would; I have seen a good number of them, I think.

2623. You would as a matter of course try and see him I suppose?—I do not say that I should make a special point of going to see the District Magistrate to enquire about sub-jails.

2624. You have informed us that there is a general Prisons Act for India. Was not that Act passed as the result of a conference of jail officers from various provinces?—Yes.

2625. And the rules framed under that Act were considered by the conference?—They made suggestions I think upon which the Government of India framed the Act.

2626. At any rate the Act is the result of that conference?—Yes.

2627. Was there not a conference of Jail Superintendents this year at Simla?—Yes.

2628. Did you attend?—No.

2629. May I ask why?—I was not told why, but I fancy it was owing to the distance from my headquarters to Simla, because there were other Inspectors-General of Prisons who were not asked either.

2630. What was the conference about?—It was about the mark system.

2631. The system by which prisoners earned a remission of their sentence by marks?—Yes.

2632. With regard to jail labour, in some ways it is rather a difficult matter. Is there not every now and then an outcry about jail manufactures competing unfairly with private industries?—Yes.

2633. And if you were to put men to different work of public utility, as was suggested to you, would there not be a possible outcry about your competing with the coolie?—I think there would. I understood that in the cases suggested to me the prison labour was to be employed only in case of emergency; anyhow, I do not think it ought to be employed so as to compete with the public supply.

2634. As regards the purchase of country stores and so forth are you aware that there is a Committee sitting upon that subject?—I think the Committee met some time ago.

2635. Did you give evidence before it?—No.

2636. (*Sir Steyning Edgerley.*) I was not quite clear as to what you said with regard to sanctioning Public Works expenditure?—A certain amount is put on the jail budget for petty constructional works and repairs to jails. The maximum amount allowed for a work debitable to that account is Rs. 2,500; that is the limit. I have authority to sanction up to Rs. 1,000; if the work exceeds Rs. 1,000, but costs Rs. 2,500 or less, it has to go up to Government for sanction, though the sum is debited to the Jail budget. That causes a great deal of correspondence, because the amount of petty works in connection with jails between Rs. 1,000 and Rs. 2,500 is large; whereas with regard to smaller sums I can sanction the expenditure myself, and it does not go to Government.

2637. Is there anything else of that nature that you would like to mention?—I think the Head of a Department should be allowed to sanction the maximum pay of a lower intermediate appointment when a subordinate is reduced from a higher to a lower grade as a penalty.

2638. You mean that if you reduce a man from a higher to a lower grade he would begin with the minimum pay?—If he is reduced he must, as a matter of course, go to the lowest pay of the lower grade. Now it is not always desirable to punish the man to that extent. It comes rather hard if the case has to go to Government for sanction; it would save some correspondence with the Government if the Head of a Department was allowed to condone such a punishment.

2639. Do you know the article dealing with this matter?—It is article 157-B of the Civil Service Regulations.

2640. Is there anything else you wish to mention?—Only about appeals against the punishment of dismissal. In the case of lower subordinates, that is subordinates appointed, say, by the Superintendent of a jail, I think an appeal should lie to the Inspector-General and should not be allowed to go further.

2641. You would only give one appeal?—Only one appeal, but in the case of officers appointed by the Inspector-General I would allow them to go to Government.

2642. Again one appeal?—Yes.

2643. What are your powers of appointment—up to how much?—I can appoint all the men up to the appointment of Superintendent; the gazetted appointments rest with Government.

2644. Do you appoint anybody over Rs. 250 a month?—No; here the highest payable is Rs. 225 a month.

2645. Is there anything further you want to mention?—There was a question asked as to whether it was advisable that the authority dismissing an officer should give him a certificate that there was a reasonable ground of appeal. With regard to that, I think it is not advisable. I would not make the appeal dependent on the man whose decision is appealed against; I would give the right of appeal without any such certificate.

2646. You would give the man one appeal without any certificate?—Yes.

2647. I suppose the first object of your department is penal discipline?—It is one of the objects.

2648. And the carrying out of the sentences of the Court according to the recognised standard?—Yes.

2649. One form of jail punishment for insubordination and so on is penal diet?—Yes.

2650. I understood you to say, in answer to Mr. Dutt, that you thought you could get great assistance as regards the settlement of labour questions and the settlement of food questions from non-official consultation?—Yes. The non-official visitor, especially if a native of the country, would be in a position to give good advice with regard to food.

2651. Is there not an officer in medical charge of the jail?—Yes.

2652. Does he not know sufficient of the country to know what is a fair diet?—Of course he knows a good deal about it, but there is no reason why we should not take suggestions from a native non-official visitor.

2653. Does not the Medical Officer examine the prisoners once a week or every day?—He examines all the newly admitted prisoners, and he them all once a week on parade.

2654. So that if the general diet is unsuitable, the Medical Officer has discretion to order a man special diet?—They generally manage it by testing a man's weight; the men are weighed once a fortnight, and if any disposition is shown to fall off in weight the Medical Officer will know that the man is not very well or is perhaps getting too much work to do, and he alters his diet accordingly.

2655. (*Chairman.*) I understood you to say that you take an estimate *en bloc* for probable expenditure on works?—Yes.

2656. Any sum that you propose to expend on individual works exceeding Rs. 1,000 has to be referred to Government for sanction?—Yes, up to Rs. 2,500; that is the limit in the case of a minor work.

2657. What happens in the case of a work over Rs. 2,500?—The amount is debited to the Public Works budget.

2658. Taken out of the Jail Budget altogether?—Yes; we have nothing to do with it; it is only minor works costing Rs. 2,500 or less that are debited to the jails.

2659. Would it be an advantage to you to estimate beforehand for particular works instead of budgeting generally?—I do not think so.

2660. Would that not reduce correspondence?—No.

(*The witness withdrew.*)

Col. R. J. Macnamara.

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Mr. F. A. LODGE was called and examined.

Mr. F. A. Lodge.

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2661. (*Chairman.*) You are Conservator of Forests?—Yes.

2662. By whom were you appointed as Conservator of Forests?—By the provincial Government.

2663. Will you describe to us of what your charge consists?—A Conservator of Forests is in charge of a forest circle, and of these there are three in the Madras Presidency. My circle consists of eight forest districts (six revenue districts) for each of which there is a district forest officer (either of the Imperial or Provincial Service); there are also four Provincial Service officers available for special duty in any of the districts.

2664. Then what is your staff?—The staff below the district forest officers is as follows:—

	Southern Circle.	Presidency.
Rangers	42	143
Deputy Rangers	20	60
Foresters	48	139
Guards ... ... About	300	980

Besides district and range office establishments and a large number of temporary hands, elephant establishment, depôt keepers, gardeners, watchers, etc.

2665. What are the duties of a Conservator?—(1) To advise Collectors on forest matters; (2) to control the utilization of budget allotments and the collection of revenue; (3) to control the preparation and execution of working plans; (4) to appoint, promote, punish and dismiss subordinates on Rs. 15 and upwards excluding office establishments; (5) to check the timber accounts of the districts in his circle; (6) to inspect the forests and offices of the districts; (7) to divide the districts into sub-divisions, ranges and beats; (8) to review the district budget estimates and annual reports; (9) to see that all forest produce collected is properly utilised, and to write off all inevitable wastage not exceeding Rs. 500 in value; (10) to supervise the work of the forest training school; (11) to control work in the forest museum. Items (10) and (11) are peculiar to the Southern Circle. Under the revised Forest Code (not yet sanctioned) modifications in the above list will be introduced, and the responsibility of Conservators as regards the internal working of the forests will be increased.

2666. Will the increased responsibility thrown upon you enable you to dispose of your work more effectually and more quickly?—It will give me more authority; instead of being solely an advising officer I shall be in a position to issue orders. At present I can only advise the Collector; under the new Code I should be able to give orders to the local forest officer—the Collector's forest assistant.

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2667. What service have you got?—I shall finish 24 years this month.

2668. What is the size of your district?—It is a circle comprising eight districts; it contains rather over 5,000 square miles of forest spread over about 60,000 square mile of country.

2669. What sort of population have you got under your charge?—I should think about 10 millions.

2670. Will the new Code give you all the responsibility and freedom that an officer of your standing, and whose authority extends over so large a district, ought to have?—In technical matters, yes; that is to say, in the internal portion of the forest, which is the great part of our work of course.

2671. Are you under the control of the Collector?—No.

2672. Are you subordinate to him in any respect?—In no respect.

2673. You are co-equal authorities?—We are co-ordinate authorities.

2674. And co-equal?—Well, we run on such different lines; my line is only a portion of the business; he has the whole of the revenue charge of one district; I have the forest charge of six revenue districts.

2675. Do you not overlap?—Not at present, because I only advise the Collector; he has his forest assistant under his orders.

2676. You collect the revenue?—I practically touch no revenue.

2677. You control the collection of revenue?—I control the collection of revenue by the district forest officer.

2678. Do you not hand the revenue over to the Collector?—My control is to see that the budget is worked up to, that prices are fairly fixed, and that at all sales that take place the revenue is collected and not left outstanding.

2679. Take the question of leave to prospect for minerals; do you and the Collector not overlap in that particular?—In that particular we do.

2680. Suppose a man wishes to get leave to prospect, who grants permission?—The Collector.

2681. The man applies to the Collector?—Yes.

2682. And the Collector refers to you?—Sometimes.

2683. Generally?—No. I do not think I can say generally.

2684. If the area that is proposed to be prospected over is within what you call forest, does not the man always apply to you?—Not always.

2685. When the proposal does reach you through the Collector, would you in turn apply to your own forest officer?—It would depend whether I had local knowledge of the forest concerned.

2686. But could not the Collector instead of applying to you apply to the forest officer?—He might.

2687. That is to say to one of your own department?—Yes.

2688. Would he not always apply?—In the case of a right to prospect in a reserved forest, he would certainly ask the district forest officer for his opinion.

2689. Is not a forest a very curiously constituted area very often?—In what way?

2690. It is not always forest.—It is not always wood; it is not necessarily trees; it may be grass.

2691. This application for leave to prospect goes from the forest officer back to the Collector if he objects?—In either case, whether he objects or not, it would go back to the Collector.

2692. Then where does it go to?—If the forest officer objects, it would probably come on to me.

2693. Then what happens?—If I supported the forest officer's objection, it would have to go up to the Board of Revenue.

2694. If you agree with the Collector and disagree with the forest officer?—Then the Collector can issue the prospecting license.

2695. Do you know how long it generally takes to get a prospecting license through in Madras?—I know of one case in which it took three months.

2696. Do you know any case in which it was done in a month?—I cannot think of one.

2697. Do you know any case or many cases where it has taken over three months?—No, I think that three or four months would be about the maximum so far as I am aware.

2698. You would be very much surprised to learn that in some cases it may have taken as much as a year or eighteen months?—I should be very much surprised.

2699. Do you think then, speaking generally with regard to prospecting licenses, that any diminution of reference could be devised by which time might be saved both to the administration and to the persons who wish to invest capital?—I cannot see any. The local forest officer must be able to say whether the forest can be given up for the purpose, and if he differs it must come up to some higher authority.

2700. Is there a geological authority in the Government of Madras?—Yes.

2701. Would the Geological Department have anything to do with leases at all?—They have nothing to do with leases in reserves.

2702. They would not be consulted as to whether the place was suitable or not for the granting of prospecting leases?—No, not in reserve forests.

2703. Then in respect of your other work, is there any suggestion you can make by which time or work might be saved?—There is the question of appeals. At present an appeal lies from every petty punishment; I think in the case of small punishments—black marks or petty fines—it should be distinctly laid down that no appeal could be allowed, and in the case of larger punishments that the number of appeals should be limited. At present a forest guard on Rs. 8 may be dismissed by his district forest officer, and he can carry his appeal up to the Board of Revenue; there is nothing to stop him doing so.

2704. Of course, that is a paper appeal the whole way?—Yes.

2705. Suppose it was made a personal appeal to you, would that satisfy the justice of the case?—I do not think it could be done; I have about 300 guards in my circle, and they are a very unsatisfactory class; dismissals are very frequent, and I should have the whole of my time taken up with appeals if they all came to me. As it is, the appeal of a forest guard from dismissal lies to the Collector, so that these appeals are distributed between six Collectors.

2706. There is the appeal to the Collector, and then an appeal from the Collector to the Board of Revenue?—Yes.

2707. So that the appeal is not from the subordinate to a superior officer in the department, but to a superior officer in another department?—The district forest officer is the Collector's forest assistant.

2708. So that in this matter your department does overlap the Collector's department?—In certain appeals.

2709. In all appeals?—Not all appeals; the appeals of range officers lie to me.

2710. Suppose appeals to the Collector were stopped, would that diminish the Collector's work a good deal?—No, I do not think it would; you mean if they were allowed to appeal to the Collector and no further; it would diminish his work in this way; where the appeal goes on at present he has to review the case and go through the papers and send the whole thing up; that time would certainly be saved.

2711. Would it also save your department time and labour in correspondence?—It would save time in appeals that came through me.

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2712. I suppose when a Collector decides and the appeal is carried up from him, those appeals come up to you and then to the Board?—They all come through me to the Board.

2713. They come back to you?—Whichever way they go, all correspondence between the Board and the Collector comes through me.

2714. Is that not rather a complicated method?—It is necessary so long as the Collector and the Conservator are co-ordinate officers.

2715. Is there any other direction in which you could suggest any measure of decentralization?—There are some minor matters; for instance, the audit of accounts gives rise to a very large number of objections and a great deal of correspondence. The Accountant-General's standard list of objections contains 203 entries, any one of which may be quoted against any particular item any month. A lot of them are very minor points and could be eliminated if a district forest-officer was allowed a monthly sum as petty cash which could be spent on his certificate, without all the detail vouchers that are now required by the Accounts Department.

2716. What sum would you decide as a limit to this petty cash?—It should depend on the seniority of the officer; it would depend on the Conservator to fix the sum; the Conservator is the best judge of his men.

2717. Instead of fixing a limit, would you suggest that the Conservator might be given a fixed sum of money which he could assign as he thought proper to the forest officers for the purpose of petty cash disbursements?—I think that would mean more complication in the accounts. The Conservator does not distribute grants; there is given to each district forest-officer a letter of credit on the treasury in his district and he draws cheques against it, but a voucher is required if he buys a two-pie box of matches.

2718. If a certain sum was given to the Conservator for petty cash, for which his personal voucher would be sufficient, would that not meet all your objections?—I do not think that would do as well because that would mean that the money was distributed through various districts, whereas each district account is required to be separate.

2719. Would not the proposal which I make to you be a good substitution for the present method?—I would sooner see it the other way—that each district forest-officer should have power to spend from his own Government money—not from the Conservator's allotment—a certain monthly sum. That would diminish a lot of petty objections from the Accounts Office.

2720. And would give time to the district forest-officer for more practical attention to the proper business of conservancy?—Yes.

2721. Are there any powers which you think could be usefully delegated by you to your district officers?—A great many, and if the revised Code is carried out that will be done. The revised Code provides for the delegation of a great many powers; in fact, it does all that is necessary, I think, in that line.

2722. How is it that you have got a revised Code which is not sanctioned yet?—It is pending with the Government of Madras for orders.

2723. Practically if this is sanctioned it will give you greater freedom and give your subordinates all the freedom you think necessary?—Yes, as to minor references—writing off stock, giving contracts and sanctioning minor expenditure, etc., a lot of these would be entrusted to the district officers.

2724. Have the Government of Madras been very willing to meet the suggestions of Conservators?—The Code is now with the Government.

2725. How long has it been with the Government of Madras?—I think since April of this year.

2726. In what department?—The Revenue Department. I am not quite sure when it went up to Government; it may be later than that. We finished with it in April; a certain amount of printing had to be done before it went in, so it may have been later.

2727. Where did these suggestions come from—from the officers or from the Government?—They came from a Committee that we had. It was a question of working out the relations between the Collector, the Conservator and the district forest officer, and various suggestions were made.

2728. Are your forest officers pretty good linguists as a rule?—I am sorry to say they are not.

2729. How can an officer who has not a mastery of the vernacular get into communication with people?—He is dependent on his local subordinates knowing English in most cases.

2730. Instead of knowing the vernacular, he expects these people to know English, or else he depends on an interpreter?—Yes.

2731. Is that a satisfactory state of things?—Certainly not; now it has been modified; this has only been the case for the last ten or twelve years. The examination standard in the vernacular was lowered some years ago; it has just been raised again. The older men had a perfect command of one language and could talk to the natives anywhere; the men who came out more recently with this lower standard test have not been able to get very much command of the language.

2732. And that has led, I suppose, to very unfortunate results?—I think it has kept us out of touch with the villagers.

2733. Is there much movement of forest officers from one circle to another?—Not much.

2734. You do not find that the leave regulations—the desire of officers to go on leave or the granting of leave—have necessitated the movement of officers very much?—When a man goes on short leave he comes back again to the same district; if he goes on long leave his post is very often filled up and he gets another district.

2735. In forest districts may one assume that—in adjacent tracts at all events—the same language more or less prevails?—In adjacent tracts one language prevails more or less. It works gradually down from Telugu in the north to Tamil in the south and Canarese on the west coast.

2736. Who assigns the various districts?—The Government.

2737. What do you mean when you say the Government?—Well, it is rather outside my ken; the matter is taken up in Council; whether it is the Governor in Council or what department it is I am not certain; it appears in the Gazette as a Government order.

2738. Do you find, as a matter of working practice, that regard is had to the fact of an officer knowing a particular language being sent to a district where that language is spoken?—As a rule, yes; not always. It may happen that a man is particularly good at a particular sort of work, and that he is transferred from one district to another in order to carry out a particular kind of work, irrespective of the fact that the language of the district he is going to is different from the language he has studied.

2739. Do you have to report confidentially on your subordinates?—On certain subordinates.

2740. Do you know whether in assigning men to various posts consideration is had to the question whether or not they are well acquainted with the people in the district which they have to manage?—I do not think their acquaintance with the people is considered; their acquaintance with the language is considered.

2741. Does not one rather go with the other?—Not necessarily; you may have a language spoken over many districts; the people vary from district to district.

2742. Is it not almost an essential requirement of a forest officer that he should have an intimate acquaintance with the people scattered about his

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district; is not that necessary to good forest administration?—For administration he ought to have it, yes.

2743. And yet as far as you know that is not considered when the assignment of posts is made?—So far as I know that is not considered.

2744. But you would agree with me that it is an essential?—Not from a forest executive point of view; but from an administrative point of view I admit it.

2745. Is it not very difficult to divide the two?—So much more of our work now lies really in the forests.

2746. A good deal of the conservation of forests depends on the good will of the people who dwell therein?—The dwellers in the forest are few; it is the dwellers outside who demand the forest produce; they are the people we have to get to know.

2747. (*Sir Steyning Edgerley.*) You said that if you get this new Code you will have sufficient authority in technical matters and that it will practically settle your Forest Department co-ordination to your satisfaction?—Yes.

2748. But you seemed to me to make a reservation; you said, sufficient authority "upon technical matters"; is there any field where you consider that the control of the Collector should not come in?—There are certain matters in which at present the requirements of the forest are entirely subordinated to the requirements of the villages.

2749. And you do not think you would like to have more authority in that sphere?—I think there are cases in which the subordination is carried too far, and carried so far that it results in a gradual deterioration of the forests.

2750. Do you suggest that that subordination is carried further than the requirements of the people necessitate?—Further than the actual needs of the people require; yes, I think so occasionally.

2751. You think it is overdone?—It depends; it is so very difficult to make a statement as to its being overdone in a particular case. It is overdone in this way; that if it goes on being done to the same extent to which it has been done, the area of forests will diminish and there will be then less area for the people's privileges.

2752. But with regard to what I may call the outside factors of the case you would admit that the Collector is possibly a better judge than the forest officer?—I think politically he is.

2753. So that although you can point to the deterioration of the forests, it may be a painful necessity?—A painful advisability.

2754. Take for instance impounding villagers' cattle?—One of the things we have most to complain of is the very heavy grazing in the forests that we have to provide for.

2755. But after all, so far as that goes, you consider that the Collector and the district authorities have a very complete control?—Quite a complete control.

2756. And so far as regards what we may call reserved forests, in actual forest work this new Code will give you all the powers you require?—Yes.

2757. (*Mr. Meyer.*) The Head of the Forest Department in Madras is a Member of the Board of Revenue?—Yes.

2758. Each Collector is the local Head of the Department in his own district?—Yes.

2759. The district forest officer is his assistant?—He is forest assistant to the Collector.

2760. You are the advising and inspecting officer?—Yes.

2761. Do you control the district forest officer direct in any matters?—In the examination of sanctioned working plans and in certain account matters.

2762. That is to say in what you might call technical forestry?—Yes, only then when it has been approved by the Collector and sanctioned by the Board.

2763. When you talk of working plans you mean the regulation of coupes and so forth?—The regulation of the working of the forest in all matters.

2764. The Collector does not know anything about that scientifically?—The regulation provides what portions are to be open to grazing, and what portions are to be closed to grazing, what the annual outturn of fuel, etc., is to be, all these are technical matters altogether.

2765. The Collector sends the district forest officer's diaries up to you and you deal with them?—Yes.

2766. Then as to establishments, you have the district forest officer, who in general administration is under the Collector, and in technical matters under you to a certain extent?—Yes.

2767. Then who come next?—There are a few sub-divisional officers, either junior imperial officers or provincial men.

2768. So far as they are provincial men they are rangers?—No; the provincial men are the extra assistant conservators; then come the rangers. Each district is divided into ranges. Below the rangers come assistants in the way of deputy rangers.

2769. The rangers and deputy rangers get their training at Dehra-Dun?—The rangers do; the deputy rangers who have been there are those who went up to pass for rangers and failed.

2770. Can a man become a ranger without having received a technical training at Dehra-Dun?—Only after long approved service.

2771. Who appoints the rangers?—The Conservators.

2772. So that you have a certain power of appointment?—Yes.

2773. The Collector does not appoint rangers?—The Collector makes no appointments in forest administration.

2774. You spoke of appeals. You said that when a district forest officer dismisses a guard the guard has an appeal to the Collector. Is that so?—That is so. The question was discussed by the Code Committee and for the reason I have already given—that there were such a number of them to come to one officer—it was decided that the appeal should continue to lie to the Collector instead of being transferred to the Conservator.

2775. Is that advisable?—I think if the Conservator had the authority it would be better, because a forest guard is often dismissed for neglect of technical work.

2776. Anyhow, if it must go to the Collector you would let the appeal to the Collector be final?—Yes.

2777. You would let these people have one appeal only?—Yes.

2778. The character of the Madras forests is special; your forests are scattered all over the plains, are they not, although of course you have your hill forests?—We have forests scattered over the plains, and we have big blocks of forest.

2779. A great deal of the plain forest is really scrub jungle?—Yes.

2780. Part of it is grazing land?—Yes.

2781. That is really managed by the Revenue Department?—Not in the reserves.

2782. The Chairman asked you some questions about prospecting licenses. Do not prospecting licenses come under the general mining rules?—Yes, but the prospecting license and the mining license are two very different things.

2783. There is a set of rules which govern both?—Yes.

2784. You deal with them because the land which the applicant desires to prospect and to mine happens to be in the reserve forests?—The forest heads include the minerals; the mica mines in Nellore, outside the reserves, are under the Forest Department.

2785. These mining rules were sanctioned by the Government of India and by the Secretary of State more or less?—I do not know.

2786. You spoke of a revision of the Madras Forest Code that was in the course of being effected. The Madras Forest Code is modelled, I think, on the Government of India Forest Code more or less?—More or less.

2787. With necessary differentiations?—Yes; I say more or less.

2788. The Government of India have recently been revising their Forest Code and giving ampler powers to Conservators and forest officers?—Yes.

2789. Are the amendments proposed in the Madras Code analogous to those or are they independent of them?—They are analogous to those, but the Government of India had not the question of the relative position of the Collector, the Conservator, and the district forest officer to decide; we had to decide that in addition.

2790. But the amendments are analogous so far as they go?—Very much so. We began the revision before the last issue of the Government of India Code was published.

2791. You began the revision first, independently?—Yes. That Code was received while the Committee was sitting, and we utilised it; it helped us considerably.

2792. Are not the powers of the Inspector-General of Forests in Madras and Bombay much less than they are in northern India?—Very much less; he has, I believe, only power to advise when asked to do so.

2793. Can he come into the province without being asked by the Local Government?—I understand he cannot.

2794. Has he been much to your province?—No; but he is expected next week.

2795. Can you say when the last visit of an Inspector-General took place?—I cannot remember; I think it was while I was home on furlough in 1899.

2796. Therefore he is a rare visitant to Madras?—Very rare.

2797. Do you think that his visits when they happen produce good?—I think they might.

2798. They do not, but they might?—Well, in this way; he may give advice, but the advice may not be followed by the Local Government.

2799. He might give good advice?—Yes.

2800. He has a larger experience than any forest officer in this province?—Yes.

2801. And as the result of his experience in other parts of India he might give good advice?—Yes.

2802. But you think it would be rejected by the Local Government?—It might be.

2803. But if the Local Government followed it the results would be good?—Probably.

2804. Personally would you like to see the Inspector-General here oftener?—Yes.

2805. You think that good would accrue to yourself professionally?—I think with his wide experience of forests all over India and Burma his advice would be very useful to us.

2806. Chiefly in technical matters, not upon matters of administration?—Solely in technical matters.

2807. In your Madras Forest Act there is a section which requires a reference to the Governor-General in Council before any disafforestation can take place. Do you think that is necessary?—I do not think that the Local Government should have absolute power to disafforest large blocks of reserves which are required for the good of the State but there are numerous cases in which it is necessary to disafforest a few acres, *e.g.*, for a railway station in a reserve, or to improve a boundary line, etc., and in such cases I think the Local Government should have power.

2808. Is there any other section of the Forest Act which you consider is unduly obstructive?—No.

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2809. Would you give the Board of Revenue larger power to notify reserved forests?—Yes. As you are aware, under the Forest Act two notifications have to be issued; one is under section 4 stating that the Government is going to make the reserve, and calling upon anybody who has a claim to make to put his claim before a specially named officer; then an enquiry takes place and in due course, when all claims and appeals have been heard and decided, another notification, which is called the final notification, is issued also by Government, saying that until such and such a date the forest shall be a reserved forest. I do not see why anything should go to the Government after it has once approved of the original notification; I would leave the details to the Board.

2810. (*Mr. Dutt.*) You have spoken of the Forest Act; what is the date of that Act?—It is the Madras Forest Act V. of 1882.

2811. That is the last Act that has been passed; no newer Act has been passed since?—No. Rules have been passed under the Act but no new Act has been passed.

2812. Are there reserved and unreserved forests in all the districts?—I should say there are reserved forests and unreserved lands; not necessarily forests.

2813. In most revenue districts in this province?—In every revenue district in the province.

2814. You call them unreserved tracts; you do not call them forests?—They are occasionally referred to as unreserved forests, and occasionally as unreserved lands; they do not come under the Act as unreserved land.

2815. Has the Collector equal powers with regard to both, or has he larger powers as regards unreserved tracts?—He has larger powers with regard to unreserved tracts.

2816. As laid down in the Code or in the rules?—The restrictions as to unreserved forests are laid down in the rules.

2817. So that you may say that so far as unreserved tracts are concerned the management is almost entirely in the hands of the Collector?—The management of the *lands* is entirely in the hands of the Collector; the management of the *produce*, until the lands are required for other purposes, is a good deal under the control of the district forest officer, who is the subordinate of the Collector.

2818. So that his action is controlled and directed by the Collector?—Yes.

2819. Do not these unreserved tracts include much grazing and pasture lands adjoining villages?—They include practically all unoccupied land, all waste lands outside the reserved forests.

2820. So that villages have no waste lands which are not included in the unreserved tracts?—They have free rights in the unreserved tracts—rights to graze, rights to cut timber and fuel for domestic purposes. There are certain tracts which are reserved; one or two of the more valuable tracts are reserved, so as to stop their actual denudation.

2821. Have they to pay any sort of tax for these rights of grazing cattle and so on?—On unreserved lands, none whatever.

2822. Do you not limit the amount of fuel which one individual person can take away?—Not if he takes it for personal use.

2823. Suppose a man took cartloads of fuel away, not for his own personal use but for sale in the bazaar, you would not allow that?—Not if we caught him. Most of our officers are in the reserved forests; the protection of the unreserved forests is very weak.

2824. You would stop it if you caught a man at it?—The revenue establishment assists us to deal with big cases like that.

2825. Then with regard to these pasture and grazing lands; do you know if the villagers—the village unions—have any share in the management

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of these lands?—I think, as a rule, they all mismanage; there is no control at all.

2826. Have they any power of management?—The thing is free to every man.

2827. But somebody looks after them?—Nobody looks after them.

2828. Would you recommend that the village unions should have some power to look after them and be made responsible for looking after them?—Not the whole of the unreserved lands, because some portions must be left for the extension of cultivation and various other matters; but I should recommend that, when available, a portion should be set aside as a fuel and grazing reserve, and that village communities, when they become trustworthy enough, should have control over them.

2829. Have you much experience of village unions?—This experiment of starting village forests was made when I was quite a junior officer many years ago, and had to be given up because the rich men of the village absorbed all the fuel and all the grazing, and the poorer people were left out in the cold.

2830. That was many years ago; has there been anything of the kind since?—It has been given up.

2831. You have not had any experience since then?—Experience in what matter?

2832. To justify your talking as you did just now about the untrustworthiness of village unions "when they become trustworthy."—I have experience, more or less, every year of the forest offences in villages.

2833. You would restrict the right of appeal to one appeal only?—I should like to modify that a little. As a rule I should say there should be an appeal to one officer above the appointing officer; that is, generally one appeal, but there are certain cases in which there might be more.

2834. In some cases a man can appeal to the Board of Revenue?—There is practically no limit to the appeal.

2835. An eight or ten rupee man can appeal to the Board of Revenue?—Yes.

2836. Your objection to that is that it adds to work?—It adds to work, and it serves no useful object.

2837. Would the Government get the same class of men if you restricted the right of appeal of dismissed servants?—In the lower grades I think we should get a better class.

2838. You think that giving them this right of appeal results in your getting a worse class of men than you otherwise would?—Yes; they come in to loot, knowing that they can come back again on appeal.

2839. Are you referring only to the forest guards or generally to the Government Service?—I should be sorry to make such a statement about the Government service generally; I was speaking of the lower grades.

2840. Then you would restrict the right of appeal only in their cases?—No, I would restrict it in all cases.

2841. (*Sir Frederic Lely.*) As a matter of fact, in recent years, there has not been much friction between the Revenue and the Forest Departments?—Very little.

2842. Any at all?—Practically only on quite minor and personal matters.

2843. In some parts of India we point to the relations between the Forest and Revenue Departments as a model of harmonious co-operation between departments; I take it that that is pretty much so in Madras?—It is, I think.

2844. Is the Forest Department popular in Madras among the people?—No.

2845. Why, do you think?—They have been accustomed for years and years to cut and graze and do as they like; they regard the forest as no-man's land, and they do not understand land being reserved for forests. If a thousand acres is given up for coffee planting there is not a murmur, and the people do not attempt to steal the coffee trees or anything of that kind; if the same thousand acres is reserved for forest, and the people are kept out of it, they begin to howl at the injustice of it.

2846. As a matter of fact is it not true to say that the actual supply of grazing is on the whole increased by the forest conservancy because of the better management?—It should be for a time.

2847. The people get a great deal more out of forest conservancy than they understand?—Undoubtedly.

2848. So that much of the unpopularity is simply due to the fact that they do not appreciate the facts of the situation?—Exactly.

2849. Why cannot they be made to take a clearer view of the facts; is it not chiefly because forest officers are not sufficiently acquainted with the language to talk to them freely and explain matters to them?—It may be partly that.

2850. I do not wish you to be too hard on your own men, but is there not a great deal of truth in that?—It is partly that, no doubt; but it is partly also that all our men are so hard worked that they have not the time to talk to the villagers.

2851. But a forest officer is not tied too much to his desk surely?—He is terribly tied to it. In the Anantapur district, my first district in India, in 1885, the office consisted of two clerks who had each about two to five hours work a day; the same office now consists of six clerks, the area of the district being the same.

2852. An essential of good forestry is out-door work?—Yes.

2853. And an essential of efficient and popular forest administration is that the forest officer should be able to make himself understood by the people?—Yes; to enable the people to be gained over to our side it is necessary that the officer should be able to do that, for administrative purposes; for executive purposes it is not necessary.

2854. I understand that you would favour the setting apart of a village forest as an experiment for management by the people in return for the enjoyment of fuel and grazing there?—I should be very glad to see it applied as an experiment, but not wholly under the control of the village communities; there must be forest management.

2855. It must be under the direction of the department?—Yes; subject to that it should be managed for the village community by the Forest Department.

2856. Is not the examination in languages for forest officers the same as for civilians?—It is now: it has just been revised.

2857. As at present conducted, is enough stress laid upon colloquial knowledge of the language?—I have not conducted an examination in the vernacular for many years; I do not know how they are managed now.

2858. (*Chairman.*) You gave us to understand a moment ago that you were very much tied to your desk. Will the suggestions that you have made to us and which have been made by the revised Code liberate you to a great extent?—Not as much as I would like. There is one thing that will liberate us to a great extent, and that is a proposal which is also before Government to introduce a scheme of having trained accountants to relieve district officers of the preparation of accounts. As to what those accounts mean, I may say that in one district alone the account of timber brought in and moved during the month runs to 36 sheets of foolscap paper.

2859. Have you or has any forest officer got to certify to each of the 36 sheets of foolscap paper as being correct?—No, I do not certify to that; it comes from the district forest officer; the district forest officer signs that as correct; it is compiled from the different range returns in the district; it comes to my office and it has to be checked with the cash account.

2860. You are responsible that the account is correct?—Yes.

2861. And you sign somewhere or other?—I pass the accounts.

2862. Of course you never attempt to check them?—I cannot personally do it.

2863. Although you sign for their correctness?—I do not sign for their correctness; I raise certain objections and subject to those they are passed. The accountant-clerks do that and they are not sufficiently educated or well paid to do the work properly.

2864. It is this that accounts for so much of your time?—More particularly in the case of the district officers.

2865. What is it that occupies so much of your time at your desk?—I have had all sorts of special reports to do lately.

2866. Called for by whom?—Chiefly the Board of Revenue.

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2867. On what sort of subjects?—We had to write a long report on the proposed re-organisation of the department; the necessary strengthening of it in all its branches and so on, to justify certain proposals that were going to be made.

2868. Do you get many of these special reports in the course of your ordinary duties?—No, not many; I am not nearly so much tied to my desk as the district officers, and they are chiefly tied because of the accounts.

(*The witness withdrew.*)

Mr. C. G. W. CLOGSTOUN was called and examined.

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2869. (*Chairman.*) You are District Superintendent of Police in the South Arcot district?—I am.

2870. What is the organisation of police in Madras roughly speaking?—There is an Inspector-General of Police and five Deputy Inspectors-General.

2871. I mean in your own district?—I am in charge as the District Superintendent of Police, and I have under me an Assistant Superintendent in charge of a sub-range, but I have now a native deputy superintendent who has taken his place.

2872. Under you and the deputy superintendent, what are there?—I have 15 inspectors, about 100 head constables, and 700 constables.

2873. Do you take any administrative charge of a portion of your district or is that entrusted to your subordinates?—The district is for administrative purposes divided up into divisions; each division is under a police inspector; he has under him again 5 or 6 or 7 or 8 stations; a head constable is in charge of each station with so many constables under him again. These head constables look after a certain number of villages and deal with the crime which is committed therein.

2874. I understand that in Madras the inspector is in executive charge of a sub-division?—We call them divisions.

2875. Is a great deal of your time unnecessarily devoted to work in your office as distinct from your district?—I do not find that I have too much office work to do. I can very easily do my office work. What I do find is that in the districts the area of supervision is too large. My district, for instance, is 5,000 odd square miles. I have in it 86 police stations. Now, one-half of these stations, roughly speaking, are handed over to the deputy superintendent, and we each of us have to inspect these stations at least once in the year. If there are many interruptions, it often happens—I will not say very often, but it will happen—that a station will not be inspected for 18 or 20 months together; it may be inspected at the beginning of one year and towards the end of the next year. I think our districts should be small enough to enable us to get over them at least three or four times during the year.

2876. You would represent not that the office work of your district is too great, but that the size of your district is such that you are practically prevented, for physical reasons, from visiting your outlying stations as often as you ought?—Quite so.

2877. The remedy lies, in your judgment, not so much in an alteration of the kind of work allotted to you, as in an increased staff allotted to the district?—An increased staff or a decrease in the area. If the District Superintendents were all given Assistants to do their office work when they go on tour, they would be able to move about more quickly and inspect more often than they are now able to do.

2878. I understand that the administrative charge of half your district is run by yourself and that of the other half by the deputy superintendent?—Yes.

2879. Is it not clear therefore that either one-half of the district is controlled by too high an officer or one-half is controlled by too low a grade of officer?—So far as supervision is concerned, the work is much the same. Virtually the District Superintendent has charge of the whole district; he is responsible for everything that takes place in the whole district. As a matter of fact he is expected to visit, besides his own range, a portion of his Assistant's range during the year. The actual amount of inspection performed by each is about the same, because the assignment of work differs in each part of the district.

2880. Do you find that you are in close enough touch, not only with your Assistants, but with the various authorities in your police district?—I think so. We often meet to discuss matters, and so far as I know in the whole of my service our meetings have always been amicable; I have never had any difficulty.

2881. Do you yourself and your European divisional officers have a good knowledge of the vernaculars in your district?—Fairly good for general conversation; I do not think I should be able to discuss politics in the vernacular, but for enquiry into cases of crime I find my knowledge is pretty well sufficient.

2882. When you have to interrogate a witness or a prisoner, are you able to follow him with ease in the vernacular?—Unless his dialect is very bad; occasionally in some of the outlying villages the dialect is very vulgar and it is very difficult to follow; in that case we have to get an interpreter.

2883. You think you have sufficient knowledge of the language of the district to be able to follow the enquiry?—Yes.

2884. To follow it closely and accurately?—Fairly accurately.

2885. Your immediate superior is the Inspector-General for Madras?—My immediate superior is the Deputy Inspector-General.

2886. Do you find that in your relations with him you are unduly hampered by existing regulations or practice?—No, I do not find it.

2887. In every way you are as free of control, you have as full an exercise of responsibility, as an officer could reasonably require?—I think so; you mean in the matter of appeals?

2888. I mean generally?—Generally speaking, I am thoroughly satisfied; I could not wish for any better arrangement than exists at present.

2889. You can exercise the full amount of responsibility which your position requires?—Quite so.

2890. With regard to your subordinates, can you delegate to them sufficient freedom and responsibility?—I think so. I think the rules are quite satisfactory for the general administration of the department.

2891. Can you suggest any means by which unnecessary office work could be diminished or any way in which by decentralisation the efficiency of yourself or your subordinates could be increased?—There is a difficulty at present owing to the dearth of deputy superintendents; the time will

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come when there will be sufficient experienced deputies provided for all important districts. When that time comes, I think there will not be much trouble because then the Superintendent will be able to get rid largely of his office work and able to go about his district as he ought to do.

2892. What are your relations with the District Magistrate?—We have always been on the best of terms.

2893. I am not speaking personally?—As a Superintendent of Police I have never had any difficulty. I have served in various offices. I myself always admit that the District Magistrate is my immediate superior officer; I never fail when I go to a district or when a new District Magistrate comes on the scene to make him understand what my feelings as regards my position are, viz., that during the absence of the Inspector-General I am entirely subordinate to all orders of the District Magistrate.

2894. Do you find that that works well and smoothly?—Yes, always: it really throws the responsibility on the District Magistrate: he gives you an order to carry out, and you carry it out.

2895. It entails no unnecessary correspondence or delay?—No, I think not.

2896. Can you make any suggestions to us by which either delay or too much correspondence might be obviated; I mean in regard to your relations with the District Magistrate?—The correspondence is always direct; it does not go through any outside channels; if you ask for a District Magistrate's order you always get it as soon as possible.

2897. Can you mention any subject in regard to which you think you might have a freer hand in your relations with him?—No.

2898. (*Mr. Hichens.*) I understand that your police district is divided up into divisions?—Yes.

2899. But so far as you are concerned you are only brought into relations with one District Magistrate?—Yes.

2900. With regard to the matter of appeals, is there any appeal from your subordinates to the District Magistrate in the case of dismissal?—No: they appeal from an order of the District Superintendent of Police to the Deputy Inspector-General, and from him to the Inspector-General of Police.

2901. Can any one of your subordinates appeal right up to the Inspector-General?—Yes.

2902. There is no finality?—Constables appeal up to the Inspector-General of Police. I think perhaps the appeal might lie only in cases of dismissal to the Deputy Inspector-General of Police, with revision if it were found necessary or found that something had been overlooked or hidden; in that case an appeal should lie to the Inspector-General.

2903. It has been suggested to us that an appeal should lie to one officer above the appointing officer; that is to say, if the appointment of a constable was made by the District Superintendent, an appeal should lie by the constable, if he was dismissed, to the officer just one grade above the Superintendent. What do you say to that?—I think that would be sufficient in the case of constables and head constables, but as I say if there was any reason why he should appeal to a higher power it might go up to the Inspector-General of Police. There may be instances of a mistake being made on account of some paper being lost or kept back, or some fact not being known, and justice having been evaded; an appeal might then lie one step further.

2904. Then you would allow everybody an appeal to the Inspector-General?—In those cases, yes, in the case of dismissals.

2905. Are you brought into relations at all with the Inspector-General under the Government of India?—No, I have nothing to do with him.

2906. (*Mr. Dutt.*) The pay of inspectors ranges from what figure to what figure?—In my particular district I do not think I have any below Rs. 100 or above Rs. 200.

2907. What is the pay of the head constable?—Rs. 14 to Rs. 25; the Rs. 25 grade is now being done away with. Then I have sub-inspectors also; they are now being introduced into the Police Department.

2908. Will you tell us how many you will have; you have not got any yet?—They are now coming in from the Training School.

2909. At present these head constables are in charge of stations?—Yes.

2910. Do you think that head constables are sufficiently up to their duties to be fit for station charge?—Yes; in very many instances they have turned out very satisfactory work. The idea now is to substitute sub-inspectors in place of these constables, who are more highly trained officers from the Vellore Training School. It is doubtful whether they will be of any practical use to us for several months to come, because their knowledge is more or less theoretical at present.

2911. So you cannot give a final opinion till you have tried the new sub-inspectors for some time?—No.

2912. What supervision has the District Magistrate over the investigation of criminal cases; do special reports go up to him in important cases?—Of course he gets the judgments from the whole of his courts.

2913. I am referring to cases under investigation by the police?—In grave crimes, such as murder or dacoity and gang robberies, the Superintendent and Assistant Superintendent in their weekly reports submit investigation reports of new cases and old cases to the District Magistrate, and, through the District Magistrate, to the higher police authorities; so that the District Magistrate is fully aware of how the investigation into these grave crimes is proceeding.

2914. On the receipt of these reports does the District Magistrate give his opinion as to how the future enquiry should go on?—In very rare instances, I think. Although I am getting reports week after week it is difficult generally to follow up cases unless we register the cases as a whole in some register; in fact we find it very difficult ourselves to follow up cases like that.

2915. In a very serious dacoity case would you not expect some instruction or opinion from the District Magistrate while the case was under investigation?—If the case has been immediately enquired into and the investigation has been regular and according to law, there will never be any opportunity or necessity for the District Magistrate to give instructions.

2916. So that there will be no such instructions?—Very rarely.

2917. You think there will be some?—I do not remember any case; probably it would be put on one side to await the result of the trial; often when a case has been disposed of, I have had passed on to me the duty of making an enquiry into the conduct of the police.

2918. Then, when the investigation is complete, does it sometimes happen that the District Magistrate on perusal of the papers directs that the case should come up for trial?—I think I remember a few instances where that has happened, but very few.

2919. How far does the District Magistrate interfere in the departmental work—the promotion of sub-inspectors and constables and so on?—He very rarely interferes. If one is on friendly relations with the District Magistrate he may often suggest that a certain inspector or head constable is unfit for the position he holds; but he very rarely will go out of his way to interfere with the police administration of the district so far as appointments are concerned.

2920. Do the police rules give him any power to cancel promotion?—No.

2921. Then how does he interfere?—He would only do it in a friendly manner.

2922. He would suggest that so-and-so ought to be promoted or that so-and-so ought not?—Yes; he may say "I think so-and-so is a good man."

2923. Is it necessary under the rules to inform the District Magistrate when a Police Officer is to be promoted?—I do not think it is. We have a personal knowledge of our own subordinates and keep careful records of their work, carefully following their career. Then they are promoted on a six months' probation; if a man turns out satisfactory his promotion will be confirmed, otherwise it will not.

2924. (*Sir Frederic Lely.*) It is not very long ago that an order was issued that District Superintendents of Police should not make long tours, but should return at brief intervals to their headquarters?—I do not remember such an order.

2925. I have heard of it in other parts of India?—As a matter of fact we always understand that we should return to headquarters once in a few weeks, but there is no specific order that we should; we do it for our own benefit.

2926. You say that you are in charge of one-half of the district and another officer is in charge of the other half; are you empowered to make an exchange with him, he taking your half and you taking his, so as to give the other division a chance of your personal supervision?—We do that.

2927. Have you the power yourself to arrange that?—Yes we can inspect any division in the range that we think fit.

2928. You can take permanent charge of it?—Yes; the inspectors are in permanent charge of these divisions, and we inspect the inspectors' work.

2929. A certain portion of the district is handed over to your Assistant, and the other is under your superior charge; you do not change about with him?—Not entirely.

2930. Do you think it would be a good thing to do so sometimes, so that all the district may within a certain period come under your own special eye?—I do not think it could be done very well, because in our range we have the headquarters office which requires constant supervision. We have the manager there and some 12 or 13 clerks, and at least once a month we have to look through all the various registers and books to see that they are properly kept.

2931. Now as to touring; it is very necessary that you should tour a good deal?—Yes.

2932. Have you to take tents with you?—Nearly always.

2933. Is your district not supplied with circuit houses?—There are very few bungalows; sometimes you will find only six or seven in a whole district.

2934. Would it not add to the efficiency of your work to have bungalows at stated places?—I think it would. The tents are Government property and it is impossible to strike a tent when it is wet without doing it damage. In the rains our marches are often delayed because we cannot strike our tents; so that it would add to the ease and comfort of inspection if bungalows were built everywhere.

2935. It would be a great help to you to be able at an hour's notice to take your portmanteau and go straight off to a house which you would find ready furnished for you?—It would.

2936. You speak of the very satisfactory attitude towards each other of yourself and the District Magistrate; is that universal in the Madras Presidency?—I think it is.

2937. (*Sir Steyning Edgerley.*) You have no personal assistant?—No. I have been in charge of this district only for the past six weeks, but I have been in districts like Bellary where I have had no Assistant for three years.

2938. The South Arcot district is supposed to have an Assistant?—Yes.

2939. At present it is temporarily without one because the recruiting is not up to full strength?—Yes.

2940. When the recruitment gets up to full strength will you have an Assistant Superintendent as a personal assistant?—We hope so.

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2941. Is that not against the principles of the Government of India; have you seen any orders on the subject?—Yes; the deputies are supposed to be our personal assistants, I think.

2942. You think that if you have a deputy in this particular district it will be really to free you in the matter of office superintendence?—Yes.

2943. That will be of much more use to you than say a second Assistant Superintendent in the district?—Yes; I think that is the universal opinion of all Superintendents.

2944. You told us that you recognise your position of subordination to the District Magistrate, and you added "while the Inspector-General is away"; what did you mean by that?—I meant this. If we were to rely upon the advice and guidance of the Inspector-General of Police in perhaps a serious matter of riot in a headquarter town, he might be up in Ganjam, out of reach at the time.

2945. Suppose he was actually in South Arcot when anything of that sort occurred, he would not displace the District Magistrate?—No.

2946. Your allegiance would still be to the District Magistrate?—I should inform the Inspector-General of Police about the occurrence, but I should still look to the District Magistrate because of his local experience.

2947. On the constitutional position, who is the man who is responsible?—The District Magistrate is responsible for everything that goes on in his district.

2948. Would you have to take your orders from him or from the Inspector-General of Police?—I might not take orders at all; it is a very rare instance where one would ask for orders; possibly it might arise in case of a serious riot occurring during festivals or something of that sort; then, of course, one would apply to the District Magistrate.

2949. With regard to instructions from the District Magistrate, referred to by Mr. Dutt, is the position here the same as in Bengal? Under the Criminal Procedure Code your investigations go up to the magistrate having jurisdiction?—Yes.

2950. That is not necessarily the District Magistrate at all?—Not necessarily the District Magistrate.

2951. I mean, he would be the person who would give the investigating officer instructions, if any one needed to do so, about the investigation of a crime?—Yes; he is the magistrate having jurisdiction.

2952. (*Mr. Meyer.*) When your police officer is investigating a case and the investigation has lasted more than a certain time, he has to submit reports to the magistrate in order to get authorization for the further detention of the prisoner and so forth?—Yes.

2953. And upon that he may receive instructions from the magistrate saying that he must not detain the prisoner any longer and so forth?—Yes.

2954. Do those reports ever go to the District Magistrate or would they go to the Sub-Divisional Magistrate?—They would go to the Sub-Divisional Magistrate; I doubt if the District Magistrate would be aware of them at all in the ordinary course.

2955. And therefore any order you might receive from a magistrate telling you to go on investigating a case would come, not from the District Magistrate, but from the local magistrate?—Exactly.

2956. The District Magistrate learns of the case generally from your diary?—Yes; in grave crimes.

2957. And if he wants information he sends for you or asks for a separate report?—Yes.

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2958. Then in all matters relating to the peace of the district you are the assistant of the District Magistrate?—Yes.

2959. You obey the orders of the District Magistrate even though the Inspector-General should be in the district?—Yes.

2960. You are under the Deputy Inspector-General and Inspector-General with regard to matters relating to discipline and the arming of the force and so on?—Yes.

2961. Suppose you had got both the Assistant Superintendent that you want, and the deputy superintendent that you have already, is the idea that each of them should be in charge of a portion of a district?—No. The Assistant whom we should like to have would be a personal assistant.

2962. I do not ask you what you would like, but what the orders of Government are?—If he is an experienced man I presume he could be utilized to go out and make enquiries or to do some inspection if any important work detained us at headquarters. If he was an experienced officer I think he should be made liable to do a portion of the inspection work that would otherwise be performed by the Superintendent.

2963. You have an Assistant Superintendent normally; he is now a deputy and is in direct charge of inspection over a portion of the district; suppose you had two; could not the second also take direct charge of another portion of the district and thus reduce your work; even if you were left with the office work would that not mean a reduction of your work?—I do not know that that has ever been put forward.

2964. You think that the idea is that he should be a personal assistant to you?—A personal assistant for the sake of office work.

2965. Sir Frederic Lely raised a question as to the larger provision of bungalows in the district. Whose property are the bungalows that you already have?—Sometimes they are Public Works Department bungalows, sometimes Local Fund bungalows.

2966. The ordinary travellers' bungalows are under the District Board?—Yes.

2967. Therefore if you wanted more the District Board could supply them if necessary?—Yes.

2968. (*Chairman.*) Is there any correspondence which you now have to send in the way of diaries to the District Magistrate which could be usefully cut out from the weekly or daily correspondence?—We keep a daily diary which we submit once a week to the District Magistrate, and the diary includes the progress of the investigation of any particularly grave crime occurring in a district; it is forwarded to the Deputy Inspector-General and then to the Inspector-General, and finally it comes back to us *minus* these grave crime reports, which are filed in the chief office; very often they are returned with remarks.

2969. If you sent the grave crimes report alone to the District Magistrate, would that not save you a lot of correspondence without having any harmful effect on the peace of the district?—He sees them when he passes them on.

2970. But it is necessary for him to see the diary apart from the grave crime reports?—He likes to know what the District Superintendent is doing.

2971. But is it necessary?—It is difficult for me to say, not being in the position of the District Magistrate.

2972. Would you think that any harm would be done as regards your police administration if these enquiries were not forwarded to the District Magistrate?—I think it is a very good system.

2973. You do not suggest any modification?—No.

2974. Is there any other point which you desire to mention to us?—The question of transfers has come up; there is no doubt that the administration suffers on account of these transfers; whether they are absolutely inevitable or not it is difficult to say. I do not think that District Superintendents should be transferred from one district to another without very good cause. In the case of severe illness where the Medical Officer finds that it is absolutely necessary for the District Superintendent to be changed to another climate, the transfer of course is inevitable, and he must go; otherwise, I think a Superintendent once in charge of a district should remain there as long as possible; it is for the benefit of the public that he should do so; he does not get to know his district until he has been in it some time; if you consider that the district may cover 5,000 or 6,000 square miles, with possibly two or three million inhabitants and three or four thousand villages, it is excessively difficult for any Superintendent, however energetic he may be, to get to know even a small portion of his district under a couple of years; there are no doubt hundreds of villages in every district which have never been visited and can never be visited by a European officer. The result is that the people, not getting to know their European officers, have no confidence in them. I think that if the Superintendent were to remain for a long period in a district the people would get to know him better and have more confidence in him, and bring to his knowledge many evils which now exist of which we are not aware.

2975. How long have you been in your district?—Only a few weeks now; I was lately officiating as Deputy Inspector-General in the Central Range.

2976. How many times have you been transferred from district to district in the course of your 24 years' service?—I have had eleven or twelve transfers.

2977. That means that you cannot have been in any district more than two years on the average?—One district I was in for three years; that was in Bellary.

2978. Does the pay in the Madras Police attach to the district or to the individual?—To the individual.

2979. You have been in your present district before?—For three weeks; on that occasion I was a probationer.

2980. What is it that necessitates this continual transfer of District Superintendents?—Officers ask for it; they want a change; they go upon leave; they have no lien upon their district on their return, and they are posted where there is a vacancy.

2981. Do officers take leave every year?—No.

2982. I do not say long or short leave, but do they take any leave every year?—Rarely, I think.

2983. Do you not think it would be advantageous to an officer if he was bound to take leave every year?—His privilege leave do you mean?

2984. Some period of leave?—I do not think in healthy districts an officer requires leave so often as that.

2985. Do you know that in all Government Service in England every officer is entitled, and is practically bound, to take leave every year. I did not know that; I know they get a great many holidays which we do not get.

2986. Do you know that, as a matter of departmental practice, for the good of the office, an officer is generally required by the Head of his Department to take his leave every year?—I did not know it.

2987. Do you not think it would make an officer's work of greater value during the remaining eleven months if he was bound to take leave for one month?—Possibly; the difficulty would be as to the acting appointments.

2988. Might it not be possible during the 28 days' leave to leave the district in charge of the Assistant?—Possibly.

2989. And would not that change of system, which would not necessitate the continued long absence of a District Magistrate or District Superintendent from his charge, obviate ultimately the constant transfers which now go on?—I cannot see that. If officers were bound to return to the district when they went away on three months or six months' leave, I do not think any particular harm would be done. Where I think the harm is, is that the officer, having no lien on his district, is often transferred to another district in which he has had no experience.

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2990. Then what do you say as to transfers in the case of Assistant Superintendents?—I do not see how these continual transfers can be obviated in their case. For instance, a vacancy occurring in the case of an Assistant Superintendent in Ganjam necessitates an Assistant Superintendent acting for him; yet the next Assistant Superintendent may be at some place 800 miles away; under ordinary circumstances you cannot pass him over for the appointment, and up he goes.

2991. Because of the consideration of pay?—Exactly; he often does not come back again to the place where he was Assistant Superintendent before; somebody else takes his place, and at the end of his acting term of three or six or twelve months he goes into any vacancy there may be, which may be in a district in which he has no practical knowledge of the language at all. These are great difficulties, and I do not see how they can be obviated.

2992. You have not been able to think of any scheme which would get over them?—The only scheme that has crossed my mind is that possibly the Presidency might be divided into Deputy Inspector-General's ranges for the purpose of acting promotions and the senior Assistant Superintendent of a range might act for the District Superintendent who was going on leave. The question would then arise about acting allowances.

2993. (*Mr. Meyer.*) The Chairman has referred to the system in England under which each officer gets a limited amount of leave every year and has to take it. Would a system that is applicable to officers serving in their own country, and not necessarily separated from their families, be applicable to European officers serving in India?—There would be a great objection to forcing officers to take a month's leave every year; they would not be able to accumulate the three months' privilege leave which entitles them to run home and see their family.

2994. With regard to your suggestion about acting appointments, is it necessary that when there is an acting appointment to be made the next senior man should be put in; could not the next senior man in the same district, if he is fit, be put in; I am not speaking of permanent promotion but of an acting appointment?—Perhaps it would be fair enough to give him an acting appointment for two or three months, but occasionally a District Officer taking short leave is bound to extend his leave on medical certificate and he might be absent for a year; then what would you do?

2995. Suppose a man takes six months' leave on private affairs; could you put in a local man even though the next in seniority would lose his turn?—The loss of pay for the six months would be rather heavy.

2996. But in the course of twenty years' service would not things more or less balance themselves; where he lost once he would gain another time?—The chances might be equal for and against it, but the opportunities might not occur in a man's career to make up the balance. I think, on the whole, it would be considered unfair.

2997. It would be unfair perhaps to the *personnel* of the service, but of advantage to the district?—That might be so.

2998. (*Sir Steyning Edgerley.*) Do you not think this might be done without any hardship to individual officers: on the Bombay side we allow Assistant Superintendents to go on special service; for instance two or three have gone into the service of the Rajputana Railway. It is very desirable to transfer them when a vacancy occurs. The Government of India sanctioned an arrangement by which, when any of these two or three officers cannot get a vacancy according to their turn, they are given the acting allowance. Could you not serve the public service without injuring the individual by making an arrangement of that sort generally?—Do you mean giving an acting allowance without transferring them?

2999. Yes; the audit officer says, A. B.'s junior is now acting in charge of the district, therefore A. B. is entitled to an acting allowance?—What allowance would the other get?

3000. He gets the acting allowance as District Superintendent?—That would be an increase of expenditure.

3001. It would be an increase of expenditure, of course, but my suggestion is that if Government wishes this improvement in administration they must not make it at the expense of the particular officer, but at their own expense?—I quite agree; if that could be done, there is no doubt that the administration would benefit.

(*The witness withdrew.*)

Adjourned.

FOURTH DAY.

MADRAS, *Tuesday*, *November 26th*, 1907.

PRESENT:

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

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

Rao Bahadur M. ADINARAYANA AIYAR was called and examined.

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3002. (*Chairman.*) What experience have you had in the Madras Government?—I was for several years employed in the Board of Revenue and the Government Secretariat; I was also employed for some time in the Collector's office in Madras and in the Sea Customs office; then for about 13 years or more I was connected with the Settlement Department as Assistant Commissioner and Deputy Commissioner of Settlements.

3003. In Madras?—In the Madras Presidency. I did settlement work in Tanjore, Trichinopoly, and other districts. I have now retired.

3004. Do you think that the tahsildar on whom depends the work of revenue collection is rather inclined, looking at his prospects of advancement, to pay too much attention to the amount of revenue which he collects in the year?—He pays a good deal too much attention to that; he does not

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concern himself sufficiently, I think, with ferreting out local troubles and causes of deterioration, and that kind of thing.

3005. Perhaps you mean, not so much ferreting them out, as paying attention to them when they are brought to his notice?—Yes.

3006. It would hardly be the duty of an officer of Government to ferret out grievances?—No, not to needlessly get them manufactured; but where they do occur, instead of slurring over them, he ought to give attention to them.

3007. You think that his idea is that his promotion depends upon the amount of revenue he collects?—He practically has come to be identified with the collection of revenue; I do not mean to criticise the whole class adversely.

3008. The tahsildar is the superior of the revenue inspector?—Yes.

3009. Do you think that the position of these officers ought to be raised?—Yes.

3010. You do not think a knowledge of the vernacular is so important as it used to be?—Yes; there is a considerable extension of English knowledge at present, but a better knowledge of the vernaculars would be very useful, because it would give more opportunities for the officer to get into close communication with the people.

3011. Probably the man who has the keenest grievance is the poorest man?—Yes.

3012. And it will be the poorest man who has least knowledge of English?—Yes, he is the least vocal of the people, too.

3013. A man, unless he knows the language well, cannot express his troubles?—No.

3014. Therefore it is very important that the Government officer should know the vernaculars?—It is, but, with the amount of correspondence that goes on, the need of that knowledge is not perhaps felt so much.

3015. You say you think the tahsildars should be graded with Deputy Collectors?—That is my view; that would give them a status, and add strength to their opinions, too.

3016. Would it raise their pay?—It need not very much raise their pay; the present lowest rate of a tahsildar is Rs. 150; I think about Rs. 200 should be the minimum that a tahsildar ought to get.

3017. What does he get now?—Rs. 150; we must have some interval between the revenue inspector and the tahsildar, and as I propose that the revenue inspector's position also should be raised, I would charge him more with the collection duties and make him more responsible for that; as he will have a smaller charge, he could look after that work more closely.

3018. What is the size of the tahsildar's charge?—His *taluk* consists of about 100 to 120 villages; I cannot be exact.

3019. How many people would there be in a village on the average?—About 300 or 400 you may say; there are many villages which are uninhabited; there are also larger villages with 200 or 300 inhabitants only.

3020. Is it your view that the tahsildar, owing to the necessity of collecting the greatest possible amount of revenue, is so occupied that he is not in touch with the people in his *taluk*?—He looks mostly to the collection work.

3021. He does not mix with the people very much?—He cannot mix closely with them when he is making collections.

3022. Has the tahsildar much opportunity of being in touch with all the people in his *taluk*?—He has to move about; recent orders require him to be on the move for about 20 days in the month.

3023. How often will he visit each of his 100 villages in the year?—I cannot tell exactly.

3024. Once every year?—I daresay he will inspect the more important villages, not every one of them, once a year.

3025. You say that the system of *jamabandi*, which used to be intended for an annual gathering of all the raiyats of the district, has rather dropped into disuse?—I think so.

3026. Do a less number of the raiyats come up to *jamabandi* every year?—Yes; practically very few, except a few stray people; it is more a gathering for going through the accounts of the annual settlement than a gathering of the raiyats; the *pattas* and other things get distributed in the villages.

3027. Where are you living now?—In Madras.

3028. Have you got property in the district?—Yes, in the Chingleput district; but I am not a Government tenant.

3029. You have property there, and you go out and visit your tenants? You therefore have the opportunity of knowing what is going on outside Madras?—Yes.

3030. You suggest that for the District or Divisional Officer the tahsildar should be substituted?—The *taluk* tahsildar himself should be graded as a Divisional Officer; he should be graded with the rank of a Deputy Collector, and he should have the assistance of an annual gathering of the raiyats.

3031. That would be resuscitating the *jamabandi*?—Yes; the *jamabandi* is practically the occasion for presenting individual grievances.

3032. Did that system work well in the old days?—I have not much experience of that; of course, as to individual grievances, the people come up and wait, and it is every man for himself; there is not any collective opinion gathered at the time, nor does it strengthen any enquiry by giving the public an opportunity of discussion.

3033. You think that private discussion is better than public discussion?—I think public discussion would be better. The *jamabandi*, as hitherto conducted, is simply an occasion for individual grievances being presented; there is no collective discussion of general grievances affecting localities, or anything like that.

3034. Do you think that an Advisory Council, which the District Officer could consult, would assist very much?—Yes.

3035. And that it would bring to the notice of the Divisional Officer grievances or questions on which it would be important that he should know the native opinion in the district?—Yes; such questions can also be discussed publicly there, and any decision come to upon the matter could be recorded, which would be of use.

3036. You understand that this is a question of Advisory Councils, not Councils with power to decide?—Just so, but where any action is recommended it could be noted.

3037. You suggest that some increase of power might be given to the village unions?—Yes.

3038. You suggest grants for expenditure on the repair of irrigation works?—Yes.

3039. Has that ever been tried before?—Under the old *kudimaramat* system it was done without payment; now, if there is any large work affecting any particular village or locality to be carried out, I think it could be entrusted to the union.

3040. Up to what limit would you suggest that the union should have power of expenditure?—That is a matter which I have not thought out.

3041. Where would that money be raised from?—The Government. What are called minor irrigation works, which could be carried out without professional assistance, could be safely entrusted to the villages; I do not think there is any reason to apprehend that the work would not be done properly.

3042. Would the money come from Government generally or from a cess on land?—From the Government.

3043. Not from a cess on the land which is going to be benefited by the irrigation?—There is no such system here.

3044. Therefore you think it would be a good thing that the Government should give a certain amount of money to the panchayat?—In the minor irrigation works budget certain works are put down every year; such works might be entrusted to the villages concerned.

3045. And you think they would carry it out well?—They are interested in it.

3046. The same, I suppose, with regard to sanitation and the supervision of village schools?—Yes.

3047. Those three powers would be quite sufficient?—For the present, I would stop there.

3048. You think that would interest the villagers?—Yes; their own interests are concerned in the matter.

3049. Then you also wish them to have the power of disposal of civil cases up to Rs. 50 and the disposal of small criminal cases?—Yes.

3050. You think they would have the knowledge necessary?—Well, I am talking of the panchayats of larger villages, where the necessary intelligence is available, I think.

3051. Does that system obtain elsewhere?—I do not know about other provinces.

3052. (*Mr. Dutt.*) I understand you recommend that representatives of the raiyats should be brought into regular association with District Officers, and you think that some such scheme should be devised?—Yes.

3053. You consider that there is a sense of aloofness now on the part of the people, and that there should be occasions for officers to meet the people in assembly and consult them?—Yes.

3054. Do you think that the old *jamabandi* system could be revived now in order to meet these requirements?—I make a distinct proposal which I consider is a little in advance of the old *jamabandi* procedure. The old *jamabandi* procedure was an occasion for presenting individual grievances; I put forward my suggestion as some improvement upon it, giving an occasion also for public interest in questions affecting particular localities.

3055. Can you tell us how long a Divisional Officer is on tour during the year?—The rules require him to be something like six months or so on tour.

3056. Can you tell us roughly the number of *taluks* in a division on the average?—I believe two or three is about the maximum.

3057. And there are something like 100 villages in each *taluk*?—Yes.

3058. The Divisional Officer is out on tour for about six months in the year. Do you think that he could, with advantage, pitch his tent in different places so as to be in nearly all parts of the division and meet the villagers coming from surrounding groups of villages?—You mean that we should institute an occasion for meeting?

3059. The *jamabandi* might be the occasion, or there might be some other occasion, but if the Divisional Officer pitched his tent in different places in his division during those six months, would it be possible for him to visit all, or nearly all, the villages in his division in the course of one year?—Very likely; I do not see why he should not.

3060. Would it be possible for him to do the *jamabandi* locally, of the villages surrounding his tent, and in the presence of the cultivators who may choose to come there?—That is the present theory, but I would like to add that there is no obligation on people to come and take part in the *jamabandi*, and many of them do not come; they utilise the post for any individual grievances that they may desire to advance.

3061. Would you create an Advisory Council for the District Officer and also an Advisory Council for each *taluk*?—An Advisory Council for each *taluk* would be sufficient. The Collector is now required to do the *jamabandi* of a *taluk* himself in rotation so as to visit all the *taluks* in the district once in five years; so that he has opportunities of coming into contact with all of them.

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3062. You say it should be formed of representative raiyats or of representatives of the raiyats?—Yes.

3063. Have you any idea as to how they could be selected for each *taluk* Advisory Council?—I think a maximum of 50 people would be sufficient. The more important villages, by themselves, might send a representative, and the others might be formed into small circles of, say, two or three smaller villages.

3064. You mean that where there are village unions the union might be asked to send you one man, and if there is no union the Divisional Officer might select a proper man for a group of villages?—Yes.

3065. You say that when the *taluk* Advisory Board is formed the Divisional Officer should consult them once or twice a year?—At least once a year.

3066. Do you not think he might profitably consult them oftener than once a year?—The Council should meet as occasion arises, and of course he could consult them then; if there was any special epidemic, or any special famine trouble, or any other trouble like that, he might call them together at more frequent intervals.

3067. Can you suggest any other matters in which the Divisional Officer could profitably consult the *taluk* Advisory Boards?—Famine relief is one; fiscal measures would be another.

3068. What do you mean by fiscal measures?—The imposition of any assessment, or the revision of assessment; the Divisional Officer could take the general sense of the Council. I would make them simply advisory; I would give them no responsible position.

3069. The Divisional Officer might consult them also when plague relief measures have to be adopted?—Yes; he could use them for many purposes.

3070. You think they would be able to give valuable advice with regard to inoculation, with regard to the examination of women for plague, with regard to the evacuation of villages, the segregation of patients, and other questions that arise on the occasion of plague?—Yes.

3071. When there is a sudden calamity and suspensions or remissions are required, do you think the advice of these Advisory Boards would be valuable?—Yes; they would be able to show, with the chance of misrepresentations being exposed, what is required, and what they said would be liable to correction, and the real facts would be open to verification, and so on.

3072. Have not union panchayats or village unions been instituted in some important villages?—Yes; the unions at present are institutions which come under the category of local institutions under the Local Self Government Act.

3073. Were you referring to those?—No. I am talking of panchayats to be newly constituted irrespectively of them. Unions have an organisation at present which it will be possible to utilise as the Government may think proper; I have no objection to that; but, where they do not exist, I say you can form panchayats and give them these little interests to keep them usefully occupied.

3074. Where unions already exist under the Local Self Government Act you would utilise them?—Yes.

3075. You say that small irrigation works might be safely made over to these unions for construction?—Yes.

3076. What are known as *kudimaramat*?—Not *kudimaramat*; that is work which they have to do without being paid for it.

3077. Do you think that other works, besides, such as tanks and drinking water wells, might be safely entrusted to these unions?—I do not know about that. Possibly lengths of road might be

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entrusted to the villages situated alongside of them, but I will not venture an opinion as to that.

3078. Do you think these unions could be profitably consulted in the matter of pasture lands or grazing lands used by the villagers?—That would form part of their village economy which they would probably bring to notice whenever they were pressed on such questions.

3079. Is it at present the practice to consult them about the management of grazing fields?—No; that is all done by the Forest Department.

3080. My question was whether it would be profitable and good for the people that these unions should be consulted in such matters?—Yes; all these would come within the circle of their interests. I do not proceed on the assumption that we must begin with any list of subjects to be laid down.

3081. Do you think they could be profitably consulted in the matter of the establishment of liquor and other excise shops?—Yes, but I would not make it obligatory on the Divisional Officer to list these subjects as subjects upon which he must absolutely necessarily consult them; these are all questions which will come up in the Councils for notice if there is any grievance about them.

3082. Do you think there are any questions about irrigation rates on which these *taluk* Advisory Boards could be profitably consulted—fixing different rates for different districts and villages; could they give any valuable advice in such matters?—I am afraid there will not be any consensus of opinion upon such matters. The union Councils would all be on one side only.

3083. Would it not be profitable to consult them?—The Divisional Officer might perhaps ask them, to see how far it is likely to be accepted; there is no harm in consulting.

3084. Would you think it advisable that at every settlement revision the *taluk* Advisory Boards should be consulted?—Not in the sense that they should have power to interpose.

3085. I mean consulting them only.—Yes, consulting them to ascertain the differences, to determine the measure of increase that could reasonably be imposed; in that way we might utilise these Councils.

3086. (*Mr. Hichens.*) One of the large sub-divisions of our terms of reference is how far functions can be delegated from the provincial Government to authorities subordinate to Government. The authorities subordinate to Government are, to a certain extent at any rate, District Boards, *taluk* Boards, and village unions. Can you suggest any further powers that should be delegated to these particular Boards?—I have not thought out the question.

3087. You have not thought of the existing machinery, but you have suggested certain new machinery?—Yes.

3088. Have you suggested new machinery because you think the old machinery is bad?—I think the machinery now existing in the Local Fund Boards and the unions will not have that touch with particular local grievances and other troubles which is necessary, and a standing institution, like the Advisory Council, should be in close touch with the Divisional Officer, bringing the administration and the people closer together.

3089. Why do you not think the existing machinery would be adequate for that purpose?—The *taluk* Boards and the unions are constituted under special Acts for special purposes. The purpose that I have in view in suggesting the Advisory Council is to bring the revenue administration and the people affected by it into closer touch with each other. This lies very much outside those special regulations under which these particular bodies have come into existence.

3090. As far as the functions of local self-government bodies are concerned would you say that these Boards do their work well?—That is a point I have not considered.

3091. But you want now fresh Boards to advise on totally different points?—Yes.

3092. You cannot utilise the existing machinery for that purpose?—No. I do not think those special bodies created under special Acts can be utilised for this purpose. That fact would not prevent the members of them finding their places on the Advisory Councils also.

3093. There is a *taluk* Board to-day and the members are derived from the village unions? Would those form the members of your new Advisory Board?—Not necessarily, I think.

3094. They would be partly nominated, but they would mainly come from there?—Yes.

3095. That is the machinery you suggest for your Advisory Council?—Yes. I want a larger Council, about 50 people—not exceeding 50 for the whole *taluk*, and to meet for this special purpose only; there should be no regulation or anything like that controlling this matter.

3096. Is it your opinion that representatives of the *taluk* Board are really representative of the village unions, speaking from your experience of the country?—That is a point I have not thought out.

3097. But there is no reason why they, either collectively or individually, should not discuss any matter they wish with the Divisional Officer?—No, that is not within the province of their work now, because they are constituted under special Acts.

3098. But the District Officer would always in practice listen to anybody who came to him, would he not?—Yes.

3099. (*Mr. Meyer.*) You said that the pay of a tahsildar is Rs. 150 a month; is that quite correct?—That is the lowest rate of pay.

3100. And it runs up to what?—Rs. 250 I think.

3101. You propose to make the tahsildar a Divisional Officer?—Yes.

3102. In each district there are 8 or 9, possibly 10 *taluks*. You would have these 8 or 9 tahsildars in direct subordination to the Collector?—Yes.

3103. Then what is to become of the existing Divisional Officers, the Sub-Collector and the Head Assistant and the Deputy Collector?—They will all get a *taluk* each; I suggest that you should grade the tahsildars into that service.

3104. At present there are four Divisional Officers (two Civilians and two Deputy Collectors), and we will say nine tahsildars, in a district; you would have nine officers only, of whom two would be Civilians as before, and seven Deputy Collectors; is that correct?—My suggestion was to grade the tahsildars as Deputy Collectors.

3105. The present system is that two or three *taluks* are grouped into a division under a Divisional Officer; therefore you have primarily got the tahsildar; above him is the Divisional Officer; you say the tahsildar is to become a Divisional Officer?—Yes.

3106. What is to become of the existing Divisional Officers?—I mean that the tahsildars, some of them, would be absorbed when we raise the revenue inspectors to a higher status.

3107. What is to become of the tahsildar as such; is he to disappear?—Yes.

3108. That is to say, in every *taluk* there will be either a Covenanted Civilian or a Deputy Collector, exercising the functions of a Divisional Officer and also the functions of a tahsildar?—No; I would relegate the tahsildar's duty to the revenue inspector.

3109. Practically you would convert the revenue inspectors into tahsildars and the tahsildars into Divisional Officers?—Yes.

3110. Would that not involve very considerable expenditure?—Yes. At present tahsildars are not, most of them, doing any magisterial work, and if the status of revenue inspectors is improved and they absorb the tahsildar's duties, the tahsildars might be made Divisional Officers.

3111. In some *taluks* the tahsildar does magisterial duties?—Yes.

3112. What would you do as to them?—We must gradually work it out.

3113. Would you convert the revenue inspector into a magistrate?—No; I would appoint more stationary magistrates. It struck me that my proposal might lead to some considerable enhancement of cost.

3114. Would it add to the Collector's work to deal with eight or nine officers in the first instance, instead of four or five?—What the Divisional Officers now intercept in the way of work will still be intercepted by all these tahsildars as Divisional Officers, and with the aid of Personal Assistants I should not think there would be much additional work.

3115. Are you aware that there is a scheme under consideration for considerably increasing the number of *taluks*?—That is, I think, a recommendation for my proposal—to raise the status of revenue inspectors and charge then with the other duties.

3116. But you go much further; you do not think a mere increase of the number of *taluks* on the present lines would suffice?—No.

3117. You say that the *jamabandi* has become a mere farce. Have you ever attended a *jamabandi*?—Yes, I have had experience of my own *jamabandi*—the hearing of settlement appeals and so on.

3118. That is not the ordinary revenue *jamabandi*?—No, I have not personally attended one.

3119. You have not personally attended a revenue *jamabandi*; you speak from hearsay?—Yes.

3120. Suppose there are floods or anything which involves a large demand for irrigation, there would be a considerable attendance at the *jamabandi*?—Yes, for individual grievances only.

3121. Your *taluk* Advisory Council is to consist of a representative of each of the principal villages?—Yes.

3122. Selected by the Collector or by the Divisional Officer?—It would have to be done by the Divisional Officer.

3123. In making those selections would you pay any attention to the character of the population, its distribution into castes, and so forth?—I would take the landed interests.

3124. Therefore your Council would be a landowners' Council?—Yes.

3125. The people who possess no land or those who possess little land, the labouring classes, would not be represented?—Yes; I am talking of the revenue administration; it will naturally work out in the way you suggest.

3126. But I understand that besides the revenue administration you desire this Council to consider other matters, such as plague and so on?—They could be utilised for that purpose.

3127. Do you consider that they would be sufficiently representative if they were all land-owners?—I fix the number at a maximum of about 50, which would take in probably every alternate village in a *taluk*.

3128. Do you propose that they should accompany the Divisional Officer to the various places he visits or that they should only meet at a fixed place on stated occasions?—On stated intimated occasions.

3129. You recommend that the *jamabandi* should be conducted gradually, so that the Divisional Officer or the Collector or whoever conducts it should be able to conduct it locally at each important village.—It is so done, I think, now; it is done at three or four centres in a *taluk*. What I recommended was that there should be a time fixed.

3130. One of the most important matters of the *jamabandi* is to settle the claims for remission on lost or damaged crops?—Yes.

3131. That must of necessity be done at a time when it can be ascertained whether the crops have withered or have been lost?—Yes.

3132. Therefore it would be impossible to conduct that part of the *jamabandi* at intervals right through the year?—That would be impossible.

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3133. At present you have a *taluk* Board for each division?—Yes.

3134. If you double or more than double the divisions, as you would by this scheme, you would double the *taluk* Boards also?—It may be, yes.

3135. Therefore you would have two Councils, one dealing with Local Fund questions—an administrative Council—the other dealing with revenue and other matters—a consultative Council?—Yes, one has special functions under special Acts. The other is not a Council with any legal responsibilities or powers; it is simply an Advisory Council.

3136. But you do not think it would be possible to give the *taluk* Board, which is an administrative and recognised legislative body, advisory functions in respect of other matters?—Unless you made legislative provision for it.

3137. You propose to give certain powers to panchayats in all the important villages?—Yes.

3138. How would you constitute those panchayats?—I would ask the villages to nominate the members, other than the two prominent head village officers.

3139. The prominent head village officers are the head-man and the head village accountant?—Yes.

3140. Then three others would be selected?—Yes.

3141. How would the villagers appoint them?—From amongst themselves.

3142. In a large number of these villages there is a great proportion of low caste people—*Pariahs* and others?—Yes.

3143. Do you think their interests would be safe in the hands of the higher castes?—I think so.

3144. Do you think that these panchayats or Advisory Councils would work satisfactorily?—Yes.

3145. Are there factions in these villages?—There are factions, of course, but I do not see why these Advisory Councils, which are intended for eliciting information and for conveying information, would not be useful.

3146. But is not the panchayat rather to be an administrative body?—Yes.

3147. Would the factions interfere with that?—I think not.

3148. You mentioned the *kudimaramat* system, that is to say a system under which the villagers could be told off to do irrigation works; you do not wish to revive that?—No; it has fallen into disuse, and so many settlements have taken place since; except as to small works we feel now that the villagers cannot be called upon to do the larger things for which Government budgets.

3149. You think the system of *kudimaramat* has got out of date, and what you want is to let the villagers do their own work with the assistance of Government funds?—Yes.

3150. You said you thought they should have power to dispose of small civil and criminal cases. Would you allow any appeal from the decision of the panchayats in such cases?—My idea was to constitute them as arbitration courts in regard to civil cases.

3151. Suppose the parties are not satisfied?—I should say that if the parties agree and choose their own arbitrator from the panchayat, the scope for appeal except in cases of fraud or anything like that is very limited; the appeal now lies to the munsiff's court, which would still continue.

3152. Then it is to be optional with a person who has a petty suit either to bring it direct to the munsiff's court or to submit it to the village arbitration court?—No; if we really mean to do business I would make it compulsory that the people should in the first instance go to these arbitration courts.

3153. They must go first of all to the arbitration court, but you would still allow an appeal?—Yes; of course that will happen in exceptional cases.

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3154. In a criminal case would your procedure be the same—that the petty criminal case must first be lodged in the village court?—No, we could not do that, because we may not be able to constitute Benches all over the country at present.

3155. Supposing you had a Bench?—Well, we might try it; it is new ground.

3156. But there would still be an appeal from the decision of the Bench to the local magistrate?—I mean non-appealable cases only—small cases of nuisance and petty things like that.

3157. Might it not be advisable to give these panchayats, if you had them, full powers as to the disposal of petty cases, and not allow an appeal at all?—Yes, I should think so.

3158. You would be prepared for that?—Yes.

3159. At present there is some petty magisterial and civil power vested in the village head-man?—Yes.

3160. You would transfer that to the village panchayat as a Bench?—Yes.

3161 (*Sir Steyning Edgerley.*) Supposing that an Advisory Council is to meet next month for some pupose or other; how would you arrange your business; would anybody be at liberty to bring up anything?—They would have previously to communicate the points they would bring up, because it might require some definite reply or previous enquiry.

3162. Then anyone who wished to bring up anything would have to give notice?—Yes.

3163. The President would be the Sub-Divisional Officer?—Yes.

3164. And he could add to the notice paper any subject he wished discussed?—Yes.

3165. Then the Council would meet. Would the proceedings be formal or conversational, or how would you deal with them?—I simply mean that any man who has got any particular subject to bring forward would put it before the Advisory Council, and any decision thereon or remark thereon would be noted down in the book.

3166. Do you think that a man of the class of whom these panchayats would consist would be able to get up in an assembly of 50 or 60 people and say what he wants?—I think so; it is matters that they are intimately concerned with which they would talk about.

3167. To what causes would you attribute the decay of the *jamabandi*?—The villagers think that each man can bring his grievance properly forward by post.

3168. I have heard it said sometimes here that the younger generation of European officers who come out are less well trained in the vernacular and less able to hold converse with the people; do you think there is anything in that?—I cannot speak from personal knowledge.

3169. (*Sir Frederick Lely.*) You wish to see Advisory Assemblies created. Do you not think that it would be more congenial to the spirit of the people and the general wishes of the villagers to revive the former *jamabandi*; does not the *jamabandi* answer practically all that you wish to obtain by an Advisory Assembly?—The *jamabandi* is loaded with the question of the settlement of the land revenue demand and the settlement of individual grievances. Even where that is concerned, people prefer to make known their grievances by post or somehow in that way. You might make the *jamabandi* season the occasion probably when they might call this Advisory Council meeting, but I do not agree that the *jamabandi* gathering itself will answer the purpose. The *jamabandi* concerns particular individuals who may have particular grievances.

3170. (*Chairman.*) You yourself have been a Deputy Commissioner for settlements. Have you ever had to punish subordinates or to fine subordinates?—Yes.

3171. It has been suggested to us that supposing you punish one of your subordinates, he ought to be able to appeal from you to one officer who is higher in the scale of authority than you, and that, having gone to that one officer there should be no further appeal open to him. Do you think that stopping the number of appeals in that way would be satisfactory to all parties and that justice would be done?—In the majority of cases it would, I think.

3172. That would meet all reasonable requirements?—Yes.

3173. And in any case one officer above the officer who appoints the person punished would be sufficient?—In the majority of cases; but I am not able to tell offhand what the different classes of cases may be.

3174. Speaking generally that would be your view?—I think so.

(*The witness withdrew.*)

Mr. C. T. H. Johnson, I.C.S., was called and examined.

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3175. (*Chairman.*) You are a Sub-Collector?—I am a Sub-Collector and Joint Magistrate at Negapatam. I have been in this country nine years and three months.

3176. Will you describe to us the organisation of your office?—I have under me directly an office of seven clerks on the revenue and magisterial sides, and an office and two clerks on the Local Fund side. My executive subordinates are two tahsildars, two deputy tahsildars with magisterial powers, and two stationary sub-magistrates. The tahsildars have offices of nine and ten clerks respectively, whilst deputy tahsildars and sub-magistrates have two clerks each. Under the tahsildars are seven revenue inspectors; under them come the village officers, *viz.*, a *karnam* and village munsiff for each village, with three or four village menials under them. There are 367 villages in the division, which is rather over 500 square miles in extent and contains a population of not quite half a million. On the Local Fund side most of the work is done by the special departments concerned, Local Fund engineer and staff, the District Medical and Sanitary Officer and staff, the Inspector of Schools and staff; but in my capacity as *taluk* Board President, I have financial control to some extent in the administration of these departments within my division, and I am also expected to inspect the various institutions under the *taluk* Board's control and to report and advise. On the magisterial side I deal with nearly 400 original cases per annum, and hear about 80 appeals from sub-magistrates. My duties are the collection of land revenue and the administration of the various accounts and rules comprised in the Land Revenue Code, under the Collector; the administration of criminal justice under the District Magistrate; the general and financial supervision of Local Fund affairs, *i.e.*, roads, schools, hospitals and sanitation; in these matters I am the executive officer of the *taluk* Board and the subordinate of the President of the District Board. As *ex-officio* member of the Negapatam municipality, I am expected to take an interest in the affairs of the municipality, and to bring to the notice of the Collector any defects in its management.

3177. Has the separation of the Public Works and Salt Departments from your duties, and the more important position now assigned to the police officer, lowered the status of the Collector?—That is so.

3178. On the whole has the separation of these responsibilities been to the advantage of the district or not?—Looked at from the point of view of efficiency merely, the administration is very likely improved, but looked at from the point of view of the satisfaction of the raiyat, who wants justice quickly and likes to have his order on the spot, the separation has been for the worse. For instance, no doubt we have an extremely good Executive Engineer in Negapatam and his work

is very well done; but suppose I go to a village and find that a bank is being eroded by the river, or that the distribution of water is palpably inequitable, I cannot alter it on the spot as I could if it was under a Collector. On the other hand, the technical work is very much better managed by an Executive Engineer.

3179. Could there be a combination of the two systems—efficiency in the Public Works and at the same time the immediate remedy of grievances such as you speak of about the distribution of water?—It could only be done by putting the Executive Engineer under the Collector.

3180. How would you get at the Collector, who might, and probably would, be 40 or 50 miles away?—He would delegate certain powers to me in trifling matters of the kind I have mentioned, and I would undertake the responsibility. With a Collector whom you can trust and who trusts you, you will take upon yourself to give certain orders which technically the Collector only can give; you then explain your action and report.

3181. What you want then is powers delegated through the Collector to enable you to give orders to some of the subordinates in the Public Works Department?—Yes.

3182. In order that the difficulties which the cultivator meets with may be remedied at once?—Yes.

3183. Does the same thing occur in reference to the Salt Department?—To a certain extent; I do not know so much about the Salt Department.

3184. You talk about the raiyats wanting to get an irrigation dispute settled. Cannot that be done at the present moment speedily?—No.

3185. Why not?—Because you have to refer to the Executive Engineer, who is in control of irrigation as a rule.

3186. Is this again a question of the distribution of water?—Yes, and also there is the fear of a civil suit.

3187. Brought by one raiyat against another?—By one village against another; we very rarely interfere with the internal distribution of water within a village; we let them fight it out, so to speak.

3188. One village will bring a suit against the other?—And against Government.

3189. Could that be avoided by giving you more power?—I do not think that could be avoided except by legislation. There is talk of an Irrigation Act.

3190. You say that all Divisional Officers of two years' experience should have the powers given to Sub-Collectors in the matter of appointments. What powers has the Sub-Collector in the matter of appointments?—He can appoint the whole of his own office, including his head clerk upon Rs. 85, subject to the Collector's veto, and he has charge over his revenue inspectors and all officers beneath them.

3191. He cannot make a new appointment but he can fill a vacancy?—Yes.

3192. You wish that power given to all Divisional Officers of two years' experience?—Yes.

3193. Do you think that at the end of that time a young Civilian or a Deputy Collector would be in a position to fill appointments wisely?—I should admit that he might make mistakes, but I think the good done by giving him power over his subordinates would be greater than the harm done by an occasional mistake.

3194. You would teach him what responsibility means?—Yes.

3195. I understand you want to limit the right of appeal?—Certainly.

3196. By village officers?—I begin with village officers.

3197. Will you give us a concrete instance?—Nearly every village officer who is dismissed and most of the village officers who are suspended, appeal first from me to the Collector, then from the Collector to the Board, and in rare instances to the Government.

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3198. Would you be inclined to say that the appeal should end at one officer above the original decider?—Yes.

3199. Have Executive Officers sufficient opportunity of personal contact with the people?—I think they can make a good deal of opportunity, but it is rather at the cost of their office work. Personally I know that my office work lacks in finish because I give up time to interviews and talking with the people.

3200. Do many people come and want to talk to you?—A good many.

3201. Is their number increasing or decreasing?—I think they keep up to a steady average.

3202. About the same from one year to another?—Yes. When I first came there were more, I think, because they wished to get to know me.

3203. And now they know you?—Yes. I have two sets of people; I have what I call interviews,—for people of more or less status, who come to see me at the bungalow, and I have a set time for them; then, I call petitions every day in court and there are always a good many come then.

3204. They come to talk over the affairs of the countryside with you?—The people who interview me come to talk over the affairs of the countryside; the people who come at 12 o'clock bring a definite petition; the petition is read out in their presence so that they may know I have heard it, and unless it is upon some technical matter I tell them at once what I propose to do.

3205. In the case of most of these petitions are you able to give an immediate decision?—Very seldom; in most, I can only say I will look up the papers.

3206. Is that because you have not power to deal with the subject-matter of the petition, or because it is rather a complicated case and requires time for consideration?—Either that, or there may be previous papers on the subject which would require some time for my clerks to look out for me, or it may be some local matter which I must look up personally.

3207. It is that the petition requires consideration for one reason or another?—Yes; in camp somtimes I will walk out in the evening and see what can be done.

3208. When you go out in camp, do you ever publish beforehand a programme of your tour?—I gave orders that that should be done; I am not quite certain whether it has been carried out in my office.

3209. When did you give the orders?—Shortly after I came to the division I remember that I gave orders in my office that notice of my camp should be put up with a notification that I could not promise to adhere to it.

3210. Would it not be a matter of great convenience to the people of your district?—Yes.

3211. In future could you not only give instructions for such a desirable thing, but also see that the instructions are carried out. I suppose it might be published?—I believe it is published.

3212. In the local papers?—I could not give notice for that more than a week beforehand; circumstances are frequently arising—a plague scare, or a special criminal case to investigate, or some breach in the river, and it would be very dangerous to post my programme more than a week beforehand.

3213. You think it cannot be done?—Not beyond putting it up on the office wall, I think.

3214. That would not be much use to the people of a village 40 or 50 miles away?—I could also send notice to the village where I was going.

3215. Do you do that?—No; that might be done.

3216. Would it not lead to a closer intercourse between you and the people of the district if they knew they might expect you at a particular date?—Yes, it would be a good idea.

3217. What language is spoken in your district?—Tamil.

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3218. Do you know it well?—I can understand almost anything, and I can make myself understood; I do not pretend to talk fluently.

3219. Have you been very much moved about, in the course of your service?—Not very much.

3220. In the various sub-districts you have been in charge of do they generally speak Tamil or Telugu?—I have only been a year and two months in Telugu districts; the rest of the time I have been in Tamil; ever since December 1903 I have been in the same district.

3221. Therefore you have been able to get a good knowledge of the division and of the people in the division?—Yes.

3222. Have you been more stationary than most Assistants?—Slightly more so, but I think most Divisional Officers manage to put in two years, except in one or two divisions.

3223. Is two years a time in which they will get to know anything like a considerable proportion of a population of half a million of people?—No considerable proportion; you can get to know representative people all over the place.

3224. You have 367 villages?—Yes.

3225. How many of those villages have you been in in your four years?—I cannot say exactly how many; I have been within a mile or two of nearly all, so that the people would know that I was there.

3226. So that you have practically been able to visit all your villages?—People have had an opportunity of seeing me in person without going to any great trouble.

3227. But only once in each village?—I tour pretty constantly at certain fixed points; it is so arranged that I get within five miles of almost every village within the year.

3228. But it would take you one year to get round it?—I get round about every six months.

3229. How long did it take you to get round the whole division when you were first appointed?—A year to get round it properly.

3230. Therefore, unless you are kept for some considerable time in your division for the purposes of government you cannot be brought very closely into touch with the people of the division?—Not under two years certainly; that is the reason I specified two years.

3231. Do you make any suggestions—beyond points of detail—as to the way in which you might be taken more out of your office and placed more closely in touch with the people of the district?—My chief idea on the whole is that we should be given less office work; that is very largely a matter of detail in the way of reducing returns, registers, and so forth.

3232. You think there is an excessive number of returns?—Yes.

3233. Dealing with what?—They deal with almost every conceivable thing.

3234. How often have they to be submitted?—Some yearly; some oftener.

3235. Are there a large number of these returns with which you yourself are not, and cannot be, personally familiar?—Yes.

3236. Which you have to take on trust from one or other of your subordinates?—Yes.

3237. Would that amount to 50 per cent. of these returns?—I should think so, that is to say speaking of all the details; but in most of the returns there is something that I understand; there is one column or one particular figure which I look at which is interesting to me; the rest is more or less of no interest to me.

3238. Here is a statement of leave granted by the tahsildar to *taluk* peons; do you know anything about them—is it important that you should know anything about them?—Not if you have a decent tahsildar; you might find that he was giving too much leave.

3239. But do you look at the returns of that particular thing?—Yes; I look to see if one peon, for instance, has been appearing in the column too often.

3240. Are there a great number of these returns required from you by the Board of Revenue which might usefully be taken on trust from one or other of your subordinates?—I should think it probable that some might be weeded out altogether; but of course I speak as a subordinate and not as the officer calling for them.

3241. But from your point of view as a District Officer, a considerable number of these might be abolished?—I should hope so.

3242. Will you put in a list of those which in your judgment might go?—Yes.

3243. Do you have to make loans for agricultural purposes?—There are hardly any loans in my division—not more than two or three.

3244. Are they made by you?—Some by me, some by the tahsildar; I think there have only been two or three in the course of the four years; they are not popular; I do not think they are needed really; it is a deltaic district.

3245. Have you any power to remit revenue in the case of distress?—Yes, I do nearly all that work.

3246. You remit revenue on wet crops?—Yes.

3247. You have no power to remit on dry crops?—No.

3248. Could such a power be usefully delegated to you?—In my present division there are very few dry crops. Speaking for my former districts, I should think that if the methods were somewhat simplified it might be usefully done.

3249. Did you come across cases in which scarcity was confined to a village area, or even two or three individuals—in which you might have relieved substantial hardship had you had power to remit in the case of dry crops?—I think so.

3250. Is the present system rather too complicated?—My impression is that Collectors will not recommend the remission of dry crops if they can possibly help it, because it is too complicated and requires too much work.

3251. Not because of a probably excessive zeal on the part of a subordinate which would seriously endanger the collections of the sub-division?—It would have to be done by special officers; I do not think any Divisional Officer could do it straight away.

3252. Even in cases of small remissions?—If it was a small matter any Divisional Officer might do it; I was thinking it would be rather dangerous to let a young fellow just in charge of a division remit half a lakh straight away.

3253. Subject to some limit and to a simplification of method, would it be advantageous if they had power to remit on dry crops?—I think it would be advantageous if they were allowed simply to say that in such and such a village the crops were very bad and they might have 25 or 50 or 75 per cent. remission.

3254. Would that often save hardship?—Very considerable hardship.

3255. When you go on tour do you require the inhabitants of a village or of your district (no doubt upon payment) to provide transport?—There is nothing in the way of levy. The cartmen are generally perfectly willing to come for the pay I give them.

3256. The police officer also tours?—Yes.

3257. The Collector tours?—Yes.

3258. And sometimes you get an Inspector-General touring?—Yes.

3259. Did you ever find that the constant touring through a district of officials becomes a hardship, or might become a hardship, to the inhabitants?—Not as a general thing. Occasionally one village gets rather a succession of them; there may happen for instance to be a big public work going on, and the village may get rather tired of touring officers coming.

3260. Does that interfere in the way of rendering them less likely to meet yourself and the Sub-Divisional Officers?—It is only a temporary irritation whilst the special circumstances continue.

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3261. In your division would it be possible for you to get together an Advisory Council which would be of advantage to you?—I do not see exactly on what points an Advisory Council would be consulted upon which I do not consult local opinion as it is; as it is, I have my *taluk* Board; I know most of the influential and typical gentlemen of the place, and in matters of local interest I do already consult them.

3262. You not only go into one particular village, but when you are on tour you go into various villages and you see the principal inhabitants?—I think I may say that I know all the people whose advice would really be of any importance; I might almost say that I know them personally.

3263. You do not call them together as a body, but you see them repeatedly?—We have our *taluk* Board meeting, and that Board includes the majority of such gentlemen already.

3264. How many are there on a *taluk* Board?—It varies in different *taluk* Boards; my number is 14.

3265. How many villages would a *taluk* Board represent?—The *taluk* Board is supposed to be representative of the whole of the division.

3266. The whole of your division?—Yes.

3267. I thought there were two *taluks* in each division?—Yes, but it is called the *taluk* Board although it is for the whole division. These gentlemen meet monthly, and, as it is, if there is anything I want to ask anybody about, I do so.

3268. Then with regard to questions such as minor irrigation works, grazing lands, roads, village schools, sanitation, and so on, you think that you get at present from your *taluk* Board all the information that you would get from a somewhat larger Advisory Council?—I could do it; I do not say that I do; I get some.

3269. You might get more but it might not be such valuable advice?—As it is, it is some bother to these gentlemen to come up to the *taluk* Board meeting; if they had two separate meetings, an Advisory Council meeting and a *taluk* Board meeting, for one division, it would be practically identical people on the two bodies, and it would mean two separate meetings instead of one.

3270. Suppose you had such a Council and the members were drawn not merely from the land-holding class, but from other classes, do you think there would be anything in the system of caste to prevent them meeting and sitting side by side in the Council?—As it is we have Sudras, Brahmans, and Mahomedans, and occasionally Christians, all sitting together side by side.

3271. Quite happily?—Quite happily.

3272. (*Mr. Hichens.*) How often does the *taluk* Board meet?—Once a month.

3273. How are the members selected?—They are nominated by the Divisional Officer, recommended by the Collector, confirmed by Government.

3274. Are all those stages necessary?—No. It would suffice that they should be recommended by the Divisional Officer and confirmed by the Collector.

3275. What exactly does a *taluk* Board do?—The *taluk* Board has financial control over roads, schools, hospitals, and sanitation, and spends the money. As to roads, the work is actually done by a Local Fund man, the schools by the Education Department, and the hospitals and sanitation are also under the control of the District Medical and Sanitary Officer; but I, as Executive Officer, have to visit these institutions and report on them, and generally keep in touch with the specialist officers.

3276. Practically you have no official subordinate to you *quâ* President of the *taluk* Board?—I have a Local Fund office, and my tahsildars are also members of the *taluk* Board and carry out certain executive orders.

3277. Do the members of the Board do anything?—We put them on for special work. I ask one gentleman to look after a school, for instance; nearly all the roads are under special supervision for the report of certain members.

3278. Do you find that in practice they take an interest in the work?—They take a great interest in their roads; one gentleman takes a great interest in the schools of his village.

3279. Do they raise points at the meetings of the Board?—Occasionally I have been over-ruled, for instance as to the alignment of a road; my tahsildar and I took one point of view and the *taluk* Board over-ruled us—and they were probably right.

3280. (*Mr. Dutt.*) You mentioned that the work of the *taluk* Board is really done by officers from other departments; the Boards keep a sort of financial control over the whole work, and provide the funds, but the practical work is done by officers of other departments?—Yes.

3281. The schools are inspected by the Education Department, and so on?—Yes.

3282. Would it be an improvement if you undertook to inspect your own schools through your own officers, appointing your own inspectors or sub-inspectors?—I think at the present stage of affairs it would be very much better if the Education Department were made provincial and relieved from the control of the *taluk* Board altogether. I would put all schools under the Education Department; because at present I consider that the Local Boards are out of sympathy with what they believe to be the present policy of the Government of India. They believe the present policy of the Government of India to be to promote primary education and decrease secondary education in quantity, while improving it in quality. The Local Boards represent the monied, educated, and land-owning classes; they are not really in favour of increased primary education, because it makes labour more difficult to handle; they are not in favour of a reduction of lower secondary education, because they like to have the lower secondary schools in their hands, those being the schools to which men of their type send their children; the reduction in number of their lower secondary schools will hit them in that way. They are sceptical about the improvement in quality. So that, on the whole, the Local Board as a class, that is to say not merely as representing the people, but as representing the class which it does actually represent, is opposed to what they believe to be the present policy of the Government of India in education. Therefore things would work smoothly and with less friction if the Education Department was made provincial, and did the whole work of education, and merely took advice from us.

3283. As a matter of fact, do you find that your *taluk* Board does not take sufficient interest in primary education?—The individual members of the Board take practically none; it is the secondary course in which they take an interest.

3284. The suggestion has been made that the primary schools might be placed under the Boards, and secondary schools might be taken over by the Education Department; do you think that that sort of thing would be feasible or advisable?—So far as sympathy goes, you might put it the opposite way round; if the Board take an interest personally in any schools, it is in the secondary ones—the sort of schools to which gentlemen of that class send their boys, and at which they themselves have been educated.

3285. If the whole of the schools are taken away from the *taluk* Boards would anything be gained by giving over a certain fund to the Board, taking it back and giving it to the Education Department; could not the funds be given to the Education Department?—You might make an apportionment; you could find out what apportionment ought to be made; so much money could be taken from the cess and given to that department.

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3286. So that education would be removed altogether from the Self-Government Act as one of the purposes for which the Boards were created?—Yes. Under the present system of Boards we have sanitation, roads, schools, and hospitals; that is to say we have various objects scrambling for money at the time of the budget. Now, education and sanitation, being represented by officers in Madras, generally scramble rather better than roads, which are only represented locally. People sometimes think that if it was not for these schools, with which they are not in sympathy, they would have better roads.

3287. Roads you said are constructed by an officer of the Local Fund?—Yes.

3288. Is he a man paid by you or by the District Board?—By the District Board.

3289. And his services are placed under you?—No; he is a co-ordinate officer with me; he is under the District Collector; I am only a Divisional Officer.

3290. He is not under the Public Works Department?—No.

3291. Does he hold a pensionable appointment?—No, he has a Provident Fund.

3292. You said that you generally meet most of the men that you would meet if an Advisory *taluk* Board were formed?—I think so.

3293. Have you had many occasions to consult them in matters outside the range of the District Self-Government Act; have you had as many occasions to consult them in other matters as you would have had if an Advisory Board had been formed?—I try to.

3294. In other matters—famine and plague relief measures, etc.—do you have as many occasions to consult them as if an Advisory Board had been formed for that purpose?—I do not know much about famine, because we do not have it in the delta tract. As to remissions, I am able to inspect so many fields myself that I feel practically as if I had done it all myself; and as it has to be done by valuing the crops under a specific rule there is no occasion for consultation.

3295. But with regard to the extent of loss caused by any calamity?—I have had a good deal of experience in these matters; I have been on remission work seven years and I think I might almost say that I can value a crop as well as the raiyat.

3296. You do not think that that advice would be of any value to you?—Not now, but when I was younger possibly.

3297. In plague measures, as to inoculation or examination of women or segregation of patients, would their advice be of value to you?—There again, it comes under the *taluk* Board; if any question arises I know exactly what gentlemen I have to consult, as it is; I could give you names at once.

3298. So that you cannot think of anything in which an Advisory Board would be of any use to you?—Not as distinct from the *taluk* Board; that is to say in the *taluk* Board I have already the material.

3299. Can you tell me if local opinion is generally consulted by officers of your standing to the same extent as it would be if an Advisory Board had been formed?—I think so, probably.

3300. Generally?—Probably. There are one or two junior officers who have not realised the advantage of this, but you can use your *taluk* Board, I consider, for what you want.

3301. You have spoken of the constitution of your *taluk* Board and described how the members are nominated. Is there not a provision in the Act that in certain cases members could be elected by village unions?—I believe there is.

3302. Is that provision utilised in any *taluk* in the province to your knowledge?—Not to my knowledge.

3303. All the members of all the *taluks* are appointed by the Government on your nomination?—In my district, yes.

3304. To your knowledge all the members of all the *taluk* Boards in the Presidency are appointed by Government?—So far as I know, yes.

3305. Would it be a useful plan to make a small sub-committee of, say, two members for education, another sub-committee of two members for roads, a committee of two members for preparing road schemes, another for preparing the budget, and so on?—I am more in favour of taking one particular man for one particular road or school of which he knows the circumstances.

3306. You find that answers better?—Yes; a sub-committee very rarely meets and reports.

3307. You would not mind consulting two gentlemen if you found it might lead to good results?—I have done so.

3308. But you do not make them into regular sub-committees; you simply tell them off to do the work?—I request them to see to the matter.

3309. You said that a great part of the year you are out on tour?—About 90 days in the first half of the year, and the prescribed 75 days in the second half of the year.

3310. That is 5½ months; all the time that you are touring, how is the criminal work done?—I endeavour as far as possible to meet the convenience of my clients and the local bar; the result is that my returns do not look very pretty, because sometimes I have to postpone a case until I return from tour and so on. On the whole the local bar and myself work very amicably.

3311. But your divisional work suffers to some extent?—Slightly. I may say that mine is a small division; I could not do that in a big division; some are 2,000 square miles, some larger than that.

3312. Do you try all the criminal cases in your division?—No; the biggest cases of all are investigated by sub-magistrates and tried by a stationary judge.

3313. But you try those cases that are triable by a First Class Magistrate?—They all come to me.

3314. Have you any First Class Magistrates under you?—No.

3315. Have you any Second Class Magistrates under you?—Yes, four.

3316. Do they dispose of all cases that can be tried by a Second Class Magistrate?—Occasionally I may take a case of special interest on my own file.

3317. Do you think that the parties and witnesses concerned in these cases are put to inconvenience, because they have to follow you from place to place when you are touring?—In my smaller division there is no particular inconvenience; in bigger divisions, where I have been before, they were put to inconvenience at times.

3318. When the police are investigating a case do you receive any sort of report from the police in important cases?—Yes.

3319. In dacoity cases or in murder cases?—I get a few reports; the progress of the case is reported from time to time.

3320. Not weekly?—According to the case.

3321. It is part of your duty to peruse those reports?—Yes.

3322. And to find out what view the police take while the investigation is going on?—Yes, I try to watch them.

3323. Do you sometimes send out instructions to the police while the case is under investigation with regard to the course of the investigation?—Not often. I know the Assistant Superintendent of Police personally, and I sometimes write demi-officially to him or see him in an important case.

3324. And when the case is complete, and the police have not sent up the case, do you sometimes direct the police to send up the case?—If the case is to be tried, a charge-sheet is sent up.

3325. But when the police have not sent up a case and you think it ought to be judicially tried, do you sometimes direct the police to send up the case for trial?—I have done so. The rule is that if the police think a case is not to be tried it is to be referred. There is a slight controversy (which is not yet settled) as to whether, when the police have referred a case, I can call upon them to send up a charge sheet.

3326. Then, as a matter of fact, you are acquainted with many of the facts of the case before the case comes up for trial?—I know something of the course of the investigation.

3327. You said that you would allow appeals only to one authority above the authority who has appointed the appellant, and you would not allow appeals any further?—Yes.

3328. What are your objections?—That the present system of one appeal after another causes a great weakening of authority.

3329. In what way?—You say to the *karnam* "I have dismissed you," and he says, "I will appeal," and he doesn't mind.

3330. So you want to stop the appeals in order to strengthen the hands of the executive?—Yes.

3331. (*Sir Frederic Lely.*) From what you say, your *taluk* Board can scarcely be called representative at all?—It does not represent the uneducated and labouring class.

3332. It does not represent the great mass of the population?—No.

3333. It is nominated to begin with, and it is nominated on the basis of representation (so far as it really represents anything) of the higher classes?—Yes.

3334. Suppose you shift the basis of representation lower down, and take the village; would the general feeling of the village not be in favour of primary education?—If you could take a ballot vote, I think it would be in favour of primary education.

3335. As a matter of fact, do not the villagers as a rule take the initiative in establishing a school?—I do not think so.

3336. We understand from the Director of Public Instruction that as a rule the villagers call in a master and establish him and he opens his school; I understood that to be the ordinary course; and then they apply for a grant-in-aid. They are usually aided schools, are they not, in the villages?—I cannot say what the proportion is between the two.

3337. Still, the school is established in the village with the full consent of the majority of the population of the village?—Yes.

3338. Would it be feasible, instead of handing over the schools to the Education Department entirely, to entrust the school entirely to the villagers?—That is to say, to have aided schools only? I am very doubtful on the point.

3339. Not only aided schools, but schools where the villagers should be called upon to supply the housing entirely and should have full control over the master?—Unless you have board schools there would be no advance of education amongst the backward classes and in the more backward districts.

3340. That is another point, as to the backward villages; I am speaking of the ordinary village; the schools would do just as well as they do now at any rate, and it would have the additional advantage of evoking more local sentiment?—If they are under the direct management of the villagers themselves you mean?

3341. Yes.—It would depend very largely upon whether there was a good man in the village, some man to lead the movement and to look after the school—a man who would be manager of the school; you must have some definite man as manager.

3342. Would you advise trying the experiment in the better class of villages to begin with, where you could ensure the more intelligent agency that you speak of?—I should think it might be tried in one or two.

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3343. Would you be in favour of developing local self-government in the form of intra-village action?—I do not think the village is quite a large enough unit.

3344. Take another branch of public work; take Public Works proper. Suppose a village needs a new well; how would it be to hand over five hundred rupees or whatever the estimate might be to the villagers and tell them to dig their well for themselves?—Again, unless you have some good and reliable man, the village community has not sufficient sympathy; they would squabble over the profit to be made out of the money.

3345. No doubt at first, but do you not think they would gradually come to see that it was to their common interest to build the well properly?—I think it would require a radical change in something or other before that came about. At present the village community is disintegrating; even in the short time I have been out, there is less unity of feeling in the village community than there was 10 years ago.

3346. Still, they live together and the village well is an object of common interest?—There are the Panchamas, the Sudras and the Brahmans; if there was only one well, they would quarrel which should have it.

3347. But you only have one well as it is?—Sometimes you have none; often you have only a tank; sometimes there is one well and the rest of the people get their water from a channel.

3348. The local *taluk* Board, I suppose, would only be responsible, as a rule, for supplying one well?—Yes.

3349. At present is such a case as this possible; the Local Board sanction the construction of a well in the village, and it sends the Local Fund Engineer, or whoever it may be, to arrange for the digging and building of it; it falls in afterwards through some cause; are the villagers to be allowed to say. "We are not responsible for that; it is not our business; it is the work of the Local Fund Engineer"?—In my division the making of a well is generally entrusted either to the village munsiff or to some respectable local gentleman; as a rule he builds up a well, worth Rs. 150, according to our own measurements and form, for about Rs. 85.

3350. Would you also (on the subject of roads) give a land-owner money to make or maintain a road through his estate?—If the people say that they want a road, we sometimes take a small contribution from them. In the case of the small branch roads affecting only one village, at present we only give them a nominal maintenance allotment, which will not really keep up the roads, and we expect the villagers to supply the rest.

3351. In the case of a land-owner who has an estate through which a mile of road runs, would you give him a grant to spend on his own responsibility?—We would make him a contractor if he would take up the work as a contractor for that piece of road.

3352. Do you consider that the people who have or fancy they have a grievance prefer as a rule to send you their petition by post?—No.

3353. They prefer to bring it to you?—Yes.

3354. You have a fixed time to receive petitions?—Yes.

3355. And although you may not be able to give an answer to the petitioner at the time, that does not mean that he is dissatisfied?—No; he has the pleasure of hearing his petition read out, and he knows that it has been heard.

3356. That is at the expense, you say, of your office work?—No doubt.

3357. Can most Divisional Officers find time for an audience every day?—If they are not expected to reach too high a standard in office work and reports.

3358. Can the Collector do that sort of thing?—It would depend very much on the district; some districts are harder worked than others.

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3359. How long do you stay at one camp as a rule?—From three days to a week as a rule.

3360. You say remissions go up for Government sanction. Virtually I suppose they are made on the report of the local officer?—Practically it is the Divisional Officer who does remission work.

3361. It is practically his department and the decision has to be based on what he says?—Yes.

3362. (*Sir Steyning Edgerley.*) Can you give us a slight sketch of a day's work?—I get up about 6.30 to 7; I go to the office and do scriptory work—office work—until about 11. At 12 I go to the office to my court; I then call petitions and I try the cases posted for the day, magisterial and revenue; the time occupied varies very much from day to day according to the length of the case; you never can tell exactly how many witnesses you will have; sometimes I get away at 3, sometimes it goes on till 5; then I come back to the house, and there will probably be a few papers brought to me, up to tea time. I generally manage to get my exercise at tennis or golf or something in the afternoon after 5.

3363. In the morning you are always at the office?—I was giving you a day at headquarters. Sometimes in headquarters I go out at once, and from 6.30 to 8 I inspect, say, municipal encroachments, or in camp I inspect irrigation works, with a view to the settlement of irrigation disputes and so on.

3364. From 12 to 3 you are practically occupied in magisterial work?—From 12 to 3 I should say is the average; the two hours from 3 to 5 are occupied in, you may say, odds and ends, all sorts of things,—getting up matters in relation to which you have been behindhand before.

3365. Then on tour?—On tour, you have rather less magisterial work. As I was explaining, you consult the convenience of parties; therefore you do inspection in the morning and your scriptory work in the afternoon.

3366. Do you reckon your magisterial work to be specially heavy?—No.

3367. How far do you see the villagers while you are doing the *jamabandi*?—I do not see many, because as a rule they have come at the time of calling the daily petitions. They do not wait for *jamabandi*; and my point is that the reason so much work now is not taken at *jamabandi* is that we now do not mark so many papers to be settled at *jamabandi*; we try to dispose of them at the time.

3368. You said you thought it would be very advisable if all these accounts and returns were scrutinised by a competent Committee with a view to reduction?—Yes.

3369. Do you remember that having been done since you have been connected with the district?—No, I do not remember anything radical being done; a few accounts have been altered, and so on.

3370. There has never been what one may call an effort on a big scale?—I remember none since I became a Divisional Officer.

3371. The idea of the last witness in suggesting Advisory Councils was something very like the idea of what was done on a higher scale at the Mysore Darbar. Do you think you would get anything out of that, if they held an assembly once or twice a year?—Perhaps once a year you might hear of something, but as a rule they would simply bring out something in the nature of an irrigation dispute or something that they personally wanted.

3372. It would be very difficult to keep order?—You could keep order, but you would only hear of things that you knew of already in your official routine; I do not think you would hear of many new things.

3373. You think it would be representative of particular grievances and not of the general wants of the people?—I think so; I think it would be the same thing over again.

3374. So that really your idea of facilitating your work would be the appointment of a Committee to cut up the returns and accounts and put them on to a modern basis?—Yes, and also the various other matters of routine of which I have given a slight sketch in my statement.

3375. If that were done, you think you would get sufficient relief to get in touch with the people?—I cannot say how far the Committee would go.

3376. If it decided on the lines of your suggestions you think that would give you sufficient relief?—If it did what I hope, I think it would give sufficient relief.

3377. (*Mr. Meyer.*) You speak of nothing having been done in the way of the reduction of reports and returns; was there not a considerable reduction in 1897?—I do not think it affected Divisional Officers very much.

3378. Did it not rather affect the Tanjore district?—I think it helped the Collector and the Collectorate.

3379. Did it not extend to the Sub-Divisional Officer?—I do not think it made any appreciable difference to the Sub-Divisional Officer.

3380. However, during the last few years there has been no attempt to abolish these returns?—Not that I know of.

3381. Are they all returns prescribed by the Board of Revenue and the provincial Government or are a number prescribed by the Collector?—A few I think are prescribed by the Collector.

3382. Those he could abolish if he thought fit?—I do not think there are many, and I doubt whether any of those could be abolished; I can only think of one, and that is about encroachments.

3383. Then as to the general revenue forms; was there not a general alteration of these forms in about 1898 or 1899?—This list is a revised list, but I still think it could be cut down.

3384. The village accounts to your mind are too complicated?—No doubt.

3385. You say there are about 26 village accounts; is it necessary to have so many, for administrative purposes and statistical purposes?—I know very little about statistics; they are managed from above; but for administrative purposes I think they might be reduced considerably.

3386. And as regards the *taluk* office accounts, do you think the same?—I think probably some could be reduced.

3387. You spoke of the desirability of giving the District Magistrate more control over special departments. Has he not already control over the Superintendent of Police, which is one of the departments you mentioned?—I spoke of the greater independence of the police.

3388. Do you consider that the police are undesirably independent of the District Magistrate?—I think they might be more directly under the District Magistrate.

3389. The District Superintendent is subordinate to the District Magistrate in matters affecting the prevention of crime and the peace of the district, but is not so subordinate to him in the matter of the organisation and discipline of the police force?—Yes.

3390. And you would bring him under the District Magistrate as regards that?—As regards the organisation and management of the force also, at any rate in some matters.

3391. Then as to the forest officer; do you consider that he is too independent?—No, I have not mentioned him.

3392. The forest officer takes, more or less, the technical matters independently of the Collector; and is his assistant in regard to the rest?—Yes.

3393. You would like the Public Works Engineer to be in the same position as the forest officer?—Yes.

3394. Are there not sub-engineers and overseers throughout the district?—Yes.

3395. You would like the sub-engineer in Negapatam, if there is one, otherwise the overseer, to stand to you in the same position as the District Engineer stands to the Collector?—No.

3396. Then would you desire that the District Engineer should be under the Collector and that the overseer and the Sub-Divisional Officer should be under the Executive Engineer?—Yes.

3397. The Collector has no direct charge in any part of the district?—No.

3398. The whole district is divided into divisions?—Yes.

3399. Do you consider that the Divisional Officer should have larger control over the repairs of tanks and so forth?—Yes.

3400. How would you propose to bring that about?—If the Executive Engineer were under the Collector I should feel justified in matters of emergency in requesting the Sub-Divisional Officer to do such and such work.

3401. Is not that practically what I put to you—that if the Collector is superior to the District Engineer you would similarly be able to give directions to the local subordinate of the engineer?—No; I would suggest no further powers than, for instance, with the Assistant Superintendent of Police. I feel justified in asking the Assistant Superintendent of Police, or suggesting to him, to do such and such work, because he is also a fellow subordinate with me of the Collector's; I have also power at present to issue direct orders in some matters to Police Inspectors. I do not now feel justified in doing that sort of thing with the Sub-Divisional Officer or the overseer of the Public Works Department.

3402. If it were put under the Collector the local arrangements would follow as a matter of course?—Yes.

3403. Are the Tanjore divisions especially heavy as compared with other divisions in which you have been?—My impression is that the revenue work is heavy.

3404. But not the magisterial work?—The magisterial work is average.

3405. Is it your usual experience that a Divisional Officer devotes three hours a day to magisterial work?—Yes.

3406. That is including appeals?—Including all kinds of work.

3407. The trial of original cases and the hearing of appeals from Second and Third Class Magistrates?—Yes.

3408. You desire a larger power of appointment for Divisional Officers generally?—Yes.

3409. You would go up to what?—Rs. 50 or something like that. I would give all Divisional Officers of over two years' experience the same power as that which is now enjoyed by the Sub-Collector.

3410. Speaking generally, what pecuniary limit would that be. He appoints his own personal office, and he appoints other people up to Rs. 40.

3411. How about revenue inspectors?—I think they should be under the Divisional Officer.

3412. Should they be appointed by him?—Yes.

3413. Are they posted by him now; is a revenue inspector sent to the Divisional Officer and posted within the division at the Divisional Officer's discretion, or is he appointed by the Collector from *firka* to *firka*?—I, as acting Sub-Collector, have all the appointments of revenue inspectors; I forget exactly what is the power of a junior Divisional Officer; I think he can remove an inspector from *firka* to *firka*.

3414. But your position as Sub-Collector is by grade seniority?—Yes.

3415. And if you reverted to the position of Head Assistant you would lose powers?—Yes.

3416. Do you consider that the personal grading of Sub-Divisional Officers is a good system?—Yes.

3417. Has it diminished transfers?—Yes.

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3418. Would you be prepared to adopt the same system as regards tahsildars, to make their appointments personal and not according to the *taluk*?—Yes.

3419. Do you consider that the present system of attaching the pay to the *taluk* causes unnecessary transfers of tahsildars?—I think so sometimes.

3420. You spoke of village officers. You have at present the power of dismissing any village officer?—Yes.

3421. Do I understand you to say that you should have the power of dismissal with no appeal?—With only one appeal to the Collector.

3422. Is there ordinarily more than one appeal now?—In a great many cases there are appeals to the Board of Revenue.

3423 In the case of every village officer you punish there is an appeal?—Almost every village officer I dismiss appeals.

3424. But suppose you suspend him?—I should say that about 15 per cent. of those suspended for three months or over appeal to the Board.

3425. If you fine him?—In the case of a fine, he hardly ever appeals.

3426. But whatever you do to him in the way of punishment he can appeal to the Collector?—I think in the case of petty fine there is no appeal.

3427. But you say he has a second right of appeal to the Board of Revenue in the case of dismissal; I am trying to get at whether it is only in the case of dismissal or whether there is any other form of punishment under which he is allowed a second appeal to the Board of Revenue.—He does appeal in the case of suspension as a matter of executive practice; sometimes the appeal is rejected on the ground that there is technically no appeal, but sometimes a report is called for.

3428. Is there a standing order which lays down that there is no right of appeal?—I believe so, but I am speaking of executive practice where he does appeal.

3429. And in spite of the standing order, the Board admits the appeal?—I have frequently been called upon to report in such cases, and the appeal is dismissed finally on the ground that there is no appeal.

3430. That is to say, although the matter might have been rejected originally on the ground that the appellant had not the right to a second appeal, you were put to as much trouble as if he had had that right?—I have had to report, yes.

3431. As regards these village officers, over the greater part of the Madras Presidency they are hereditary?—Yes.

3432. They are men who have a considerable standing in their village by reason of their hereditary character?—That standing is not what it used to be.

3433. Should the fact that they are hereditary make any difference in regard to the tenderness with which they are treated in the matter of appeals? Would you treat an hereditary village officer differently from one who was not hereditary?—He certainly should be allowed more consideration, and I think he is allowed more consideration in the district on that ground.

3434. Would you on that ground give him a second appeal, or would you leave his fate entirely in the hands of the Collector?—I would leave his fate in the hands of the Collector.

3435. Although that might involve his family being disgraced and another family coming into the village office?—Yes.

3436. You said that you endeavoured to give notice of your tours and so on; is it not sometimes desirable that you should go to a place without notice, so as to discover exactly how matters stand?—Yes, I do sometimes.

3437. Did you hear the last witness's suggestion as to the reconstitution of *taluks*?—I only heard

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the beginning of his evidence, about giving tahsildars the same powers as Deputy Collectors.

3438. And that you were to convert every tahsildar into a Divisional Officer; that is to say each of the existing Divisional Officers would have charge of a *taluk* as his division, and the remainder would be filled by moving up the tahsildars as Deputy Collectors, and the present revenue inspectors would in their turn become tahsildars; so that you would have a large increase in the number of divisions, and a great number of petty *taluks*; what is your opinion of such a scheme?—I think it is unnecessarily expensive.

3439. And would it greatly improve administration?—My first impression is that it would not.

3440. You cannot at present, at any rate, see any merit in it that would be worth the additional expense it would involve?—Not at present.

3441. You said something about dry crop remissions. You are aware of the Madras Revenue Settlement that in the case of dry crops the vicissitudes of seasons are more largely taken into account than in the case of wet crops?—Yes.

3442. Would that not be a ground for treating the dry crops differently?—Yes.

3443. I do not say for giving no remission at all, but for requiring more careful scrutiny in the case of dry crops than in the case of wet crops?—Yes.

3444. Have you any powers of suspension of revenue as apart from remission?—As a Divisional Officer, I do not think I have any powers of suspension.

3445. Cannot you suspend the collection of revenue pending further investigation as to whether there is a case for remission or not?—I have forgotten the latest ruling; my impression is that at present it is in the power of the Collector to do that.

3446. Do you think that that is sufficient, or that in certain cases it might go to the Sub-Divisional Officer?—I think up to Rs. 3,000 it might be with the Divisional Officer.

3447. On wet land, or dry, or both?—On both.

3448. As regards the *taluk* Board, is there a Vice-president?—Yes.

3449. Who is he generally?—The headquarters tahsildar.

3450. That is to say, he is generally an official?—Yes.

3451. Have you been aware of any non-official Vice-president?—Not personally.

3452. You really think that education would be done more satisfactorily if the *taluk* and District Boards had nothing to do with it?—Yes, primary education.

3453. Would you give any say in such a case to the Collector or to the Divisional Officer, as such?—I would say that it should still be expected that they would be consulted in matters relating to new departures and so forth by the Education Department.

3454. The whole authority then for creating new schools, or abolishing schools, or altering the status of schools, would rest with the assistant inspector of schools, or the inspectors of schools, or something of that sort?—Yes, but he should be required in all cases to consult the Revenue Department.

3455. Suppose you, as Sub-Divisional Officer, did not agree with the assistant inspector of schools, what would happen?—I would report my point of view to the Collector, and he would give his point of view to the Director of Public Instruction, and the Director of Public Instruction would decide.

3456. Would there be a certain amount of friction over that?—I think there would be less friction than there is at present in the scramble for grants.

3457. Do you not have more power at present as President of the *taluk* Board than you could possibly have under such a system?—Yes, we have more power. I think it is one of the powers which might be delegated to another department.

3458. You propose to abrogate the executive power and to take the position of an officer who is consultative only?—Yes.

3459. You spoke of the scramble for grants and said that roads suffered from the demand for education. Is there no order that a certain proportion of the *taluk* income must be laid out on their roads?—Yes.

3460. What proportion is it?—I do not remember at present.

3461. I put it to you that it is 50 per cent. of the land cess plus the income from tolls. Does not that give a guarantee that a large amount of money will be spent on roads?—I am not certain whether it is always carried out, and in any case there is certainly a demand for more roads rather than for more education, as a matter of fact.

3462. But it is for the *taluk* Board to decide, if they have not enough money to go round, whether they will apply it to roads or whether they will apply it to schools, is it not?—But our budgets are altered by the District Boards and by Government, and the Director of Public Instruction has a final say, about educational matters in Madras, that is to say with Government; whereas there is no one to have a final say in support of roads.

3463. You say your budget is altered by the District Board; in what direction as a rule does the District Board alter your budget?—They say "You shall not spend on this and you must not spend on that"; they transfer money from one head to another.

3464. The *taluk* Board is represented on the District Board?—Yes.

3465. And you sit as an *ex-officio* member?—Yes.

3466. So that you can always have your say before the District Board decides one way or the other?—Yes.

3467. You say that the final power rests with the Director of Public Instruction, with regard to education grants; is that so?—I only say that the budget is criticised by the Director of Public Instruction, and his criticisms are forwarded to Government, when final orders are passed.

3468. Then it finally rests with Government?—Yes.

3469. Is it your experience that Government as a rule takes the side of the Director of Public Instruction against the President of the District Board?—I cannot say that.

3470. You have mentioned matters in which you desire that the *taluk* Board should get rid of their powers. Are there any larger powers that you would like to see given to the *taluk* Board?—I have put down one or two matters of detail.

3471. But apart from detail is there any general idea on which you would give them larger powers?—I would give them more complete control in financial matters.

3472. In creating appointments and so on?—Yes.

3473. And sanctioning allotments for Public Works?—Yes. Under existing rules a certain number of things have to go up to the District Board for sanction.

3474. Who appoints the members of the *taluk* Boards now?—The President of the District Board; the nomination is made by the President of the *taluk* Board; it goes up to the President of the District Board, who nominates to Government; it is then notified in the Gazette.

3475. Does Government still appoint all the members of the *taluk* Board and select them, or has the power been delegated in any way to the District Board President?—I do not know that exactly; I know it is practically done by the Collector; but a reference on the subject does go up to Government?—Yes.

3476. You would be in favour of the President of the District Board appointing them?—Yes.

3477. Would you go further and allow the *taluk* Board President to appoint them?—No.

3478. Because they are your colleagues?—I think there should always be a certain amount of supervision by an officer above you.

3479. Take the village panchayat; would you allow the Divisional Officer to appoint their members?—Yes.

3480. How many municipalities are there in your division?—One.

3481. Do you sit on that *ex-officio*?—Yes.

3482. Are you Chairman of it?—No. There is an elected Chairman.

3483. As regards outside control, all matters connected with correspondence between the municipality and the Government come before you in the first place?—Yes.

3484. Do you have much work of that description?—There are a considerable number of papers.

3485. Would you be in favour of giving the Collector larger powers of supervision over the municipalities, reviewing the administration report or passing the municipal budget and so forth?—I should say that the budgets and the administration reports should still go to Government, but the other matters I have mentioned in my statement might stop with the Collector.

3486. Minor matters of expenditure and so forth?—Yes.

3487. As regards appeals; if you dismiss a *taluk* Board servant or suspend him, to whom does the first appeal lie?—I think it is to the District Board President.

3488. Not to the *taluk* Board?—I cannot remember which of the two it is; I know in the case of the District Board the appeal is from the President to the District Board.

3489. From the President acting singly, to the Board as a collective body?—Yes.

3490. Assuming that that is not the case in the *taluk* Boards, would you be in favour of that?—I think it would be desirable.

3491. Then if the *taluk* Board confirmed the decision that was taken by its President individually, you would bar any further appeal to the District Board?—Yes. My recollection is that the first appeal is from the President of the *taluk* Board to the President of the District Board.

3492. Therefore there is no appeal from the individual to the collective body in the case of the *taluk* Board as there is in the case of the District Board?—I think not.

3493. In the municipality there is?—In the municipality there is an appeal to the Council.

3494. From the decision of the Chairman as an individual?—Yes.

3495. Are the villages in Tanjore and in other Tamil districts rent by factions?—They are very much rent by factions in Tanjore, and to a less extent, but to a considerable degree, in villages in the other districts of which I have had experience.

3496. But especially so in Tanjore?—Especially so.

3497. Would the existence of such factions militate against the administration of matters belonging to the village by a village panchayat?—Very greatly.

3498. In Tanjore and other Tamil districts is there a considerable low-caste population attached to the villages?—Yes.

3499. Do you think that they would get representation on any panchayat?—I think that they would get nothing.

3500. Do you think that the higher castes would take their interests into consideration in the matter of schools for instance?—No. I can quote an instance where the *taluk* Board had sanctioned a *Panchama* school in a particular village.

3501. Perhaps you will explain what a *Panchama* school is?—It is a school for low caste people known as *Pariahs* or *Panchamas*; their employers, the high caste people, made so much trouble about the granting of land and the giving of a suitable site, that we finally abandoned it in that village.

3502. Therefore if there was a system of allowing a village to run a school of its own the *Panchamas* would not come in to it?—Not at all.

3503. They would not be allowed to come in to it?—I think not; I think there would be exceptions; for instance, in South Arcot.

3504. In South Arcot they are on more friendly terms?—Yes, and they have more influence.

3505. Then as regards the liquor shops; the *Panchamas* are the drinking class?—Yes.

3506. The higher castes as a rule do not drink?—Some *Sudras* drink. The majority of drinkers are non-caste.

3507. Suppose any matters such as the distribution and location of liquor shops were left to the panchayats would there be danger of the *Panchamas* being unfairly treated in the way of getting no shops or an insufficient number of shops?—I think there probably would be a danger.

3508. (*Chairman.*) You said in answer to Sir Steyning Edgerley that if an Advisory Council was started it would be merely a case of repeating old grievances which had been brought up at the *jamabandis*?—Brought up at the *jamabandis* and on petitions.

3509. Might it not be an old grievance with a new aspect to it?—I should say that if a Divisional Officer has done his duty the aspects ought all to have been considered.

3510. Not from that point of view, but from the point of view of fresh evidence that might be brought to notice which had not been brought to notice at the *jamabandi*?—I do not think that anything very much new would come out.

3511. You say that the Sanitary Commissioner being at present overworked causes delay in the execution of important work?—I said *probably*.

3512. Do you find that somewhere or other these schemes coming up from divisions do stick for a considerable time?—The Negapatam market works stuck for more than a year; the water works scheme is still sticking.

3513. That was due to the necessity of it passing the Sanitary Board?—I do not know the exact details, but the delay seems to be after the scheme or project has left the Collector.

3514. So far as you can find out that is the place where it sticks, the Sanitary Board?—As far as I can see.

(*The witness withdrew.*)

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Mr. P. B. THOMAS was called and examined.

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3515. (*Chairman.*) There are one or two points, I understand, to which you, as District Superintendent of Police, desire to draw our attention; perhaps you will tell us briefly what they are?—The District Superintendent of Police has not got sufficiently large powers of his own to command the personal influence with his men which he ought to have in his own district. I have practically command of over a thousand men, and I cannot order a man a black mark, which is a very small punishment, without his having the right to appeal to at least one officer over my head. I cannot give a police constable a petty reward of even 8 annas or a rupee on my own responsibility; I cannot say to a man: "I will give you a little reward"; I have to say to him: "I will recommend a reward," even if it is a rupee. I have no power of promotion at all; I cannot promote a police constable to a head constable's appointment at Rs. 14 a month; that all has to be done over my head. I have absolutely no command of any money in the way of secret service, and if I want to send a man on special duty on any detective work, I have to obtain the money all the way from the Inspector-General's

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Office in Madras; and if it is a matter of urgency I have to pay it out of my own pocket and trust to recover it afterwards, which is a matter of great correspondence. I have no power of transferring inspectors inside my own district, and I think it is impossible to keep a district in the order in which it should be kept unless both the District Magistrate and the Superintendent of Police together have power to transfer any non-gazetted officer to places where they wish him to go to inside their own district. Those are the points on which I think every District Superintendent ought to be given much larger powers.

3516. What you feel is that the present restrictions upon your powers are such as to prevent you having that influence with your force that a police officer ought to have?—Yes.

3517. And that if you had larger powers conferred upon you it would enable you to prevent and detect crime with greater facility than you can now?—Yes. The present system tends to a dead level of work, and if anything special is demanded of any man by me I have not sufficient authority with the man to make my personal influence as great as it ought to be. In all police work personal influence counts for a great deal.

3518. What is the size of your district?—5,000 square miles.

3519. That is a large area for a single officer to be able to get round?—Yes. I have two Assistants, and the inspection can be done. I do not think I am in a bad position as regards the area of the district in this particular district, but in most districts of Madras it is absolutely impossible to cover the area properly.

3520. Is yours one of the smallest districts?—No, but I have more Assistants than they have in other districts.

3521. What is your district?—South Malabar.

3522. You look upon an area of about 5,000 square miles as the limit that ought to be the area of any District Superintendent?—It depends entirely on the number of Gazetted Assistants supplied to the district. I think a District Superintendent could look over a much bigger area if he were supplied with sufficient Assistants.

3523. Do you think he could personally look over it?—He could personally administer it; he could not personally look over it.

3524. Is that not desirable?—I do not think it is absolutely necessary.

3525. It is not desirable?—It is desirably certainly.

3526. Very desirable?—Certainly.

3527. How long have you been in your present district?—Only three months.

3528. You have about 20 years' service?—Over 20 years.

3529. How many districts have you been in during that time?—About five.

3530. How long does it take you to become fully acquainted with a district of the size of your present one?—Very nearly two years.

3531. Does the system of leave necessitate an increased number of transfers?—It causes them; I do not think it need necessitate them.

3532. Is there any way in which constant transfers could be avoided?—Yes. I think in cases where a man gets an unpopular district or undesirable district he frequently takes leave after he has been there a short time with the idea of escaping from the district; when he comes back he is probably posted to any district that happens to be vacant at the time, and is not sent back to his original district as he ought to be. In many cases where a man is in a district that he likes and goes away on leave for a year, when he comes back he is put into the first available district, and is not sent back to the other district, although he may have been there for only two years before.

3533. Could any system be devised by which men could be kept longer in their district?—Very simply. I think it ought to be an understood thing that when an officer is posted to a district he should spend at least six years in the district, and that arrangements should be made to fill his place when he is away not by a permanent appointment; it should be understood that a man put in to act for him should give way to him when he came out again.

3534. Could that be done by employing some of the senior Assistants?—There are always a certain number of Superintendents of the standing of a senior Assistant who are bound to go on acting for two or three years until they become full Superintendents; there are always four or five gentlemen of that kind, and they might be relied upon to fill these vacancies perfectly satisfactorily and without inconvenience.

3535. That would give some relief in the matter of transfers to the greater number of Superintendents and Assistant Superintendents throughout the Presidency?—To Superintendents certainly.

3536. Is there any general delegation of powers which your Inspector-General could hand on to you or to your subordinates that you would like to have?—None beyond those I have been speaking about as to punishments and rewards and a certain amount of money being placed at my disposal. There is one smaller point which I think has not been mentioned. At all sub-divisions the Assistant Superintendents have small offices of their own in their ranges; those ought to be administered altogether, and the Assistant Superintendents might work with the headquarters offices; that would give the Superintendent greater freedom of action, because he would be able to detail them all to special work better than he can now, and it would relieve the Superintendent and District Office of a great deal of unnecessary correspondence.

3537. (*Sir Steyning Edgerley.*) Would not your system of reposting to a district on return from leave be rather hard on individual officers? Take it in this way: I suppose in every Presidency there are 8 or 10 good districts, and perhaps some middling, and then some very bad ones?—Yes.

3538. Suppose your officer goes on leave from a very bad one; will it not have knocked his constitution to pieces very often?—But the districts are not bad because they are unhealthy as a rule; they are bad because they are unpopular in other ways.

3539. Have you not some unhealthy districts in Madras?—We have some unhealthy, and some of the most unhealthy are the most popular.

3540. You do not think that is an objection?—No.

3541. (*Mr. Meyer.*) I suppose your idea would be carried out if it were arranged that an officer spent from three to five years in the same district; you would not keep him in the same district for the greater part of his service?—I would not keep him in any district more than four or five or six years, because I think he tends to get slack after that, but up to that time I think he ought to be kept there.

3542. You spoke about giving much larger disciplinary powers in respect of punishments to the District Superintendent?—Yes.

3543. And also to the District Magistrate?—To the District Magistrate only with regard to the transfer of inspectors inside the district.

3544. But as to punishment?—I would not give any powers whatever in ordinary internal matters of police discipline.

3545. Any cases that the District Superintendent could not dispose of as regards discipline would go, as at present, to the Deputy Inspector-General?—Yes.

3546. (*Mr. Dutt.*) In the case of slight punishments you would allow no appeal?—In the case of a punishment as light as a black mark I would allow no appeal.

3547. And in the case of a small fine?—We are not allowed to fine at all now.

3548. You cannot impose a fine on any constable?—No.

3549. Or a head constable?—No.

3550. In the case of transfers what is the recommendation you would make?—I alluded to the transfers of inspectors. I think that transfers of inspectors inside a district should rest with the District Magistrate in consultation with the District Superintendent. That would make the influence of the District Magistrate and the Superintendent very much stronger and would prevent a great deal of correspondence.

3551. Do you have to take your orders now from the Deputy Inspector-General?—The transfers of inspectors of police depend on the Deputy Inspector-General's judgment.

3552. What is the result of having a black mark against a man?—If he has an accumulation of black marks it affects any increment of good conduct pay which he may have earned previously, and a certain number entail his dismissal.

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3553. With the exception of the black mark, in every other case of punishment you would allow one appeal?—Yes.

3554. (*Chairman.*) Does the necessity of getting sanction from higher authority to punish by suspension or reduction of pay cause much correspondence?—No it does not. If I punish a man with a black mark, in practice it is practically a matter of course that the black mark will be confirmed; but the fact that I cannot do it without appeal does weaken my influence very much with my men.

3555. It is a question of prestige, not of correspondence?—Yes.

(*The witness withdrew.*)

Dewan Bahadur P. RAJARATNA MUDELIAR was called and examined.

Dewan Bahadur P. Rajaratna Mudeliar.

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3556. (*Chairman.*) What has been your occupation hitherto?—I was a Government servant until 1905. I was tahsildar, Deputy Collector, Personal Assistant to the Salt Commissioner, Head *Sherishtadar* of the Board of Revenue, Secretary to the Board of Revenue in the Settlement Department, and, finally, Inspector-General of Registration.

3557. Compared with other provinces, are the Collectors' charges in Madras very large?—Yes.

3558. And you think they might with advantage be made smaller?—Yes.

3559. That would increase the number of Collectors and Divisional Officers?—Yes.

3560. And of course of the officers under them?—Yes.

3561. The *raiyatwari* system necessitates a greater demand on the time on the part of the Divisional Officers than is the case under the *zemindari* system?—Yes.

3562. Is the demand on the time of Divisional Officers now so great that they are losing touch with the people in their districts?—Decidedly.

3563. Have you noticed during the time you have been in Government Service an increase or decrease of this?—An increase.

3564. A decided increase?—Yes.

3565. Is that due in any way to the lack of linguistic knowledge on the part of the officers, or is it due to the necessity of keeping up with the great mass of correspondence that they have, or is it due perhaps to both?—Want of linguistic knowledge of course is confined only to European officers, but, as regards the work, that has enormously increased in the past 20 years owing to the number of fiscal and special laws that have had to be passed for the protection of the revenue.

3566. In the case of those who are natives of the country, you find they too are also divorced from the people whose affairs they administer?—Yes.

3567. And the divorce in their case is quite as noticeable as in the case of European officers?—To a great extent.

3568. Some loss of administrative power is occasioned by the constant transfer of administrative officers from charge to charge?—Yes.

3569. In Madura there were no less than five changes of Collectors within three years?—Yes, those figures have to be verified, but I believe there must have been at least four.

3570. Is Madura a very large district?—Yes, a very large and important district.

3571. With a large population?—Yes.

3572. It would take some time for a Collector to get round the district?—It would, and it is also a difficult district, with a very large turbulent population.

3573. Is only one language spoken in Madura?—Only one language.

3574. It is clearly necessary that in a large district like this an officer should remain a sufficient time to get acquainted with the people?—Yes, he should remain at least four years.

3575. Now he remains how long?—A year, or a year and a half.

3576. You say that the condition of the tahsildars is just as bad as that of the Divisional Officers?—Yes.

3577. When you were a tahsildar yourself did you find much difficulty in getting out into your district?—No difficulty whatever.

3578. It has arisen since your time?—Yes.

3579. Has the mass of returns which the Board of Revenue now requires been increased very much since the time when you were a tahsildar?—Yes, it has been much increased under the requisition of the Secretary of State.

3580. Are all of them due to the requirements of the Secretary of State?—No, but many are.

3581. And some of them, you think, might be abolished?—When I was Secretary in the Settlement Department, I remember I recommended the abolition of certain statements and the submission of others once in five years. At that time the Government of India refused to approve the proposal because they said the information was wanted for Parliament, but I think subsequently there has been some change.

3582. There has been some diminution of these returns?—Yes.

3583. You are of opinion that the Uncovenanted Service might be remodelled; will you kindly outline your scheme?—Yes. My idea is that the work has so enormously increased that either you must reduce the areas or increase the number of officers. As regards *taluks*, it will be somewhat difficult to reduce the areas. Prior to 1868 the *taluks* were about half the present size; in the revision carried out in 1866, in order to provide funds for raising the pay of tahsildars, which was then about Rs. 70 or Rs. 80, they practically doubled the area. Now, with the enormous increase of work that has been entailed, it is difficult for a tahsildar, however energetic he may be, to get through his work. In this Presidency, some ten years ago, tahsildars were relieved of magisterial duties; there were appointed what were called stationary magistrates. Even now the tahsildar is overburdened with work. I therefore propose that there should be a Gazetted Officer in charge of every *taluk*, and that there should be given to him two or three assistants according

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to the importance of the *taluk*, one for revenue work and the others for magisterial work; then he will be able to keep in full touch with the people and to stop the corruption which is now rampant in every *taluk*—in the lower grades of course.

The main principle of the scheme, which I would suggest, is (*a*) to constitute the higher grades of the Uncovenanted Service, comprising all appointments carrying a salary of Rs. 200 and upwards, into "an exclusive service," to be recruited partly by competition, partly by selection, and partly by promotion from the lower grades; (*b*) to provide each *taluk* with a Gazetted Officer (either a Covenanted Civilian or an Uncovenanted Deputy Collector), with two or more assistants, one for revenue and one or more for magisterial work; and (*c*) to give each Collector a Personal Assistant of the rank of a Sub-Collector, or a Head Assistant or an officer of the "listed service." Under this scheme, the Collector will be freed from a mass of office work which now prevents him from touring about and freely moving among the people; and every *taluk* will be provided with a complete staff of officers who will be able to hear and dispose of all complaints in person and keep closer touch with the people than is possible under present conditions.

Not only will the pay of these Magistrates be slightly raised, but, what is of more importance, they will all be placed under the immediate supervision of a Gazetted Officer, who will be on the spot, promptly to check any irregularities that may occur. Moreover, the powers of these subordinates might ordinarily be limited to the trial of offences punishable by Third Class Magistrates and they may be debarred, where necessary, from taking up cases triable by Second Class Magistrates, except such as may be transferred to them by the Divisional Magistrate. These latter officers will generally be invested with summary powers and will thus be able to dispose of all important cases themselves. The increase in the number of First Class Magistrates will not necessarily lead to an increase in the number of cases triable by those officers, nor in the number of appeals against their decisions, but, on the contrary, there is every probability of a diminution in the number, as with reduced charges and more leisure, the officers would be able to dispose of all cases much more satisfactorily than at present. Similarly, the work of supervision on the part of the District Collectors will be reduced rather than increased.

Concurrently with the increase in the number of Divisional Officers, it is necessary that the Collectors' *sherishtadars* should also be included in the grade of Deputy Collectors.

Including the recently formed district of Guntur, there are 23 districts, for each of which there is a Collector. There are 14 Sub-Collectors, 21 Head Assistants, 16 Assistant Collectors (average), and 83 Deputy Collectors. This is exclusive of the two special Assistant Collectors employed in the Agency tracts. Including Madras and the Nilgiris, there are 161 *taluks* in the Presidency, for each of which a Gazetted Officer will be required. The 14 Sub-Collectors will be posted as Personal Assistants to the Collectors of the more important districts. For each of the remaining 7 districts excluding Madras and the Nilgiris, either a senior Head Assistant or a Provincial Service Deputy Collector may be attached as a Personal Assistant. These officers will have no separate divisional charges, but it should be open to the Collector to post them to the charge of any particular *taluk* when an emergency arises, or depute them for any important duty, and call in a Deputy Collector to headquarters to take their place. Excluding these 21 officers and 4 Deputy Collectors who are on other duty, *viz.*: two as Presidency Magistrates, one as Assistant Secretary to the Board of Revenue, and one as Assistant Superintendent of Stamps and Stationery, there will remain 14 Head Assistant Collectors, 10 passed Assistant Collectors who will be competent to be placed in independent charge, and 79 Deputy Collectors, or a total of 103 Gazetted Officers for the charge of 103 *taluks*. This will leave 58 *taluks* to be provided for. Adding to this the Collectors' *sherishtadars*, who will be graded as Deputy Collectors, *viz.*: 23, we shall require 81 additional Deputy Collectors to give effect to the proposed scheme. This will raise the total number of Deputy Collectors to 164, including the four officers on other duty.

I have adopted the following scale in calculating the financial results of the scheme:—

Deputy Collectors.

Existing.			Proposed.		
No.	Cost.		No.	Cost.	
	Rs.	Rs.		Rs.	Rs.
2 on	700	1,400	2 on	800	1,600
5 „	600	3,000	4 „	700	2,800
15 „	500	7,500	8 „	600	4,800
22 „	400	8,800	14 „	500	7,000
19 „	300	5,700	24 „	400	9,600
20 „	250	5,000	30 „	300	9,000
			40 „	250	10,000
			42 „	200	8,400
Local allowance ...	...	250	Local allowance ...	...	250
—	...	53,450	Total ...	...	53,450
83	...	31,600	164 Increase ...	...	21,800

Divisional Officers' Establishment.

Establishment of Sub-Collectors (Rs. 337), Head Assistant Collectors (Rs. 245), and Deputy Collectors (Rs. 130).	17,435	Establishment of 160* Divisional Officers at Rs. 160 per mensem. Deputy Collector, Madras (Rs. 412).	26,012
		Increase	8,577

* I allow four clerks on Rs. 50, 30, 25 and 20. Being at the *taluk* head-quarters, the Divisional Officer can command the assistance of the tahsildars' clerks when urgently required.

Tahsildars, Deputy Tahsildars and Stationary Sub-Magistrates.

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Existing.			Proposed.		
No.	Cost.		No.	Cost.	
	Rs.	Rs.		Rs.	Rs.
12 Tahsildars on	250	3,000	70 Tahsildars	175	12,250
24 „	225	5,400	120 „	150	18,000
40 „	200	8,000	100 „	125	12,500
42 „	175	7,350	153 „	100	15,300
43 „	150	6,450			
53 Dy. Tahsildars	120	6,360			
102 „	100	10,200			
35 Staty. Sub-Mags.	120	4,200			
92 „	100	9,200			
—			—		
443 Total ...	...	60,160	443 Total ...	...	58,050
			Decrease ...	...	2,110

Savings.

	Rs.
Land Records Superintendents, Tahsildars and Deputy Tahsildars	4,475
Temporary Deputy Collectors	2,500
Saving in the pay of *Huzur Sherishadars*...	4,475
Total savings	11,450
Net increase per mensem	16,817

The net increased cost amounts to Rs. 2,01,804 per annum or two lakhs in round figures, representing an increase of only ·32 per cent. on the total land revenue of the Presidency (Rs. 628·86 lakhs). If the Government of India would not object to adding another lakh to the cost proposed, I would advocate an increase in the number of Covenanted Officers as suggested above, and a corresponding reduction in the number of the last grade Deputy Collectors. In making these calculations, I have not taken into account the increase involved in Mr. Meyer's scheme for the redistribution of districts and *taluks*, the details of which have not yet been published. An increase in the number of districts and *taluks* is necessary, and I would increase the number of districts to at least thirty, limiting the extra cost to a moderate figure, by grading the additional officers partly in the third grade and partly in the Provincial Service. I have not also taken into account the increase in the pay of the *Huzur* and *taluk* establishments which is, I believe, under the consideration of the Board of Revenue.

The pay of tahsildars, deputy tahsildars, and stationary sub-magistrates should be made personal, but the number of each class of officers to be allotted to each *taluk*, and the number in each grade to be assigned to each district, should be fixed once for all by the Government.

I do not think that the number and pay of the revenue inspectors require any alteration. The scale was revised in 1890, and in 1906 a large staff of additional inspectors (157) was sanctioned for Land Records work whom I propose to retain. The revenue inspectors have hitherto been burdened with the duty of enquiring into every petition presented to the tahsildar or Divisional Officer. If the proposed scheme is approved, most of these petitions, except such as require measurement of the lands in dispute, will be enquired into by the tahsildar or his deputy, while the more important cases will be taken up by the Divisional Officer himself. Claims for remission for failure of wet crops above a certain limit will also be examined by these officers. The revenue inspectors' duties will then be confined chiefly to checking the accounts of cultivation and collection, inspecting boundary marks, cultivation of second and third crops, encroachments, &c.

3584. Do you consider that the position of the tahsildars ought to be very much raised?—Yes. Practically my scheme will carry that out.

3585. Would the increase of number of Gazetted Officers, giving one for each *taluk*, very much increase the work of the Collector?—I do not think so. With a good, honest officer on the spot, the work would be rather less; the work would be much more efficiently done than at present, and the appeals would be fewer.

3586. Do you consider that the appeals now are too numerous?—I do not think they are numerous.

3587. But you told us that the number of appeals would be largely reduced by the scheme which you proposed?—Yes, the present number will of course be reduced.

3588. Then I assume from that that they are too numerous?—They are not too numerous.

3589. The scheme which you propose would very much reduce them?—Yes.

3590. Would that not rather point to the fact that they are too numerous now?—They are undoubtedly large, but the necessity of appeals will be less under my scheme. What I say is that merely to increase the number of officers who can try first-class cases will not necessarily increase the number of appeals. If there are 50 first-class cases, there will be more people trying the 50 cases, that is all, so that it does not follow that the number of appeals would be greater; on the contrary, if the work is better done the number of appeals will rather fall.

3591. Are you in agreement that the appeals as to punishment may very properly be limited to one above the officer who gives the original decision?—I would draw a line as regards the limit of pay.

3592. Above so many rupees a month?—Yes, clerks paid so much might be allowed one appeal, and above that pay they might be allowed two appeals.

3593. Where would you fix that limit?—Say about Rs. 50.

3594. In no case should there be more than two appeals, in your judgment?—Not necessarily, excepting of course for Gazetted Officers.

3595. Then you suggest that the pay of the stationary sub-magistrate is much too low?—Yes.

3596. What is it now?—Rs. 100 to Rs. 120.

3597. What do you think it ought to be?—I have worked out a scheme in which I propose that there shall be four grades, Rs. 175, Rs. 150, Rs. 125, and Rs. 100. My scale, provided there is a complete establishment, will bring out a total cost of about two lakhs for the Presidency, which is certainly not large, considering that the present

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cost compares very favourably with that of other provinces. Madras has been practically starved in the matter of establishment.

3598. You said just now that there was a great deal of corruption in the lower ranks?—Yes.

3599. At what rank in the hierarchy does that corruption begin?—The revenue inspectors and village officers chiefly.

3600. What is the reason of that corruption; is it mere desire for gain?—No, it is the rigour with which the various special and fiscal laws have to be enforced; there is the Salt Law, the Excise Law, and the Forest Law, and many other laws—laws about irrigation, laws about encroachments, and so on—that give a dangerous power into the hands of the lower officers, and the first manipulation begins with the village *karnam*.

3601. Then it will not remove in any way the source of corruption if you increase the pay of these inspectors and subordinate officers?—You may increase the pay, but unless there is local supervision by a responsible officer, it is not likely that merely increasing the pay will produce the desired result; of course it would do some good.

3602. Would you get a better class of men?—You would in course of time, but the opportunity for temptation ought to be removed by prompt check on the part of superior officers. A Gazetted Officer is always likely to be much more effective than an officer of an inferior grade.

3603. Does this cause much discontent among the people?—Yes, the greatest curse of the country is the amount of corruption.

3604. Is that anything new in the history of the country, or is it something that has always been here?—*It* has increased rather than decreased, owing to the increase in the number of restrictive laws.

3605. As the number of restrictive laws has increased, so has the corruption of officers by persons desirous of evading the laws increased?—Yes.

3606. Will you give us instances of the restrictive laws you refer to?—That in regard to forests is one; then the salt and excise laws; then there are rules about remissions; they are not controlled here by legal enactments but by *rules* issued by the Board of Revenue. One rule is that the crop must be preserved for inspection; that is a necessary provision, I fully admit, but the revenue inspector and the *karnam* delay inspections, and the tahsildars have no time to inspect properly, and the result is that the raiyat loses the benefit of the remission.

3607. But where does the corruption come in there?—The raiyat must pay the man to induce him to come and make prompt inspection; if there is delay the cattle graze on it, and he loses the benefit of the little remission he can get.

3608. He may not touch the crop until somebody has come to look at it and certified that it is worth so much?—Exactly.

3609. Besides the provision of rather highly paid officers under the supervision of a Gazetted Officer, how would you propose to get rid of this corruption?—For instance, would you abolish the Forest Law?—No, that is not possible.

3610. The law in itself is a good law?—It is necessary; whether it is good or bad is a different matter, but it is necessary for the revenue and for the good of the people also; but in administering such laws there ought to be some little discretion used.

3611. By whom?—By the officers conducting the prosecutions.

3612. Perhaps they are thinking all the time of their revenue?—For instance the grazing forests are marked out, but not on the ground; there is some flag put up at a distance of two or three furlongs, but the raiyat does not know what the exact boundary is. The cattle trespass on it, and then he is hauled up and prosecuted.

3613. Prosecuted by some minor official?—The forest guard; there is one officer in the district, and practically the forest guard is master of the situation.

3614. The forest guard says, "I want backsheesh," and if he gets it there is no prosecution?—Exactly.

3615. Then with regard to salt?—Similarly, if a man keeps salt water in his house or scrapes a little salt-earth, he is hauled up; the rules provide that the first offence should be excused, but the man has to go before a salt inspector before the excuse can be obtained. Rather than go 20 or 30 miles to see the salt inspector, the man pays two or four annas to the salt peon. Under my scheme, if there is a Gazetted Officer—he may be an Uncovenanted or Covenanted Officer, but he will be a Gazetted Officer—he will be on the spot and in touch with the people, and he will hear all those cases and set matters right. All those things go to the Revenue Department and this officer would be the chief executive officer in these matters.

3616. There is no danger of the transference of the corruption from the forest guard to the Gazetted Officer?—Well, if that is likely to occur, there is an end to all administrative government; but it is not at all likely to occur, because as a class our Deputy Collectors are honest; the only difficulty is that they are not in touch with the people; they have no time.

3617. What is the title of the lowest grade Gazetted Officer?—The Deputy Collector on Rs. 250. As regards Divisional Officers, if my scheme is approved there will be a Gazetted Officer in each *taluk*, so it will be unnecessary to have a separate Gazetted Officer.

3618. You say you are in favour of the creation of Advisory Councils?—Yes.

3619. Should minor irrigation works, grazing lands, roads, village schools, and sanitation all form subjects which the Advisory Council could consider? Would you agree with that definition of the work of the Advisory Council?—They should be simply consultative bodies, and it would be well that the Collector of the district should be in touch with them and ascertain their views.

3620. How often do you think he ought to see them?—Once in two or three months I should say would be quite enough.

3621. Then he would call them together and say, "I have got certain things to settle"—it may be either roads or sanitation or a hundred and one things—"I should like to know what your opinion *is*?"—Yes.

3622. You think he would get a good opinion?—Yes, if freedom of discussion is allowed and the District Officer is given the relief that I propose; he is so much overburdened with work now that he has not time to discuss matters with anybody.

3623. You think he would get a good opinion from the Advisory Council?—Yes.

3624. One witness before us to-day said it was impossible at the present moment for the Divisional Officer to settle a question as to irrigation or division of water. There may be a dispute between village and village as to the amount of water available for this village or that, and the witness gave us to understand that that was a question which would have to be referred to the Public Works Department. That would be a case which would be constantly occurring, would it not?—Certainly.

3625. Is that the sort of question which might be advantageously threshed out at the Advisory Council?—It would not be possible.

3626. You would have to confine their advice to minor irrigation works—the provision of a well or *some small* sanitary scheme or something of that kind?—Yes, and small tanks in each village. There are numbers of them.

3627. Do you think that the creation of Advisory Councils should be accompanied by the revival of the panchayats?—Yes.

3628. How many members do you think would be advisable for a panchayat?—I think not more than five.

3629. I think in the Punjab they have eight?—I do not know; the word "panch" means five, and that is a large enough number.

3630. That is the number which from time immemorial it has been usual to have?—Yes. The panchayat system has practically disappeared at present, and it will require considerable care to resuscitate it; I do not think the difficulties are insuperable.

3631. I gather that in the north of India there has been a distinct attempt to revive the panchayat system and that they entrust to the panchayats the settlement of monetary disputes up to a small sum, and that practically no appeal has been found necessary. Do you think the same thing should obtain in Madras?—Yes, there must have been a recent attempt. At the time of the Irrigation Commission, Sir Denzil Ibbetson recorded a note in which he said, "Under the influence of our rule the faculty of combination and co-operation has diminished and is diminishing"; I think that is true of every other province in India; but we could create such a body.

3632. You think that the faculty of combination might be restored, first of all by the introduction of Advisory Councils and then by the revival of the panchayats?—Yes.

3633. Of course, that would take a long time?—Yes.

3634. But you think it would be well worth the effort?—Yes.

3635. (*Mr. Meyer.*) How long were you in the public service before you retired altogether?—Forty-two years.

3636. You spoke of the large increase of work that you had noticed during that time; was that not largely due to the tendency of the people to appeal against orders passed by the local executive officers?—To a very little extent. So far as revenue questions are concerned, I do not think there is any serious tendency to appeal.

3637. Do you know the Telugu districts?—Yes, my service was chiefly in Telugu districts.

3638. Do you say that there is no further tendency to appeal (I do not say whether rightly or wrongly) against actions of the executive authority now than there was in 1865?—There is a tendency to some extent.

3639. Has there been, in the last generation we will say, an increased tendency on the part of the people to appeal against the actions of the local executive authorities?—Yes.

3640. And in the Tamil districts?—That has been notorious.

3641. Do you think that one of the reasons which lead to the local authorities being over-worked and not being able to get into sufficient actual contact with the people is having to report on these appeals?—To some extent.

3642. And therefore if, without any substantial injustice being done, the mass of appeals could be reduced, it would be a good thing?—What sort of appeals are you speaking of?

3643. I am speaking about the *darkhast* appeals as to who is to get a particular field, or of appeals against an assessment for encroaching on Government land and so forth?—There is only one appeal allowed now in those cases.

3644. There has been some reduction there?—Yes.

3645. When was that reduction made?—I forget the date.

3646. I suggest it was about 10 years ago?—Very likely.

3647. In your opinion has that reduction proved satisfactory?—I do not know what reduction has been made in the number of appeals.

3648. But do you think that substantial justice is done with the one appeal that is allowed; under any system of law there may be occasional injustice, but speaking generally is that what you would say?—On the whole there has been substantial justice.

3649. Take the case of village officers; there used to be almost unlimited capacity for appeals there. That has been reduced?—Yes.

3650. With good effect, in your opinion?—Yes.

3651. Then it might be quite possible to reduce appeals in other matters also and to produce good results too?—I think in this Presidency we have gone far enough so far as revenue questions are concerned.

3652. To put it broadly, you would allow one appeal against any action of a local officer to the officer above him?—Yes.

3653. Would you allow a second appeal—I am not speaking of personal questions—on all executive actions, such as assessments and so forth?—In certain cases, yes; for instance, cases of encroachments and percolation; these are enactments that can be worked very arbitrarily; in these special cases I would allow a second appeal.

3654. Until the matter had been definitely settled by what you might call an accumulation of case law, you would allow a second appeal, but you would regard that as a provisional step towards abolishing them?—Yes.

3655. You said you would abolish second appeals in the case of punishments up to Rs. 50?—Yes.

3656. You spoke of an increase of forms and returns as being due, as far as you know, to a certain extent to the action of the Secretary of State. Has there not also been a certain increase owing to calls for information by the local Legislative Council?—Yes, I do not think it has been very much.

3657. It is to a certain extent inevitable that when there is a Legislative Council formed, and the members take more interest in matters, there will be calls for returns from public servants?—Yes.

3658. And if there were local Advisory Councils would that lead to additional returns; do you think they would want information?—Much of the information ought to be available in the offices.

3659. And the information would be already there?—Yes. In the matter of returns there are two or three returns which entail an enormous amount of work. For instance, there is what is called the Crop Return; that has about 150 columns; such things are hardly worth the trouble taken with them.

3660. Who prescribed that return?—It is a return with reference to a despatch of the Secretary of State.

3661. Did the Secretary of State prescribe the whole 150 columns?—Well, we in Madras do not follow the same system as in other places where mere estimates are accepted; our officers are scientific and thorough, and they elaborated the 150 columns.

3662. Then the actual burden of work in this particular return is not so much caused by the initial requirements of the Secretary of State as by the superstructure that the Government of Madras have raised on it?—I do not know.

3663. However, a certain number of these returns might be reduced without any harm?—Yes.

3664. The particular statement you have referred to might be reduced to one return in five years?—Yes.

3665. The village accounts are very numerous?—Yes.

3666. Are all these accounts necessary?—Those that relate to the settlement of the demand are necessary, and the changes and rises are all essential; but there are other columns in the agricultural statistics which might be omitted.

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3667. What are the particulars which are demanded by the Secretary of State that you object to?—There is the Crop Return; there is the Produce Return.

3668. These all feed that big statement you mentioned just now; if that were abolished it would lead to a reduction of accounts in every village?—Yes.

3669. Apart from this, you do not think the village accounts are unduly cumbrous?—No.

3670. And the *taluk* accounts?—They follow the village accounts.

3671. They were improved some years ago?—Yes.

3672. Was that in the direction of expanding or diminishing them?—Mr. Stokes and myself were on the Committee, and we revised the village and the taluk accounts and tried to improve them.

3673. The improvement was in the direction of reducing and not increasing them?—As to some statements, yes, but in regard to some other statements we had to elaborate.

3674. In the accounts that you say are necessary, those relating to the holdings, to the man's payments, and so forth, could the account be made to cover all the real information required and yet be reduced in size?—I do not think that would be possible; there would be a danger of loss of revenue.

3675. You recollect a scheme of my own for the increase of districts, divisions and *taluks*?—Yes.

3676. I proposed three districts, 16 extra divisions and 17 extra *taluks*. I gather you prefer your own scheme for a larger number of officers?—Yes, that will give you complete autonomy for each *taluk*.

3677. Suppose you had power to introduce your scheme, would you include with it the increase in the numbers of districts, divisions and *taluks* which I proposed and the Madras Government accepted?—I would include your scheme.

3678. That is to say you would increase the number and therefore decrease the area, and the burden of charge, of each?—Yes.

3679. But you would proceed further?—Yes.

3680. I do not quite understand the position of your Divisional Officer under this scheme; is he to take the place of the tahsildar?—No, he will be the Divisional Officer practically; I give him also a tahsildar on reduced pay.

3681. There are two assistants, one for magisterial work and one for revenue work?—Yes.

3682. Is the assistant for revenue work to have precisely the same powers as the present tahsildar?—Yes.

3683. And the same pay?—No, not the same pay; less pay.

3684. Why? Do you think the tahsildar is overpaid now?—I think his responsibilities will be less, and he would have a Gazetted Officer on the spot to help him.

3685. But as regards the distribution of work; at present the local work of the *taluk* goes in the first place to the tahsildar?—Yes.

3686. Would it continue to go to the tahsildar under your scheme?—Yes.

3687. The Divisional Officer will not take any more part in the local work than he does now?—Many petitions are now transferred by the Divisional Officer to the tahsildar and by the tahsildar to the revenue inspector and so on. Most of the petitions ought to be disposed of by the tahsildar or by the Divisional Officer in person.

3688. The result of your scheme would be that the Divisional Officer would usually do a great deal of the work that now goes to the tahsildar?—A portion of it; we should make a sort of distribution about which there would be no difficulty.

3689. Under the system you advocate of one appeal against any particular order, there would necessarily be more appeals to the Collector, since in a particular thing which under the present scheme is done by the tahsildar the appeal would lie to the Divisional Officer. If under your scheme the Divisional Officer puts the tahsildar aside and passes orders himself, then the appeal lies to the Collector?—I do not know; such cases would be very few; in revenue matters the powers of the tahsildar are very limited.

3690. Do you think that the Divisional Officer under this scheme would be in absolute touch with the people?—Yes.

3691. There are *taluks* about 1,000 square miles in extent?—Yes.

3692. Would he still be able to be in touch with the people over those areas?—With one *taluk* he ought to be able to inspect every village once in the course of the year, if not twice.

3693. You stated that you consider corruption has increased of late years in Madras; do you really maintain that?—In the lower ranks it has increased, but in the higher ranks, no.

3694. You say that the Civil Judicial Service is now fairly pure?—Yes.

3695. That was not so a generation ago?—No.

3696. Is the tahsildar of to-day at all as corrupt as the tahsildar of 30 or 40 years ago?—No.

3697. We are getting a higher and better class of officer?—Yes, but he is not in touch with the lower ranks; the first manipulation of the records begins with the revenue inspector.

3698. Then you desire to restrict your remarks to the lower ranks?—Yes.

3699. You admit that in the higher ranks there has been an improvement in the *morale*?—Yes, but unfortunately they are not in touch with the people.

3700. Do you say that the tahsildar is not in touch with the people?—He is not in touch; for some reason or other, even although he has been relieved from magisterial work, he works from morning till evening, and he does not get into touch with the people.

3701. Does he not have to spend about two-thirds of the time in camp?—No, only 15 days in the month.

3702. Do the people not come to him about their grievances?—I do not know.

3703. The Divisional Officer also tours about half the year?—I think it is limited to three months in the year.

3704. I thought it was five?—I am not certain.

3705. Anyhow he tours a considerable part of the year; do the people come to him?—He receives petitions from them.

3706. Do you say the people would come more freely to the Divisional Officer or to the tahsildar?—It all depends upon the *personnel*.

3707. But speaking generally, to whom would they come more frequently?—The tahsildar if he is a good man. The system ought to be, except in cases in which actual inspection or measurement of fields is required, that petitions should be disposed of by him in person after personal enquiry.

3708. You say the tahsildar is too much aloof from the people; I say he has to inspect villages and people can come to see him; you say for some reason or other the people will not come to see him; is that it?—Not that they will not come, but petitions are received and they are sent to the revenue inspectors for report.

3709. But what does the tahsildar do when he goes to some village; does he not go out and see the people and the crops and all the rest of it?—I do not think he really does.

3710. You think he sits in his office and writes reports?—That is so.

3711. Does the Divisional Officer go and see the people and the crops?—No, except when remissions are to be granted and he has to certify them.

3712. I am speaking of the time when the Divisional Officer is going on tour; when he is encamped near a village, does he, or does he not, see the local affairs of the village and the people of the village?—He sees the people and if there are any complaints they are called upon to send in a stamped petition and there is an end of the matter.

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3713. Always?—Always.

3714. Do you mean to say that a Divisional Officer will not take a complaint orally and enquire into it?—No.

3715. You spoke of the forest and other special laws as increasing corruption. Do you desire to give the management of offences under these laws to the ordinary Divisional Officer?—Yes.

3716. You would put aside the forest officer and his subordinates and the excise officer and his subordinate and so on?—No, the forest officer does not exercise any magisterial powers.

3717. But it is he that prosecutes usually?—Yes.

3718. Do you say that the power of prosecution should be transferred to the Divisional Officer?—No, let that be as at present, but the trial of offences should be done by the Divisional Officer.

3719. But it is now, or it may be done by him, or more often by a Second or Third class Magistrate?—Yes, generally by a third class magistrate.

3720. You admit that under the laws if they are properly carried out in the Excise and Forest and Salt Departments and so on there is sufficient power?—Yes.

3721. You would not disturb that at all?—No.

3722. You were a member of the Irrigation Commission?—Yes.

3723. What is your opinion as to the proper relations between the Collector and the Executive Engineer in Madras? Do you think that the Engineer ought to be under the authority of the Collector?—Yes, the old system of District Engineer under the Collector should be restored.

3724. He was formerly under the Collector?—Yes.

3725. When did he cease to be under the Collector?—About 20 years ago I think.

3726. It was more than that, I think; your idea would be that the Executive Engineer should stand to the Collector as the district forest officer does?—Yes.

3727. That is, he should be the assistant under his orders in all matters affecting the administration and the people, but for the technical execution of works he should be under his own Superintending Engineer?—Yes.

3728. You are aware, having served on the Commission, of the Punjab system, under which the engineers not merely construct the channels and keep them in order but take a share in the assessment?—They have complete control.

3729. Do you regard that as a good system for Madras?—No, I objected to it.

3730. You did not think it good?—No. Sir Colin Scott-Moncrieff wanted that system in Madras; I protested, and Mr. Muir-Mackenzie joined with me, and Sir Thomas Higham said: "Do not disturb the Madras system," and so we were left free.

3731. Is it not the fact that in the Punjab the engineer not merely constructs the channels, but sees that the people get sufficient water and at the right time?—In the deltas it is the engineering officer who is practically responsible for the distribution.

3732. Suppose Madras engineers think that a channel wants repairing and do it while the people want water for their crops?—That is exactly what they do, and that is causing great dissatisfaction.

3733. In the Punjab that would bring its own remedy by the fact that the engineer would also be responsible for the assessments, and in the case you put, he would make an allowance in the assessment. You would remedy the defect by putting the engineer under the orders of the Collector; the Collector would say to him "You will please leave that channel; you must repair it later on"?—Yes, it is useless wasting the time of the technical officer by asking him to measure fields and fix the assessment and to dispose of remissions and other things.

3734. You have had great experience of the Madras system of revenue assessments?—Yes.

3735. Are they too rigid in any way—I mean speaking generally?—It is not that they are too rigid, but the allowances made for cultivation expenses are a good deal too low.

3736. I do not want to go into the details of the settlement; but are the settlement rules fairly satisfactory and do they effect their object?—I do not think there is any defect in the rules; it is in the application of the system that the figures are manipulated.

3737. Are there unnecessary references over the settlements?—Yes.

3738. The Board for instance refusing to accept the Settlement Officer's report, and Government refusing to accept the Board's figures?—Yes, there have been many cases.

3739. That is to say, each authority doing the work of the other over again?—Yes, and the result was that the whole of the table elaborately framed by the Deputy Commissioner was upset, and had to be manipulated in some way.

3740. The net result finally arrived at did not differ very much from the results arrived at at first—I mean the net actual results affecting the people?—The revenue was reduced.

3741. But that reduction might have been brought about more simply without having to go through the whole process over again?—Yes.

3742. The system is too complex you would say?—Yes, it is in this Presidency.

3743. You are in favour of panchayats?—Yes.

3744. Is it the fact that in this Presidency there are in many villages a large number of low-caste people, *Pariahs* and others?—Yes.

3745. Supposing a village got a certain amount of local autonomy, would there be any risk of the *Pariahs* being oppressed by the higher castes?—No.

3746. In the past was that your experience?—Yes.

3747. That the *Pariahs* were never oppressed?—Yes.

3748. When there are five men constituting the panchayat there is no danger of any caste being oppressed?—Not if it is represented.

3749. But would the *Pariahs* be in the panchayat?—Oh no.

3750. The panchayat would not sit with *Pariahs*?—They would not.

3751. But you think they would not oppress them?—No.

3752. There is a good deal of faction in these villages?—Yes.

3753. Would that tend against the utility of the panchayats?—Not if care is taken to give some sort of status as I suggest to the panchayat; they will submerge their differences and try to work harmoniously.

3754. They would be appointed for two years I think you said?—Yes.

3755. And if they quarrel you would dissolve them?—Yes, and put in other men. It ought to be fostered very sympathetically, otherwise it would be almost impossible to create them.

3756. In cases of petty civil and criminal cases which they may dispose of would you allow an appeal?—If the decision is unanimous I would not allow an appeal, but if there is a difference of opinion or any charge of corruption, I think there ought to be an appeal.

3757. Would you be in favour of giving the construction of wells and minor tanks and so forth to the panchayat?—I think we must wait for some time.

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3758. But if they work well you might contemplate that hereafter?—Yes; at present there is a rule of the Board of Revenue in the case of minor irrigation works under which the village officers are allowed the privilege of carrying out the tanks at the contract rate.

3759. Some 25 years ago the experiment was tried of giving out the smaller tanks to villages for collective maintenance; did that succeed?—Yes, it worked fairly.

3760. Was it taken advantage of in many cases?—It all depends on the tahsildar.

3761. But I am speaking of the orders of 1882, were those taken advantage of in many cases?—If the tahsildar is sympathetic and takes an interest in these matters, things will work well.

3762. But I ask you, as a former Secretary of the Board, to your knowledge were those orders a dead letter or were they acted upon?—I do not think they were acted upon.

3763. And was that due to the reluctance of the people to take them up?—Not to the reluctance of the people.

3764. You think that if the tahsildar had tried to make the people do it they would have done it?—Yes.

3765. As regards education, would you give the management of schools to the panchayats?—No; they will not be competent to take it up.

3766. Then will you give them village sanitation?—Yes—petty improvements, construction of wells probably.

3767. Suppose there was a case of remission, would you allow a lump remission to be given to the village by the Divisional Officer and the remission distributed among the raiyats by the panchayats?—I do not know whether the Government would be prepared to give the privilege.

3768. Suppose the Government was prepared—suppose you had the power to give it, would you give it?—No.

3769. May I take it that at present, although the Divisional Officer can go round in the case of floods or drought and inspect any village and make a rough guess at the amount of crop that has been lost, yet in the case of any widespread calamity he has not possibly the time to make a field to field inspection?—At present he has not.

3770. Therefore, although as I say he may make a very fair guess about the village as a whole from his personal observation, as regards the details of a field, he has to rely on the accounts furnished by the village munsiff and the village *karnam* and the revenue inspector?—No.

3771. Then how is the assessment on each field fixed?—At present the remission rules are somewhat rigid; in the case of portions of fields no remission is granted; if the field measures even 50 acres and only 10 are cultivated, the whole field is charged.

3772. I am not speaking so much about the rules as about the application of them. Suppose there is a widespread loss of crops; how is it known which fields have lost crops and which fields have not lost their crops?—The *karnam* prepares the list and the revenue inspector inspects.

3773. That is what I suggested—and on their reports checked by the personal observation of the *jamabandi* officer, remission is granted?—Yes. In the case of partial loss, remission takes the shape of a certain percentage, it may be 25 or 50 or 75.

3774. This is all in the wet crop area?—Yes.

3775. My point is that in the case of total loss, perhaps owing to the configuration of the village, some fields have been submerged by flood and others have been on higher ground and have escaped; the Divisional Officer can check the total loss in the village, but he has not time unless there has been any widespread calamity to go round and check the field details?—No.

3776. For that he must rely to a large extent on the munsiff and the *karnam* and the revenue inspector?—Yes.

3777. You tell us that these gentlemen are hopelessly corrupt?—Yes.

3778. Then why not trust these details to the panchayat?—I have no objection to that.

3779. That is exactly what I meant; if I say "I give a remission of Rs. 500 to this village, which is what I consider called for, you people must distribute that among the raiyats who have suffered most," you would not object to that?—No.

3780. In determining what fields have escaped and in what fields the crops have been totally lost you would not object to the panchayat having that power?—No.

3781. Would you give larger powers to Collectors in regard to dry remissions than they at present possess?—Yes.

3782. What would you allow them to do?—If the loss is confined to one *taluk* they might be given some power.

3783. Would you give them the same discretionary power as that possessed under the wet remission rule, subject of course to any special principle laid down by the Board of Revenue and by the Government?—I think that might be allowed.

3784. Is it not the fact that the ordinary dry assessment is settled on somewhat different lines than the wet assessment?—That is true, but in certain cases remissions are made, and in those cases the Collector might be given powers, if it is only in exceptional cases such as famine.

3785. You say that dry remissions should only be given in exceptional cases?—Yes, that is the rule now.

3786. But that instead of the Board being the judges of an exceptional case it might be left to the Collector?—Yes.

3787. And to the Divisional Officer if he was doing the *jamabandi*?—No, I would restrict it to the Collector.

3788. Would you give Divisional Officers and Collectors any large power of suspending revenue in times of drought subject to final decision as to whether remission was required or not?—It should be left to the District Officer, not the Divisional Officer.

3789. The Collector should have it?—Yes.

3790. There is a section of the Madras Land Law which forbids even the Board of Revenue to make a remission beyond the agricultural year?—I have not heard of it.

3791. Suppose there be such a law, is it a good restriction?—I do not see why the Collector should not be allowed.

3792. (*Mr. Hichens.*) The powers that you would give your panchayat are mainly connected with small irrigation works, repair and upkeep of works, and in regard to civil suits?—Yes.

3793. Those are the principal ones?—Yes.

3794. Have not the village unions which exist in Madras got some of those powers to-day?—Simply the carrying out of the sanitary improvements; funds are placed at their disposal and they carry out sanitary improvements, village road repairs and other things; they have no power to try civil suits.

3795. What is the difference between the panchayats you propose and the unions which exist to-day?—The former would be chiefly appointed for the disposal of civil suits and petty nuisance cases.

3796. You do not want both; you do not want the village union as it exists to-day, and the panchayat?—The village unions are very few in this Presidency.

3797. But would your proposal be to abolish village unions and substitute panchayats?—I think that when panchayats are created the village unions might very well be abolished.

3798. Now with regard to the existing *taluk* Board; are you satisfied with the constitution of that Board to-day?—I am not in possession of the latest information.

3799. But you have no suggestion to make with regard to any additional powers that could be given?—No, I have not had time to look into the question.

3800. And the same applies to the District Boards?—Yes.

3801. (*Mr. Dutt.*) Do you think these Advisory Boards could be profitably consulted in the matter of the irrigation rates which are now imposed?—I do not believe they would be able to give much valuable advice; they would of course prefer to keep the rates as low as possible.

3802. There is such a thing as a third crop rate?—Yes; it has been introduced into this Presidency only within very recent years.

3803. Would you consult them as to the advisability of imposing such a rate or not?—If my own opinion was consulted, I would abolish the third crop rate.

3804. But would you consult the Advisory Board on that matter?—Yes.

3805. Would you consult them, when a revision settlement is going on in the district, about the details of the revision settlement?—They might be consulted. At present the Settlement Officer is supposed to consult all the people, even the people of the village.

3806. If the Settlement Officer consults this Advisory Board do you suggest his consulting them direct or through the Collector?—Direct, just as he does in the case of every village; he has to go and consult them.

3807. He might refer questions to them for their recorded opinions?—Yes, there is no objection to that.

3808. Evidence was given to us this morning that it was desirable to organise Advisory Boards in all *taluks*; do you agree with that opinion?—No, I think that would be unnecessary if my scheme were adopted.

3809. In cases like the question of percolation, you would allow more appeals than one?—Yes.

3810. I understood you to say that you would allow that only provisionally; was that correct?—Yes, until we know how these new Acts are being worked, whether they are worked sympathetically and there is no sort of oppression.

3811. I understand that percolation is a question of fact—whether the irrigation water has percolated into a field or not?—It is a very difficult question; it may be surface percolation or it may be sub-soil water; and it also depends in this Presidency upon how far the field has been benefited.

3812. In those cases you would only allow a second appeal?—Yes.

3813. Not only provisionally but for ever?—No, only provisionally.

3814. For how long?—Say for five years.

3815. Then you would finally decide?—Yes, but if these are being worked sympathetically there will be no necessity, and where the charges are very few it is hardly worth while.

3816. In personal cases you have said that clerks or officers drawing Rs. 50 or under should be allowed one appeal only; that those drawing Rs. 50 should be allowed two appeals, and that Gazetted Officers should be allowed more?—Yes.

3817. Is there any reason for making this distinction between poorly paid and highly paid officers?—Probably, strictly speaking, the badly paid man is just as much entitled to an appeal.

3818. Is there any reason for making any sort of distinction and treating the poorly paid officer as a *Pariah* with only one right of appeal?—You must draw a distinction somewhere or other for administrative purposes.

3819. And you draw the distinction so as to benefit the highly paid officers and not the poorly paid officers?—The presumption is that the low paid officer more frequently misconducts himself; in the case of the higher paid officer there is some consideration to be given to the fact that he is likely to be better behaved.

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3820. However, in the case even of the poorly paid people you would allow one appeal?—In the case of dismissals I think you might allow two appeals.

3821. What is the present rule? If a man on Rs. 50 is dismissed cannot he appeal up to the Government?—That is two appeals.

3822. It might be three; it depends upon the man who punishes him; can he or can he not appeal up to the Government?—I have not looked up the present orders on the subject.

3823. If that be the rule, would you restrict that appeal and prevent him from appealing to the Government against an order of dismissal?—Two appeals I think would be sufficient.

3824. And you would not allow him to go to Government?—No.

3825. Would that restriction add to the sense of security which is now felt by Government officers?—Two appeals ought to be satisfactory.

3826. Would it not weaken the sense of security now enjoyed?—I do not think so. In all my answers I go on the idea that you would provide a first rate administrative machinery for each *taluk*.

3827. The reason for your restricting appeals is to save the time of officers?—Partly to save time and partly because the presumption is that these lower paid officers will always somehow or other get into trouble—that they will render themselves liable to some punishment.

3828. The village unions are under the Local Self-Government Act?—Yes.

3829. And the panchayats you propose are mainly for the performance of other duties?—Yes.

3830. Is there any reason why you should abolish the existing unions when you create panchayats for the performance of other duties?—There is no reason for maintaining two separate bodies; the Act might be amended perhaps. The village unions cannot be given the powers which I propose to give to the panchayats; the panchayats will have wider powers than the village unions.

3831. Which are the powers which you think the panchayats can exercise and which the village unions cannot?—Civil suits and petty criminal cases will not be taken up by the unions; it is simply a matter of convenience whether you will have two bodies or one body.

3832. In the case of existing *taluk* Boards and existing District Boards, you would not recommend their abolition?—No.

3833. In addition to the duties which you have recommended for the panchayats would you give them any voice or consult them in any way with regard to the management of pasture lands and grazing fields—communal lands so to speak?—Yes, they may be consulted as regards their village concerns in which they are interested.

3834. Would you consult them as regards the location of liquor shops and other excise shops?—Yes.

3835. And in many other village matters they could be utilised?—Yes, that is now done; the villagers are consulted.

3836. Are they consulted as to the establishment of an excise shop in the village?—Generally they are, at least the orders are that they should be consulted.

3837. I wanted to know the practice. It is difficult for me to say exactly what is done.

3838. You said that remissions with regard to dry crops are allowed only in exceptional cases

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under the rules. Would you extend those rules and make them similar to the rules for remission in the case of wet crops?—You mean whenever land is left waste or a crop is lost; no; that is opposed to the principles of our settlement. The settlement provides for some allowance for loss in ordinary seasons, but not for loss in a season of calamity; it may be that the allowance is not sufficient, but so long as the principle is there, you will not be justified in granting remissions on dry lands in ordinary seasons.

3839. You have suggested some alteration of rules in the case of dry crops; but you would not make the rules identical with those in the case of wet crops?—The only thing I recommended was this; instead of the Board of Revenue sanctioning, the District Officer might be allowed to sanction remissions in the case of dry crops.

3840. (*Sir Frederic Lely.*) I think the chief object, or at any rate the effect, of your scheme would be to relieve the tahsildar. As a matter of fact, we hear a good deal about the Collector being overworked; is not the tahsildar often the most overworked man in the district?—Yes; it is to give him relief.

3841. He is overwhelmed with detail?—Yes.

3842. Every department goes to the tahsildar?—Yes.

3843. You propose an Advisory Council for the whole district. There will also be a District Board, *taluk* Boards, and village panchayats. That is a good many bodies in one district?—The members of the District Boards at present attend only to matters concerning the work connected with the District Board under the Act.

3844. But would it not be making it more compact to make your Advisory Council the District Board; why have a separate body?—In the District Boards all different interests are not properly represented.

3845. But that could be altered; they ought to be represented?—I do not know; I say they might not care to come to the District Board.

3846. They might not care to come to the Advisory Council?—The Advisory Council does not entail so much work as the District Board; membership of the District Boards entails a certain amount of responsibility.

3847. You think a man too timid of responsibility for a District Board might be advantageously placed in even a more responsible position on the Advisory Council?—They would only meet once in two or three months.

3848. At any rate, you think the two ought to be separate?—Yes; some members of the District Board might also be members of the Advisory Council.

3849. You would duplicate?—Yes.

3850. In the case of this Advisory Council you would not propose to give it any power of control?—No.

3851. Or responsibility?—No.

3852. You would hope by so doing to develop the faculty of combination spoken of by Sir Denzil Ibbetson?—Yes.

3853. Do you think the faculty of combination will ever be developed by mere talk?—As I said, they must be created and fostered.

3854. Is not the only way of developing the power of combination to give some control, some actual power, and to associate it with real responsibility. Would it not be a good thing to make it an instruction that any matter before Government, or any executive orders which you propose, should be referred for opinion to the Advisory Council, and that they should give their opinion in writing under their own signatures?—Yes.

3855. Would that not rather tend to fix responsibility and make them act with more deliberation and sense of responsibility?—I did not understand the word "responsibility" in that sense; it is simply consulting their views.

3856. But it should not be a mere talking body?—No, it ought not to be; they ought to be allowed to give free opinion.

3857. As to village autonomy, you do not approve of giving the control over the schools to the village body, I understand—you would not approve of that even by way of experiment?—Not if you mean by control, control of any expenditure.

3858. I mean absolute control over the schools?—No.

3859. As I understand, chiefly because there is danger of injustice owing to factions?—No, that is not it; the difference in the educational rules is very great; the educational authority sets apart the money.

3860. But you might hand that to the villagers and let them have the spending of it?—The educational rules require that men of certain standards are to be appointed as teachers.

3861. The rules might be modified. Suppose we left the selection of teachers to the Education Department, might not all else be left to the villagers—the provision of the school house, the granting of holidays, the selection of children who should be exempt from fees, and so on?—Yes, you could give them such powers as those; I have no objection.

3862. You would not consider that there would be danger of the *Pariahs* being oppressed?—*Pariahs* will not be allowed to read in any village school owing to caste; they will have to establish a separate school for *Pariahs*.

3863. Is that the case now?—Yes, *Pariahs*' sons are not allowed in the schools unless they become converts; if a man becomes a Christian, somehow or other the prejudice is overlooked.

3864. I understand now that, as a general opinion, you would not object to handing over the schools to the control of the village?—No; if the educational rules are modified.

3865. Then as to Public Works; what I mean is, not giving a contract to the villagers, but handing over the whole grant, say for a village well, to be spent by the villagers, on the understanding that they are responsible for doing the work; you do not approve of that?—They might be allowed to carry out certain works, say the construction of wells. As regards the repair of irrigation works, that is another matter.

3866. That is provincial work; I am speaking now of local works only?—As regards drinking water wells and so on there will be no objection.

3867. If the estimate was for Rs. 500, and if they could build the well for Rs. 400, you would allow them to keep the Rs. 100 and devote it to some other village purpose?—Yes.

3868. (*Sir Steyning Edyerley.*) I take it that all your proposals about Advisory Councils and the increase of the system of village bodies, whether you call them panchayats or village unions, really depend on your proposals for the increase of the supervising establishment?—No, they are independent of them.

3869. You do not think they would depend for success on the leisure of the superior officers to run them?—No.

3870. You would have them in any case?—If my proposal is not sanctioned, I would allow Advisory Boards to Divisional Officers also, as at present constituted.

3871. You would begin there?—Yes.

3872. Suppose your proposals were sanctioned, would you put a Civilian who is at present a Sub-Collector or a Head Assistant Collector in charge of one of your *taluks*?—Yes; I propose giving the Sub-Collectors to the Collectors as Personal Assistants without any charge; I would give each Collector one Sub-Collector.

3873. That would mean a reduction in the number of Civil Servants required for the Presidency?—No.

3874. Why not?—Instead of being in charge of divisions they will be Personal Assistants to the Collectors.

3875. I understand that an average Collector in Madras has two experienced Assistants, and one young Assistant in training?—That is for divisions; he will be Personal Assistant to the Collector without charge in a division. I do not want to reduce the number; on the contrary I wanted to increase the number to 14; but the commercial results worked out to an increase of three lakhs of rupees, so that frightened me. Instead of being in charge of a *taluk* he will be at the headquarters of the district to relieve the Collector of an enormous amount of minor details.

3876. Then we assume that the Collector will be very much more free than he is at present?—Exactly.

3877. And we assume that the work will be very much better done, because a great deal of the appellate work which is now done on report is to be done by the superior officer?—Yes.

3878. Will not that mean a very considerable delegation of the Collector's power from the Board?—Yes.

3879. And much more finality in the work of the district?—Yes. Owing to want of time I have not been able to look into the existing powers, but generally I am in favour of extending his powers in all directions.

3880. You would rather enlarge his powers and make him a much bigger man and the work would stop to a great extent there?—Yes.

3881. A great deal of that would require legislation?—With regard to extension of powers, yes.

3882. And also you would probably have to have legislation to institute your panchayats and Advisory Councils?—Yes.

3883. What sort of legislation do you think would be best? There is a question here suggesting that all these things might be in one of two forms, either by a very general Act allowing a considerable freedom of experiment, or else by taking at any particular moment the legislation you require and waiting until you see the result of that and legislating further if you want more?—In this Presidency we have been doing many things without actual legislation, and I think these are only administrative acts; you might go on and see how the experiment works, without any legislation.

3884. You think you could begin without any legislation at all?—Yes.

3885. With the village panchayats to try cases?—No; with regard to that of course the Village Munsiff's Courts Act would have to be amended.

3886. Would you try to draw up a scheme and pass it cut and dried in the Legislative Council and work it, or would you introduce an Act which would give considerable rule-making power, so that you might try different experiments in different districts, and modify them if necessary without again having recourse to the Legislative Council in order to do it?—Yes, that could be done.

3887. Which would you think the better?—Probably, in these days, legislation would be the best.

3888. You mean specific legislation?—Yes.

3889. And then to come back to the Legislative Council in 3 or 4 years' time or whatever it may be?—Yes.

3890. You would prefer that course to the other?—Yes. As regards the Advisory Councils I do not think any legislation is necessary, because we do not propose to give them any responsibility at present.

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3891. But with regard to the panchayats?—With regard to the panchayats it would be necessary.

3892. Now with regard to delegation to Collectors. You have been all over India?—Yes.

3893. Have you ever looked at this Act, V of 1868, a Sind Act?—No.

3894. Under the Act powers are given to delegate whenever Government choose to sanction; they do not go for each delegation to the Legislative Council; everything that is ripe for delegation is given by executive notification?—I think that would be useful.

3895. Would you go rather for legislation by schedule or for general legislation?—General legislation.

3896. You went over India with the Irrigation Commission, and I suppose you saw many systems at work?—Yes.

3897. Did you study them much?—To some extent.

3898. Did you come back impressed with your own system after all?—Well, I think our system is much better than the system in any other province.

3899. (*Chairman.*) You told us, with regard to demands for returns for the Legislative Council and so forth, that there were a great number of them. In the matter of vital statistics which you said were amongst the returns demanded, are these accurately prepared?—Fairly accurately.

3900. What percentage of error would there be in them?—I think it must be less than 5 per cent. As regards Vital Statistics the Sanitary Commissioners have extraordinary opinions. If the number of births are not up to standard, they come down upon the local officers and say the statistics are all rotten; I know in the case of Tanjore one instance; the birth-rate was very large; they did not make sufficient allowance for the local conditions or peculiarities; so they straight away condemned all the birth-rate figures. On the whole I should say that the error was not more than 5 per cent.

3901. You said that in order to enable the panchayat to administer the schools it might be necessary to modify the educational rules. Do you think it would be to the general advantage to modify those rules in order to give the panchayat something to do?—The modification need not affect the principles of the educational rules; you simply place a certain amount of funds at the disposal of the panchayat.

3902. And you would relax your financial control?—Yes.

3903. Would it be better to waste a little money in order to teach the panchayat its business as a village council?—Yes. It would be open to you, if they abuse that privilege, to withdraw it.

3904. They probably would abuse it at first?—It all depends upon the supervision. We have completely destroyed the panchayats, and we must revive them.

(*The witness withdrew.*)

Dewan Bahadur L. A. Govindaraghava Iyer was called and examined.

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3905. (*Chairman.*) Would you tell the Commission what your profession is?—I am a pleader in the High Court. At present I am resident in Madras. My native place where I own my land is about 65 miles from here. I reside there between a month and a month and a half in the year; of course, I go there often.

3906. Have you been a member of the municipality there, or of the District Board?—I have been a member of the District Board of North Arcot for over seven years and also a member of the *taluk* Board for Chittoor for about the same time.

3907. Therefore you have some practical experience of the administration of Local Government?—I believe I have.

3908. Have you any general suggestions to offer in respect of the improvement of local administration?—Yes. In regard to the District Boards it seems that in the matter of appointment of officers,

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not the President alone, but the Board, might be entrusted with the appointment of officers who draw salaries within a certain prescribed limit. Another point on which the District Board can usefully exercise its functions will be by the District Board members dividing themselves into committees, each committee taking charge of some particular department. In that way I think the work of the Board will be better done and the members of the Board will familiarise themselves with local self-government matters.

3909. Who provides the funds for these Boards?—The funds are taken from the cesses. There is a road cess, or what is called a land cess, at the rate of one or two annas in the rupee. There are also certain additional cesses levied in the case of the *taluk* Boards. We have tolls levied on different roads, and we have also a house tax levied in the union.

3910. What is the proportion of the money drawn from cesses to the expenditure in your Board?—I am not in a position to tell you the exact proportion.

3911. Is it 50 per cent.?—I imagine the proportion is much higher, I am not sure.

3912. What you wish is that the Board which draws a proportion of its money from local cesses and a proportion of its money from the provincial Government should control the appointment of all officers who receive salaries from the Board, is that it?—Yes, it may be subject to the provincial Government's sanction. In other words, what I suggest is that that which the President is now enabled to do, the Board should do.

3913. What do you wish the committees to deal with?—With the various departments; there is the land assessment for instance; there are the roads; then there are the hospitals, schools and educational institutions; in each a small number, two or three members, as a committee, might be asked to deal with the questions and then bring them up if necessary for the consideration of the Board as a whole.

3914. At present, what subjects do the District Board deal with entirely?—They have according to the Act to deal with roads and educational institutions, charitable endowments, hospitals and dispensaries, sanitation, and buildings which may be necessary for this purpose.

3915. Except imperial buildings?—Quite so; they have also the control of the lighting of the village in some cases.

3916. Do they at the present time deal with all these subjects?—Yes.

3917. How do they deal with them, through committees?—No; the executive work is done by the Vice-President and the President.

3918. And both the Vice-President and the President are appointed by the Collector?—So far as the District Board goes it is the Collector who is the President.

3919. *Ex-officio*?—Yes, and usually the Deputy Collector is the Vice-President.

3920. *Ex-officio*?—No, he is appointed by the Government, but in some instances non-officials have been appointed Vice-Presidents.

3921. Is there any other point to which you wish to draw our attention with regard to the District Board?—At present District Boards have to prepare a budget, which is first of all sent up to the Government for their sanction; the District Board is not able to vary the budget even in cases of emergency without obtaining previously the orders of the provincial Government, and that takes of necessity some time, with the result that the emergency for which the expenditure was required passes or is not met. I would suggest that some amount of discretion should be given to the District Board as to how some of the moneys that are placed at their disposal should be spent on such occasions.

3922. Money should be entrusted to them to spend in emergencies?—Yes.

3923. Then with regard to *taluk* Boards, do you make pretty much the same suggestion?—Yes.

3924. What have you to say with regard to Advisory Councils?—I am in favour of their establishment. I would in the first instance limit it to one Advisory Council for the district as a whole. I would like the experiment to be tried and see how far it succeeded before it is taken down to the divisions as well. I would suggest that they should consist of between 8 and 12 members, half of whom might be appointed by Government and half elected by taxpayers of a certain grade.

3925. One of the previous members suggested 50; you think that would be too large a number?—I am afraid it would be too large.

3926. Twelve, you think, would be a preferable number?—I think so. In order to see that they are responsible for their opinions, I would insist upon their opinions being given in writing, and I would also suggest that if the Collector happens to differ from the opinions expressed by the members he should report to the Local Government.

3927. That would hardly then be an Advisory Council?—It appeared to me that it came within the functions of an Advisory Council.

3928. By "advisory" one usually understands that the advice may be followed or not?—Yes, and so the Collector need not necessarily follow it, but he should send it up to the Government.

3929. Then it has been suggested that the Advisory Councils should deal with minor irrigation works, grazing lands, roads, village schools, and sanitation. Do you think that that would form an adequate programme?—I have other things noted, namely, the remission of assessments on dry lands; the postponement of kist (instalments of revenue); the fixing of the *kistbandi*, re-settlement, irrigation sources, plague relief measures, famine relief operations, new communications, utilisation of charitable funds.

3930. That is now exercised by whom?—The District Board generally works out the scheme, but sometimes it happens that the Collector is given certain funds; how exactly it should be utilised might be left to the Advisory Council. Then to continue—development of new industries, technical education.

3931. That would come under the head of education generally?—Yes; then, forest matters with reference to setting apart land for grazing, charging fees, and so on, also the reservation of lands for conversion into forests or removing them from the list. Further they might be consulted upon measures of legislation referred to the Collector by the Government for his opinion, and any other matters of importance to the district on which the Collector is consulted by the Government.

3932. How often do you think the Advisory Council ought to meet?—Once a quarter necessarily: oftener if required by the Collector.

3933. How long would they remain in session?—That would depend on the work; possibly not more than a day or two.

3934. Notwithstanding these subjects which you think ought to be referred to them?—I believe they would be able to manage it in a day or two, possibly longer. All these subjects would not come up every time for consideration.

3935. You think that to dispose of these matters would require a meeting once a quarter of two or three days?—Yes.

3936. You think there would be no difficulty in getting suitable people to serve on these Councils?—I do not think there would be difficulty.

3937. You think it would not be difficult to induce all classes of the community to serve on these Advisory Councils?—I do not think there would be any difficulty; you mean on account of caste?

3938. Yes.—I think there would be no difficulty; there are plenty of people likely to serve on the Advisory Council.

3939. You think you could get a high caste person and a low caste person to meet together?—Yes, so far as these Councils are concerned. It is only the people of lower qualifications who may still be affected by such prejudices.

3940. Therefore you would imply that on these Advisory Councils you must have persons of considerable standing socially and from a monetary point of view?—Yes. I have one or two suggestions to make with regard to village committees. It appears to me that we can have these village committees in the panchayats in selected localities; the number of members of the panchayat ranging between five and nine. The work of the committee would be to make recommendations in respect of *darkhasts* for assessed land, also the assignment, curtailment, and extension of village sites, loans under the Land Improvement Loans Act and the Agricultural Loans Act, the enforcement of *kudimaramat*, the execution of minor irrigation works, looking after village sanitation and village roads, administering the civil and criminal law as at present administered by the village magistrates and the village munsiff; they could also be trusted with the distribution of seed; they might also have to prepare at the end of every year a statement of what they consider to be the needs of their particular village, so that the tahsildar may look into the memorandum and make his own recommendations in respect of them.

3941. You have not said anything there about village schools; do you mean to include village schools?—Yes. I have also to say something on the question of the personal contact of the Executive Officers of the district with the people. My belief is that at present there is not that personal contact between the Executive Officers and the people that is desirable for good government. The obstacles in the way, so far as I am able to see them, are these:—imperfect sympathy between the people and the Executive Officers; the imperfect acquaintance of the Executive Officers with the vernaculars of the different places they serve in; and also their heavy work.

3942. May I ask if you have had any actual experience of this want of personal contact?—I have known instances; it is only two and a half years since I removed here from the *mufassal*. I have had some experience of my own district, and I do not think it can be said that the officers are moving so freely among the people, at any rate some of them, as is necessary.

3943. Which of the officers do you particularly refer to?—I refer to the Collector and the Divisional Officers—the Assistant and the Sub-Collector.

3944. The last witness told us that in his experience the tahsildars too were losing touch with the people in the district. Is that your experience?—I cannot say that my experience is exactly the same; it all depends upon what the Collector is, and what the superior officer is. Perhaps I may give you one instance. I remember a case where one Collector was very keen about loans under the Land Improvement and the Agricultural Loans Acts. I knew that at that time the tahsildars were very busy and a large sum of money was given on that account; that was due simply to the Collector; if the Collector had not taken so much interest in the matter it would have been impossible.

3945. It depends upon the personal interest of the Collector whether the subordinate officers, including the tahsildars and the revenue inspectors, really get to know what is going on?—Yes.

3946. Would that not point to the supreme importance of the Collector being extremely well acquainted with his district?—Yes.

3947. And giving him every opportunity for exercising his authority and knowledge there?—Yes.

3948. You said something about a particular Collector having money put at his disposal for agricultural loans. Do you know anything personally about these agricultural loans?—I hear what is going on in my district.

3949. You are a land-owner yourself?—Yes; I never took any loans.

3950. But you are acquainted with the circumstances of other people who occupy or hold lands about you?—Yes.

3951. Have these loans been of great service to the people?—I cannot say they have been of great service.

3952. Is that because the Executive Officer has no power to grant actual cash loans on the spot?—That is one of the reasons. There are naturally some people who have to be satisfied, and it takes a long time for the application to be granted.

3953. Perhaps it takes something more than time?—Yes.

3954. If the Divisional Officer had power to make the loans on the spot, that would perhaps increase his authority and his knowledge, and help the raiyats or the cultivators to a greater extent than is possible at the present moment?—Yes.

3955. Do you advocate that?—I would advocate that. I would also suggest that, by having the work of the Collector lightened by giving him a Personal Assistant, he would have more time to tour about the district and become acquainted with the people, which is a necessary part of his duty; that he should camp in various places, giving previous notice to the villagers so that they might if they desired come and see him, and also that he should give a report of what he has been doing, either half-yearly or quarterly. All this would have the effect of bringing the Collector and the Divisional Officers into more intimate touch with the people.

3956. Are there any agricultural shows or meetings of that sort or festivals at which the people could see the Collector and the Divisional Officers?—There are festivals, and there was one agricultural exhibition held three or four years ago.

3957. Did the Collector in your district attend that?—Yes, he took a leading part in it.

3958. Of course that brought him into contact with a great number of the people?—I cannot say that it brought him into contact with a great number; it did bring him into contact with some.

3959. With the principal men probably?—Yes, some of them.

3960. As a gentleman living in the country, do you find that there is any personal contact out of business hours between the Collectors and the principal officers and the people who live in the district?—Not very much.

3961. Could that be extended?—I think so.

3962. How could it be extended?—In the case of most of the Divisional Officers or Collectors, suppose a resident in the district pays a visit, he is generally kept out for some time until the Collector chooses to see him, and he is generally allowed to sit in some place where useless articles are placed. Many of those who have business with the Collector would not care to go to see him unless they are compelled. If those relations are improved, it will lead to more intimate contact than there is at present. I am speaking now of the more educated classes. With respect to the uneducated classes, it is only by talking to them in their own language, and with sympathy, that you can draw them out. Some Collectors have done it very well. I know of one or two Collectors and Divisional Officers who have done it, and even now their names are remembered; but usually it is not the case.

3963. Have you heard yourself instances where there was personal impoliteness on the part of Collectors or Assistant Collectors?—I think what I have said constitutes impoliteness, and I have had myself experience of it.

3964. That perhaps might not be so much intentional?—I do not put it as intentional.

3965. Have you ever heard instances of intentional impoliteness?—I cannot say that I have.

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I do not want to suggest that it is due to any intentional discourtesy.

3966. It might be perhaps due to ignorance of etiquette or customs?—It might be due to ignorance or indifference—possibly indifference.

3967. And it would be very desirable to remove either the indifference or the ignorance?—Yes.

3968. It would tend to better Government?—There is no doubt about it.

3969. Would there be great difficulty in an officer coming from a different province acquiring a knowledge of the customs and etiquette of his new district or division?—Possibly I am not a good judge, because I am familiar with those customs, but to me it appears that there would not be much difficulty about it. One great necessity would be that they should acquaint themselves fairly with the language of the district so as to be able to talk freely with the people.

3970. Have you noticed during the last few years whether there has been any increase or decrease in the vernacular knowledge of officers?—I cannot say one way or the other so far as my experience goes.

3971. Is there any other suggestion which you desire to make to us?—I do not know whether you will consider this exactly relevant to your enquiry. Many amounts which have not been spent by the District Board and *taluk* Board are allowed to lapse to Government, with the result that at the end of the revenue year works are hurriedly done and we possibly do not get our money's worth.

3972. What I think you suggest is that any lapse of revenue should be allowed automatically to come back to the District Boards the following year?—Yes.

3973. And if there were regulations either of the Central Government or of the provincial Government, which stood in the way of this, then you would ask that those regulations should be abrogated?—Yes. There is one other matter with respect to the right of appeal in cases where an officer is personally affected. I would suggest that no change need be made, but that there should be a modification of the existing practice; that is that no information or report be used against an officer who is appealing against a particular order in respect of which he has not been given an opportunity of explaining himself. As a matter of fact now, although it may be that the record is all one way, often the appellate authority gets some confidential report, of which no copy is given to the officer concerned, and to some extent the decision of his case depends upon matter of which the appellant knows nothing. Another suggestion I make in regard to appeals is that the person who is appealing may be allowed to represent his case either personally or by a pleader. It appears to me that the want of these two safeguards is prejudicially affecting the interests of officers and to some extent diminishing the sense of security that they ought to feel with respect to their appointments.

3974. You think then that what has been advocated by some witnesses before us, that an appeal might stop at one person or possibly two persons immediately in authority above the officer who gives the original decision, would not be a sufficient safeguard?—At present I am not aware of any cases where three appeals are allowed; I believe only two are allowed. If the safeguards that I suggest are adopted, I should be satisfied with two appeals.

3975. (*Sir Steyning Edgerley.*) The object of your suggestions really is to increase the influence of the Collector?—To increase his personal influence and usefulness.

3976. You think that if the things you recommend to that end were done, matters might be more finally disposed of within the district than they are at present?—Very probably they might be.

3977. As a vakil of the High Court, you are more or less acquainted with the forms of law and so on?—Yes.

3978. In giving powers which are at present tied up by legislation to higher authorities, it is possible to do it in either of two ways; either by specific legislative enactments, or by a general power allowing delegation. There is a difference of opinion as to which is the better way. Have you seen the new draft Civil Procedure Code?—Yes.

3979. That is an instance of what I mean. What they are now doing is to abandon the old method of tying everything up by legislation; they are stating the principles of law briefly and plainly, and they are relegating the prescription of the persons who are to execute the law and the rules of procedure to schedules, which it will be in the power of the High Court to alter from time to time as occasion may determine. What do you think of that change in the form of legislation?—I think that that is a change in the right direction, if it can be done in the way in which the Civil Procedure Code has been embodied in the Bill. Under certain safeguards I think it is a good system.

3980. Would you apply that to the delegation of powers between Executive Governments; do you think it is a safe principle to apply there?—It will depend upon the matters in respect of which the delegation has to be made. Where an experiment has to be made and the matter has to be furthered cautiously, it is necessary that the Executive Government should be allowed some discretion; for instance, with respect to the village panchayats.

3981. Take the Local Board Act which you have been giving evidence about. Your Madras Act has been in force how many years?—For the past 23 years or more.

3982. I suppose some of your Boards are more backward and others are more forward—some have proved themselves and others are still proving themselves worthy of trust?—Yes.

3983. When the Act was first passed there were a number of powers which the Local Government held in their own hands?—Yes.

3984. There are a number of powers which now you will admit might be safely delegated to Local Board A, an increased number which might be delegated to Local Board B, and a further number which might be delegated to Local Board C, and so on, the most forward Board getting the most powers?—Quite so.

3985. In order to let the thing expand according to the advancement of the people, how would you proceed; would you proceed simply by specific legislation, or do you think it would be safe to proceed by the method adopted in the new Civil Procedure Code Act?—I would prefer the new method as followed by the new Civil Procedure Code Act.

3986. That is what has been called here an Act of general delegation, instead of requiring legislation for each particular case?—Yes.

3987. Now we will go to your proposals about village committees. You think they would require some legislation?—Yes, particularly as to the administration of the law.

3988. Would you try to proceed by getting your scheme cut and dried and putting it through the legislature, or would you try some very general Act giving wide powers of making rules, and let the experiment be tried in that way? The object of the first is to satisfy some very general legal principle that you should never take more power by legislation than you actually need; the object of the second is that you may try various experiments; if Collector A thought he could try one scheme, and Collector B thought he could try another, and Collector C a third, you could put them all into force at once and get your experience, if you passed an Act with a section giving very wide rule-making powers?—So far as the village committees are concerned, taking into consideration the general state of the village communities in this part of the country, I should

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prefer the second method, not cut and dried legislation.

3989. (*Sir Frederic Lely.*) As to these Advisory Boards, you propose that they should come into existence side by side with the District Boards. Why should they? Would they not be identical?—The functions that I would like to assign to the Advisory Councils are to some extent different from the functions which are now being discharged by the District Boards. There might also be a question whether the number of members of District Boards would not be considered too many for the Advisory Board.

3990. What is the average number of members of a District Board?—It is between 24 and 40.

3991. You can scarcely have a smaller number than that to represent a large district?—If that is so, I do not see any reason why they should not be the same, although of course as matters stand at present the functions of the District Board are very different from the functions to be assigned to the Advisory Board according to my suggestion.

3992. You admit that the multiplication of bodies is an evil in itself so far as it goes?—Yes; if we can get the same body to take the two functions there is no necessity to have two bodies.

3993. These District Boards and also the village body that you suggested seemed to me to be according to your scheme only recommendatory; you do not propose to give them much power?—That is what I suggested.

3994. I am thinking now especially of your village bodies?—With respect to the village bodies, they will be entrusted with the powers which village magistrates and munsiffs exercise in respect of the administration of the law.

3995. For instance, you propose that they should "recommend" certain things; is it entirely "advisory," entirely "recommendatory"?—I suggest that at present they should be recommendatory.

3996. Do you think that that is likely to develop a spirit of self-government and self-reliance?—I think so, provided of course that the superior officers take some interest in the matter.

3997. Suppose that the superior officer did not see his way to accept their recommendations, do you not think they would very soon get sick of the whole thing?—I think the superior officer would find it difficult to reject their recommendations in many cases.

3998. He would probably act on his own view; there is always that danger?—No doubt.

3999. If you do begin to educate the people in self-government, is it not as well to give them as much power as you can?—Yes, I would suggest that so far as the schools are concerned, provided the teaching is according to the rules of the Education Department, the rest of the management should be left to the Advisory Board. Then with respect to the regulation of the *darkhast*, some finality might be given to their decision; that is to say, it would not merely be that they were to give some piece of advice which the Collector might act upon or refuse to act upon, but which he must act upon unless there was some special reason to the contrary. There might be an appeal from the decision of the village committee to the Collector, or something like that.

4000. What would you say to a proposal to take the best of the villages at first and give them somewhat extended powers, on the understanding that at the end of a certain period, say two years, an investigation should be made as to the way in which they have exercised those powers and that their subsequent treatment should be regulated accordingly?—I am not much in favour of it.

4001. You would leave them alone, whatever powers you gave them?—I would give them power, but on the understanding that the powers were only meant to be given tentatively.

4002. That is what I mean—that at the end of say two years or so an enquiry should be made as to the way they have exercised their powers, and they should be subsequently treated accordingly?—As at present advised I do not think very highly of that. It seems to me that it would be well to give them definite powers and help them to use the powers properly, and then increase their powers.

4003. (*Mr. Dutt.*) You have told us that the Collector is always *ex-officio* President of the District Board. Is that absolutely correct?—He is the *ex-officio* President, but it is competent for the Government to allow any other member to be elected President.

4004. The law provides for that, but it has not been done?—Yes.

4005. And as a matter of fact all the Chairmen or Presidents have been Collectors?—Yes, only in the case of Vice-Presidents some have been non-official.

4006. They have been elected Vice-Presidents?—No, they have been nominated by the Government.

4007. With regard to *taluk* Boards, is there the same provision?—Yes.

4008. But as a matter of fact the Divisional Officer has always been President?—Yes. Usually the Vice-Presidents are non-officials; only they are not elected.

4009. You said that a District Board ought to have the power to vary the budget a little on emergent occasions for emergency expenditure?—Yes.

4010. I think you mean that you want to be able to spend money as emergency may arise in excess of that already provided in the budget?—Yes.

4011. (*Chairman.*) Do you mean that the total budget should be exceeded, or that the sum allotted for one particular item should be exceeded?—Sometimes a necessity arises for an immediate advance of money when no specific sum has been allotted for that purpose, and it takes some time for the sanction of Government to be obtained, and when the consent is obtained the emergency has ceased to exist or has become more acute. In order to provide for such cases there might be some provision made in the budget itself, leaving it to the District Board to make advances. Sometimes it happens that the season is one of drought and wells have to be sunk in various places; when the budget was framed no provision was made for that, and before the work can be put in hand the Board has to obtain the sanction of the superior authority. It is to cases such as that that my suggestion refers.

4012. (*Mr. Dutt.*) You suggest that in those cases a fresh allotment might be made in excess of the total sum allotted for the year to the District Board?—In excess of the sum allotted for specific purposes.

4013. You said that unspent balances lapsed to Government. Is it not the rule that a certain amount of the balance ought to be kept as a working balance for the next year?—Yes, the opening balance must be always something like 5 per cent. or so; but these amounts that I am speaking of are irrespective of that; these do not go to swell the opening balance.

4014. These are items which are unspent under particular heads?—Yes.

4015. And they all lapse to the Government?—Yes.

4016. Are you sure of that?—That was the case when I was a member; I do not know whether it has been changed.

4017. I asked you because the rule is different in Bengal?—I know it was the practice when I was a member; that was up to two or three years ago, and I have no reason to think the rule has been changed.

4018. (*Mr. Hichens.*) You have suggested that certain extra powers should be given to District Boards. One of the additional powers was in connection with appointments; another was in connection with Committees?—I may mention that so far as the committees go there is a provision in the

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law as it stands, enabling committees to be appointed with respect to hospitals and educational institutions and charitable endowments.

4019. Is that ever done?—Not to my knowledge.

4020. Why not?—I cannot give you reasons; I know it has not been done.

4021. Is it not possible that they want local committees rather than subject committees; I mean, you do not want a Works Committee so much as a committee for a certain portion of the district?—I have no decided preference for one committee over another.

4022. But you have really the power to do it if you want to?—Yes.

4023. Are there any other powers which you think should be delegated by the provincial Government to the District Board?—Nothing more than I have suggested. There is one suggestion which I am afraid is of a somewhat far-reaching character. It may be possible to do away with District Boards altogether and to give greater powers to the *taluk* Boards. At present there are three institutions; you have the union panchayat; you have the *taluk* Board; and you have the District Board; really the *taluk* Board is simply to carry out the orders of the District Board, which again carries out the orders mostly of the Government. Now we could do away with the District Boards and effect decentralization on a pretty large scale.

4024. Why do you think that the District Boards are redundant?—As it is at present, the *taluk* Board's budget has to be submitted to the District Board, and the District Board considers the matter, and the *taluk* Board has nothing more to do than to carry out the orders of the District Board.

4025. Suppose the *taluk* Board submits a budget in which a very inadequate provision has been made for education; cannot the District Board send it back to them and make them alter it?—They have that power, but in case of the *taluk* Boards they are more local than the District Boards, and if you want members to take more active interest in matters, it is more easy to do it in a *taluk* Board than in a District Board, because the District Board covers a very much larger part of the country than the *taluk* Board. In that way the local jurisdiction is restricted, and the *taluk* Board and the District Board perform different functions; or rather they perform the same functions, only one is subordinate to the other.

4026. I understand that to-day the engineering staff, for example, is used by all the different *taluks*; it is under the District Board and is loaned by them to the different *taluks*?—There is a District Board Engineer and there are overseers. The District Board at present looks after them; it is the District Board to whom they are responsible primarily.

4027. You would have to increase the staff?—Yes.

4028. That would mean considerable expenditure?—No doubt.

4029. But it would give the *taluk* Board more independence?—Yes.

4030. With regard to the submission of the budget to the Government, I understand that that has to be done now?—Yes.

4031. Do they in practice alter your budget much?—Yes. I might mention that in respect of the plague charges the District Board have really no voice in the matter; that was the case up to three years ago.

4032. Have District Boards much voice in regard to education?—Yes, the Government generally consults us.

4033. But in your experience it is the case that the budget frequently comes back to you substantially altered?—Yes.

4034. And you have to take it as you find it?—Yes.

4035. The District Board has practically no executive authority?—The District Board, as such, has practically no executive authority.

4036. The executive authority rests in the President?—Yes.

4037. How often do you meet?—We meet once a month.

4038. Have you reports which show you whether or not the resolutions which you have passed have been carried out?—Yes, but usually the resolutions are carried out which are passed at the meeting. In some instances of a routine character the thing may be carried out in anticipation of the Board's sanction, and the Board subsequently formally sanctions it.

4039. What happens if they do not?—Very possibly the President has calculated on the Board doing it; possibly the fact that it has been already carried out is one of the reasons for the Board deciding to confirm it.

4040. (*Mr. Meyer.*) Your proposal is to do away with the District Boards. You say first that the *taluk* Board is merely the agent for carrying out certain resolutions of the District Board?—Yes, mostly.

4041. Do you adhere to that?—Has not the *taluk* Board a very large discretion as to what roads it shall make and repair, and as to what schools it shall open and so forth?—Yes, but it has to submit all those to the District Board and the District Board has to approve of the Budget.

4042. And it may even alter your budget?—Yes.

4043. But within limits—suppose your budget is for Rs. 50,000 for roads, you could spend that as you pleased; the District Board could not say, "You must spend it on one particular road and not on others"?—I am not quite sure; possibly it is so.

4044. The roads which the *taluk* Boards keep up are the minor roads?—Yes.

4045. The main roads running through a district are kept up by the District Board?—Yes, and there are the trunk roads which are kept up by the provincial Government.

4046. Are you quite sure; can you name any trunk roads that are kept up by the provincial Government?—I believe the road from Madras to Bangalore is kept up by the provincial Government.

4047. That passes through the Mysore State?—It goes through British territory.

4048. However, apart from such roads as the British Government keeps up, which I think are not very numerous, the main roads are kept up by the District Board?—Yes.

4049. You come from the North Arcot district?—Yes.

4050. How many *taluk* Boards have you?—Four.

4051. Do you think that if those four Boards were independent entities they would be able to maintain these big roads at the same efficiency as the District Boards?—I think so, of course within their own respective jurisdictions.

4052. At the present time the District Board has a highly paid District Engineer?—Yes.

4053. Under your scheme would each *taluk* Board have a District Engineer, or would there be a staff of District Engineers for a collection of *taluk* Boards?—I would have a number of engineers—not District Engineers, but each man doing the work within his own jurisdiction. It would be exactly the same as in the case of two conterminous districts; it would only be carrying specialisation further.

4054. Can you tell me what your present engineer gets?—I think Rs. 700 or Rs. 800.

4055. Would you enable the four *taluk* Boards each to keep up a gentleman at the salary of Rs. 700 or Rs. 800?—No, I would reduce his salary.

4056. What sort of men would the *taluk* Boards engage?—Say an Assistant Engineer at between Rs. 200 and Rs. 300.

4057. Do you suggest that an Assistant Engineer getting Rs. 200 or Rs. 300 could be entrusted to keep the roads in repair and look after the work?—I think he could.

4058. If you had these independent *taluk* Boards would you put them directly under the supervision of the Local Governments?—I would put them under the supervision of the Collector.

4059. That is to say the Collector would pass their budgets and alter their budgets if necessary?—No, the budgets will pass through the Collector.

4060. At present the District Board budget goes to Government?—Yes.

4061. The Government passes it or alters it?—Yes.

4062. It is the same way with the District Board administration report?—Yes.

4063. Under your scheme you would practically have four or five times as many District Boards as you have now, only they would be smaller entities and you would call them *taluk* Boards?—Yes.

4064. Would you have each of these *taluk* Boards subordinate to the Government?—Yes, but any proposals they made would go through the Collector.

4065. But it must be for the Government to pass the final orders?—Yes.

4066. Therefore the work of the Government would be enormously increased under your scheme?—Yes, it must be increased.

4067. It would be a centralization scheme in fact in many ways?—I do not know that.

4068. Could you not reduce the power of control of the Government over the District Board?—Take the budget; you said that the budget was so drawn up that in case of some unforeseen emergency arising there is no money to draw upon?—That is so.

4069. Is it not the fact that in the District Boards budget there is a sum for unallotted reserve?—Yes.

4070. Could they not draw upon that unallotted reserve?—That would be only with the permission of the Government.

4071. But you can draw upon it with the permission of the Government?—Yes.

4072. What you desire then is, within your budget, to re-appropriate as you choose?—Yes, that a certain sum of money given for any particular purpose, which happened not to have been used, might be treated as an allotment for unforeseen emergencies.

4073. You spoke about money that was not spent within the year lapsing to Government. Did you really mean that?—It does not lapse to Government; it lapses to the source from which it comes.

4074. Suppose it is District Board revenue, it lapses to the District Board?—But you require fresh sanction and all the formality has to be passed through before it can be re-appropriated for the purpose.

4075. But it does not lapse to the Government—the Government does not confiscate it?—No.

4076. It is merely that you have not spent it this year and therefore you must make fresh provision for spending it next year?—Yes, and it may be that sanction would not be obtained the next year.

4077. But there is no question of Government taking your unspent balances?—No; when I said that it lapsed to Government, I meant that it lapsed to its original source.

4078. You meant the Government Treasury where the money is kept—Government acts as a trustee for your money?—Quite so.

4079. You said that in addition to the money which the District Board raised by taxation and fees and so forth there were large grants by Government?—I did not say large grants; there are some grants made by Government.

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4080. Of late years I mean?—There have been grants of late years.

4081. Two years ago the Government of India made a considerable grant I think?—Yes, they did, and I believe there were some made even prior to that for education.

4082. There was one grant made in proportion to the land cess. The Government of India, I think, said that they would add one quarter to the receipts from the land cess?—I believe so.

4083. They have also made grants for education which the provincial Government distributed?—Yes.

4084. Therefore, so far as you get revenues not raised by local taxation, that is practically additional grants made by the Supreme Government and passed on to you by the provincial Government?—Yes.

4085. There is no question of the provincial Government, apart from that, making a recurring contribution?—I am not aware of it.

4086. You prefer that Government should still have the power of reviewing the budgets, though you would not allow them to interfere so much as they do?—Yes; it is perhaps desirable that they should have power to review the budgets.

4087. As regards the appointment of *taluk* Board members, do you think it is necessary that they should be appointed by the Collector?—As a matter of fact at present it is the Collector who nominates them and sends the nomination up to Government; it is the Government that does it, but although the appointments are made under the orders of the Government, they do not practically differ from appointments by the Collector.

4088. You mean that they are practically always nominated by the Collector?—Yes.

4089. Would it not therefore save trouble if they were actually appointed and gazetted by him, instead of being theoretically appointed and gazetted by the Government?—That would be more in accord with the facts.

4090. And you would be therefore in favour of it?—Yes, because it would be more in accordance with facts.

4091. It would be more straightforward?—Yes.

4092. Who appoints the members of the local panchayats—the village unions?—I believe it is the Collector.

4093. Would you let the Divisional Officer appoint those?—The practice is for the Divisional Officer to make the recommendation and the Collector accepts them.

4094. Then as regards appointments you want a larger scope for the Board?—Yes.

4095. For the Collector as President or for the Board collectively?—For the Board collectively; the Collector as President has the power now.

4096. Has he not the power to make fresh appointments up to Rs. 50?—With reference to some of his superior officers, the engineer and so on, it may be that the Government sanction has to be obtained, but with respect to the others, I think it is the Collector who makes the appointment.

4097. Can he create a new post?—Any new post has to be provided for in the budget.

4098. Do I understand that you wish that the Board should make the appointments without the sanction of the Government?—No; I say instead of the Collector appointing with the sanction of the Government the Board should appoint with the sanction of the Government.

4099. The collective Board?—Yes, rather than the President.

4100. Do you think that a body such as you describe with 24 to 40 members is a good agency for making appointments and selecting?—With regard to some of the major appointments or the big selections I think it is desirable that they should have the power rather than the Collector.

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4101. With regard to smaller appointments?—I would give power to the Collector in the case of appointments below say Rs. 50.

4102. Above that the decision of the Board should be final?—Yes.

4103. Subject to the veto of Government?—Yes.

4104. Suppose the conduct of the Local Fund engineer is not satisfactory, who is to punish him?—The Board on the recommendation of the President; I believe there is an appeal to the Government.

4105. You would agree that there should be an appeal?—Yes, in the case of particular officers.

4106. However low their pay?—No, I am speaking of these officers who are appointed by the Board.

4107. But I am asking you now a general question?—If my suggestion were accepted and appointments were made by the President independently, I would allow an appeal to the Board and there it would stop; but with respect to the appointments by the Board the appeal should be to the Government.

4108. But in the case of any officer appointed by the Board his punishment would come from the Board?—Yes, on the recommendation, it may be, of the Collector.

4109. You have spoken of there being no regular committees; is it not the fact that committees are appointed for special purposes on the Board?—I was not aware of it.

4110. Is not a committee sometimes appointed to consider the budget for instance?—I am not aware of it.

4111. Have you anything to say with regard to municipalities?—With respect to municipalities, I would suggest this system of committees. There is provision made for that in the Act itself, but it is never taken advantage of.

4112. Would you be prepared to delegate any of the control exercised by Government—speaking generally—either to the municipality itself or to the Collector?—I believe so far as educational institutions are concerned they might be entirely under the control of the municipality.

4113. As regards your Advisory Council you have mentioned a variety of matters with which it should deal. As to some of them the Collector could pass orders himself if they were small matters, and in others he would have to refer in many cases now to the Board of Revenue or even a higher authority?—Yes. I would suggest as to, for instance, the remission of assessment on dry lands, if the area affects, say, one or two *taluks*, the Collector, acting on the advice of the Advisory Council, should be empowered to grant the remission.

4114. In matters where the Collector has power himself, where he can act entirely as an individual at present, if he had this Advisory Council, and the Advisory Council differed from him, would you require him to refer it to the Board?—Yes.

4115. So that so far it would be a measure of centralisation; it would clip the powers of the Collector?—But it would increase the powers of the Advisory Board, otherwise I do not think they will have that sense of responsibility which will enable them to take up the work or do it satisfactorily.

4116. In matters which in any case the Collector could not decide, he would report to the Board of Revenue and say "My Advisory Council agree with me" or not, and the Board would decide?—Yes.

4117. I see you put down communications and one or two other matters which rather clash with the District Board; you propose to abolish the District Board; would you have the *taluk* Boards in any way under the Advisory Council?—With reference to the Advisory Board they might indicate exactly where communications are required, and what those communications should be, and whether they might be left to the District Board or the *taluk* Board; but my point is this, that the Advisory Board will merely settle general questions of policy so far as such questions affected the whole district.

4118. Will the Advisory Board deal merely with questions referred to it by the Collector or will any member be at liberty to raise questions?—I take it that the initiative should come from the Collector, but I should have no objection to its being in the power of any member to start a fresh subject for discussion.

4119. You admit the existence of factions in the villages?—There are factions in villages, so I said that selected suitable areas should be taken first of all for the creation of panchayats.

4120. You think that in other areas the existence of factions might make the panchayats useless?—Not necessarily. You would have in the first place the example of successful panchayats, before the thing was tried in other places.

4121. Do you think the existence of an unrepresented low caste population like the *Pariahs* would be satisfactorily; do you think the panchayat would sufficiently consider the needs of the *Pariah* community?—I believe that the *Pariah* interest would be also considered because the interests of the *Pariahs* are not different from the interests of the *raiyatwari* holders.

4122. With reference to schools, do you think the panchayat would provide schools for the *Pariahs*?—I think there is no difficulty in regard to the panchayats doing that. It may be that they would not be allowed to read in the same school—the caste children and the *Panchama* children.

4123. I am asking you, as a matter of individual opinion, whether you think the panchayat would make provision for that?—Yes. I cannot say that the initiative to start a *Panchama* school will come from them, but if the matter is suggested, which I am nearly certain it will be, they will take it up and they will act upon it and try to do what they can.

4124. You suggest that the panchayat should have the criminal and civil powers now enjoyed by the munsiff and the village magistrate?—Yes.

4125. Are they not very petty powers?—Yes. I would slightly increase the powers with reference to the value of the property stolen; at present the power is limited to amounts up to one rupee; I would increase it up to five.

4126. Then with regard to civil matters?—The munsiff's power now is limited to Rs. 20; I would increase it to Rs. 40 or Rs. 50.

4127. Would you make it obligatory for persons having civil disputes or criminal cases within those limits to go to the panchayats?—Not in the infant stage of the panchayat.

4128. At first you would leave it optional?—Yes, as it is at present.

4129. And would there be an appeal?—Yes; with reference to civil cases there is an appeal provided for to the district munsiff at present; I would not alter that.

4130. And with regard to criminal cases?—There is no appeal now; it should be final within the limit now covered by the present regulations.

4131. As regards appeals against acts of Government, administrative or disciplinary acts in respect of their servants, what do you say?—I confine my answer to the case of disciplinary acts.

4132. Practically every act of a Government official can be appealed against now. In every administrative act by which a man thinks he is aggrieved he has at least one right of appeal?—Yes.

4133. Sometimes more?—Probably he has.

4134. You do not want to restrict the facilities for appeal in any way?—I have not spoken of appeals in respect of administrative acts, because I do not feel myself competent to give any opinion there; it is only with respect to matters which personally affect Government officials.

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4135. About administrative acts you are not prepared to say one way or the other?—At present I am not.

4136. As regards disciplinary acts with regard to Government servants, would you include in those village officials?—Yes.

4137. Are you aware that every officer of Government in India now spends a large part of his time in re-doing the work of the men below him?—Yes.

4138. You have stated that the superior European officers, the Sub-Collectors especially, do not see as much of the people as they ought to do; is that not largely due to the fact that they are doing the work of their subordinates over again?—To some extent it may be. I said also that it was due to the heavy work that they had to do.

4139. But you do not appear to wish to remedy the matter in the direction of reducing their work; you expect them to make bricks without straw; you would give them as much work as they do at present, and have them find time to receive visitors in addition?—I do not expect that their work in this direction should be lightened, but with reference to routine work I suggest that they might have Personal Assistants who would take the larger part of the work that they would have to do on to their own shoulders, so that they will have more time left for touring and getting into contact with the people.

4140. Practically your remedy is not to decrease the work but to increase the establishment?—Practically that is what it comes to.

4141. About the General Delegation Act, I was not clear as to what you said. You desire, I understand, that the provincial Government should be empowered by a general section to delegate certain powers vested in them by any Act whatever to any local authority?—No. I think my answer was this. The Act need not give the special powers to be exercised by the village panchayats, but the right to exercise special powers might be reserved to Government, which might give them those powers if it found the panchayats suitable for the purpose.

4142. But Sir Steyning Edgerley asked you a specific question. There may be occasions in which, owing to legislation passed a good many years ago, power has been placed in the hands of Government which it would be more convenient now to delegate to the Collector or to the *taluk* Board or to any other authority?—I cannot think at present of any particular case; it may be possible that circumstances may have so changed as to allow the delegation.

4143. I will put it as a hypothetical case. It may be that in certain cases the law has vested powers in Government, without the power of delegation, which it would be desirable for Government to delegate. Would you approve of a general Act allowing the Government in any case in which the law has put power into the hands of the Government and in the hands of the Government only, to give that power to any selected subordinate authority?—Does your question refer to general or particular cases?

4144. A general delegating authority?—I would not suggest that, but with reference to particular matters, as for instance in the case of the village panchayats, I would suggest that, taking into consideration the fact that village panchayats have to be revived very largely, the provincial Government might be given power as necessity arose to give them more and more powers.

4144A. But you would not give a blank cheque, so to speak, to the provincial Government to delegate powers vested in it to any subordinate authority it chose?—No.

(*The witness withdrew.*)

Dewan Bahadur K. KRISHNASWAMI RAO, C.I.E., was called and examined.

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4145. (*Chairman.*) You have been the Dewan of Travancore?—Yes.

4146. As such your position naturally carried with it a large amount of administrative power and experience?—Yes.

4147. How long did you occupy that position?—Six years.

4148. Had you any administrative experience besides that?—No. I was Chief Justice before that for 14 years, and before that I was in service in British India. I entered the British Service in the Judicial Department and remained for about 20 years in that department entirely; then I was transferred to Travancore; there I remained for nearly 20 years, and I was Dewan for six years.

4149. You are of opinion that in no case should the present right and power of appeal be curtailed. Are you fully acquainted with the right of appeal which now exists?—I cannot say that I am fully acquainted.

4150. Could you lay down any general principle within which the right of appeal either from administrative or judicial decisions should be curtailed?—So far as my experience goes in Travancore there is an appeal in every case.

4151. From every authority to the very highest?—Yes; there are only two authorities after all, the District Officer and the Dewan. So far as British Indian experience goes I have no experience.

4152. Those two appeals, you think, were sufficient?—There were also petitions to His Highness and also to the Resident, but there were no further appeals.

4153. Practically the right of appeal terminated with the Dewan?—Yes.

4154. And you, having acted as Dewan, know perfectly well that they got complete justice when the appeal terminated at the second Court?—Anyhow that was the practice there, and they were satisfied.

4155. Would you not admit that, following the same example in British India, if there were two rights of appeal that would be sufficient?—That I cannot say; it all depends on the classes one has been able to deal with; I have no British experience and cannot say whether it would be so or not.

4156. Therefore, your opinions regarding appeals should be interpreted as applying to Travancore?—I am speaking generally of the good that results from the right of appeal.

4157. You consider that European Executive Officers are not able to use the opportunities of personal contact with the people because of their want of vernacular knowledge. Does that apply to Travancore or to British India?—Everywhere.

4158. What has been your experience of British India lately?—I have no recent experience. When I was in British Service, before 1884, I have known cases in which British gentlemen were not able to converse with the people, and I think that that should not be.

4159. Where are you residing now?—In Madras.

4160. Since when?—For the last three years.

4161. With regard to the creation of Advisory Boards you suggest that they should deal amongst other things with income tax appeals?—I think there are some difficulties in regard to that which I had not noticed; I would withdraw that.

4162. And in such things as fixing the number of arrack-shops and the disposal of applications for loans for land improvement and agricultural purposes and so forth?—Yes; the Boards may be consulted.

4163. You are of opinion that the members should be nominated by the Collector in consultation with the Divisional Officers?—Yes, and the tahsildars and leading men.

4164. That you think would produce a satisfactory Council?—It might, I think, because the tahsildars and the leading gentlemen of the place would be consulted, and they would be well acquainted with the circumstances locally.

(*The witness withdrew.*)

Adjourned.

FIFTH DAY.

MADRAS, *Wednesday, 27th November*, 1907.

PRESENT:

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

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

Mr. H. W. GILLMAN, I.C.S., was called and examined.

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4165. (*Chairman.*) Do you wish to make a statement?—Yes: the chief defect in the administration is that too many appeals are allowed. The Indian raiyat would be perfectly contented with the order of the Collector or of the Divisional Officer so long as he knew it to be final. But when he is informed that he can go through the Divisional Officer and Collector up to the Board of Revenue and sometimes even to Government, he is apt to entertain an exaggerated idea of the importance of his grievance and of himself. I do not think that the raiyat would go beyond the district authorities, if he were left to himself. But he is not. There are persons hanging round every court in the district who make their living by sending him further in his progress of appeal. There are over 200 vakils in Madura town alone, whereas there is proper work for only perhaps a quarter of this number. The remaining three-quarters have to make work themselves and that is done by entrapping petitioners, parties and accused in the above manner, and by inducing them to appeal. All this surely makes for discontent. I hold very strongly that against revenue and administrative orders there should be only one appeal, and there should be no appeal beyond the Collector except when the original order is passed by the Collector himself.

Apart from this bug-bear of appeals, which is unavoidable under the present system, my experience has been that a Collector is treated with great consideration by the Board and Government, and that he is given a sufficiently free hand in the management of his district. In some matters he might be given extended powers, but they are only details which will not materially increase his responsibility. It is more essential that he should be relieved of the routine with which he is hampered in many branches of his work, so that he may have more time to devote to the supervision of the work of his subordinates and improvement of the administration of his district.

The powers of Divisional Officers are generally adequate. They relieve the Collector of the great bulk of the revenue work.

In Madura during the past five years there have been seven Collectors. The district has two Civilian divisions, Dindigul and Ramnad. During the same period, there have been 11 Divisional Officers at Dindigul and 14 at Ramnad. These frequent changes have not been due to any defect in the method of promotion, and I have no changes to suggest in this respect.

I consider that the pay of tahsildars should be personal and not territorial. This would save a lot of unnecessary and disconcerting transfers.

Government control is necessary over district municipalities for four reasons:—

(i) To protect its own interests by preventing the streets which are Government property and merely vested in the municipal Council from being encroached upon.

(ii) To protect the health of the municipality, in regard to which the municipal Council is astonishingly apathetic and careless. Instances from the Madura municipality are (*a*) neglect of the cholera epidemic this year, (*b*) resolution to abolish the Health Officer, and (*c*) resolution to abolish medical inspection at the railway station.

(iii) To safeguard the revenues of the municipality and veto the improper remission of taxation.

(iv) To ensure sympathetic administration.

I am of opinion that municipal Councils may be allowed greater freedom in regard to occasional and non-recurring expenditure.

District Boards within their budget are allowed a sufficiently free hand. If it is proposed to relieve the Collector of the Presidentship, I am afraid that the administration would suffer. I cannot make any suggestion for filling his place.

Of all the tribunals in the Presidency, the village court is the most competent judge of fact. The village munsiff or members of a village court do not need evidence to prove the facts of a case, which are already within their personal knowledge: generally, the only question for decision is the award.

The civil jurisdiction and procedure of the village courts in this Presidency is regulated by the Madras Village Court Act (I of 1889). Their jurisdiction is limited to suits of a value not exceeding twenty rupees; but with the consent of *both parties* they can entertain suits up to two hundred rupees.

There are 501 village munsiffs in the Government *taluks* of the Madura district, and probably not less than 450 in the *zamindari* portion. So far only 50 Bench Courts have been started, and of these five have become popular, 22 partially so; while 23 have been decided failures.

The working of the Bench Courts in the district is disappointing. One reason is, perhaps, that the superior officers of Government have not sufficiently supervised the constitution of the Courts or endeavoured to make them popular. This has been noticed by Government, and more energetic action is now being taken. Again, the ordinary jurisdiction of the village munsiffs and of the Bench is the same, and is so low that the members of a Bench do not usually care to attend when summoned.

Moreover, Section 14 of the Act requires the consent of both parties to invest a village court with extended jurisdiction. When both parties are ready to consent to the jurisdiction, they are also generally ready to compromise, and so it seldom happens that a suit above the ordinary limit is submitted to a village court if the parties are directly at issue on matters of fact or are at enmity with one another. Generally, the opposition comes from the defendant, and is merely vexatious in order to cause the plaintiff expense or enable himself to gain time for the payment of his debt. It seems to me that if the plaintiff consents to submit to the village court the defendant should not have the option of refusing, as the impartiality of the Bench is sufficiently safeguarded by Section 9 of the Act.

The value of suits cognizable by the village Bench may be raised to Rs. 50. The jurisdiction of the village munsiff sitting alone may be limited

to suits up to the value of Rs. 20 as at present. At any rate, a village Bench may be given concurrent jurisdiction with the district munsiff for suits between Rs. 20 and Rs. 50, and if the plaintiff elects to file his suit in the latter court, the district munsiff may be given the discretion of allowing him only the costs that would have been incurred in the village court if he considered that the suit had been unnecessarily or vexatiously filed in his own court. A small institution fee of half per cent. on the value of suits might be charged as costs in the suit to be credited to the village improvement fund to be hereafter mentioned.

As village magistrate, the headman has jurisdiction over petty cases of abuse, assault, and thefts of property of a value below one rupee, and can confine the offending party in the village *Chavadi* for twelve hours, or put him in the stocks if he is a man of the lower castes. As a rule these matters are settled by a village panchayat by the award of a fine, part of which is paid to the party aggrieved and the remainder appropriated for village expenses.

I would suggest the establishment of village Benches constituted as in Act I of 1889 for criminal work, also with jurisdiction over cases of theft and mischief where the loss is below Rs. 5 and petty cases of assault, insult and trespass, and also nuisance cases. The Bench may be empowered to fine up to Rs. 5 and confine in the *Chavadi* for 12 hours. The village Bench should be directly subordinate to the Sub-Divisional Magistrate in all respects.

All fines and fees levied by village courts may be credited to a village improvement fund, the money being lodged in the custody of two members of the Bench and the accounts being kept by the *karnam*. The fund should be applied to the improvement of the sanitation, water-supply or roads of the village entirely at the discretion of the Bench. The accounts and balance in hand may be subject to the scrutiny of the Government officers, but to no other interference from them.

I am of opinion that it is not desirable to give the village community greater powers in the disposal of revenue matters such as applications for land, distribution of remissions, settlement of irrigation disputes, etc. In the Vizianagram *zamindari*, prior to the assumption of management by Government, the village headmen had been allowed a very free hand in such matters, and the result certainly was that the rich and influential raiyats not only appropriated the best lands and an undue share of the water for irrigation, but unfairly shifted the burden of assessment on to the poorer villagers.

Divisional charges have hitherto been too heavy. I was in the Guntur division for nearly a year and a half in 1895-96, and could not manage to visit the whole of it.

Under Mr. Meyer's scheme divisional charges have been reduced to more reasonable dimensions, but even after this scheme is introduced, I anticipate that there will still be some heavy divisions.

Take, for instance, the Dindigul division of the Madura district. The Divisional Officer is at present overworked. He has three heavy Government *taluks* and a Hill sub-division. His magisterial file is heavy. He has on the average to dispose of 150 criminal cases and 200 appeals in the year. He has four municipalities to supervise. Such heavy magisterial work compels the Divisional Officer, even when he is in camp, to spend most of his time in court, and does not allow him sufficient opportunity of looking into village needs for himself, or even of personal enquiry into the petitions that are presented to him. He has necessarily to refer petitions to a subordinate for report and decide them on second-hand information.

I am not prepared to say that a Civilian's initial study of the vernacular is inadequate. But as his orders are generally passed upon reports written in English, and as depositions are recorded by him in the same language with the assistance of a clerk, his fluency in the native language of his Division is apt to become impaired through want of practice.

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The less magisterial work a Divisional Officer has to do, the better he gets to know his division. For seven years I was in charge of the Vizianagram *zamindari* and had no magisterial powers. I certainly got to know the raiyats and their needs as I had never previously done as a Divisional Officer.

4166. You are Collector of the Madura district?—Yes. I have been so for nearly a year; it is my first permanent Collectorate.

4167. What is the longest period for which you have acted as a Collector?—I have been on special service; I was Collector of the Vizianagram *zamindari* for seven years continuously.

4168. In your judgment is the system of appeal considerably abused?—It is carried to too great a length.

4169. You hold that one appeal beyond the original deciding authority would be sufficient?—Yes; in revenue matters.

4170. And in administrative matters?—In administrative matters there should be two appeals I think, except as regards personal matters of the dismissal of officials; I think that ought to be very carefully safeguarded. I should say that where a Divisional Officer has power to dismiss, the Collector ought to have the final power in appeal; there would not be much chance of injustice being done if that was the case.

4171. Would that necessarily give one court of appeal?—One court of appeal to the Collector; the Divisional Officer is the lowest man who can dismiss.

4172. And would you give an appeal from him to the Collector?—Yes.

4173. Does not the freedom conceded to the Collector in the management of his district very often depend on the character of the Collector?—I do not know: I am speaking only of myself.

4174. A man who is a strong man can get a great deal more freedom out of Government than a weak man?—I should think so, to a certain extent. I think Government would not give so free a hand to a man they did not trust.

4175. You rather suggest that it might be desirable to abolish the practice of promotion by seniority in the case of Collectors?—I do not think it is necessary.

4176. You think that all Collectors are of sufficient character and intelligence to justify promotion in all cases?—I should think that every man ought to be given his chance as Collector.

4177. How long is a Sub-Collector before he reaches the full permanent appointment of Collector?—Now it is about 16 years; he officiates as Collector in about 13 years.

4178. So that for 13 years a man, whether he does ill or well, in your judgment should go straight up?—I think a man who has been working for 13 years should be given a chance as Collector.

4179. I ask you whether a man should for 13 years—which is about the time he begins to act as Collector—go up unchecked by selection for merit?—I think so.

4180. Have you ever in your experience known cases of men who have conspicuously failed as Collectors?—I cannot recollect a case.

4181. If these relaxations of control were granted, would a better class of men be required?—No.

4182. Not at all?—I do not think so; I do not think they add materially to the responsibility of the man.

4183. They are all of such a trifling character that you do not want any more careful selection of the men who would exercise the powers?—Quite so.

4184. With regard to the delegation of powers from Divisional Officers to tahsildars, you want freer power from the Government, and on the

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other hand you are prepared to hand on to your subordinates further powers?—Yes.

4185. Do you think that in the delegation of powers the best way would be for Government to have the general power to delegate to Collectors, and that the Collectors should have the general power to delegate to subordinates, wherever in each case the delegation can be properly used?—I do not think that that would be the best way.

4186. You think that every Collector should have powers compulsorily delegated to him, and should in turn be compelled to delegate those powers to subordinates?—Yes, and if the subordinate is found wanting he should be found some other appointment.

4187. But the delegation of powers should be compulsory?—Yes.

4188. Amongst these subordinates would be the tahsildar?—Yes.

4189. You think that he might be given greater powers?—Yes.

4190. Is a tahsildar kept very much in his office?—A great deal.

4191. We had it in evidence yesterday that he was kept *very much* in his office?—He has got a tremendous amount of office work to do—accounts and so forth.

4192. You think that that might very advantageously be diminished?—As to the tahsildar's work, I do not know very well how it could be diminished, because he has to keep the accounts of all the departments; I do not think the accounts work could be diminished.

4193. In what direction could a tahsildar's work be diminished?—He could be given some one in his office who could relieve him of part of his work. In the case of Madura, which is one of the heaviest *taluks* in my district, the tahsildar has now what is practically an additional deputy tahsildar; he is an office assistant, who does a vast amount of routine work, to the great relief of the tahsildar.

4194. In your judgment the clerical work which is now laid on the tahsildar is necessary, but he has not got staff enough to cope with it?—I think so; in heavy *taluks* he ought certainly to have a trained assistant.

4195. You tell us that the tahsildar's recommendations are almost invariably maintained?—Yes, in regard to the *jamabandi*.

4196. Is that because he knows there is an appeal from him?—No, it is because they are mostly according to rule.

4197. He looks in a book?—It is really a mere matter of rule of thumb.

4198. Not requiring the exercise of discretion?—Very little.

4199. Do tahsildars as a rule have to exercise a certain amount of judgment?—In the management of the village officers they have to exercise judgment.

4200. In that direction would you give them greater freedom?—Yes, I propose that they should be allowed to suspend village officers.

4201. Have you calculated what might be the financial effect, say in your Collectorate, of giving these greater powers which you suggest to yourself and the officers subordinate to you?—I do not think there would be much extra cost. If I have not the power of sanctioning myself, I have to get the sanction of the Board of Revenue.

4202. Do you always get it?—Yes.

4203. They do not necessarily surcharge you?—No, these are necessary establishments which must be maintained.

4204. It is really only a formal sanction?—Yes.

4205. And you want to prevent reference?—Yes.

4206. In your judgment, there would be no increase of cost if these increased powers of sanction were given to you?—No; the only reason the Board insist on it now is that Collectors might sanction establishments which the Board may possibly not consider necessary.

4207. What is Special Fund work?—It has reference to cattle pounds and things of that sort.

4208. You have no power now to sanction in those cases?—I have got certain powers, but I propose that they should be extended up to Rs. 250.

4209. You want an extension to the Divisional Officer?—And to myself; that is not so important.

4210. When you say that the tahsildar might be given the power of suspending and fining village officers do you mean without reference to higher authority?—Subject to appeal to the Divisional Officer.

4211. What power is there at present?—The tahsildar can fine up to one rupee.

4212. What would the power of suspension imply?—The limit of suspension is two years. It would be perfectly safeguarded if there was an appeal.

4213. You think the appeal to the Divisional Officer (not to yourself) would safeguard it?—Quite.

4214. You do not think there would be danger of injustice from the tahsildar wanting to bring in some relation of his?—He could not do that according to the rules; it has to be done according to hereditary right; he has to appoint the nearest relation of the *karnam* or munsiff.

4215. Your suggestion is for the Presidency of Madras only?—I do not know the conditions that obtain in other parts of India; certainly I think it is necessary in Madras. The tahsildars must have more control.

4216. Then with regard to the wiping off of irrecoverable arrears; is that not a question of the Court of Wards?—Yes, it gives real trouble.

4217. You say that quite an appreciable portion of your time is occupied in passing drafts to the Court, generally for a few rupees?—Yes.

4218. When you say it occupies an appreciable portion of your time, what do you mean?—I think it occupies a quarter of an hour a day.

4219. That is about an hour and a half a week?—Yes, that is a great deal in a heavy Collectorate.

4220. I suppose in these cases you do not look very closely at them yourself; you merely countersign them?—No, the manager of the Court of Wards sends up proposals giving full explanations; I have got to go through his explanations and see that they are correct, and send them on to the Court of Wards; I have to send on even for an arrear of 6 pies.

4221. What limit would you have?—I would have a Rs. 50 limit; that would be quite enough; most of the cases I have are below Rs. 50.

4222. With regard to the question of transfers; you say that in Madura there have been seven Collectors in five years; is that to the advantage either of the district of Madura or of the Collector?—No, distinctly not.

4223. Do you make any suggestion as to how that might be avoided?—I think there should be more care taken at headquarters.

4224. In what direction?—By posting Collectors to a district who are likely to remain there, as far as possible.

4225. Do you know whether officers, having been posted to a district which they do not like, are frequently allowed to get a transfer?—I have not heard of that.

4226. You have not heard of it in conversation and so forth; it has not been suggested to you in any way?—No.

4227. You have no other suggestion to make as a remedy?—I do not think there is anything wrong in the method of promotion of Collectors or Divisional Officers. The pay of Divisional Officers is personal, and it does not matter to which division in a district he is appointed. I think there is

nothing wrong in that, but I think more care might be exercised to see that men who are posted to a district are likely to stop there, as far as possible.

4228. You say that the pay of tahsildars should be personal and not territorial?—Yes.

4229. I understood that in a great many cases the system had been altered in Madras and that the pay generally throughout the Civil Service in Madras was personal and *not territorial*?—I think Government refused to entertain the proposal when it was made by Mr. Meyer.

4230. You would like to see the tahsildars' pay arranged on the same principle as that of Gazetted Officers?—It would be a great saving of transfers in the district.

4231. Are tahsildars transferred as frequently as Gazetted Officers?—It is not so much that as that when a higher grade tahsildar comes in from leave or has to retire, he turns out the whole line of tahsildars down to the bottom again.

4232. Is it not quite as necessary that a tahsildar should know his district as it is that a Deputy Collector or a Divisional Officer should know his district?—He ought to be given three or four years in the *taluk*.

4233. What is the size of your Madura district?—8,700 square miles.

4234. Is it not going to be divided?—Yes.

4235. How long would it take an officer to get to know personally a district of the size of Madura—I mean as Collector?—A year.

4236. He would be able in a year to get round the whole of his Collectorate and make himself fairly well acquainted with the people?—I think so; it has taken me a year at least.

4237 Not more?—I do not think so.

4238. He would get to know the principal gentry in the district?—He would get to know the gentry, but he would not know the villagers.

4239. How long would it take him to know the people generally as apart from the notables?—Double the time I should think.

4240. Therefore you would put two years as the limit of time within which a Collector could get to know his district?—I think so.

4241. In the case of a Sub-Collector how long would you say?—I should say that a Sub-Collector would get to know his division in a year—I mean one of the new divisions—certainly not the old ones.

4242. Is Government control over a district municipality necessary to protect the health of the municipality? So far as Madura is concerned, you instance a case of neglect of a cholera epidemic, a resolution abolishing the Health Officer, and a resolution abolishing medical inspection at the railway station. Are all those three subjects matters which require very careful attention?—Health I think is a subject requiring most careful attention.

4243. Was there any particular local dispute which caused the municipality to desire to get rid of their Health Officer and to abolish medical inspection?—No.

4244. It was a sort of general carelessness?—Yes; the native character I think accounted for it; it is fatalism.

4245. That prevents them cleaning the streets and so on?—It prevents them taking enough trouble when an epidemic breaks out, and certainly they do not clean the streets as well as they ought to.

4246. Would any relaxation of Government control over the municipalities perhaps lead to a little corruption and general mismanagement?—I think the control of Government is necessary for the reasons I have stated. I think municipalities are given enough freedom to run the municipality with the budget limit; there might be some further powers given to them in the way of occasional expenditure.

4247. Up to what extent?—I would not make any limit.

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4248. A witness told us yesterday that he would like to give the District Boards freedom to spend a certain sum on unforeseen expenditure up to a limit which should be laid down in the budget, which should be provided for *en bloc* but not in detail. Would you like to see the same power given to municipalities?—I should have no objection.

4249. What should be the limit?—I do not think I should put a limit, because you would have to put it down in the budget, and Government would consider whether the sum was adequate or not for the particular municipality.

4250. It would depend upon the size of the municipality?—Yes.

4251. Within their budget are District Boards freer than municipalities?—Municipalities have to go up more frequently for sanction to occasional expenditure. A District Board has practically complete control within its budget.

4252. Have they got all the latitude to which they are reasonably entitled, looking to their composition?—I think so.

4253. Have you found that the village courts on the whole work well?—I think so on the whole.

4254. Ought the system to be extended?—I think so; I think they ought to be given a greater chance.

4255. For executive or for judicial functions?—For judicial functions.

4256. You think they are quite competent to consider all the sort of general village questions which in practice arise between the inhabitants of a village?—Yes, in regard to civil and criminal work—petty disputes—I think so.

4257. Both civil and criminal?—Yes.

4258. And you think they ought to be fostered in every way?—I think they ought to be.

4259. Would that require favourable supervision for the first few years or months of the existence of village courts?—Not so much supervision as encouragement.

4260. I said favourable supervision?—Yes, they probably would.

4261. They might otherwise go out of existence?—They would be inclined to; that has been my experience of civil courts in Madura.

4262. They want to be very carefully nursed?—They require to be nursed.

4263. Are you the officer who deals with agricultural loans?—Yes. The Collector allots the money, and the tahsildar distributes it.

4264. How do you draw the money; I understand it is a sum placed at your disposal by the Board of Revenue?—Yes. We send up a budget of our requirements, and they allot us money according as they can.

4265. Is the budget of loans put in after you have been round the district?—No, it is put in on the reports of the tahsildars.

4266. How long is it between the time when you first of all put in your budget and when you get the actual cash which you can hand over to the agriculturalist?—We first of all have got to get the sanction of the Board; from the time of my application for the loan I should think it would be about two months.

4267. Is it the fact that the season when you most require the relief may have passed by the time you actually get the money?—There is a possibility of that; it depends; loans are given all the year round.

4268. What is generally speaking the amount of money required in a Collectorate like Madura?—The loans there are generally either for sinking wells or for the purchase of cattle; the average loan is from Rs. 150 to Rs. 250.

4269. Do you find as a rule when you have recommended a loan that the provincial Government

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says "Well, we have not got the money" or "We do not think the project a good one"?—We are given a free hand in the matter of spending the money; we are given a budget lump sum.

4270. If that is so, would it not save time, and perhaps a great deal of correspondence, if upon the requirements of loans of one year the Collector was permitted to draw upon the local treasury for a similar amount, of course stating the purposes to which he devoted the loan, so that he might have the actual cash to hand to the agriculturalists quickly?—The whole allotment for the district is sanctioned; we send up the application in March, and the sanction comes in April; that lasts for a year. According to that allotment from the Board we distribute it among our *taluks*. The only people who would have to wait are the people whose applications are pending while the sanction of the Board is arriving; otherwise the money is ready to hand as soon as the necessary enquiries have been made and it can be given out by the tahsildar on the spot. There would not be any delays in the case of loans coming after sanction for distribution had been received.

4271. Any loan, therefore, that would be proposed to you between April and December would be promptly made?—It is not proposed to me at all.

4272. Proposed to the tahsildar and then referred to you?—No, it is not referred to me.

4273. Then what is the process?—The sanction is by the Divisional Officer.

4274. To be confirmed by you?—No, I have nothing to do with it.

4275. You always take the recommendation of your Divisional Officer?—All I do is to check the expenditure of the loans; in a few cases I have done so.

4276. Would it be of advantage to the raiyat if the Divisional Officer had this power, which I have suggested might be given to you, of at once producing the money and giving it to the raiyat?—He has the power.

4277. Except as to those requests which are put in between April and December?—He has no power until the new allotment is out. There may be a little delay in getting the Board's sanction for the new allotment.

4278. There is practically no delay in the first part of the year?—No, practically none, except for the necessary enquiries to be made.

4279. The forest officer and the District Superintendent of Police are subordinate to you for administration, but independent of you for technical purposes?—Yes.

4280. But the Public Works Engineer is independent of you for all purposes?—Yes.

4281. Might the same relations which now obtain between you and the forest officer and the District Superintendent of Police advantageously obtain between you and the Public Works Engineer?—I think it might with regard to irrigation.

4282. Not with regard to other things?—That is not so important; buildings and works generally are not so important.

4283. You think it would be advantageous and would save delay and perhaps correspondence if these relations were made similar to those which obtain between the Collector and the forest officer and the District Superintendent of Police?—It is not so much the saving of correspondence. I think the Collector ought to be the authority who decides matters of irrigation, especially as to the distribution of water.

4284. He would know much better the requirements of the locality?—Yes, I have a case at present in Madura where I have expressed to Government my dissatisfaction with the arrangement of the Executive Engineer.

4285. How is it that the Collector knows better than the engineer the requirements of the locality as regards water?—First of all from his own enquiries, and secondly from the knowledge of the revenue inspectors and tahsildars, whose constant duty it is to go over the area.

4286. The Public Works Engineer has no subordinates?—He has subordinates.

4287. Then would not his subordinates give him the information?—Well, they would give him information; of course it is a matter of opinion; I consider that in this particular case the information he receives is incorrect.

4288. But each has a similar opportunity of obtaining, through subordinates, the information which would lead him to a correct judgment?—I think so.

4289. However, you think it may be supposed that the judgment of the Collector in individual cases would be better than the judgment of the Public Works Engineer?—I think so; the Collector is the Head of the District, and I think his opinion ought to prevail until he is over-ruled by Government.

4290. Would an Advisory Council be of use to you as a Collector?—I think that the Local Boards and probably District Boards would be made more useful if the district were divided into areas and members chosen in the areas. I think it would be possible to let them advise in matters of village economy—not to advise exactly, but to make suggestions to the Collectors with regard to matters which do not come within the purview of those Boards—that is to say particularly with regard to the needs of village irrigation. I think that would be possible and advisable.

4291. Should extended powers be given to *taluk* Boards?—It is not so much a matter of giving them powers, but these people, representative of small areas in the district, would directly advise the Divisional Officer of the needs of irrigation in their areas, which he would not otherwise perhaps have the opportunity of knowing.

4292. If the sphere of influence, we will put it, of *taluk* Boards was extended, you think the special Advisory Councils would be unnecessary?—I do not think they would be necessary.

4293. Their place could be taken by the extension of influence which would be given to the *taluk* Boards?—I think so.

4294. And to the District Boards?—I do not consider that there would be any harm in the District Boards having the same power; it would be more useful in plague matters.

4295. Do you think that panchayats could be usefully revived?—In regard to what matters?

4296. It was suggested to us the other day that minor irrigation works, grazing land, roads, and so on, were matters that might be dealt with by a village panchayat?—Village roads, sanitation, and drinking water wells I think are all matters that could be dealt with by the village panchayat.

4297. And schools?—I do not see any real objection to that.

4298. Small questions of sanitation and irrigation and so on?—Certainly.

4299. Distribution of seeds?—I suppose you mean distribution of seeds for experiments; I think that might be done.

4300. You think that the panchayats might be usefully revived?—In regard to these matters, yes.

4301. Would it be very difficult to revive them?—I think not.

4302. Would the natural inclination of the people of the village be to make use of a Council of this sort?—I think so.

4303. Should they be actually limited to five, or should it be, as I am told it is in certain parts of the Punjab, extended to eight members?—I do not think the number matters; you would pick the best men in the village.

4304. There would be no difficulty in getting five or ten members?—There would be difficulty in some villages; sometimes you could only have three members.

4305. You probably would not be able to start them in all villages at once?—No.

4306. You have no famine duties?—I have had, but I have not any at present.

4307. Of course they fall very heavily on the Collectors?—Yes.

4308. More heavily than on the Divisional Officers?—They fall very heavily on both, but the onus is on the Collector.

4309. During a time of famine do the provincial Government rather throw control to the winds and give you a pretty free hand?—They give the Collector a very free hand.

4310. All that he can reasonably desire?—I think so. In my experience in Bellary we had a very free hand.

4311. You have a large power of remission with regard to wet crops?—Yes, absolute power.

4312. You have practically no power of remission in the matter of dry crops?—No.

4313. Would it be desirable to give you the same power of remission with regard to dry crops as you now have with regard to wet crops?—I do not think so.

4314. Why not?—Because it is so exceptional.

4315. But because it is exceptional is that any reason why you should not have the power?—I do not think there should be any remission on dry crops unless the area affected is very large.

4316. Why should you not have power to remit where remission would advantageously affect a single village?—Because I think sufficient allowance is already made by the Government assessment.

4317. Might it not be that some exceptional calamity might fall on an isolated village and the people be in great distress with regard to dry crops?—I do not think so.

4318. That has never occurred?—I do not think so; I think when there is distress it is in a large area.

4319. You know no case of isolated distress?—No.

4320. Do you have many cases of dry crops in Madura?—Yes.

4321. Therefore you have experience in regard to the matter of dry crops?—I have had considerable experience.

4322. (*Sir Frederic Lely.*) With reference to the delegation of powers to subordinates of the Collector, you think it should be according to fixed rule: that all tahsildars should have certain powers, and all Sub-Divisional Officers should have certain powers?—I think so.

4323. Would it not be a valuable power in the hands of the Collector to be able to discriminate between his subordinates?—I do not think it is necessary.

4324. But do you not think that it would be desirable that a Collector should have power to say, "You are doing very good work; you are the best man in the Collectorate, and I will give you so much extra power"?—I do not think so.

4325. You do not think that that would have a good effect?—I do not think it would have a good effect; to begin with, I do not think any Collector ought to say that to a tahsildar.

4326. As a matter of fact, I suppose, you do consider some of your tahsildars more trustworthy than others?—I do.

4327. Why should you not show that by your official action; do you not think it would stimulate good work?—I am not prepared to say that.

4328. As a matter of fact, leaving tahsildars aside, there is a great difference between a young Assistant with one year's service, and another man who has had 10 years' service?—There is.

4329. Should you not treat the two differently?—I do not think the matters in which I have recommended extra powers necessitate that.

4330. I am not referring to the matter of extra powers, but to the general delegation of powers?—I do not think that any subordinate ought to be placed in such a position that he knows that he is not given powers because you do not trust him; I think in that case he would be inclined to do bad work.

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4331. But presumably the man of one year's service would be the first to admit that he was not so fit as another man who had had 10 years' service?—That is so, but I think it would discourage a subordinate if he knew that he would not be given so much power as another.

4332. Would it not have the reverse effect—would it not encourage him so to act as to justify you in increasing his powers?—I think not.

4333. You do not think it would strengthen the Collector's personal hold on his men to give him the power to discriminate?—I do not think it is advisable.

4334. You think that ordinarily one appeal is sufficient?—Yes.

4335. Is that opinion given in full recognition of the fact that one of the greatest attractions in the Government Service to natives is its certainty?—You are talking now of appointments; I specially except appointments; I am talking of revenue and administrative matters.

4336. Then suppose a man is dismissed, you would not limit his right of appeal?—I do not think I would. Personally, I would be in favour, perhaps, of giving the Collector the final right of appeal over a man whom the Divisional Officer can dismiss, but I am not prepared to press that. I think that Government officers certainly require full opportunities of appeal.

4337. At present, the lowest officer can appeal up to Government?—I think so.

4338. And you would retain that appeal?—With regard to menials I certainly would not. For instance, with regard to peons and perhaps the lowest paid clerks, I do not think it is in the interests of good government that clerks who can be dismissed by a Divisional Officer should have the power of making many appeals.

4339. Even though abolishing the right of appeal would have the result of making the tenure of Government office more precarious?—In regard to the lowest paid clerks I do not think there is any necessity for so many appeals.

4340. How would it be to limit the right of appeal as is suggested to one officer above the officer who passes the order, except in cases of reductions and dismissals; suppose you fined the *karnam*, or your Sub-Divisional Officer fined the *karnam*?—There is no appeal against that.

4341. There is no appeal whatever the amount of the fine?—No, there is no appeal certainly from the Collector, and I do not think there is an appeal from the Divisional Officer; I am not sure.

4342. Then going higher in the scale, suppose you fined a revenue inspector, may he appeal to the Collector?—Yes.

4343. You would draw the line of appeal there in the case of an order of fine, but if you dismiss him or reduce him then you would give him the full power of appeal as it is now?—That would be in accordance with my suggestions.

4344. That is, you would retain the old power of appeal in the case of reduction and dismissal generally?—Generally, except as I have said.

4345. Is not the Collector very heavily worked?—Yes.

4346. A large part of his duties consists in the management of estates under the Court of Wards?—Mine do, in Madura particularly so.

4347. There are a large number of estates?—Four including one very large one. Three are comparatively small.

4348. That is work in which the Collector's personal interest would be of special value?—Yes.

4349. Have you a free hand in the management of these estates?—No, everything has got to be referred to the Board—practically everything.

4350. That must cumber your work very much?—It does.

4351. Have you a manager for each estate?—Yes.

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4352. Could you not raise his pay without reporting it?—No, I cannot write off 6 pies without reporting it.

4353. Have you a good deal of engineering work to be done on these estates—making tanks and buildings and so on?—Yes.

4354. How is that arranged for?—The Collector has power in regard to works under Rs. 1,000 I think.

4355. But how do you arrange for the carrying out of the work?—In one large estate that I have to do with we have an assistant engineer and four overseers under him. In minor estates we are limited by our means, and we have an overseer generally.

4356. Is the assistant engineer in the regular list?—No.

4357. He has no hopes of promotion?—No.

4358. What is his pay?—Rs. 150.

4359. I suppose he is not a very efficient man?—No, he is generally a retired Government servant.

4360. He is generally more or less effete?—Effete and not over trustworthy.

4361. To begin with does he make the estimate?—Yes.

4362. And you have to sign it?—Big estimates go to the Executive Engineer for remarks.

4363. But all smaller ones you sign on your own authority?—Yes.

4364. Do you know anything about them?—I have inspected a lot of his works.

4364A. You sign most of them on your own personal knowledge?—I will not say most of them—a certain percentage.

4365. And as to those that you cannot sign on your personal knowledge?—They go through the manager, and I have got to take his, and the manager's, word.

4366. As to the engineer who makes the estimate, can you trust him to measure up?—I have to trust him; I have inspected some of his measurements and found them to be correct.

4367. You have got four estates you say; could you not club them together and pay for an efficient engineer?—It could not be done, because they are at all ends of the district.

4368. But they are all under you; therefore why should they not all be under one efficient engineer?—You mean to supervise them?

4369. To be responsible for the public works. If you made a proposal like that would there be any chance of the Board of Revenue entertaining it?—I do not think so, because they would say that there would not be enough work in the district.

4370. I do not wish you to criticise your superior's experience beyond limits, but the Board of Revenue, I take it, takes a very conservative view of things as a rule—they look with suspicion on any change?—They would not give me power the other day to write off irrecoverable arrears up to Rs. 50.

4371. Now take the question of encroachments; they are settled, are they not, at the *jamabandi* every year?—Yes.

4372. By the Sub-Divisional Officer?—Yes.

4373. By encroachments you mean certain cases where the cultivator has overstepped the limits of his field?—Yes, on to communal land.

4374. It involves often only a few feet of land?—Often.

4375. And these encroachments occur again and again, year after year?—Yes.

4376. It would be true to say that the cultivator often does not even know that he has been fined for the encroachment; the Sub-Divisional Officer fines him at the *jamabandi* and he does not even know that he is fined?—I am not prepared to say that; he knows that he has to pay something extra above his ordinary assessment.

4377. But if he knew that he was fined every year he would surely give up the encroachment?—No, that is what he does not do.

4378. Even if he knows that he is to be fined he prefers to go on paying the fine?—Yes.

4379. As a matter of fact some men go on paying fines year after year?—That used to be the case, but under the new law we have the power to eject them, and we are now using that power.

4380. Is the result of the new law that you are gradually clearing your files of these old encroachments?—Yes.

4381. Then, you have the direct charge of a large number of small tanks?—Yes. Minor irrigation works.

4382. Is that a good plan?—I cannot suggest any better.

4383. Whom have you to work through?—The minor irrigation supervisor.

4384. Is he on the Government list—the Public Works Department list?—I am not sure; he is not necessarily so I think.

4385. Is he a reliable man?—I am not prepared to say that.

4386. What pay does he get?—I think he gets about Rs. 80.

4387. You have to trust him to do the work and to make the payments; I suppose you have to trust him all through?—The Sub-Divisional Officers are supposed personally to look after their own divisions and inspect his work and check his measurements as far as possible.

4388. The Sub-Divisional Officer has got no expert knowledge either?—Oh yes. When I was Sub-Divisional Officer I inspected and checked most of my minor irrigation works.

4389. Then you trust chiefly to the Sub-Divisional Officer?—You ought to do so, if the Sub-Divisional Officer does his work.

4390. You have a good many civil suits in your district, I mean suits in the Civil Courts against Government?—Yes.

4391. Who is responsible for making the Government defence in cases of that sort?—The Collector in certain minor matters, particularly in regard to land acquisition; and the Board of Revenue in important matters.

4392. Does the Board of Revenue really mean the Collector?—Not necessarily.

4393. The Collector has the preparation of the case?—The Collector has the preparation of the case, but the Board often requires further information and amends the plaint.

4394. It all has to be done through you?—It all has to be done through the Collector.

4395. Can you give an idea of how many suits you have on hand on the average?—A good many.

4396. That must be a great burden on you?—Yes.

4397. Have you a professional assistant?—Yes, the Government Pleader.

4398. Is he of any use?—He is of very much use.

4399. What is his pay?—He has a retaining fee of Rs. 50 a month, but he gets fees in each case in which he is employed.

4400. For the preparation of the case he does not get paid?—No; he is paid fees for being engaged in a case; the Rs. 50 a month retainer is supposed to cover the preparation of the case.

4401. Suppose a man gives you notice that he intends to bring a suit against Government, you take up the case?—Yes, but I do not consult the Pleader until everything is filed.

4402. It is a very heavy burden on you to have to enquire into the case?—It is.

4403. Afterwards you send it to the Government Pleader?—When the suit has been filed I send the records to the Government Pleader and ask him to prepare the defence.

4404. You have no other assistance than that of the Government Pleader?—No other legal assistance.

4405. All the work is done in your office?—Yes, the report in the case comes from the Divisional Officer and the tahsildar, and I then send the records of the case to the Government Pleader, and ask him to consult the tahsildar if necessary upon the preparation of the case.

4406. You have no such person in this Presidency as a Legal Remembrancer?—No, we have the Government Pleader only.

4407. Is it not a great advantage that the Collector and his Assistants, the District staff, should be as mobile as possible?—Certainly.

4408. Would it not be an advantage if you had a house in every central place so that if any of you wanted to go to that place you might just pack up and go there and find a house furnished ready for you?—We have bungalows pretty well all over the district.

4409. How are they kept up?—They are kept up some by the Local Fund Board, some by the Public Works Department, and some by the Forest Department.

4410. If they are for the convenience of Government officers the cost would be fairly payable by the Provincial Government, would it not?—I have not considered that.

4411. Now as to grading tahsildars. You would not attach the pay of the tahsildar to the *taluk*?—No, certainly not.

4412. Do not *taluks* differ very much in difficulty and in the amount of work which they involve?—Some *taluks* are heavier than others.

4413. And is the tendency to send the most capable men to the most difficult *taluks*?—That would be so.

4414. Then would not the result of grading the tahsildars, with the pay attached to the *taluk*, be to impose a sort of fine on the cleverest men so long as they were juniors?—Yes, but you generally promote your tahsildars by seniority.

4415. Suppose your cleverest man happened to be your junior man?—You would not put him over the older men.

4416. But you would send him to the most difficult *taluk*?—Not necessarily, but that would be the tendency.

4417. So that the result would often be that the cleverest man who happened to be junior, and therefore the lowest paid, would have imposed upon him the most difficult *taluk*?—It might happen, but not necessarily.

4418. But would that not be the tendency?—Perhaps.

4419. In conjunction with the grading system, would it also be advisable to attach to some of your most difficult *taluks* a special local allowance, so that a junior man who is sent to a difficult *taluk*, merely because he is a clever man, should have some consolation, say, in an extra Rs. 50 local allowance?—That might possibly be done.

4420. Would that be on the whole a just arrangement?—Suppose your clever man happened to be paid Rs. 250, you would be giving him too much.

4421. Would there be any objection to that?—I do not think it is necessary.

4422. You do not think that a clever junior man would have reason to complain if he was sent to a difficult *taluk*?—I do not think so; I think he would be glad of the opportunity of improving himself.

4423. When you are asked whether municipal budgets should be treated in such and such a manner, we have to recognise that the municipalities differ greatly?—Tremendously.

4424. The municipality of Madura, for instance, requires very different treatment from a small *mufassal* place?—No doubt.

4425. In the case of a municipality like Madura, why should Government interfere in its budget at all?—I do not think the municipality is to be sufficiently trusted to prepare its budget.

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4426. What sort of mistakes would they be likely to make?—Over-establishment would be one.

4427. Is there not enough popular feeling to prevent that?—No; there are very apt to be factions.

4428. But you, as Collector in the place, would detect that, if it was tried, at once?—I should not have any power.

4429. But suppose you draw the attention of the Council to it, is there not enough popular feeling to listen to your advice?—Not unless I had the power to enforce it.

4430. Then you think they should be interfered with?—I think the budget should go to Government for sanction.

4431. And the Government should have the power to alter the details?—Yes.

4432. Is local self-government likely to grow under a system like that?—I think that within the budget they ought to be given a free hand.

4433. You would give the Government power to vary the budget?—I am afraid it is necessary at present.

4434. As to village schools, the suggestion has been made that if the schools were entrusted entirely to the villagers, the lower castes and the *Pariahs* would suffer; do you think there is that danger?—I think the villagers would be quite prepared to listen to advice. I do not think village schools should be left absolutely to the villagers; they might possibly suffer; but if the villagers knew that there was a general eye over them without much interference, the lower castes would not suffer. If the villagers were told, say, by the Collector or the Divisional Officer or somebody of that sort, that they must not neglect the *Pariahs*, they would not do so.

4435. Would it be sufficient to leave a village absolutely to itself, subject to, let us say, a biennial supervision?—I think it ought to be more frequent than that.

4436. You think it ought to be constant?—Not constant, but I think the villagers ought to know that some interest is being taken in their schools.

4437. But not an authoritative interest?—No, I do not think that is necessary.

4438. Is the District Board in any real sense representative in your district?—I should think fairly so; it represents the different classes.

4439. Does it consist of members of the agricultural classes?—There are some of them on it—not representatives of the agricultural classes, the actual cultivating raiyats; I mean the landlords.

4440. Are they all landlords?—Some are landlords, some are vakils, and some are merchants.

4441. The vakils would not come from the villages, surely?—No, from the headquarter towns.

4442. Do vakils have seats on the *taluk* Board?—Yes.

4443. Then they must be outsiders?—Well, you may call them so; they are also landlords some of them—most of them.

4444. Would it be good to have a rule confining the *taluk* Board to genuine residents?—I do not mean that they are outsiders with regard to the *taluk*; they are residents in the *taluk*, and generally they own land in the *taluk*, but they are vakils.

4445. (*Mr. Dutt.*) A suggestion was made to us yesterday that the tahsildars might be made Gazetted Officers, so as to increase their rank and position and to secure better service. Would you be inclined to agree in that opinion, the power of appointment remaining with the Government?—I do not think that is necessary.

4446. Who has the power of appointment of tahsildars now?—The Board of Revenue. I send up a list every year on the 15th March of the men

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that I propose to put on the tahsildars' list and on the deputy-tahsildars' list; the Board sanctions that in whole or in part. According to that list I can do whatever I wish with those men. I can promote them according to their seniority; I have full discretion in the matter of selection and promotion.

4447. And you can appoint new men out of that list?—Yes, without reference.

4448. If they were made Gazetted Officers their appointment would rest with the Government?—Yes.

4449. Would that not add to their prestige and their efficiency?—It would not add to their efficiency.

4450. You have referred to some acts of neglect on the part of the Madura District Board in the matter of not taking the necessary precautions as to plague, and in one case in which they wanted to get rid of a Health Officer. In those cases did the Government interfere?—Yes, in the two cases of the Health Officers and the Health Inspectors Government vetoed the action of the District Board. In other cases I had to send and make special arrangements myself, through my Divisional Officer, to improve the sanitation.

4451. In the third case the Government did not interfere?—I think both proposals came up in the budget, and Government ordered the men to be retained.

4452. When was that?—Somewhere about March this year; I may say that that particular municipality on the whole works very well.

4453. The municipality has a paid Chairman?—Yes.

4454. How long has he been in charge of that municipality?—This is the beginning of his second term; he has been so for the past three years.

4455. Previously was it under another paid Chairman?—Yes.

4456. Under the Municipal Act is not the approval of the Government necessary to the appointment of a Secretary?—There is no Secretary to this municipality; this is the only case of a paid Chairman in the *mufassal*; in other cases municipalities have a Secretary, and the sanction of the Government is necessary to his appointment.

4457. How many other municipalities have you got in the Madura district?—*Four.*

4458. In all these four you have got Secretaries? I think so.

4459. The law is that a Secretary is appointed and the appointment is subject to the approval and sanction of the Government?—Yes.

4460. Is it your experience that, as a matter of fact, much or nearly all of the municipal work is practically done by the Chairman and the Secretary?—I think that is so.

4461. The budget is prepared by the Chairman and the Secretary?—By the Secretary you might say.

4462. And a large number of duties have under the law been made over to the Secretary?—I think so.

4463. Under that system do the Municipal Councillors get much encouragement to take interest in their own concerns? Suppose the municipality was cut up into committees for different departments, one working on the preparation of the budget, another looking after schools, another looking after hospitals and so on, the municipal committees being thus made to do their own work?—I see no harm in that.

4464. Would that not induce municipal councillors to take a little more interest in their work?—Certainly.

4465. On the whole would that be an improvement?—Probably it would.

4466. You say the District Engineer ought to be subordinate to the Collector so far as irrigation works are concerned?—As concerns the distribution of irrigation chiefly.

4467. You say you have your own subordinates, tahsildars and others, who keep you informed, and the District Engineer has also his subordinates to keep him informed. Do you not think that the Collector is really far more in touch with the people than the District Engineer can be?—I think so.

4468. That he has far more sources of information than the District Engineer?—I think so.

4469. Would you not suggest on that ground that the District Engineer should be subordinate to the Collector?—That is certainly true; I think the Collectors are naturally more in touch with the people, because they deal with the whole economy of the people.

4470. And do not the people as a matter of fact, when they have anything to say about their crops or their irrigation, more naturally come to the Collector?—They do. This year for instance, with regard to the Madura matters I mentioned, the first person they came to complain to was the Divisional Officer; then they came to me.

4471. Would it be a popular measure if the District Engineer, so far as the distribution of irrigation water is concerned, was placed under the orders of the Collector?—It would certainly be popular.

4472. Do the subordinates of the District Engineer have more technical knowledge than knowledge of the actual requirements of the people?—They have of course knowledge of the actual requirements in the matter of water, but they are technical men. They have knowledge certainly of the needs in regard to water, but the difficulty is that they do not always apply it properly.

4473. (*Chairman.*) From your point of view, the subordinate officers of the District Engineer have not the same local knowledge of the general social economy of the people as the tahsildar or the Deputy Collector?—Certainly not.

4474. (*Mr. Dutt.*) With regard to the creation of an Advisory Board: you thought that we had got the District Board, and that that could be utilised?—I think so.

4475. And that the *taluk* Boards could also be utilised as Advisory Boards?—I have not given the matter much thought, but I think that is where the opening might come.

4476. If you vested new functions in these existing bodies would it not be necessary to re-cast the Act and mention that these bodies may be convened or called together for new duties?—You might make a separate Act.

4477. But I understand you to say that you have not quite thought out the matter, and you do not give any decided opinion on that subject?—I have not thought of it specially; there certainly is an opening in that direction with respect to District Boards; the men might be more carefully chosen and elected from certain areas in the district as representing those areas; you might perhaps have to alter the Act with regard to that.

4478. Is it not the fact that they are selected from different areas?—Not always; some areas are not sufficiently represented.

4479. Where there are already village unions under the Local Self-Government Act would you entrust the duties which you have mentioned as suitable for panchayats to the existing village unions?—Yes.

4480. You would not create special panchayats in such cases?—I do not think it would be necessary.

4481. Where you would entrust duties to panchayats and village unions, would you include some sort of supervision of the communal lands, pasture lands and grazing fields?—I certainly would not do that; I have had peculiar experience in that respect. I was in charge of Vizianagram where there had been chaos for 40 years, and where the villagers had been left to themselves. The Government took over the management from the Rajah of Vizianagram after it had been under native management for 40 years. The villagers had been left much to themselves, and the management of village affairs had been left to the village panchayat. When I was introducing the survey settlement, I found that the principal villagers—the panchayat—had appropriated the best land and taken most of the water, and shifted the burden of assessment on their poorer brothers.

4482. My question referred only to pasture land; whether some sort of supervision could not be entrusted to the village panchayat with regard to pasture land?—I do not see the advantage of it; they are not interfered with now with regard to village pasture lands by officers of Government; they are left to themselves.

4483. Who is in charge of those village grazing lands—is it the Forest Department?—That is what you call reserved lands.

4484. A great deal of pasture land is now included in reserved lands?—Yes, that would be under the Forest Department.

4485. In very serious questions of law cannot you refer to some legal officer of the Government at Madras?—The Board of Revenue does that. When my report goes in they consult the Government Pleader at Madras.

4486. The Government Pleader at Madura does directly correspond with the Government Pleader at Madras and get his opinion direct?—No.

4487. He has to get it through the Board of Revenue; that, I suppose, answers all practical purposes?—Yes; I hand it on to my Government Pleader.

4488. So that the present system works smoothly?—Yes.

4489. (*Mr. Hichens.*) What is the principle on which village unions are appointed; is it based on area or population?—It is chiefly population.

4490. Are they appointed on the recommendation of the Collector?—I think they are appointed by the Divisional Officer; I do not think their appointment goes to the Collector.

4491. Are there a large number of unions in your district?—Yes.

4492. How many?—I could not tell you, but a great number.

4493. A large proportion of your district would be covered by village unions?—I would not say that—not a large proportion of the villages. I think there must be about a thousand villages, and I do not suppose there are more than 30 or 40 unions.

4494. And the reason for that is?—Because the population is not sufficient.

4495. Do areas often petition you to have a union?—No, they do not like it; nobody ever wants a union.

4496. Because it means local taxation?—Yes; I have never heard of a single case of a village applying to be made a union; it has got to be forced upon them as a rule.

4497. You cannot suggest any way of making these unions more popular?—No, the taxation is the unpopular part of it.

4498. It has been suggested to us pretty generally that panchayats should be established. Is there much difference in essence between a panchayat and a village union?—They would have the care of the same things.

4499. But the inference from what you said is that they would be equally unpopular?—If they had to levy fees on the villagers they would be.

4500. Would you suggest that you could appoint a panchayat without giving them that amount of financial responsibility?—I have proposed that they should be given power in criminal and civil work; they would have the Village Improvement Fund; if taxation was not permitted that Fund might be added to by the Government or by the District Board. It would be necessary to impose some taxation, and they would have to have the power of imposing taxation.

4501. Therefore you think the panchayat would be equally unpopular?—If it had to impose taxation it would be.

4502. And you think it would have to impose taxation?—I am not prepared to say that; they might get small grants from the District Board to keep them going. If you wanted to do anything big with a large village I think you would have to have taxation.

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4503. Is it obligatory on the union to impose a house tax?—Yes.

4504. And you would not make it obligatory on the panchayat?—So much depends on the size of the village; if it is a big village I think they would have to do it in order to do any good at all.

4505. Now with regard to the *taluk* Boards, is it not the case that their budget is sent up to the District Board, who incorporate it in theirs, and the District Board may modify it in certain respects?—Yes.

4506. In what respects?—The District Board cuts down their allotments when it cannot supply them; the *taluk* Boards give us a statement of their requirements and we modify that in consideration of the needs of the whole district, according to what we can afford.

4507. Has not a District Board a more or less fixed revenue?—Yes.

4508. It has a definite proportion of the land cess?—Yes.

4509. What about the Government contribution; has it a definite proportion of that?—Our revenue is not from Government contribution; it is from land cess.

4510. The Government do not give you a contribution?—They do as a matter of fact to Madura, but that is a special contribution.

4511. The suggestion was made to us yesterday that it would be desirable to abolish the District Board and give the powers that are now exercised by the District Board to *taluk* Boards. What do you say to that suggestion?—I do not think the Presidents of the *taluk* Boards would be able to exercise the same supervision over their subordinates as is at present exercised by the District Board Engineer and the President and Vice-President of the District Boards. I think the existence of the District Board is advisable in order to maintain the efficiency of the establishment in the whole district at the same level.

4512. I understand you to imply that you thought that Collectors should be appointed by seniority?—Yes.

4513. You do not think it is desirable that they should be appointed by merit?—I think not; I think every man ought to get his chance.

4514. He would have his chance probably in an acting capacity for some little time. Government would very soon find out whether he was capable or not?—Yes.

4515. Could not the Government very easily find out before he was appointed; by that time he will have been some 13 years in the service; will not practically all the responsible officers in the Government by that time have formed their own opinion about him?—They will have a general idea of his efficiency but I do not think you can say until you have tried; you cannot say that he would be efficient until you have tried him.

4516. Suppose it has happened that the responsible officers have found out after the Collector has been appointed that he is no good; that has occurred?—I suppose it has.

4517. What do they do?—They cannot do anything.

4518. What do you suggest?—I think the only thing is to retire him—to give the Government more power of compulsory retirement.

4519. You are not prepared to anticipate that change by allowing the appointment to be made by merit?—No, I am not.

4519A. (*Mr. Meyer.*) You have spoken of the considerable number of transfers that have taken place in the Madura district and elsewhere, and you said that you did not see your way to remedy that except by more careful selection of officers?

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—More careful selection of men who are not likely to have to be shifted, and so on.

4520. That is to say you would not take a man who is likely to want to go on leave presently?—*No, if it was possible to avoid it, and I think* more could be done in that direction.

4521. Are not many transfers caused by a rather rigid adherence to seniority in making acting appointments?—I *think* that is so.

4522. Suppose a Collector went on leave, would it not be possible to put in the senior Sub-Divisional Officer in the district, assuming him to be regarded as fit?—Yes, that might be done if he is a fairly senior man—if there is not so much difference between him and the man that ought to go in.

4523. Suppose the Sub-Collector was a man of six years' service—you say that ordinarily a man does not become a Collector for 13 years; but suppose there is a short vacancy, say three months, would you then put in the Sub-Collector of six years' service?—Yes.

4524. And if the Collector went for six months' leave?—That would be a matter for consideration; I do not *think* I would do it then.

4525. You would rather bring a man of 12 or 13 years' service from some other district?—I think it would be necessary.

4526. That largely adds to the number of transfers?—Yes.

4527. Suppose you had the other system of making acting appointments locally; as far as the interests of the Service were concerned, would not things balance themselves in the long run; you might lose promotion at one time, but you would gain it at another?—I suppose in balance it would come to the same.

4528. Then what is the objection to the proposal?—I *am* not sure that a man of six years' service would be able to run a district for six *months*.

4529. It varies with the individual, but speaking generally at what time do you say an average Civilian would be capable of running a district for six months?—I should think after about 10 years' service.

4530. Then when you have got to the 10 years' limit would you allow the acting promotion to be made locally?—I would.

4531. Has most of your service been in Tamil districts or Telugu?—Telugu.

4532. How long had you been in a Telugu district when you were transferred to a Tamil district?—From 1895 to last year.

4533. Did you find that your knowledge of Tamil was rather rusty?—It was slightly *rusty*.

4534. As a general question, do you find from your experience that officers are frequently transferred from Telugu districts to Tamil districts?—I *think* so.

4535. Would it be possible to keep officers more within the same language area?—I think it would.

4536. How long have you been in the country?—19 years.

4537. What then is your experience as to the power of the ordinary Civilian—the Divisional Officer and the Collector—to converse with the raiyats in their own vernacular?—I do not think it is adequate.

4538. In your experience, which has now lasted a considerable time, have you noticed a falling-off or otherwise? Should you say that the Divisional Officer of to-day is able to speak the vernacular more freely or less freely than you found the Divisional Officer did when you came out?—I should say he is much about the same; I should certainly not say they are worse; if anything, they are better, I think.

4539. But there is a deficiency?—Yes, owing to overwork.

4540. Is it at all due to the fact that English is more largely used?—English *is* more largely used; when I was in Vizianagram I did not know whether a man spoke in English or Telugu; I spoke to him in Telugu.

4541. You think the fault lies not with the officer but with the system of work?—Yes, magisterial *work especially*.

4542. Could it be remedied by giving an officer nothing to do but learn the language at the beginning of his career?—I think he learns the language sufficiently well now; the only thing is that he has not the opportunity of keeping it up.

4543. Does he not tour a great deal?—Yes.

4544. Does he not talk to the people then?—He has not the time when he is touring.

4545. Do you mean to say that when you go through a village you do not talk with the people?—You talk with the people as far as you can.

4546. If you have once an accurate knowledge of the language cannot you keep it up?—It has been my experience that you can.

4547. You were speaking of the tahsildar and his heavy account work; is it not the fact that there is a *taluk* head accountant who is in special charge of the accounts, and the tahsildar's work is only supervisory?—Yes.

4548. Then does not that largely meet the point?—It does help him considerably; still, he has a great amount of supervision and he has got to personally supervise particularly the accounts of revenue collectors, the revenue accounts, in order to see that the collections are got in; every one of these he must supervise himself so that he may not be held responsible for insufficient collections.

4549. To put it briefly you think the help given him is not sufficient?—I think not. I think he *is not prepared* to trust the head accountant; he is not of sufficiently high standing.

4550. You would replace the *taluk* head accountant by an officer of higher standing?—By an assistant tahsildar.

4551. Do you think the village accounts are too numerous?—I am not prepared to say that.

4552. How many of them are there?—Twenty-six I think.

4553. You think they are necessary?—I think they are *necessary*.

4554. Assuming that an account itself is necessary, is it too complicated as a matter of fact—are there unnecessary columns within the account or anything of that sort?—My experience of essential village accounts is that they are not too complicated.

4555. Some questions were asked about the personal grading of tahsildars; would not one advantage of that be that a tahsildar, who had rendered good service to the State and was getting a little past his prime, could, as a reward for his services, be given a light *taluk* without loss of pay?—Certainly.

4556. Otherwise, under the present system, he would be in charge of the heaviest *taluk*?—That is so.

4557. And either you would have to reduce him or put up with inefficient work in a heavy *taluk*?—Yes.

4558. On the question of local allowances; suppose the local allowance were attached to the *taluk*, would that not be regarded practically as an advance in salary?—Yes.

4559. And there would be a tendency to send the senior men to the *taluk* in which there was local allowance?—Yes.

4560. Are you in favour of giving Collectors power to suspend the collection of revenue pending the orders of higher authority as to remission in the case of dry crop land for instance?—I think there would be no harm in that.

4561. If the Collector considers that a crop has failed he remits the assessment on that crop?—Yes.

4562. But when there is an arrear in the accounts which you consider irrecoverable, because the raiyat has left the village or is too poor to pay, that matter has to go to Government?—Yes.

4563. Even the Board of Revenue cannot remit?—No.

4564. Do you think that is necessary?—I do not think it is necessary to go to Government.

4565. You would give powers to the Board of Revenue?—Yes.

4566. Would you give any power to the Collector in the case of small sums?—You might give him power up to a certain limit.

4567. Does it not sometimes happen that a sum appearing in the Government accounts as due might have been really collected?—Yes.

4568. Has the Collector power to remedy that?—No.

4569. Surely he might have that power?—He might.

4570. Then with regard to the Court of Wards, the estates that fall under a Collector's charge may be of quite different characters; one may be a big and important estate and another quite a small one?—Yes.

4571. In regard to the small estates would you give the Collector full powers of management?—He certainly might be given very much fuller powers than at present; I think he might almost be given full powers.

4572. And with regard to the larger estates?—I *think* the budget *ought to go to the Board*, but within that he ought to be given power to *manage*.

4573. The budget of every estate ought to go to the Board of Revenue, but when the budget is allotted he ought to be given a free hand?—Certainly.

4574. Whether the estate is a large one or a small one?—I think so; I do not see any difference.

4575. Except that one is on a bigger scale?—Quite *so*.

4576. You speak in your schedule of giving the Collector power to make appointments of temporary clerks and so forth. Would you see any objection, within the budget allotment of each district, to giving the Collector power to entertain clerks permanently?—I would rather get sanction for anything permanent.

4577. The Chairman mentioned the case of local loans to agriculturalists, and you explained how you framed your budget estimate. Suppose the season suddenly altered; suppose drought came on the district, might not your budget estimate prove inadequate?—Yes.

4578. You would then go up to the Board of Revenue for an extra allotment?—Yes.

4579. Have you had experience of that?—Not exactly of that, but I have had experience this year of requiring extra money for loans, which will involve the necessity of asking the Board for extra money this year; I have not had it for this year.

4580. My point is that if there was an emergency, if money was available, you could get extra money?—I could.

4581. Probably by transfer from another district where circumstances were better?—Yes.

4582. As regards the District Boards, does not the Government exercise a very considerable control?—Yes.

4583. Not merely has your budget to go up, but you have to go up over the alterations of allotments?—Yes, and you cannot take any money out of balances. As to allotments within the district grant, I do not know whether it is necessary to go up.

4584. If for instance you find that you have put down for roads more than you can spend in the year, and you would like to add to the education expenditure, can you transfer from roads to education without sanction?—I am not sure; I do not think so.

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4585. So long as your whole budget is not exceeded would you be in favour of your being empowered to make such a transfer?—Certainly.

4586. Do you consider that the control of outside departments is unnecessarily strict in regard to Local Boards—for instance by the Director of Public Instruction in the matter of education?—I am inclined to think that Local Boards should be left to themselves in the matter of elementary and primary education. I do not see why the Education. Department need interfere in that matter.

4587. Would you have the District Board's budget go up to Government?—I do not think that is necessary. As I have said already, the whole budget must go up.

4588. But suppose in scrutinising the budget the Government were struck by an extremely small grant for education, might they not intervene in such a case?—The Government might intervene, but that would not necessarily involve the interference of the Director of Public Instruction. I think your point was as to whether he should interfere.

4589. The Director of Public Instruction and his subordinates should not interfere with your management of particular schools—the abolition of one school and the construction of another and so forth?—I do not think so.

4590. Then with regard to your lump provision for education in the budget, should the Director of Public Instruction have the right of criticism?—I think Government is quite in a position to pronounce upon that; I do not see why the Director should be asked.

4591. But is not the Director the legitimate adviser of Government in educational matters?—Well, he might have that power of criticism—there is no great objection to it—I mean criticism in the lump, but not in regard to details.

4592. It has been suggested that Government should take over the whole of education within the Local Board areas; do you agree with that?—I do not think so. I think the Local Boards might be allowed a much freer hand in the matter of education.

4593. You think that primary education would be better promoted under a Local Board system than under a direct departmental system?—I think so.

4594. You say that primary education is more expediently left in the hands of the Local Boards; does that apply to secondary education also?—It might; in Madura we have lower secondary schools. I think District Boards could look after lower secondary education quite as well.

4595. That is not education of a very advanced description?—No.

4596. Would you say the same as to high schools?—I would not say as to that; I think they might be separate Government schools.

4597. The lower secondary education like primary education might be safely left to the Local Boards?—Yes.

4598. Who appoints the members of the *taluk* Board?—The *taluk* Board President, with the approval of the District Board President.

4599. To whom would you give the final power?—The District Board President.

4600. Half the members of the District Board are elected and the other half nominated?—I think in my District Board two-thirds are elected.

4601. As to the nominated ones, some are *ex-officio* members?—Yes.

4602. The others are appointed by the Government?—Yes, on my recommendation.

4603. Would it not save time if you were to nominate them and gazette them straight away?—I do not think there is any reason why I should not; Government always approves.

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4604. You mentioned a contribution from the Government to the District Board. Does the District Board take all that money itself or does it distribute it to the *taluk* Boards?—It distributes it to the *taluk* Boards at its discretion.

4605. To what is the money applied generally?—Rs. 32,000 of that goes to what is called *Periyar* cross-roads; that is special Government works in the district; the rest is applied to repairs of roads throughout the district.

4606. I do not quite understand about the Rs. 32,000.—In the *Periyar* area, which has been newly started, new roads are necessary, and the Government has put the cost of that on the District Board, and they have ordered that out of the Rs. 80,000, that we get, Rs. 32,000 are to be spent on these cross-roads every year.

4607. It is an area in which roads have been newly made, owing to the irrigation policy of the Government, and you are constructing the roads there?—Yes.

4608. You also get the benefit of the land cess on that area?—Of course.

4609. As regards the control of municipalities, ought such powers of outside control to be now exercised by Government or might they be delegated to the Collector? Could the Collector be allowed to pass the municipal budget for instance?—I think not; I would not let him pass the municipal budget.

4610. Are not some of your municipalities quite small?—Yes; even in those cases I would not let the Collector pass the budget.

4611. In the case of the smallest municipality you would have the budget go up to Government?—Yes, because Government has an opportunity I think of seeing that the administration of the municipality is more or less homogeneous, which the Collector would not have.

4612. Is it necessary that the administration of the municipalities should be homogeneous?—I mean, with regard to superfluity of establishment, a Collector might be very apt to make mistakes.

4613. Who is the more likely to know whether the establishment is too much—the Collector on the spot or the Government in Madras?—The Government in Madras I think.

4614. By comparison—comparing it with the statistics of other municipalities?—Yes.

4615. There was a suggestion as to whether the smaller municipalities might not be placed under the District Board?—I do not see any reason why they should at all.

4616. You do not approve of it?—I do not approve of it.

4617. As regards the Advisory Board, that would be purely advisory?—Purely.

4618. The Collector would not be bound to accept its recommendations?—No.

4619. You suggest that the District Board might act as an Advisory Council also?—It might.

4620. There was a question as to fresh legislation; would any new legislation be necessary?—The amendment of the present Act would be necessary in order to secure proper representation of each area in the district.

4621. That is because you are not satisfied with the District Board *quâ* District Board?—Yes.

4622. You might amend the Local Fund Act for that reason, but, apart from that, is it necessary to make any legislation in order to give any additional advisory functions, which are not administrative at all, to the District Board; might it not be done purely by executive order, by telling the Collector that on certain matters he should consult the District Board?—I suppose it might.

4623. As regards the question put to you about village unions, you said that they were unpopular because they were expected to raise taxation?—Yes.

4624. The suggestion other witnesses have made to us in regard to the panchayats was *not* in the direction of fresh taxation, but rather that they should have the distribution of money from Government. If it was that, and not fresh taxation, would the panchayat be unpopular?—No.

4625. Would you be in favour in case of a revenue remission of giving the remission to the village in lump and letting the panchayat distribute it amongst the individual raiyats?—Certainly not.

4626. Your reason?—My experience in Vizianagram.

4627. Do you think you can always rely upon your subordinate agents departmentally?—I think you can rely upon them much more than on the head of the village.

4628. But the person who recommends remissions now in the first instance is the head of the village?—Are you talking of general remissions?

4629. I am speaking of a case of general flood or general drought which has caused considerable loss over a large area?—I had a case of that kind in Kistna in 1896. I had the lower part of the *taluk* swept out by a flood; I inspected three-fourths of the land myself; I consider that it is the duty of the Divisional Officer to do that.

4630. Had you time to make a field to field inspection?—Yes; three-fourths of the fields were inspected by myself. I gave a lakh of rupees remission.

4631. But if you had not had time to make a field to field inspection but had had time to make only a village inspection, what would have happened?—I cannot contemplate that; I think it is absolutely necessary for the Divisional Officer to make a field to field inspection of a fair percentage.

4632. There are a large number of *Shanars* in your district?—Yes.

4633. There has been very acute animosity, has there not, between them and the higher castes?—Yes; the Sudras caste; very bitter feeling is existing now.

4634. If you had a system of village panchayats managing the schools and so forth, would the *Shanars* be fairly treated do you think?—I think the only way to manage that would be to have a separate school for the *Shanars*, or a separate panchayat, if necessary. That would be a matter for consideration.

4635. You could not safely trust the *Shanars* to the sympathies of the upper caste panchayats?—No, I am not sure that you could—*or vice versâ*.

4636. You would have to make some special arrangement?—In that tract you would.

4637. (*Sir Steyning Edgerley.*) You said that you thought a Collector took two years to learn his district: what do you take to be the minimum time that a Collector should stay in one district?—4 to 5 years.

4638. Do you think that in the last two years he could do everything he could usefully do—having learnt the district in the first two years is the remaining two years sufficient time for him to put all his ideas into practice?—I do not know as to that; in 5 years probably he would be able to do all he wants.

4639. If the tahsildars were de-localised, how far would you go?—Only within the district.

4640. So that in that case it would be unnecessary to alter the system of appointments at all?—Quite so.

4641. As to the Executive Engineer and the Collector; who is the next man to the Executive Engineer in the *taluk*?—The Sub-Divisional Officer; he has got an assistant engineer in one or two *taluks*, and then he has what they call a Sub-Divisional Officer.

4642. How many assistant engineers have you got in the district?—I am inclined to think that in Madura we have only two assistants.

4643. How many Sub-Divisional Officers have you?—Four.

4644. He has two of what we may call the descending grade as against four of yours?—Yes.

4645. Next to that he has what?—The Sub-Divisional Officers.

4646. How many?—in the *Periyar* area there are four: I think it is one for a *taluk*; I am not sure.

4647. What is their pay?—Rs. 100 to Rs. 200.

4648. You would call them the same class of officer as your tahsildar?—No.

4649. You say a municipal budget ought to go to the Government; do you mean that there is any necessity for it to go beyond the Board?—It does not go to the Board at all at present; the Board has nothing to do with municipalities.

4650. There was a suggestion made as to the abolition of the District Board and the glorification of the *taluk* Board; the idea underlying it was that you would get a much livelier local interest amongst the non-official members, because everything would be much nearer home. Do you think that is an advantage which you can set against the disadvantages you have mentioned?—You get as lively an interest now as you would under any system, *I think*.

4651. You do not think anything of that argument?—No, and I do not like the idea of abolishing the District Boards.

4652. As to the vernacular, you said the control of magisterial cases interfered with the officer studying the vernaculars. I do not understand that, because all the questions are given in the vernacular: must it not be continuous practice to him?—But he does not question the witnesses himself; the interpretation is always done by a clerk; of course, he listens to it.

4653. He does not put his own questions?—I suppose some magistrates do.

4654. Still the proceedings are all in the vernacular?—Yes.

4655. And he must understand the whole thing?—I suppose so.

4656. Then he has three or four hours a day listening to the vernacular, and all sorts of subjects must come to him?—That is so in criminal work.

4657. So that I do not understand why his magisterial work should interfere with his knowing the vernacular?—Because he is not compelled to speak in the vernacular, and I am not sure that many magistrates do.

4658. But is not the language of the Court the vernacular?—The official language of the Court is English, I think.

4659. Would it be a good thing to make it vernacular?—It might be done; do you mean that the records should be in the vernacular?

4660. Under the Criminal Procedure Code my recollection is that there are two records; there is the record of the notes in the magistrate's own hand, and there is a full record by a clerk in the vernacular?—The magistrate is given power by the Government to take down evidence in English always.

4661. He does that under the Code?—There is no other record kept.

4662. Not in a warrant case even?—No.

4663. Would it be in any way a help to the maintenance of vernacular knowledge if the local Courts were bound to use the vernacular?—Yes, if they were bound to write the evidence in the vernacular, but it would be a terrible task.

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4664. They could not write it themselves in the vernacular?—It would be a useless duplication to have two independent records.

4665. Is the power to make the record in English given at once, or does it come when a magistrate has had certain experience?—That power is specially given to him by Government after they are satisfied of an officer's knowledge of the language.

4666. Then you are inclined to think that in consequence of that his knowledge of the vernacular begins to deteriorate?—That is my opinion.

4667. Therefore you think that that is a discretion which might be given much more sparingly. How does an officer record the evidence before he is given that discretion?—He records it in English and the clerk records it in the vernacular.

4668. Then you said in answer to a question about village accounts that you did not consider the essential village accounts were too complicated or too numerous; I did not understand the force of the word "essential"?—I think the latter accounts are chiefly statistical; when I say "essential" I mean the accounts actually dealing with the revenue and accounting for the revenue.

4669. I suppose you must keep statistics?—Yes.

4670. Especially of irrigated villages?—The latter accounts are accounts of live stock and statistics of that sort—rain registers, vital statistics, and so on.

4671. When speaking about the ward's estates you said you thought the budgets and so forth ought to go up from the Collector to a higher authority. Why do you think that? Cannot Collectors be trusted to look after a ward's estate without supervision?—I should prefer to know that my budget had been approved; I suppose he could be trusted, but, for my own part, I should prefer to have my budget approved and my responsibility thereby lessened.

4672. Would you object to the responsibility?—I would not personally.

4673. A question was asked you about placing the municipalities under the District Board, and I am not sure that that was quite fully explained. Assuming that by legislation or otherwise you developed the District Board so as to serve as an Advisory Council, in order to enlarge the sphere in which the people came into the local administration, the question was whether, if that were done, you might not take power so as to enable the people themselves gradually to exercise a certain proportion of the control that is at present exercised by Government officers; in fact you would put into commission, into the hands of the District Board, a certain amount of the control which at present necessitates references, that has to go either to you or to the Government?—It would come to me as a matter of fact all the same.

4674. But the people would have more hand in it; it would be an increase in local self-government—a certain increase at any rate?—If you had that, you might just as well give the Municipal Councils absolute discretion themselves.

4675. You must have an outside body of control?—Then I do not think the District Board is the proper body at all.

4676. You think it could not be made fit?—I do not think so.

(*The witness withdrew.*)

Dewan Bahadur R. Ragoonath Rao was called and examined.

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4677. (*Chairman.*) You were for some time the chief ministerial officer of the District Courts in the Tanjore district?—Yes.

4678. You were also Deputy Collector of the Tanjore, Kurnool, Trichinopoly, Coimbatore and Madras districts?—Yes.

4679. Then you were the head *Sherishtadar* of the Madras Board of Revenue, and a special Land Commissioner for acquiring lands in Tanjore, Kurnool, Trichinopoly and in the town of Madras?—Yes.

4680. Then you were in charge of the Abkari Department?—Yes.

4681. Finally you were for some time Prime Minister to Maharaja Holkar of Indore?—Yes.

4682. So that you have a considerable experience of local Government?—Yes, I have some experience.

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4683. You say that you do not think that provincial Governments ought to possess any borrowing powers of their own?—That is my opinion.

4684. Did you when you were Prime Minister to Maharaja Holkar have any such powers; had the State of Indore any borrowing powers; could they raise loans?—No.

4685. Not for State purposes?—No.

4686. They never did?—No, we had plenty of money.

4687. So there was no necessity to borrow?—No.

4688. You suggest that your experience as head of the Abkari Department made you think that Government was rather too rigid in its methods, and had too much an eye to revenue and too little regard to the wants of the population?—Yes, the object was more revenue than anything else.

4689. Can you give us any example of that?—We had for many years a system of manufacture of arrack by a number of families in Madras; then the drinking propensity was not so much encouraged as it was afterwards. When this began to take place those people were dismissed, and a European contractor was given the power of manufacturing and establishing a distillery and selling the liquor. Since that our sales advanced, and from the effects of that, as the abkari officer going to inspect the shops, I very often found that drunkenness had increased as compared with what it was before.

4690. Was any attempt made to put down that drunkenness?—It was beyond my powers; my powers were limited by law, and I could only go so far as the law allowed. I was able to prevent spirit of higher degree being sold, or diluted spirit, and my care was only to see that it was not so done; I had no power over drunkenness.

4691. I suppose this was some time ago?—This was in 1872 or 1873.

4692. You say that the influence of the Forest Department has not been very good?—That is so.

4693. Would you explain that a little to us?—I am a landlord, and I am the President of a District Association. The work of that Association is to represent the grievances of the people through higher authorities, and I certainly have means of knowing things that take place in different quarters of the district. As the result of complaints that we received, our Association had to look into the matter and enquire whether there was any real foundation for the grievance or whether it was only imaginary. On looking into it we found that it was not imaginary, but that it was to the disadvantage of the people. That induced us to find out whether it arose from the bad law or order of the Government of India, or from mismanagement from below, or from misconstruction of the orders of the Government of India. After very searching enquiry we found that the orders of the Government of India were perfectly good, and that if they had been honestly enforced there would have been no room for any complaint whatever, but we found that in practice the enforcement of those orders was not good, and the result was that agriculture suffered immensely. Almost every day the agriculturalist had to spend some time other than for his own agricultural purposes, in order to get out of the difficulties into which he was drawn owing to the enforcement of those rules. Thus we had to represent the matter to our Collector, but our Collector was powerless; he could do nothing in the matter, so we applied to the Board; there we got nothing, and then when we took it up to Government, the Government agreed with the Board. Then we applied to the Government of India, and did not get anything there. All we asked the Government of India to do was to enforce their own orders; we did not ask for any privileges, we did not ask for any favour; we did not ask for anything at all. All we said was, "You have said so and so; see that it is properly executed." We got nothing from the Government of India, and we then represented the matter to the Secretary of State, and I am sorry to say that we got nothing from the Secretary of State also. Every single tree within a village is put down as a part of the forest, although the forest is nowhere to be found within two or three miles of that tree.

4694. What you represent is that very often land is reserved as forest which is not forest at all; that is your point?—Yes; that that is declared to be forest which was not ordered to be declared to be forest by the Government of India, and that that part which the Government of India reserved for the people was all declared forest, and agriculturists were put to an immense deal of difficulty.

4695. You tell us too that the *taluks* are too large in size and that they used to be much smaller?—Yes.

4696. When they were smaller were they as far as you could judge more efficiently managed?—Yes; when I was Deputy Collector the *taluks* were smaller; but afterwards when I came back I found the number of *taluks* had been reduced. There was too much work for the tahsildar; he could not supervise and do the work as satisfactorily as he used to do.

4697. You think that if the *taluk* areas were made smaller the work would be better done?—Certainly.

4698. Where are you living?—I used to live at Madras; now I am living at Kumbakonam.

4699. You think that the village union should possess much larger powers than they do now?—Certainly, not only larger powers but better constitution, and then larger powers.

4700. And you think there would be plenty of people in a village union who might exercise such larger powers?—Yes, they ought to be so constituted that they can exercise those powers for the benefit of the people.

4701. And you think from your experience, they would be so exercised?—Certainly.

4702. Did you have such unions in Indore?—No, that was a very arbitrary Government, and much depended on the Head of the Government; if he was a good man the whole thing was the best; if he was a bad man it was the worst.

4703. Was the right of appeal freely exercised there?—Yes, it was very very simple and very effective. The Maharaja used to drive in the evening, and one of the raiyats went up and asked the Maharaja to stop; he stopped, and then they began to converse together as if the two were mere raiyats; sometimes a raiyat brought forward some complaint or other; if it meant some loss of revenue —the Maharaja was very careful about his revenue —he used to give the raiyat a very good dinner and send him away.

4704. Everybody was satisfied?—Yes; at least temporarily.

4705. That is what you would call the exercise of personal influence?—Yes.

4706. (*Mr. Dutt.*) Have you given any opinion as to restricting the right of appeal?—I think it ought to be restricted in particular instances and not in others.

4707. Can you briefly mention in what instances it ought to be restricted?—When it is personal I would restrict it; when it involves a principle or the general good of the people I would not restrict it.

4708. When a man is dismissed from his appointment would you restrict his power of appeal?—It depends upon the man dismissed. If he is a Covenanted Officer I certainly think that it should go up to the Government of India; if it is a case of an Uncovenanted Officer, and the Government would hear his appeal here, I would give no further appeal.

4709. Have you any clear remedy to propose as regards the grievances of the people with reference to forest administration?—My proposal is very simple—carry out the orders of the Government of India.

4710. Did you say that under the orders of the Government of India no parts which are not actually forests should be reserved as forests?—The Government of India said that major forests ought to be entrusted to the forest officers, and all minor forests they should have nothing to do with—that the village community should not be interfered with, and the village forest ought to be allowed for the use of the people. That seems to be the abstract of the Government order, and I cannot think that any order could be more just than that. These gentlemen, the forest officers, have been appointed and are well paid, and they may as well make all these bleak mountains green by exercising their powers; but whenever they come they interfere within a village to the disadvantage of agriculture.

4711. You propose that only major forests should be reserved by the forest officers?—Yes.

4712. And that they should have no control over the minor forests?—No.

4713. You say the *taluks* now are too big and their size should be reduced?—Yes.

4714. Have you any suggestion to make with regard to the tahsildars?—By the increase of *taluks* the number of tahsildars would be increased. The tahsildars that are now appointed are more educated men than they used to be, and so they might prove better officers of the *taluk* than is the case now.

4715. You have no suggestions to make about their pay?—No, I think they are well paid.

4716. And you do not suggest that they should rank as Gazetted Officers?—That does not make much difference in my view.

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4717. (*Mr. Hichens.*) Are the village unions popular with the villagers?—The unions as now formed are not popular unions. The ideas of the West and the East are blended together, and the mode of forming these unions is not the popular mode, so that in some places the unions are not popular. If the unions were formed as they used to be before, they would be more popular. What I understand by a union is village autonomy—either one or two or three villages blended together, formed into a village Government, conducted by the people, selected or elected according to circumstances; then they would be very popular.

4718. Is the main thing the villagers dislike the local taxation—the house tax?—They do dislike it.

4719. That is the main thing?—They dislike it, but I think their dislike could be got over if it was properly managed.

4720. (*Sir Steyning Edgerley.*) What do you consider is the full area that a tahsildar could manage properly as a *taluk*?—It depends upon the character of the country. In a *taluk* where there is an immense deal of cultivated lands the area must be very small. In an area where there is a good deal of waste land and only a little cultivation, and particularly irrigation, the area might be larger than the other.

(*The witness withdrew.*)

M. R. Ry. S. ANNASWAMI AIYER AVARGAL was called and examined.

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4721. (*Chairman.*) You are a Deputy Collector at North Arcot?—Yes.

4722. Will you state briefly the nature of your duties?—I am the Treasury Deputy Collector of North Arcot. As such I am in charge of the district treasury, the Account Department, stamps, postage labels, *yeomiah*, pensions, the district press and records. I am in the position of a Personal Assistant to the Collector and dispose of routine papers of the office. I am in charge of the audit of the Special and Local Fund accounts of the district and I control the working of the *taluk* treasuries, and conduct the technical examination of the sub-treasuries in the district at least once in two years. I am also the Vice-President of the District Board and Superintendent of the sub-jail at the district headquarters.

4723. And from time to time you examine the sub-treasuries?—Yes.

4724. Do you assist the Collector in his dealings with the whole of the district, or do you hold administrative charge of any portion of the district?—I have no administrative charge of any portion of the district assigned to me except the treasury.

4725. I think you heard the evidence that was given by the first witness to-day as to writing off irrecoverable arrears?—Yes.

4726. Is that not a pure formality?—Yes; the arrears that are eventually ascertained to be irrecoverable are written off the accounts; when a raiyat has left the village or his whereabouts are not known, and there is no probability of proceeding against him, the arrears are written off as irrecoverable. It is more or less a formal thing. The Collectors get all the information from Divisional Officers and tahsildars, including inspectors, and send a statement to the Board; they compile it and then submit it to Government. The regulations require that Government sanction shall be obtained.

4727. It is a purely formal correspondence?—Yes; mostly the sanction is according to the Collector's recommendations.

4728. Would you tell us something about your duties as Vice-President of the District Board; what do you do as Vice-President?—It depends upon what powers the President delegates to the Vice-President.

4729. Do you prepare the budget?—Yes, the office prepares it, and I check it.

4730. You have a full acquaintance with both the needs and the powers of these Boards?—Yes.

4731. Do you think that on the whole the powers are well exercised?—Yes; but I would propose the abolition of the District Boards, because the business is twice done, once by the District Board and again by the *taluk* Board. When taxation is raised (that is land cess) the District Boards appropriate half of it. They merely exist for the purpose of trunk roads, as they are called, and for the sake of vaccination. I think the Collector could exercise supervision over the work of *taluk* Boards, as he does in the case of municipalities.

4732. Suppose you got rid of the District Boards would you hand over any of their powers to the *taluk* Boards?—Whatever power the District Boards have the *taluk* Boards would exercise in the ordinary course.

4733. Do you think that the capabilities of the officers employed by the *taluk* Boards would be lower than those of the officers employed by the District Boards?—These engineers are not very capable men, nor does the office require very capable men, because the work consists of making roads, the construction of bridges and buildings, etc., which could be well attended to by the graduates who are turned out of the Civil Engineering College here; they would look after the work better and more cheaply.

4734. Could all the work now required to be done by the District Board Engineer be perfectly well done by engineers or other people employed by the *taluk* Boards?—Yes, assisted by overseers.

4735. Would that throw any extra work on the Public Works Department engineer?—Even as it is, works beyond a certain amount are required to be submitted to the Superintending Engineer for check. If that system continues and officers of the Public Works Department are also required to give help, when necessary, to the Local Fund Engineering Department, it will be quite ample.

4736. How many members are there on your District Board?—Thirty-two.

4737. Are they drawn from the whole district?—Yes.

4738. And they fairly represent the opinion of the district?—Yes, more or less.

4739. Are they drawn mostly from one class?—No, they are representative, in a way, of all interests.

4740. Would you increase the number of members of the *taluk* Board if the District Board was abolished?—It might be raised.

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4741. How many members are there on the *taluk* Boards now?—The minimum is 12, the maximum is 24 I believe.

4742. How many are there in practice?—Between 12 and 16.

4743. Are most of the members of the District Board members of the *taluk* Boards in your district?—Yes.

4744. So that the Boards not only do double duties but the actual members do duplicate duties?—Yes.

4745. You think it would simplify correspondence and get rid of routine if the District Board disappeared?—Yes. We might have to construct bridges or build hospitals or some big works; all that could be carried out as at present; for those purposes the Collector could arrange for a contribution to be made by the other *taluk* Boards, the funds of the several *taluk* Boards being treated as a common fund. The agency for the execution of those works would be the officers of the *taluk* Board in which those works are necessary.

4746. You would leave the District Officer as at present?—Yes.

4747. And you would leave the Collector a superintending power over the work of the *taluk* Boards?—Yes.

4748. Who would prepare the budgets?—They are now prepared subject to the supervision of the Chairman of the District Board; after the District Board is abolished they would all pass to the Collector, who would submit them to Government with his remarks, and they would then be consolidated in the Government office and the allotment would be sanctioned. It would throw a small amount of work on the Secretariat, but even as it is they deal with as many Boards as there are in the Presidency, so that the work would not be materially added to. This could be overcome by giving the *taluk* Boards some extended powers of sanction, subject to the limitation prescribed in the budget.

4749. Do you manage to get about your district pretty well; do you go through the whole of your district on tour?—Yes, I go on inspection duty.

4750. You accompany the Collector when he goes?—No, I go by myself; that is what they call the technical examination of the sub-treasuries; I am required to conduct it once in two years at least.

4751. The rest of the time you remain at headquarters?—Yes.

4752. Therefore you do not necessarily know the people who live in the district very well?—I come in contact with them in various ways.

4753. How long have you been in your district?—Three years; before that I was in the Revenue Board as second and first assistant.

4754. You heard what the witnesses have said about Advisory Councils and the revival of panchayats; do you agree generally with what has been said?—I have embodied my views in the following statement.

Executive Officers have not sufficient opportunities for personal contact with the people and they do not use the opportunities they have. The large increase of work thrown on them by the calls of various departments for information, statistics, reports, etc., hardly leaves them sufficient time to move among the people. The frequent transfer of officers is another reason. Insufficient knowledge of the vernaculars is the third. This, however, does not apply to native Deputy Collectors. A fourth reason lies in notions of dignity or natural reserve or shyness. The first two reasons suggest their own remedies. As regards the third, junior Civilians have two languages to pass in and the standard in each does not, in my opinion, require raising. The defect lies in the fact that the knowledge is not kept up after the examinations have been passed, and means should be devised to prevent this. If the system of passing orders on office notes is put a stop to, at least in Divisional Offices, it will enable the officer to be more conversant with the vernaculars. As regards the fourth, no hard and fast rule can be laid down, but steps should be taken to impress on the officers their duty to move freely among people and ascertain, at first hand, their wants and wishes.

The administrative staff, *i.e.*, Collectors, Divisional Officers, and tahsildars, undoubtedly requires strengthening. Some of the districts, divisions, and *taluks* are unduly large, and should be split up. The sizes of revenue inspectors' ranges should also be reduced and their number and pay increased. The strength and pay of the *taluk* establishment are still inadequate and require to be improved. There is no need to alter the present system of promotion of graded officers which is based entirely on merit after a certain stage, even after the grant of larger powers. The selection of tahsildars and deputy tahsildars is generally based on merit.

The recently introduced system of retaining junior Civilians in their charges irrespective of promotions should be continued and care should also be taken to see that, as far as possible, an officer is retained in a division for at least five years. In the case of Deputy Collectors, their pay being personal, frequent transfers could hardly be necessary. In the case of tahsildars and deputy tahsildars, also, the pay may be made personal in each district, the Civil Service Regulations being suitably amended.

District Boards should be abolished. They chiefly exist for the sake of trunk roads and vaccination, appropriating for these purposes one half of the total land cess collections of the district, but the matters can well be looked after by the *taluk* Boards concerned. Collectors who are *ex-officio* Presidents of District Boards are now doing an amount of unnecessary work which the abolition of the Boards will relieve them of. One taxation is raised for both the District and *taluk* Boards and the same work is done for the district by the District Board and for the *taluks* by the *taluk* Boards. There is nothing of importance to be done in the name of, and for, the whole district. Every local concern can be attended to by the *taluk* Board within its sphere. It may be objected that big works, such as bridges, causeways, hospitals, etc., which may be within the means of a district fund as a whole, will be beyond the means of *taluk* Boards. But the *taluk* Boards concerned can carry out the works, other *taluk* Boards in the district being made to contribute in some proportion which may be fixed by the Collector under the control of Government. Another possible objection is that Government will have to deal with a large number of Local Boards. But even as it is, *taluk* Boards correspond direct with Government on several matters, and if extended powers of final disposal are given to the Boards, the objection will lose much of its force. The additional establishment required for the *taluk* Boards may be provided from the saving effected by the abolition of District Board establishments including the District Engineer and his staff. The *taluk* Boards may, in view of the increased powers and responsibilities, be constituted partly by election and partly by nomination. The Collector can occupy a position similar to that he now occupies in respect of municipalities.

It is not possible to make every village a union, but there is an imperative necessity to improve the sanitary condition of every village. A fund obtained by the levy of house tax in all villages would be an unpopular measure in the present state of the country; and its proceeds could hardly cover the cost of sanitary measures in every village. As sanitation is a matter of vital importance, Government may contribute towards it or allow a portion of the contribution now being made for education and communications to be utilized in providing each village with a staff of *totties*, the number being fixed with reference to the area of the village site, the number of houses, and population. The establishment will form a part of the village staff, and its work may be supervised by the village panchayats subject to the supervision of the *taluk* Boards.

If Collectors and Divisional Officers would only move freely with people and ascertain their wishes or wants, there is no necessity for any Advisory Councils. Local Boards, municipal Councils, and various Associations already exist in the District. After a few months' experience, Revenue Officers can also come to know qualified native gentlemen whose opinion will be useful. The disinclination of officers to consult them is at the root of the evil. This can only be remedied by the creation of recognized Councils and insisting on District Officers consulting them. To begin with, the present Local Boards and municipal Councils, which are fairly representative in rural and urban tracts, may be declared as Advisory Councils. It should be open to those Councils to offer advice not only when asked but on their own initiative. Their advice should be taken in all matters affecting the general welfare of the raiyats in the district or division, *e.g.*, revision of settlement, water rate, etc. The advice so given should be recorded in formal proceedings, whether acted on or not.

No area is constituted into a municipality in this Presidency which is not sufficiently large and populous to require separate administration. Such urban tracts have enough resources and qualified *personnel* within themselves to cope with the needs of municipal administration. Between Local Boards as they are now constituted and municipalities, I see no connection such as to warrant the latter being placed under the supervision or control of the former.

It is desirable and possible to give village communities greater powers in the disposal of petty local affairs. Village panchayats may be formed to which the disposal of petty civil suits up to a certain monetary limit may be entrusted, but if the system is to be successful, the concurrent jurisdiction which district munsiffs now have over such suits should be taken away. The trial of petty criminal cases which are now triable by village magistrates may be entrusted to this body. This body may also be utilized for such revenue matters as *kudimaramat*, etc., and for sanitary matters. Factions exist in villages, but the difficulty can be overcome by a judicious selection of men for the panchayat and by making the office tenable for a fixed period, say three years.

There ought ordinarily to be only one appeal. If in that appeal the original order is confirmed, there ought to be no further appeal. If, however, the original order is reversed or modified, a further appeal should be allowed, but the decision of this appellate authority should be final. The opinion of the Commissioner, *i.e.*, Board, should be supreme in irrigation matters except so far as regards purely professional questions.

4755. You say that there is a disinclination on the part of officers to consult the existing Local Bodies; what causes that disinclination?—There is no obligation placed upon them to consult; they think they can act on their own discretion. Some Collectors do consult privately as regards various matters, and where they do so I have known cases in which they obtain beneficial results. A number of them do not do it, and in those cases it would be better if there was an Advisory Council formally constituted.

4756. What I take to be really your view is that the Collector and the Divisional Officers should be required to consult, more freely and more often than they do now, the views of the *taluk* Boards as they would be constituted under your scheme?—That is my view; my opinion is that it would be beneficial.

4757. It would bring the Divisional Officers into close touch with the people of the districts?—Yes.

4758. And that would suffice for the present?—Yes.

4759. You admit that on the whole municipal administration is pretty good?—I have no personal experience of municipal administration; I think there is no necessity in this Presidency for municipalities to be looked after by the District Boards.

4760. With regard to the village communities, you would like to see the revival of the panchayat?—Yes.

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4761. Would you in places where there is already a village union substitute the panchayat for the village union?—This might be done; but unions and panchayats are different institutions, under different controlling authorities.

4762. (*Mr. Hichens.*) What, roughly speaking, is the size of the village unions to-day in area or population?—There are now 22 unions in North Arcot with a population ranging from 3,000 to 15,000; the revenue ranges from about Rs. 600 to Rs. 7,000.

4763. Are the panchayats which you advocate to replace village unions or to be in addition to them?—They will be quite apart from the village unions; I want to have a panchayat in every village.

4764. In every village however small?—Yes.

4765. You would have first of all the panchayat, and then the village union apart from that?—Yes. The panchayat would not be under the *taluk* Board; it would be under the Revenue Officers for the trial of civil and criminal cases.

4766. Would it not deal with many of the functions that the village unions deal with to-day?—No, it will exist as a separate body.

4767. Take education for example?—The panchayat will have nothing to do with that unless the *taluk* Board, who have to look after education, entrust it to them.

4768. And as to sanitation?—The panchayat might be treated as a Sanitary Board because I want to have an honorary body to look after sanitation. I would have the village officers and 2 or 3 independent raiyats to look after the sweeping of the village and to keep it clean. It would save a lot of expenditure which Local Boards are now put to on account of sanitary defects.

4769. (*Mr. Dutt.*) You are the Vice-President of the District Board, and as such it is a part of your duty to prepare the annual budget?—Yes.

4770. Under the Act, does the Collector as *ex-officio* President exercise all executive power?—He does.

4771. And under the Act does the official President of the District Board appoint all permanent servants?—Yes; of course, the *taluk* Boards have their own powers.

4772. And the official President has the power to fine, suspend, and dismiss all District Board servants?—Yes, subject to certain limitations placed by the Government.

4773. Does the official President generally give out contracts for works for the maintenance or repair of roads?—It is the Engineer who does that.

4774. Is the Engineer under the orders of the official President?—Yes.

4775. Then virtually, from the making of the budget to the execution of all District Board works, the whole work is practically done by the official President and his paid subordinates?—Yes.

4776. Do you think that system is likely to encourage non-officials to take much interest in District Board work?—As a matter of fact they take very little interest.

4777. My question is, would this system encourage them to take any interest if they have no power?—No, it will not.

4778. In order to encourage them to take more interest would it be advisable to have Sub-Committees of the District Board and distribute the work among these Sub-Committees?—It would be better.

4779. You have suggested the abolition of District Boards; might that interfere with the uniformity of administration?—No, we have got several District Boards now. The same principle applies to *taluk* Boards.

4780. Do you not think that under those circumstances the primary education in one *taluk* may be different from the primary education in another *taluk*?—Yes, there is the Collector and the Educational Officers, who will see that the system is uniform.

4781. Are there not roads now which run through several *taluks* of the same district?—Yes.

4782. If the repair and maintenance of roads was entrusted entirely to the *taluk* Boards, is it not

likely that the first portion would be repaired and the second left unrepaired and the third repaired again?—The Collector would see to that. The raiyats will be able to represent that one portion of the district is bad and the other is good, and the Divisional Officers or the Local Fund engineers of the *taluk* Boards would take care to bring about uniformity. It is not a difficult thing.

4783. But suppose they did not agree; suppose one *taluk* Board says "we will repair this," and the next says "we have no money to repair our portion?"—I think these are all extreme cases; they would not say so.

4784. A road generally runs through several *taluks*?—Yes.

4785. And it is not likely that two *taluks* would agree to repair the roads running through them?—But (except the trunk roads) there are always *taluk* Board roads now which go through several *taluks*; there is no practical difficulty. The same thing will hold good in the case of trunk roads also; there are what we class as *taluk* Board roads, only they are not confined to particular *taluk* Boards; they also run into other *taluk* Boards, and what applies to these roads will apply to the trunk roads.

4786. Have not the District Boards control over those roads?—They have nominal control.

4787. But under your proposal they would have no control, because there would be no District Boards?—There would be no District Boards.

4788. Therefore you suggest that matters should be decided by conference?—And also by the Collector giving advice. Everything is under his control, and he could advise the *taluk* Boards and engineers and they would remedy it.

4789. Therefore a great deal more work would be thrown on the Collector?—I do not think so; practically I think no additional work will be thrown upon him, as he would be relieved of the District Board work.

4790. Under your proposal the Government itself would have to deal with a vastly larger number of bodies—a larger number of units?—Each unit of a *taluk* Board is now also separate in all matters; they pass their own resolutions and forward them to the Department of the Secretariat, and our office only acts as a post office.

4791. Is it not the fact that at present each District Board is considered a unit by the Government for the purpose of self-government?—It is now considered as a unit.

4792. And those units would be multiplied under your proposal?—The same number will continue.

4793. So far as the Accountant General is concerned would he not have to keep accounts with regard to a larger number of bodies if your proposal was to be carried out?—There is an officer attached to my office as Treasury Deputy Collector and I audit the accounts.

4794. The Accountant General does not audit?—No; he only conducts the annual inspections: an officer comes and examines the district accounts and the engineer's accounts and the *taluk* Board's accounts too.

4795. You say that the present local bodies might be utilised as Advisory Councils and that their opinions might be taken on certain questions and recorded. Would fresh legislation be necessary for that purpose?—Apart from legislation, departmental orders would be equally binding, because they are all officers of the Government.

4796. Under the present Act could the Collector convene a meeting of the District Board simply to give advice on certain matters besides the matters covered by the Act?—There are at present meetings of the District Boards; after a meeting is over the Collector could consult the members; they would not object to stay a few minutes more if the Collector wished to consult them.

4797. But has he, or has he not, the power to convene a meeting simply for the purpose of taking their advice about crops or irrigation or any other matter?—He has not got the legal power perhaps.

4798. In order to give him the legal power fresh legislation will be necessary?—Yes.

4799. (*Sir Frederic Lely.*) Practically I take it there would be no distinction between a village panchayat and a village union; you would not have them both co-existing?—They will not be one body; the village union, as you call it now, is under the control of the Local Board, but the panchayat would be for the trial of civil suits and criminal cases and would be directly under the control of the Board of Revenue.

4800. Under this arrangement you would probably have one body representing the village community, to which you would entrust all these duties?—Yes, the duties of unions.

4801. You have mentioned that the village unions are very unpopular because they levy the house tax?—It is not so much that, as the incidence, of which they complain.

4802. They are forced by Government to levy the house tax?—Until they realise the usefulness of things there is always certain to be a complaint about taxation.

4803. They levy a house tax not of their own free will but because they are forced to do so?—Because the interests of the village population demand it.

4804. Is not that the very way to make so-called self-government hateful?—I will not say hateful; provided help was given by a provincial grant it would be different.

4805. When you take a village and say "For certain essential purposes you must levy a house tax and you must admit an establishment of chuprassies or whatever you call them," is not that associating self-government with very distasteful measures?—Self-government based on additional taxation is no doubt a thing which is disliked generally.

4806. How would it do to take a village and impress upon it that better sanitation was absolutely necessary, but to leave the people, at first at any rate, by way of experiment, to themselves, and instead of levying a house tax to say "You may pass a rule requiring that every householder shall keep the ground opposite his own house clean and so forth"?—That would never work.

4807. Do you not think it might have a chance of working; would not the people like it better?—I have tried that system in my own village. I did not want to raise the money for an establishment, and I proposed to levy a small tax; I proposed to the villagers that for every quantity of paddy sold they should contribute a small sum to a separate fund, and out of that fund have a separate establishment for keeping the village clean. I tried the experiment but I found the taxes were not levied, and there was a lack of interest.

4808. But after all, those proposals, however excellent, were your own proposals; they did not come spontaneously from the villagers themselves?—No.

4809. Do you not think it would be worth while to try the experiment of saying to a village, "Sanitation is one of the most important objects that can be had in view; you must arrange to keep your village clean, and if at the end of a certain time you do not do it yourself by your own methods we shall prescribe the means"?—But you levy a land cess; out of the proceeds of the land cess the Act professes to promote sanitation; yet there is always a plea of want of funds.

4810. Might we not leave it entirely to them by way of a trial?—I do not think it would work unless you provided them with the establishment out of the provincial grant, and you constituted a Sanitary Board, as it were, to look after them.

4811. Is it not the fact that they hate an establishment only less than a house tax?—They would welcome an establishment provided they had nothing to pay.

4812. A man with belts and so on?—Perhaps they would welcome that.

4813. You think it is necessary to begin with certain methods indicated by Government officers?—Yes; until education improves and the people recognise the importance of sanitation you must make an appeal to their eyes and not to their ears.

4814. You propose to establish an Advisory Council, or to give the District Board advisory powers by legislation?—Yes, legislation will be required.

4815. Will that be of any use to these people? If the members did not come voluntarily to offer their opinion, their opinion would not be worth much?—They would not volunteer if there is no certainty of their being heard or the possibility and probability of the advice being acted upon.

4816. But would there be anything gained by establishing the Advisory Council on a statutory basis?—To begin with, departmental orders might do, but if that experiment did not succeed I should resort to legislation and make attendance compulsory. I would go a step further only after the departmental system failed.

4817. You would establish your Advisory Council, and you would order the Collector by executive orders to convene it and consult it?—Yes.

4818. Is not that practically what every good Collector does even now?—Even now some of them do it.

4819. Then is not all that is necessary simply executive orders from Government to their Collectors insisting on their communicating with the people in that way?—Some of the officers who most loyally carry out the orders of the Government will do it to begin with.

4820. (*Sir Steyning Edgerley.*) Speaking about the vernaculars, you allude to some system of office notes which you think helps to destroy the knowledge of the vernaculars; will you explain what that is?—In submitting the vernacular papers the clerks make notes in English about everything; then the Divisional Officer passes orders on these notes and then it is that the orders are issued.

4821. You mean to say that the Sub-Divisional Officer does not refer to the original papers?—No, I do not think he does. Of course, the office is held responsible for the correctness of those notes; if there is any complaint enquiry is made, and the clerk who makes the wrong translation is punished.

4822. Does it not put very great power in the hands of the clerk?—There are general complaints that the clerks may bias the opinion of the officer by the way in which they translate things, instead of the officers seeing the originals themselves.

4823. I believe there is generally now a dispensation given to the more senior Divisional Officers to have a record of magisterial cases made only in English; has that any effect on the vernacular knowledge of the officers?—Certainly; if they heard it in the vernacular and recorded it in English, with the help of the munshi here and there, that would also improve their knowledge. I would object to their being given powers to record in English only with the help of an interpreter. The other system involves work, no doubt, but it is a means of keeping up the vernacular and facilitating work in it.

4824. How do you mean facilitating work in it?—It gives them the meaning of certain phrases better than if they wrote in English what the interpreter renders in English. The law allows also the system of their writing notes in English while the deposition is taken by the clerk in the vernacular.

4825. But in every case the magistrate has to make a note in his own hand?—Yes.

4826. And while he is doing that the clerk is able to put down the vernacular?—Yes.

4827. How would the abolition of the dispensation of the vernacular record delay the work?—The Magistrate does not record it in the vernacular himself.

4828. Not he himself, but while he makes his English note of it his clerk is able to make the vernacular note?—His knowledge of the vernacular is not so perfect as to write down everything in the vernacular.

4829. Do you mean the clerk's knowledge is not perfect?—No; if he is required to write the whole thing in the vernacular it will delay the work; the clerk takes it in the vernacular, and the Magistrate takes a note of it in English.

4830. The point is, the clerk cannot take longer over his vernacular note than the Magistrate takes over his English note?—Both of them work together; they adjust it somehow; he allows some time for the clerk to complete it.

4831. Then about your system of *taluk* Boards; if that were adopted the Sub-Divisional Officer would be the President of the *taluk* Board, and would be also, I presume, the President of most of the municipalities in the district?—He is only an *ex-officio* member.

4832. Who is the President of the municipality as a rule?—The Chairman is appointed by Government.

4833. The Chairmen are not officials?—Most of them are not officials.

4834. I will put it the other way round; if your *taluk* Board were appointed, the Collector would no longer be President or Chairman of any *taluk* Board or municipality in the district?—He need not be.

4835. He might be outside?—He would be outside; he would be the officer of the Government in all these matters to watch the proceedings of these Councils.

4836. At present you say these *taluk* Boards send up a certain portion of their proceedings to Government; they do not go to the Board—they go past the Board to the Government?—Yes.

4837. And the same in regard to municipalities?—The same—through the Collector.

4838. If your system were put into effect, is there any reason why all these proceedings should go up to the Central Government?—Some system of check is required.

4839. But need that somebody be the Local Government?—Yes, I would like the power to be with the Local Government.

4840. Not with the Collector?—The Collector is the advisory hand, but I would not put everything into his hands; he would be the adviser of the Government.

4841. You do not think the controlling power should be given to the Collector?—In some matters you might give it to him, but in certain matters of control I would reserve the power to the Government.

4842. Do you not think it better that the control should rest with one of the members of the Board of Revenue who travels over the whole Presidency?—They have nothing to do with it at present.

4843. But I am asking you whether you wish this system or whether you think you could get a better?—Whether it is the Local and Municipal Department of the Government or the Board makes no difference; there must be some sort of supervising authority beyond the Collector.

4844. Have you any preference at all about it?—The Government would be better I think.

4845. (*Mr. Meyer.*) There are now about 22 or 23 District Boards?—Yes.

4846. If you had independent *taluk* Boards you would have about 80?—Yes.

4847. Would it not enormously increase the work of Government to deal independently with these 80 Boards?—They deal now with all these local bodies.

4848. At present each *taluk* Board makes its own budget. Those budgets are considered and modified where necessary by the District Board?—Yes.

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4849. They are consolidated by the District Board?—Yes.

4850. Consequently the Government gets a consolidated budget for the whole district, that is to say the District Boards prepare budgets for four or five *taluk* Boards. Under your system there would be no co-ordination in the district, and the Government would get four or five independent budgets. Would that not impose more work on the Local and Municipal Secretariat?—It would, but it would not be heavy if the Collector were entrusted with the preparation of the budget aided by a small establishment.

4851. You say the Collector may consolidate the budgets, but may he alter them?—Subject to the final orders of the Government he might propose alterations.

4852. Then you would empower the Collector to make alterations in the budget, but not finally?—Yes.

4853. Similarly with regard to the administration report; there is one administration report in the whole district for Local Fund matters, representing the consolidation of the four or five reports. You say there again the Collector should consolidate?—He may be left to consolidate it.

4854. But as the Collector would *ex-hypothesi* not have been concerned with the working of the Local Fund throughout the year, would not such consolidation be difficult for him?—He is on tour, and he knows the requirements of the district, and it would not be very difficult for him to do it.

4855. But he would no longer have that intimate knowledge of the transactions of the *taluk* Boards that he obtains at present as District Board President?—He would not have that intimate knowledge.

4856. Under your system each *taluk* Board would receive the whole of the land cess and other local fund receipts levied within its area?—Yes.

4857. Are there not grave inequalities within large districts—are there not divisions which are large in point of area but poor in point of revenue?—There are.

4858. At present such a division is helped by a grant from the District Board?—Yes.

4859. That is to say the resources of the district to a certain extent are pooled, and the wealthy and populous tracts help to pay for backward and poorly populated tracts?—Yes.

4860. Under your system they would no longer do that?—The District Board fund is only an appropriation of the land cess of those Boards. The other *taluk* Boards may as well be asked to contribute, the whole being treated as a district fund. We find that some of the villages are not able to afford the village establishment; then it is the District Fund that comes to their aid. The same thing would apply there.

4861. Then you would have a system of pooling the resources of the Boards?—Yes.

4862. At present the *taluk* Board has only the right to one-half of the cess, and the rest is pooled, but if it has the right to the whole of the land cess, how is the pooling to come in?—That would be adjusted to the requirements of each *taluk* Board.

4863. That is, the Collector is to have power to say to a particular *taluk* Board "You are not to have the whole of your resources, but you are to contribute a quarter of them to the adjoining *taluk*"?—He could make adjustments from time to time as regards the appropriation which, with the sanction of the Government, should be binding on these bodies. Of course, as it is now, the difficulties are only met by what the District Board appropriates from these funds; that is, they take half the land cess.

4864. But at present the District Board has statutory power to do it?—The same provision may be made; the law has to be altered anyhow, and we have only to put in a provision to that effect.

4865. Would not much more friction be caused by a system of pooling carried out by an outside agency—the Collector—than is at present caused by the District Board, on which the *taluk* Boards are all represented, and which represents the common interests of the district?—But the Collector is not likely to do it unfairly; you can trust to the Collector to do it in a fair way.

4866. You think a *taluk* Board which found a large amount of its money taken by another *taluk* Board would accept the position cheerfully and with absolute confidence in the Collector?—They would also be helped in turn; suppose there was a hospital to be built or a bridge to be constructed they would also get a contribution, and in the natural course of things matters would adjust themselves; it is only mutual help.

4867. As to the Advisory Council, do you desire to make all its proceedings public?—Whether public or private there must be a record.

4868. Might there not be certain confidential matters which could not be conveniently recorded or discussed in a large body of people?—Then the Collector might not convene a meeting for that purpose at all; it is optional with him.

4869. It is to be optional with the Collector to consult the Advisory Council?—I also provide for the Advisory Council taking the initiative. The Collector can convene a meeting and record what they say, and if he thinks that the steps that he takes ought not to be divulged it would be for him to say.

4870. But suppose the Collector does not choose to consult the Advisory Council?—He has perfect freedom in the matter.

4871. Therefore he need only consult them or not as he thinks fit?—As far as he is concerned, yes.

4872. Suppose he does consult them and they do not agree with him?—He is not bound at all.

4873. He can over-rule them or not as he likes?—Yes.

4874. Have you had much to do with municipalities?—No.

4875. You could not say whether it would be desirable to give the Collector the powers of control that are now vested in Government or some of them?—I am not in a position to speak with the same knowledge.

4876. You were for a long time in the office of the Board of Revenue?—Yes.

4877. You therefore have a very good idea of the character of the work that goes up to the Board from Collectors and goes to Government from the Board?—Yes.

4878. There are a large number of routine matters that at present go up?—Yes.

4879. A large number of matters, for instance, that go from the Collector to the Board of Revenue, which the Secretary disposes of on his own authority and never troubles the members with?—That is what they call the routine papers.

4880. Also the Board has to send to Government a large number of more or less routine matters?—Quite so.

4881. Some of these restrictions are due to law?—Yes, to laws and Codes.

4882. Others to the Standing Orders of the Board of Revenue?—Yes.

4883. Has the Board of Revenue power to alter its own Standing Orders without the sanction of the Government?—Yes, but a copy of those orders goes to the Government, and it is open to the Government to object to them or not.

4884. Has it in practice interfered much?—Very rarely.

4885. You say the promotion of graded officers is based on merit; what do you mean by that?—Until the Civilian reaches the position of a Collector he is promoted by seniority; it is after that, when he comes to be made a member of the Board or is promoted to the High Court, that I think that merit should come into play. Until then I understand, unless there is something definite against the officer, they go by seniority.

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4886. That you regard as fairly satisfactory?—Yes.

4887. Then I will take Deputy Collectors; in their case the promotion goes by seniority, does it not?—Yes; I think when there is a black mark against a certain officer they also overlook him; a Deputy Collector may be passed over for certain misconduct.

4888. For inefficiency we will say?—I do not think they will take account of inefficiency, because it is a matter which would differ in different Deputy Collectors.

4889. You say when a Deputy Collector has been found guilty of misconduct he is not promoted?—Generally the Local Government takes care not to promote him.

4890. But apart from that the promotion of Deputy Collectors goes by seniority?—Up to the Rs. 500 grade.

4891. What higher grades are there?—Rs. 600 and Rs. 700.

4892. Those are supposed to be selected by merit and not by seniority?—Yes.

4893. Are the men who would go into the Rs. 500, Rs. 600, or Rs. 700 grades generally senior men, or men sent up not according to seniority?—Up to the Rs. 500 grade they go by seniority; I have known instances when men have been passed over.

4894. There are certain proposals to create further sub-divisions and *taluks* now under consideration?—Yes.

4895. Speaking generally, do these proposals go far enough or would you go further yourself?—They were proposed after a good deal of discussion and after the ascertaining of various facts and figures relating to the work in each *taluk*.

4896. These proposals would meet the requirements of the case?—Yes.

4897. You have mentioned the sanitary assistant to the District Medical Officer; you say he is appointed at the expense of the Local Boards, and there is no sanitary work for him to do?—Yes, the Board does not know what to do with him; it finds it impossible to give him any work; he adds to the work. He writes reports and says that the sanitation of a village is bad and requires improvement; then he sends up periodical reports; these add immensely to our work; if we issue orders thereon to the tahsildar he sends orders to the inspector, and nothing is practically done except the creation of work.

4898. But is it not interesting to you to know that that particular village is in a good, bad, or indifferent condition?—It is no satisfaction to know, without any means of remedying it.

4899. You mean you have no money?—Yes.

4900. What about the village unions?—There are only 22, and even in their case there would be poverty of funds.

4901. If there were funds the officer might be useful?—Certainly, if the establishment were provided.

4902. Has he anything to do in municipalities?—No, they have their own sanitary establishment.

4903. Do you know at whose instance this officer was appointed?—The Sanitary Commissioner of the Government of Madras.

4904. When a clerk sends up an office note, is it not accompanied by the records of the case and by such facts as are necessary for reference?—Yes.

4905. Then the office note is a *précis* for the guidance of the Divisional Officer?—It is supposed to be.

4906. And there is nothing to prevent the Divisional Officer from reading the papers?—If he is so inclined.

4907. Does the office note as a rule give facts, or does it suggest an order that should be issued?—It depends upon the individual clerks; some of them venture to do it; some are afraid to do it.

4908. But take an energetic and industrious Divisional Officer; would he be influenced by the office note?—I do not think so.

4909. (*Chairman.*) From your knowledge of returns, are they accurately compiled?—As far as possible.

4910. I mean the crop returns, vital statistics returns, and so on?—My impression is that there is delay as regards the statistics of cultivation. Take the month of May; the returns may be brought in in the month of June or July; of course, the *karnam* takes some time too. Unless there is close supervision and the *karnam* is brought to book for such small delays, inaccuracies may take place. There are also instances in which cultivation has not been brought into account at all.

4911. So that the returns are not accurate?—I do not say not accurate—not very accurate I will say.

4912. (*Mr. Meyer.*) A previous witness produced a large number of returns prescribed by the Board of Revenue, yearly, quarterly and monthly. Were you in the Board's office when these returns were last revised?—Yes.

4913. What year was that?—They were revised by a Committee; I do not think that full effect was given to the recommendation of that Committee.

4914. That revision was in 1898 or 1899; originally there was a Committee of *sherishtadars*; other officials came in subsequently. Was there a general tendency to increase returns or reduce them?—To reduce them.

4915. There was a considerable reduction?—Yes.

4916. In your personal opinion, could further reduction have been made?—Yes, I think it is possible.

(*The witness withdrew.*)

Mr. D. W. G. Cowie, I.C.S., was called and examined.

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4917. (*Chairman.*) You are acting Inspector-General of Police in the Presidency of Madras?—Yes.

4918. Will you state briefly the organization of the Police Department in Madras?—The Inspector-General's office is in charge of a Gazetted Officer of the rank of Superintendent called the Assistant Inspector-General. There are 5 officers of the rank of Deputy Inspector-General. Of these, one is the Commissioner of Police for Madras City, and another the Deputy Inspector-General in charge of the Criminal Intelligence and Railways. The other three officers are in charge of ranges which divide between them the districts of the Presidency. Officers of the rank of Superintendent number 34, and Assistant Superintendents 36. Forty appointments of Deputy Superintendents have been sanctioned, of which 21 have been filled up. There are 379 inspectors, 728 sub-inspectors, 89 sergeants, 2,505 head constables and 19,239 constables in the *mufassal* police. The strength of the Madras City Police is 1 Commissioner, 2 Deputy Commissioners (who are Superintendents of Police), 1 Assistant Commissioner (who is a Deputy Superintendent), 13 inspectors, 61 sub-inspectors, 29 sergeants, 219 head constables and 1,376 constables. The powers of the Inspector-General are defined in section 9 of the Madras Act XXIV of 1859. He is charged with the general direction and control, the distribution, government and equipment of the force. In the execution of these duties he is subject to the approval of the Governor in Council. The fulfilment of his obligations necessitates frequent tours of inspection. The Inspector-General has certain powers assigned to him under the financial codes of sanctioning expenditure, and he can sanction for departmental execution building works not exceeding Rs. 2,500 in cost each. There are no rules as to what orders should be submitted to the Government for approval, but alterations involving expenditure or the conditions of service of officers would necessarily be so submitted.

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4919. You are charged with the discipline and interior economy of the police force?—Yes.

4920. With what department of the Local Government do you correspond?—The Judicial Department.

4921. Do you correspond direct with the Chief Secretary?—Officially, and demi-officially as well.

4922. Do you find any unreasonable delay or any unnecessary delay in the communications which pass from you to him and *vice versâ*?—No, I do not think so.

4923. I think you are not merely a police officer?—No, I am a member of the Indian Civil Service, with 22 years' service.

4924. You are frequently of course on tour in the Presidency?—Yes.

4925. Have you got any general suggestions to make to us as to the possibility of so decentralizing the work as to enable it to go both smoother and quicker?—One idea I had was that there might be a reduction of appeals.

4926. Personal appeals or disciplinary appeals?—Personal appeals and other appeals—general administration.

4927. First of all let us deal with personal appeals; do you mean appeals of constables or officers under your control from small fines or punishments?—Yes.

4928. Would you follow the line taken by many other witnesses to limit that to a single appeal above the officer originally inflicting the punishment?—Yes, except perhaps in cases of dismissal.

4929. You would give a double appeal there?—Yes, I think I would allow a double appeal there.

4930. Or would you give a single appeal to a much higher authority?—Do you mean a single direct appeal to the higher authority than the officer next above?

4931. Yes.—I think I would give a single appeal to the officer next above, and then to one above him again.

4932. That you think ought to satisfy justice in every case?—Yes, I think so.

4933. What were the other kind of appeals?—I really meant general appeals on questions of general revenue administration; that is not a police matter at all; the personal appeals are the only ones we have to deal with.

4934. I understand you are below the strength of your force in the Madras Presidency—below the strength now sanctioned?—We are gradually working up to our sanctioned strength; different instalments have still to be sanctioned; there is one up now before the Government of India.

4935. Would you tell us what your relations are with the Director of Criminal Intelligence?—We have practically no relations.

4936. Is it advisable that he should enter into relations with you as the superior officer of police in this Presidency, or are you more happy under an independent system?—I think it would be better to remain under the present system.

4937. Do you ever correspond with the Inspectors-General in other provinces?—Every now and then we ask them what their practice is; for instance, we had a large correspondence about exchanging men for railway work on frontier railway stations.

4938. Do you have conferences among yourselves?—There was one some years ago; it was before my time—before I came into the province.

4939. Do you have a great number of statistics and returns to prepare?—No, I do not think so; we are not overburdened with them.

4940. Nothing that causes undue correspondence?—No, I should not say so from my experience of the office.

4941. How long have you been in the office altogether?—Eight months.

4942. Are you satisfied, so far as you have seen, with the relations between the District Superintendents and the District Magistrates?—Yes.

4943. There is no suggestion that you can make as to removing delay in certain cases?—No; I was District Magistrate for a number of years, and I never had any trouble with my Superintendents of Police.

4944. Their relations are happy so far as you know?—I think generally they are.

4945. Now with regard to officers subordinate to the District Superintendent, are you satisfied that their relations with the people in their districts are fairly good and speedy, and that no unnecessary delay occurs in dealing with crime and so on?—Of course, it is difficult to say how far things will be satisfactory, because we are in a transition state at present.

4946. You do not feel that you can usefully offer any remarks at this point?—Not with regard to that side of police work.

4947. What side can you offer any suggestions upon?—I have not any serious suggestion to make. There are a few little points in which I think Government might give the Inspector-General a free hand.

4948. Will you tell us what those points are?—One is the question of the appointment of unpassed men—men who have not passed the prescribed tests for certain appointments; the Inspector-General I think might be given a freer hand in that respect.

4949. Have you had lately any instructions or regulations issued by your Government restricting or enlarging your responsibilities as Inspector-General?—No, nothing.

4950. Do you know whether the Police Commission recommended any increase or restriction of these responsibilities?—One result of the Commission's work was that the Commissioner of Police for the City of Madras was placed directly under the Inspector-General.

4951. That is a purely local change only affecting the City of Madras, not the police force generally?—Yes, it affects the city only.

4952. (*Sir Steyning Edgerley.*) What is the relation of the Inspector-General with the Magistrate of the District; how is the responsibility divided; he is responsible in some measure for police work; who else is responsible?—I do not think the Inspector-General ever does, or can, interfere with the District Magistrate in his administration—keeping the peace of the district and that sort of thing.

4953. But what is supposed to be the division of duties in the Presidency—the District Magistrate is responsible for the repression of crime in the district?—The District Magistrate is responsible for the peace of the district.

4954. And for the suppression of crime?—Yes.

4955. And you for the organisation of the force in the district?—Yes.

4956. We were told yesterday that the District Superintendent of Police was wanting in the influence he ought to have because his powers were too restricted. It was suggested that the District Superintendent ought to have power of petty punishment, petty rewards, promotion up to 14 or 15 rupees, power of transfer of inspectors within the district. What have you to say to that?—I think he might promote constables to head constables for instance; I think it would be a good thing if he had the power of giving petty rewards so as to reward a man on the spot and promptly.

4957. Suppose you agree with him about those sort of things, who could do this; would you have to get the sanction of Government?—The Deputy Inspector-General can sanction rewards to a certain extent.

4958. Suppose you wanted to alter the constitution so that the District Superintendent could sanction these things, whose authority would be necessary?—I should have to ask the Government

4959. Another suggestion that was made was that the system of placing the Superintendents and Assistant Superintendents in charge of a district was not so good a one as attaching an Assistant Superintendent to a district and allowing the Superintendent to use him as he thought best?—My own opinion is that the Assistant Superintendent should have his own range.

4960. The suggestion was that being in one office they could be in and out, could tour more easily, and that the Assistant Superintendent's office should be abolished?—I do not think that that would work very well. After all, the Assistant Superintendent has not much office work; he has a very small office.

4961. You are not in favour of the change?—No.

4962. You said you were in a state of transition; how does that come about?—The additions to the strength consequent on the recommendations of the Police Commission are being gradually introduced.

4963. Have you got all the sanctions that you want for that?—We have got the main sanction; now the re-allocation of the district forces is going on in instalments; the first instalment is now with the Government of India.

4964. What do you mean by the re-allocation?—Doing away with the old stations and boundaries, and forming new circles, and adjusting the new force to them.

4965. Have you got any of the new force yet?—Some of the proposals have been carried out; the reserves are now practically complete, and higher rates of pay of the superior staff have been introduced; half the new rank of Deputy Superintendents has been recruited, and so on.

4966. But you really have not carried out any of the re-organisation in the police stations?—No, we have not got any of the new circles or new stations yet.

4967. Have you got any new sub-inspectors yet?—Yes, we have 789 at present.

4968. What is the aggregate number to be?—1,444.

4969. Have you had any difficulty about that?—No, we get crowds of applicants.

4970. But I mean any difficulty with the Government of India?—No, none whatever.

4971. Do you know whether the Government of Madras have accepted the recommendations of the Police Commission generally?—Yes, I think they have.

4972. I understand that recently the uniform for the whole of India has been prescribed?—Yes, for Gazetted Officers.

4973. Has that made much change in your uniform here?—No, really very slight. I believe it was intended to be less expensive than the old uniform, but the fact is it costs much about the same; the new working dress—the khaki dress—is very popular.

4974. You are satisfied with that?—Yes, of course there are one or two very small items which might have been different perhaps.

4975. Practically you have had nothing to do with the Director of Criminal Intelligence?—No, nothing at all.

4976. (*Mr. Meyer.*) You have a Deputy Inspector-General in charge of Criminal Intelligence?—Yes.

4977. And correspondence would go on between him and the Director at Simla or Calcutta?—Yes.

4978. Has there been any complaint of excessive calls for information or interference on the part of the Director of Criminal Intelligence?—None whatever.

4979. Has there been any good obtained from his advice based on the work in other provinces?—I think our Criminal Investigation Department gets valuable information from him.

4980. You spoke of some delay in your district arrangements; before the Police Commission sat, the Madras system was one of stations under head constables?—Yes.

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4981. And the head constables were directly subordinate to the inspectors?—Yes.

4982. The finding of the Police Commission was that that was not quite a satisfactory system, and that you wanted officers of superior standing in charge of police stations—sub-inspectors?—Yes.

4983. And such delay as has occurred in re-organising your establishment is rather due to the fact that you have had to recruit a new agency to replace an old one, and you can only do that gradually?—Just so; the first instalment if sanctioned would have been introduced this October; it could not have been done sooner.

4984. You have spoken of Deputy Superintendents; was the intention that the Deputy Superintendent should take charge of a portion of the district as the Assistant Superintendent does now, or that he should be a Personal Assistant to the District Superintendent at headquarters?—I think he is intended to be a Personal Assistant at headquarters, but there also must be a number of them in charge of divisions.

4985. Then there will be both?—When we have full strength we shall have 40; there will be 28 police districts; that would give a Personal Assistant for each district, and we should nearly always want some at least to fill vacancies in divisions *vice* Assistant Superintendents on leave.

4986. Therefore you will have a certain number in divisional charge too?—Yes, we have seven or eight now.

4987. It was put to us by a previous witness that a constable cannot be black-marked even by his District Superintendent without an appeal; is that necessary?—I think an appeal against a black mark, unless it is the last black mark of a series which entails his dismissal, might be abolished. In fact, that is proposed in a draft Police Act for all India.

4988. A black mark only acts against a man seriously when a certain number have been piled up?—The third loses his increment if he has earned one, and a sixth entails his dismissal.

4989. Then you would not allow an appeal against a black mark until the sixth, when the consequences became serious?—I should rather be inclined to allow one against the third black mark, because it means that it takes away his increment.

4990. But you see no reason for appeals against the first and second black marks?—I do not think so.

4991. Is there anything in the law which obliges an appeal against the first and second?—Not that I know of.

4992. So that it is purely a departmental order?—It is practice I think.

4993. You have been a Collector for several years?—Yes.

4994. Have you any suggestion on which you feel particularly strongly which you wish to put before us in that capacity?—No, I do not think so. There is the suggestion that second appeals may be done away with generally.

4995. In administrative matters, or in disciplinary matters, or in both?—I should say in both.

4996. As a rule one appeal should suffice?—Yes.

4997. Would you say so in the case of the dismissal of an officer?—I do not think I would allow an appeal in the case of an officer except in the case of dismissal.

4998. But in the case of dismissal you would allow one?—Yes.

4999. Always or under certain conditions?—I think I should allow it in all cases of dismissal.

5000. You are acquainted with the report of the Police Commission?—Yes.

5001. (*Mr. Hichens.*) Generally, were the recommendations of that Commission in favour of uniformity throughout the different provinces on a large number of matters?—Yes.

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5002. Could you instance any cases where the uniformity that they recommended would not be desirable. For example, take uniforms; did they recommend that they should be uniform?—Only for Gazetted European Officers.

5003. Did they make that recommendation?—That is settled.

5004. Is it desirable to have uniformity in a point of that sort?—I see no objection to it.

5005. Then with regard to pay, did they make any recommendation in regard to uniformity?—I think the pay of the superior ranks is the same all over India, but the pay of the lower ranks varies to a certain extent with locality.

5006. Do the Government of India leave it to the provincial Government to pay their subordinate officers whatever they think fit?—No, I think the Government of India settled the whole thing on the lines of the Commission's Report.

5007. That is to say, the provincial Government have not got the power to settle the pay of their own subordinate officers?—They were consulted before the pay was settled.

5008. Should not the Government of Madras be able to settle for themselves what they are going to pay their subordinate officers without having to get the consent of the Government of India?—I do not think the Government of India could settle it over a certain figure without the consent of the Secretary of State.

5009. But without entering into the relations of the Government of India with the Secretary of State, is that not a matter that should be settled locally?—Well, it is a very big thing; personally, I should say it is a thing that ought to have gone to the Government of India.

5010. There are no municipal police anywhere in Madras?—No.

5011. The police are all under Government?—Yes.

5012. You would not recommend that any police power should be devolved upon local authorities?—No, certainly not.

5013. (*Mr. Dutt.*) Which officer now has the power of dismissing a head constable?—The District Superintendent can dismiss a head constable; then an appeal lies to the Deputy Inspector-General, a second appeal to the Inspector-General, and a third appeal, or rather a petition, to the Local Government.

5014. Can the appellant go up as far as the Government of India?—He can send up a petition, I think.

5015. But he has not a right of appeal?—I do not think so.

5016. Do you sometimes get remarks recorded by magistrates about the conduct of police in the investigation of cases which have come before the magistrates for trial?—Every now and then the magistrate reports a particular case, or the conduct of the police in connection with a number of cases.

5017. In Bengal there is a book in which the magistrate who tries a case can enter any remarks he likes about the conduct of the police; is there any such book here?—I think there is a form for every case the magistrate disposes of, and if he likes he can make remarks on the conduct of the police.

5018. Do these remarks go up to you or to the Deputy Inspector-General?—They do not go to the Deputy Inspector-General unless there is something very special; I do not think they go beyond the District Superintendent.

5019. Is action taken when such remarks are received?—I think so.

5020. But they do not generally come up to you?—No.

5021. What are the relations of the police with village watchmen in Madras villages?—The police have no control over them; they are entirely under the village magistrate.

5022. Are they not bound to report the occurrence of crimes to the nearest police station?—They need only report to the village magistrate and he will report to the police station.

5023. It is not part of the duty of the watchman to go direct to the police station?—I cannot say that it is his duty.

5024. (*Sir Frederic Lely.*) As to appeals, would you allow a second appeal in the case of reductions as well as dismissals: reduction is partial dismissal of course?—I do not think I would, because the controlling authority could always interfere if injustice had been done.

5025. You would not give a second appeal as a matter of right in a case where a man was reduced say from Rs. 25 to Rs. 10: it might be a more serious thing to him than a full dismissal?—You would have to limit it somewhere, would you not?

5026. My own suggestion is that reductions should be put on the same footing as dismissals; you do not think so?—I do not think I would do that.

5027. Do you not think there is a real danger of depriving the lower police Service of some attraction by reducing the right of appeal? The police Service is not very popular, is it, in itself?—There is no difficulty about recruiting in most of our Madras districts.

5028. You do not think there would be any real danger in reducing the right of appeal—I mean in making the service dangerously unpopular?—No, I should not say so.

5029. As to your relations with the District Magistrate; do you work at all in concert with him; when you visit the district do you make a point of seeing him?—Yes, always.

5030. Have you a special detective staff at your disposal in your office—I mean detective experts?—In the Criminal Investigation branch of my office.

5031. That is under your Deputy?—Yes.

5032. Suppose you or your Deputy heard rumours of some impending trouble say in a district, or a gang of coiners, would you send one of your special staff to enquire into it?—My Deputy would.

5033. Would he do that in consultation with the district authorities?—Yes, I think he would in the ordinary course consult them; I think they would work together.

5034. Is he not bound to do so by the rules; under present conditions is it possible for him to send one of his own men into a district without even the knowledge of the District Superintendent?—It is quite possible.

5035. Is that right?—I do not think it is usual.

5036. Do you think it should be allowed; is it not subversive of discipline for a policeman to be working in a district without the knowledge even of the local head of the police?—Yes, I think he ought to know certainly.

5037. But there is no provision making it compulsory to inform the district authorities?—I should not like to answer that question yes or no.

5038. You think it ought to be made compulsory?—Yes.

5039. Does the Director of Criminal Investigation under the Government of India ever act in that way; if he sent his emissaries into a district under your control would you have no objection?—I think he would only do it through the local Inspector-General.

5040. But you are not clear as to the division of authority in that way?—I think he would act through his own subordinates.

5041. Independently of the District Officer?—I am not sure.

5042. As a general principle, you would agree that the District Superintendent of Police, acting under the general supervision of the District Magistrate, should be solely responsible for the treatment of crime in his district—I mean local crime?—Yes.

5043. Then as to this change of system that has been recently introduced; do you consider that on the whole the changes are improvements or do you not?—It is rather too soon to give any opinion I think.

5044. I suppose they were made by the Government of India?—Yes, by the Government of India on the recommendation of the Police Commission.

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5045. They also gave the money?—Yes.

5046. If the Local Government had had the money there is no reason to suppose that they would not have made improvements before?—No doubt they would.

(*The witness withdrew.*)

Mr. C. J. Higgs was called and examined.

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5047. (*Chairman.*) You are acting as Chairman of the Madras Trades Association?—Yes; the Madras Trades Association having been invited by Government to nominate witnesses to give evidence before this Commission, I have been desired by the members, as Acting Chairman, to represent them. I am unable to say that trading interests are unduly hampered by the existing state of affairs, but on the question of decentralization in the abstract the trading community would prefer to see as large a measure of decentralization introduced into the Government of this country as is compatible with the safeguarding of imperial interests.

We know from experience that all large business concerns can only be successfully worked on a carefully arranged system of decentralization, and we think that an analogy between such concerns and the larger operations of Government may be fairly permitted. A large trading concern with branches in several parts of India offers some comparison in regard to methods, and in any such business concern the system of trusting the man on the spot is the keynote to success. As traders, therefore, we entirely believe in a system of decentralization and would apply it within all reasonable limits to the Government of the country. We think that centralized rules put a premium on irresponsibility and incompetence, and that men who possess originality, executive ability and the power to act promptly and wisely in an emergency are handicapped by such rules and reduced to the level of the incompetent. We recognise that such rules have been made to protect the weakest link in the chain, but we think it better that the chain should occasionally snap and the weak link thus disclosed be supplied by a stronger one, than that all initiative should be denied to good men by cast-iron regulations. We recognise that the rules by which the officers of Government are guided are the outcome of years of experience and have not been framed capriciously and without reason, and we admit that in a country like India it is necessary that a large measure of controlling power should remain in the hands of the highest authority, but we think the time has arrived when a larger share of control may safely be given to provincial Governments and scope for initiative be afforded to officers of Government of proved ability.

The hard and fast rules laid down in the Civil Account Code and the Public Works Department Code in regard to the purchase of European stores might with advantage be relaxed and purchasing departments might be given a freer hand in placing their orders. It is unjust that trading firms in India should be specifically excluded from any share of the Government orders for articles in which they deal. This is felt to be a distinct grievance by my Association, the members of which bear a heavy share of the burden of taxation and invest their capital—and incidentally their lives—in enterprises which tend to the general prosperity of the country. It is presumed that the prohibition against giving orders to local firms for articles of European manufacture is based on the fallacy that such articles can be more cheaply procured and imported through the agency of the India Office. There is scarcely an article of this description so imported by Government that local traders would not be prepared to supply to Government at rates at least as low as those now paid. If the spending departments were entrusted with larger powers and given an unrestricted market they would soon find where orders could be most advantageously placed.

If it is not considered possible to give the free hand I ask for, I would ask that at least the low limit of Rs. 50, within which an officer may buy locally, may be very considerably increased, say to Rs. 500. The present limit operates against Government frequently, as, for instance, when small quantities of an article have to be purchased at a higher rate than a larger quantity can be obtained for, in order to keep within the limit. It will be said, of course, that in such a case the officer should put his order through the usual channel or obtain formal sanction to exceed the limit, but it is well known that many cases arise in which even the delay of obtaining the formal sanction would defeat the purpose for which the goods are wanted.

There are many other restrictions on trade in the Government Codes which seem to be quite unjustifiable. Such for instance is the prohibition against buying typewriters or Chubb's locks in the local market. The purchase of books or newspapers is also strictly prohibited. There appears to be some relaxation in favour of Madras and Bombay in this respect, as in these Presidencies a Government official can get his books or newspapers through the local Superintendent of Stationery, but in all other parts of India orders must go through the Controller in Calcutta. Except that small sums are placed at the disposal of one or two officials annually for the purchase of books in the country, every book required for official purposes is ordered from one home firm.

The appointment of Inspectors-General attached to the departments of the Government of India and dealing with departments which are primarily administered by Local Governments is unsound in principle and acts detrimentally to trade. In a country like India it is impossible to bring into line the varying conditions existing in different parts of the Empire, and the attempt to standardise practice throughout the country without regard to local conditions must result harmfully. I believe that since the appointment of the Controller of Printing and Stationery a few years ago attempts have been made to standardise the methods of work and rates of wages in the official printing establishments throughout the country. It must be patent to everyone that this is wrong in principle when conditions vary so greatly as they do between north and south India. Labour in the south is cheap, in the north it is comparatively dear. An attempt, therefore, to force the Local Government press to do binding work by the piece on the lines adopted by other Government presses in other parts of the country, would result in a very serious disturbance of the labour market here which would affect the printing and binding trade most adversely. If my information is correct, local employers of labour in this industry owe much to the Madras Government for resisting this and similar attempts to interfere with established trade customs without due regard to local conditions. Periodical conferences between provincial Heads of Departments would be quite sufficient to systematize work and keep up such a standard of uniformity as is desirable, and would certainly be a much less expensive method of arriving at this end.

Private printing establishments occasionally do work for Government departments on the condition that all charges are approved by the Superintendent of the Local Government Press. As this officer has himself to work under the same labour conditions there is no particular unfairness to local trade in this, but now that an official in Calcutta has the right to dictate rates which may be quite unsuited, to local conditions, the local printer has no guarantee that his work will not finally be paid for at rates that he cannot regard as fair, because in some other parts of India, under different conditions, other

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rates prevail. In one case, an amount passed and closed two years ago has recently been reopened by the Controller and much useful time and some stationery has been spent in correspondence over a sum of 8 As. and 10 pies.

The Controller of Stationery may interfere with contracts placed by the Superintendent of Stationery, and without regard to the suitableness of the articles ordered to the purpose for which it is required, may decline to sanction such order and may place it elsewhere. It is open to him to decline to sanction an order placed with a Madras firm and order it to be placed with a Calcutta firm.

The frequent change in the officer holding the position of Collector of Sea Customs has been more than once called attention to by my Association and the Chamber of Commerce. This officer is necessarily in close touch with trading matters, and our complaint is that when a man has become thoroughly acquainted with local trade conditions he is shifted and a new man takes his place. I would desire to see more permanence in posts of this kind, and I think that the frequent transfers in Government service generally are not conducive to good government.

5048. You are yourself in business here?—I am partner in a business firm here.

5049. Are you a member yourself of the Madras Municipality?—I am a member of the Corporation of Madras and also a member of the Port Trust; I am also an ex-Sheriff of Madras.

5050. Then you have some practical experience of the local government of the city of Madras?—Yes. I may claim some small practical experience.

5051. Are you still a member of the Port Trust?—Yes.

5052. With regard to either the Port Trust or the Municipality, do you find that there is any undue delay in dealing with the Local Government, or is there excessive correspondence, or are there any general improvements which you could suggest to us?—I certainly entertain the opinion that there might be a very much freer hand given to the Corporation in many matters. I am not disposed to say that an absolutely free hand should be given; I believe that Government control is not only good but necessary; but I think that in regard to petty details, particularly in regard to the establishment of the Corporation and in its minor budget proposals, they might be given quite a free hand without the interference of Government.

5053. You think from your experience that there is certain relaxation of control desirable both in the interests of the Government and in the interests of the Municipality?—Certainly in the interests of the Municipality, and I take it that Government interests would not suffer.

5054. As Chairman of the Trades Association you make a statement with regard to the purchase of European goods by local authorities; would it save time if that were sanctioned?—I think it would; I think also it would be in the interests of Government.

5055. You are aware that the matter is now under consideration?—I am aware that a Committee visited Madras, before which my Association had not an opportunity of giving evidence.

5056. What was that Committee?—I think it was called the Stores Committee.

5057. Was that a Government of India Committee?—Yes. We corresponded with the Committee afterwards more or less on this point. In the Civil Account Code there is an absolute prohibition against dealing with local firms; we regard that as a grievance.

5058. This Committee did not ask you to give evidence?—No, we were not asked to give evidence and we afterwards communicated with them on that point; they said that we might have offered to give evidence, but we did not know that we were entitled to offer ourselves.

5059. However, the matter is under consideration, and I will not press you further on that point. Generally, your view is that the local officials might be given some increased powers with regard to the purchase of European goods and goods produced in this country?—Yes, generally.

5060. With regard to the control of the local press; you say that the desire of the Government of India for uniformity has adversely affected you?—With reference to the appointment of a Controller of Printing and Stationery, the endeavour to apply conditions which exist in other parts of India to this particular part of the country is dangerous to local interests. I have mentioned the case of binding work, which has been done at the Government press on the same system as is the case with all private establishments. I have reason to believe that the Controller has tried to enforce a system there which obtains in some other part of the country, which system if introduced would undoubtedly unsettle the Madras wages market, and cost the Government of Madras a larger sum.

5061. With regard to the point you raise about the transfer of officers, does this adversely affect traders when those officers happen to be Collectors of Sea Customs?—I am speaking only of the Collector of Sea Customs, because he is the officer with whom traders are most in contact. Speaking generally, I believe that transfers throughout the country are objectionable, but with regard to the Collector of Sea Customs it has been a matter of complaint that he has been so frequently transferred that before a man has accustomed himself to local conditions he is sent away and a stranger comes in.

5062. That has the effect of delaying the liberation of goods?—It certainly has an adverse effect on trade generally; a man who is known to, and accessible to, the traders generally, is a man who can expedite business, and he has started, and gone a long way towards, understanding any matter put before him.

5063. Are goods often liberated from detention before a cheque is actually paid for the customs dues?—I think not; in my experience it is rather the other way about. I think customs dues are frequently paid before the amount due on the goods is made up.

5064. Therefore the knowledge of the Collector of Customs of the financial standing of a firm would not affect his dealings with the trading community?—Probably not, because I think Government takes no risk in that respect.

5065. Still, you would like to see a greater permanency?—I think a greater permanency would be beneficial all round.

5066. (*Mr. Meyer.*) About the Collector of Sea Customs and his transfers; was that a subject on which your Association memorialised the Government of India 2 or 3 years ago?—I am not sure that we memorialised the Government of India; I know that the matter has come before us and that we have made representations on the subject.

5067. You say you made representations to the Government, but you are not quite certain whether it was to the Local Government or to the Government of India?—When I say that we have made representations, I would confine myself to saying that we have commented in our annual reports and at our annual meetings on the frequency of transfers.

5068. Are you aware that there has been a change made in the status of the Collector of Sea Customs and the method of his appointment?—Yes, I am aware that an Imperial Service, and a very centralised service I take it, has now been established.

5069. Are you aware that one of the reasons assigned for the formation of that Service was to avoid these frequent transfers and to give officers sufficient inducement to stay a long time in the customs?—In so far as that is the reason, I entirely approve of it, but I believe that the present Collector of Sea Customs, who has been here quite a short time, and is the first appointed under the new scheme, is about to be moved.

5070. If the creation of the Imperial Service had the effect of reducing these constant transfers of which you complain, you would welcome it, but otherwise you would not?—I should welcome anything which tended to permanency in a department such as that, because that is a department which very closely affects trade interests.

5071. You speak of interference by the Controller of Printing and Stationery with the Madras Government Press; have you any knowledge of the work of the Madras Government Press?—I have some knowledge—not of course any official knowledge. I am aware, as a printer myself, of what is going on in other printing establishments, including the Government Press.

5072. You say there are orders in such matters as book-binding which are injudicious?—I do not attack them as injudicious orders; I merely state that instructions have been given to the Madras Superintendent to conform to the conditions existing in other places with regard to this particular work.

5073. But what is the foundation of your opinion; is it hearsay or have you direct knowledge of the subject?—My information is derived more or less from private conversation with the people concerned.

5074. With the Press Superintendents?—Yes, I cannot claim to have any official knowledge on the subject whatever.

5075. You are therefore not in a position to say what the precise orders or instructions of the Controller were, and what his motives were?—Precisely; I am not dealing with that except as an illustration of the point that centralization as represented by Controllers-General is likely to interfere with local conditions and local trade interests.

5076. Can the Controller force the Madras Government Press to do anything he wishes; is it not a matter for the discretion of the Madras Government?—That I cannot answer; that is entirely beyond my knowledge.

5077. You are on the Port Trust?—I am a member of the Port Trust.

5078. Do you consider as a member of the Port Trust that the Government control is too rigid?—No, I do not. I think with regard to the Port Trust, as recently constituted, that it has a free hand and a full measure of responsibility. Government, of course, maintain financial control, but all schemes that have been prepared in the past by the Port Trust have been sanctioned, and I cannot think of any instance in which Government interference has been detrimental.

5079. For all works over a certain amount you have to send estimates to the Government for sanction?—Yes.

5080. Apart from ordinary budget control, these specific works have to go up?—Yes.

5081. Is that necessary in all cases?—I should not consider it necessary in small matters—works of say under a lakh in cost—but with regard to harbour works, they are usually of an expensive and important nature, and I think probably Government supervision in these matters is desirable.

5082. Do you happen to know what the present limit is beyond which you must send up to Government?—I do not.

5083. Is it below a lakh?—Yes, it is below a lakh.

5084. Your point is that within a lakh the Port Trust might be left to their own discretion and over a lakh they should go to Government?—I think so.

5085. (*Sir Steyning Edgerley.*) Are the big markets in India now ready to supply European goods for Government?—Undoubtedly.

5086. Are they capable of meeting the demands of Government?—Quite capable. Naturally, if Government orders were suddenly thrown on the market there would be a shortage at first, but that would rectify itself probably within the course of a few months.

5087. Do you consider it of any advantage to the trade of the country, or do you consider it a matter of indifference, that the management of all the different customs houses should be identical—I mean is the system of Bombay, Calcutta, Rangoon, and Karachi, a matter of indifference to you in Madras?—It would be a matter of indifference if our landing and customs house arrangements are taken into consideration; but so far as the general system is concerned I think it is uniform throughout the country.

5088. Up to the other day the control was in the hands of the provincial Governments?—Until quite recently.

5089. Apart from the question of the transfer of officials—which is an accident—do you consider that a change which practically would bring about great uniformity is, in the matter of sea customs, a change for the benefit of trade or not?—I think, on the whole, it is for the benefit of trade.

5090. Then you think it is desirable that the control of the sea customs of a country, however big, should all be in one hand?—I think so, inasmuch as the customs duty would be the same everywhere; the conditions apply all over the country.

5091. You think it is a function practically of the Central Government?—I think it is.

5092. (*Sir Frederic Lely.*) Have you had experience of any complaints on behalf of the minor ports of Madras that port dues are levied there and instead of being spent locally are absorbed in the work of the port of Madras?—I have no knowledge of that.

5093. (*Mr. Dutt.*) Does the Government of India give any preference to goods produced in this country if they can be supplied at the same rate and of the same quality as goods imported?—Yes, there is a distinct preference in favour of Indian-made goods; in fact, it extends to the prohibition of the use of European articles in many respects—paper for instance.

5094. Is that rule on the whole a sound one?—In the interests of the trade of the country, which is thereby protected, it is probably sound, but taking a wider view of it I do not think it is.

5095. Is there not risk of extravagance if the rules as to the purchase of European goods were relaxed?—I think not.

5096. And in the case of the lower officials, you do not think there would be any risk of corruption?—I do not see that the door is any more opened to corruption.

5097. (*Mr. Hichens.*) Has the Madras Municipality power to purchase their stores locally?—They may purchase their goods locally but they must purchase by contract; they cannot go into the open market and buy.

5098. They must put the things up to tender?—Yes.

5099. Suppose, for example, they intended to embark on some scheme or another; I take it that first of all probably, if it was a large scheme, they would have to get the approval of the Government?—Yes, to anything over a lakh in expenditure.

5100. Having got that, would they have to submit their tenders to the Government, or would they be allowed to select the tender which (within the rules) appeared to them most desirable?—They would not need to submit their tenders to the Government. Government sanction having been given to the general work, the details of it would be supervised by the executive of the Corporation; it would be the Standing Committee of the Corporation who would deal with tenders.

5101. So far as the Madras Municipality is concerned you are satisfied that they have all the powers they could want in that matter?—Yes, I think they have.

(*The witness withdrew.*)

M. R. Ry. T. N. SIVAGNANAM PILLAI AVARGAL was called and examined.

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5102. (*Chairman.*) Will you state briefly the nature of your duties?—I am a Deputy Collector of Namakkal. I am in charge of two *taluks*, which comprise an area of about 900,000 acres with a population of 600,000, and a demand of nearly 10 lakhs of rupees under land revenue and cesses. There are over 200 revenue villages. Collection and account work is done by a staff of 300 village munsiffs and *monigars* and 180 *karnams*. The whole work is supervised by an outdoor staff of eight revenue inspectors, three deputy tahsildars and two tahsildars. I have also to dispose of first class cases, maintenance cases and cases under the security provisions of the Criminal Procedure Code and also hear appeals from the sub-magistrates of the division. Besides revenue and magisterial work I have to do a certain amount of work for the Local Funds as the President of the *taluk* Board. In that capacity I have to supervise the work of 11 union panchayats.

As an instance of the excessive leaning of the Government of India towards uniformity, mention may be made of the recent orders under which the interest on advances to cultivators under the Loans Acts has been raised from 5 to 6¼ per cent. The former rate has been in force in this Presidency for the last nine years and is the rate which the Local Government had always thought to be a proper rate. The reasons adduced by the Government of India are that 6¼ per cent. is the rate which is adopted in provinces other than Madras, Bombay and Burma, and that the general opinion of the Local Government of Northern India is that there is no reason for reducing their present rate of 6¼ per cent.

The existing rules regarding appeals are not unnecessarily liberal and may therefore be continued.

Executive Officers have sufficient opportunities for personal contact with the people in their frequent tours. Under the rules, a Divisional Officer has to spend 2½ months in every half year in camp.

I do not think that transfers of Deputy Collectors are unnecessarily frequent. In fact as many as 18 were at one station for more than five years at the beginning of this year; Government have recently transferred eight of these officers. District munsiffs are as a rule transferred after three years' stay, but in the case of Deputy Collectors not less than five years seem necessary. One year will be required to make the officer tolerably well acquainted with his division, another will be needed to make him thoroughly familiar and view questions from all points of view. During the next three years he will be able to frame schemes and do something useful out of the ordinary groove of office routine for the improvement of the people and for the enhancement of the revenue.

There are at present five grades of tahsildars on Rs. 250, 225, 200, 175, and 150. After the appointment of stationary sub-magistrates the work of the tahsildars has been appreciably reduced, and with the redistribution of *taluks* which is now awaiting the sanction of the Secretary of State, there will not be much difference between one *taluk* and another. There is therefore no reason why any tahsildar should be paid more than Rs. 200. The two grades 225 and 250 may well be abolished. Another reason for the proposed abolition is that the pay of the last grade Deputy Collector is fixed at Rs. 250, and it is often not a pleasant state of things to have an acting Deputy Collector of the last grade (probably a permanent tahsildar on Rs. 200 or 225) wielding authority over a permanent first class tahsildar on Rs. 250 with many years ripe experience at his credit. The saving thus effected might be utilized in creating a third class of deputy tahsildar and sub-magistrates on Rs. 150. Considering the enormous power which a sub-magistrate wields, it does not seem to be too much to pay some of them Rs. 150. This overlapping between the last grade tahsildar and the first grade deputy tahsildar will also be conducive to good results in another respect. Persons who have done well only as Magistrates may be promoted to the first class of deputy tahsildars, while those who show an aptitude for revenue work also may be promoted to the last grade tahsildars.

Deputy tahsildars and tahsildars should be made *ex-officio* members of the *taluk* Board. They tour about the roads frequently and inspect so many places, and it will be a distinct advantage to have them on the *taluk* Board. The control of and the revenue from markets in unions may be transferred to the unions themselves. At present it is the *taluk* Board that gets the income. The panchayat will be able to carry many reforms if their resources are thus augmented.

In the matter of location of liquor shops the union panchayats may be usefully consulted.

Outside the Presidency capital and certain important towns, there is no material worth the name for the formation of Advisory, much less of Administrative, Councils to assist Divisional or District Authorities. It is with very great difficulty that Presidents of *taluk* Boards find suitable candidates for vacancies in *taluk* Boards and union panchayats. It must be many years before the scheme can be thought of. Before the introduction of any such system, the inhabitants should have learnt sufficiently of the need for tolerance, in respect of caste and religion. At present the several elements are in check only under the firm hand of the British Government.

In the early days of the British administration, the village panchayat was a powerful body. Even now, it is so in remote localities or among certain sects of people. It is very strong among artisans. In consequence of the non-existence of such a panchayat, the villagers are now driven to towns in respect of their civil and criminal cases, where they come under the unwholsome influence of law touts. Every step taken to resuscitate the old system will be a boon conferred on the poor ignorant litigants of villages. At each revenue village a panchayat of five should be constituted with the village munsiff as the President and the *karnam* as the Secretary, the remaining four members being selected by the tahsildar on account of their property and other qualifications, due regard being had to the representation of factions and classes of communities. This panchayat may for the present be invested with power to dispose of all thefts under section 379, Indian Penal Code, where the value of the property does not exceed rupees five, and inconsiderable assaults and affrays, either by fine up to that amount or by simple detention for 12 hours or detention in stocks for six hours in the case of lower classes. In respect of civil matters they may have power to dispose of all suits up to Rs. 20.

At present the village munsiff in his individual capacity has power to take cognizance of thefts up to one rupee and of inconsiderable assaults and of suits for amounts up to Rs. 20, but for various reasons these powers are not sufficiently utilised. In some cases the village munsiffs are lazy, in others people have lost confidence in them for one reason or another, in certain other instances the fascination of having the cases tried before the higher tribunals is great. The law touts are not slow to avail themselves of all these causes to their advantage. To combat against the tendency I would propose that district munsiffs and sub-magistrates should steadily set their faces against entertaining cases of the nature mentioned above, and refer such cases to the village panchayat for disposal in the same way that complaints of the second and third class cases when presented to a first class magistrate are referred by him to those magistrates for disposal according to law. In the first place cases of hard swearing will become rarer. A witness will think twice before he tells a falsehood before the village panchayat. The eyes of the whole village are on him and the opprobrium attaching to the giving of false evidence is not a negligible factor. In the

next place all costs of suits and vakils' fees will be a clear saving to the parties The work of the district munsiff will also be materially reduced. Out of 3,314 small cause suits filed in the local district munsiff's court in three years as many as 1,326 relate to claims of Rs. 20 and less.

Another direction and a most important one in which the village panchayat can be utilized is in keeping the place sanitarily clean and accessible to the outer world. At present nothing is done in this direction for want of funds. All the money collected from the villages on account of land cess is utilized for the roads and the big works which are constantly engaging the attention of the *taluk* Boards. The villages are generally left to take care of themselves. There are several villages which have not even a fair weather track connecting the village site with any of the roads. The villagers have to carry their produce on their heads for a distance of about two or three miles before they can put them in a cart. In many villages people have to go long distances to bring drinking water. All these defects will disappear if out of the land cess collection of one anna in the rupee one pie in the rupee is earmarked for local expenditure. The training which the village panchayat will receive in the administration of this fund and of justice in civil and criminal cases will make them very useful citizens and will fit them to take active part in greater schemes affecting their interests at a later date.

5103. Might some increased power be given to tahsildars in the appointment of village officers?—Yes.

5104. What is the pay of these village officers?—It rises from Rs. 5 to Rs. 14.

5105. Would you give the tahsildar power to dismiss them?—Yes; if they can appoint, they should also dismiss.

5106. In such a case as that should the tahsildar submit a copy of the proceedings?—Yes, he does so in the matter of appointments, and it is open to the Divisional Officer, on reading the papers and the proceedings of the tahsildar, either to call for the records or to wait until the party appeals. In either case he can pass his own verdict if the party is aggrieved.

5107. So that the Divisional Officer should confirm the appointment by the tahsildar?—Yes.

5108. And if the man is subsequently dismissed there should be an appeal to the Divisional Officer?—Yes, and there should be a revision by the Collector if necessary—a first appeal and one revision.

5109. You have no particular desire to alter the present status of tahsildars?—No, no particular desire, except that I should like to have a grading of deputy tahsildars at Rs. 150.

5110. You would like a grade of tahsildars below that which now exists?—We have now five grades of tahsildars from Rs. 250 to Rs. 150; deputy tahsildars, only two grades, Rs. 100 and Rs. 120. I should like a grade of deputy tahsildars at Rs. 150 and to do away with the first two grades of tahsildars, the Rs. 250 grade and the Rs. 225 grade. Then there would be opportunity for an officer to rise from the lower rungs of the ladder—first as deputy tahsildar, Rs. 100, then Rs. 120, then Rs. 150; then by gradual rises to tahsildar at Rs. 200, then becoming a Deputy Collector at Rs. 250. That is the lowest grade of Deputy Collector.

5111. You think your scheme would provide some chance of promotion to the tahsildars?—Yes; at present there is some anomaly in the grade of tahsildars at Rs. 250 being subject to an officiating Deputy Collector on Rs. 200 or Rs. 225.

5112. You complain that sometimes a senior tahsildar is put under a man who is getting a lower rate of pay than he is himself?—He will draw Rs. 250, but his permanent rank is only Rs. 225 or Rs. 200.

5113. Have you anything to say about District Boards?—The District Boards perform a useful function and they ought to be retained together with the *taluk* Boards and the present union panchayats.

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5114. Have you anything to say about the formation of Advisory Councils?—I think that the time has not yet come for the formation of such Advisory Councils, much less for the formation of Administrative Councils, because we cannot get sufficient material in outside places to help the Divisional Officer or District Collector on such matters.

5115. The difficulty of finding suitable persons would be a serious drawback to the formation of such bodies?—Yes.

5116. You lay great stress on the advisability of forming village panchayats?—Yes.

5117. You think they would be a very useful body?—Yes, the district munsiff and sub-magistrates should be made to refer back cases to the village panchayats; it is only then that effect can be given to my proposal; otherwise it will be quite useless; they will entertain suits and complaints and try simple cases and nobody will go to the village panchayat in preference to the other. If the Government decided to give my plan a fair trial it ought also to make it a rule that sub-magistrates and district munsiffs should rigidly refer back cases unless in exceptional cases they find it necessary to keep them on their own file. That is what a first class magistrate does in respect of second and third class cases; he generally refers them to the sub-magistrates.

5118. You say that the village panchayats could clear up all the civil and criminal petty cases?—Yes.

5119. That they could deal with the village school?—Yes.

5120. And village sanitation?—Yes, with the fund for village purposes which I propose to institute.

5121. A very small cess on land?—Yes; 12 pies is now levied in the rupee; my proposal is that one pie out of the 12 should be earmarked for local needs, to be spent in the village.

5122. Do you think that the returns of vital statistics and other returns that you submit are accurately compiled?—Every endeavour is made to compile them as accurately as possible. As to the vital statistics return, in the case of Government villages you might almost say that it is absolutely correct, but in the case of *mitta* villages it is only an estimate; we are asked to say to the best of our ability.

5123. And very often people take different views of what should or should not go into a return?—Yes, so that you cannot place much reliance on it.

5124. (*Sir Frederic Lely.*) As Deputy Collector you represent the Government officially before your own people?—Yes.

5125. Are you a native of the part of the country in which your charge is situated?—I am a native of Tinnevelly, the southernmost district of the Presidency.

5126. The language of the district is your own household language?—Yes, Tamil; but I have also passed in Telugu.

5127. Do you consider it your duty to explain the views of Government to the people and ascertain their feelings?—Yes, personally I do. I talk to all the people.

5128. Do you go on tour?—I go on tour for two and a half months out of every six months.

5129. How long do you stay in each village?—Not less than a day; sometimes, where the work demands it, two or three days.

5130. Where do you put up?—In most of the important places we have got travellers' bungalows. From one camp we can visit villages lying within a radius of 5 or 6 miles; then when we have exhausted that neighbourhood we move off to another camp.

5131. Do you always live in travellers' bungalows?—Yes, where available.

5132. If a bungalow is not available, what do you do?—Then we live in tents; I have not yet provided myself with tents, but I am expected to do so, and I shall do so.

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5133. You propose to establish these village panchayats with a certain amount of extra taxation?—Not extra taxation; only the existing taxation to be earmarked for a particular purpose.

5134. You are in charge of two *taluks*?—Yes.

5135. Do they form a division of the district?—Yes, one of the four divisions of the district.

5136. So you are a Divisional Officer?—Yes.

5137. What do you mean when you speak of Government villages?—That is where the revenue is collected direct from the raiyats.

5138. The others are *zamindari* villages?—Yes. Those are *mitta* villages. At the time of the first introduction of British Government the villages were leased out, and those people who took leases have now become landlords.

5139. (*Mr. Dutt.*) Are there not half a dozen men in a district capable of advising the Collector in matters concerning the welfare of the villagers themselves?—In a Presidency town there are.

5140. I am speaking of the districts?—So far as my division is concerned, I could not fix upon six people to advise me on matters of this sort.

5141. And in the villages?—No, certainly not.

5142. (*Mr. Hichens.*) Have the District Boards and the Boards under them sufficient powers?—I think they have.

5143. Have you personal experience of the work of those Boards?—Yes, I was Vice-President of a District Board and am now President of a *taluk* Board.

5144. Is it not laid down in the provincial law what the cess on the land shall be?—Yes, one anna in the rupee.

5145. And they have to collect that whether they like it or not?—The Revenue Department collects it and hands it over to the District Board.

5146. But the District Board has no say in the amount; the District Board cannot say "We think that times are bad, we would rather economise and reduce the cess to one pie"?—No, they could not do that; the law as it stands does not give them the power; in fact whatever amount is collected by the Revenue Department is handed over to them, and the Revenue Department is bound to follow the law, which is that on every rupee of assessment they shall collect one anna; and at the time when remissions are granted they will not even grant remissions of land cess.

5147. Then even with regard to the spending of that money they have no free hand?—The District Boards are subject mostly to the control of Government.

5148. Is that control fairly frequently exercised or not?—Yes, it is pretty freely exercised I think.

5149. Bearing those points in mind, do you think that they have a sufficient amount of independence?—In that way I should say they have not got sufficient independence.

5150. I suppose you have seen in the papers a statement to the effect that these District Boards and local authorities ought to have more responsibility?—Yes, they ought to have more responsibility.

5151. Would you be prepared to say that these Boards should have power of independent action in any way; for example, would you be prepared to say that the District Board knows its own business better than anybody else, the matters that come up to them are matters of purely local importance, and therefore if they choose to say "We do not want to have such a large tax on the land this year" they should be entitled to say so; would you advocate that?—On a question of principle I should say yes, but I do not know whether the present members who form the District Board could be trusted to exercise their discretion in that way.

5152. You would say perhaps that the time is not ripe?—The time is not yet ripe.

5153 How do you propose, so to speak, to ripen the time?—The people must educate themselves first.

5154. But how is that to be done; can you educate a man to take responsibility unless you give him some?—Already the Government has given some with certain restrictions, and when they acquit themselves properly the Government will be prepared to give them more. Let me cite a particular instance, the provision for plague. Government, having to provide for plague in a certain district and to go to considerable expense, might make a general call for money; one district might say "Plague is not in our district, why should we contribute," and any amount of representation on the part of the Government would fall flat on the members of the District Board; in consequence Government is obliged to say "You shall contribute so much."

5155. Your position is that you think further experience is necessary on the part of the District Boards before they get additional powers?—Yes.

5156. Have you any experience of district municipalities?—Not much. I have revised the assessment of one municipality.

5157. Can you tell me if municipalities have further powers with regard to revenue; can they collect or not, as they like, certain taxes?—There the rate is not fixed; they are asked to fix a valuation on the houses, and on that valuation Government tell them to fix the percentage.

5158. Then they collect whether they want to or not?—They can lower it with the sanction of Government.

5159. That is to say, they can write to the Government and say "We do not want to collect the full rate this year, we recommend that only half should be collected"?—Yes; in that way I think municipalities stand on a better footing than District Boards.

5160. How does that answer in the case of municipalities?—It does not answer well, because Government often has to put pressure on the municipality to raise the tax; for instance when a new water supply scheme is introduced the Government has to insist and say peremptorily "You must raise the rates to such and such a figure."

5161. Is that common?—Yes, Government is often obliged to say so when money is wanted for particular purposes.

5162. (*Mr. Meyer.*) Is not the land cess the chief item of revenue of the *taluk* Board and the District Board?—Yes.

5163. Does not the Local Boards Act say that the rate is to be subject to a fixed maximum?—Yes, the fixed maximum is two annas in the rupee.

5164. The one anna in the rupee, that is now generally levied, is not rigidly prescribed by the Act?—The Act says that the land cess shall be collected under notification, and there is a notification which says that the rate shall be one anna in the rupee.

5165. As the Act stands the Local Board with the sanction of Government can levy any rate up to two annas in the rupee?—Yes.

5166. It might levy a quarter-anna if the Government approved, or 1½ annas?—Yes; in fact at Malabar until recently,—and even now I think—they levy two annas in the rupee.

5167. Therefore the Act allows a scale, only there is a maximum prescribed, and the sanction of the Government is required for any alteration?—Yes.

5168. Is not the Municipal Act the same; the house tax may be levied up to a fixed rate, 7½ per cent. or something like that?—Yes, but in the case of municipalities that is revised from year to year, if I remember right.

5169. In theory the position of the District Board does not differ from that of the municipality; each can revise its taxation with the consent of Government within a fixed maximum?—Yes.

5170. Are not the raiyats of this country somewhat conservative?—Yes.

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5171. Suppose the District Board were allowed to alter its rate of cess from year to year, making it one anna one year, one and a quarter annas the next year, and so on, would the raiyats understand that?—The raiyats do not pay much attention; whatever the village officer demands as the tax they pay.

5172. At present a man pays Rs. 5, say, in the shape of land revenue, and he knows that he has to pay As. 5 more in the shape of land cess?—Yes.

5173. If next year he were told that, while his land revenue remained at Rs. 5, his land cess was As. 10, would he not be a little bewildered?—Yes.

5174. And if next year he were told that the land cess was 2½ annas only, he would be still more bewildered?—Yes.

5175. And it might be possible in such a case that the *karnam* would not tell him that the land cess was only 2½ annas?—Yes, that is the real danger.

5176. Therefore there is some advantage in a fixity of land cess assessment?—Yes; that is the reason why, in a grant of remission, we always say to the raiyats at *jamabandi* that the assessment is so and so.

5177. Are not the Madras Boards empowered to levy an additional cess for railway purposes?—Yes, three pies in the rupee.

5178. That can be levied under what conditions?—If the Government and the District Board think that the District stands in need of a railway, then with the approval of the Government they can impose a cess.

5179. Can a bare majority of the District Board do it?—I cannot say.

5180. I put it to you that there must be a two-thirds majority?—Whatever the rule is for the collection of cesses by the majority applies to this also.

5181. Anyhow, the District Board has power under certain conditions with the sanction of the Government to levy this extra cess?—Yes.

5182. Has that been done to any great extent?—Yes, in many districts the railway cess has been introduced.

5183. With beneficial results do you consider?—Judging from the experience of the Tanjore district I should say that the railway cess is beneficial.

5184. The District Board there owns its own railway?—Yes.

5185. You think that that is a form of enterprise that has benefited the district?—Considerably.

5186. And you think that that method of promoting railways might well be encouraged?—Yes.

5187. In the case of the Tanjore District Board, did it construct the line wholly from its railway cess, or did it borrow money?—It borrowed money.

5188. From whom?—From the public; it issued its own debentures.

5189. On the security of this special revenue?—Yes.

5190. Do they still owe money to the public or have the debentures been paid off?—The debentures were issued for 20 years; the time has not yet expired.

5191. The Board then can not only use its cess directly for the construction of railways, but can use it as a security for borrowing?—Yes.

5192. It can borrow in the local market?—It can, but with the permission of Government.

5193. It would have to be with the consent of the Provincial Government?—Yes.

5194. And of the Government of India?—I think so.

5195. Do you think, speaking generally, that the *taluk* Board could have any larger powers than it has now?—I cannot think of any.

5196. Should the District Board have larger powers—less interference by Government in the matter of reappropriations and so on?—Yes, but the time has not yet come for giving them a freer hand in all these matters; as much as can be given has already been given.

5197. You think that all the restrictions that now exist are for the time being necessary?—For the time being, yes.

5198. You propose to give certain powers to panchayats?—Yes.

5199. Tinnevelly is a district in which there have been very unpleasant and even sanguinary caste disputes?—Yes.

5200. If there was a panchayat at Tinnevelly managing its own local affairs, would the *Shanars* get fair play at the hands of the higher castes?—I suggest that the panchayat should consist of five members, of whom four should be selected from different castes and creeds, so that everybody's views would be fairly well represented on the panchayat.

5201. Would a Brahman sit with a *Shanar* on the panchayat?—I think so.

5202. I understood that a great deal of the trouble that has arisen is due to the fact that the other castes denied the right of the *Shanars* to have access to Hindu temples?—That was at one particular place, and the feeling was fostered by certain people, and the situation was badly handled by the Magistrates at the time.

5203. Your view is that the feeling against the *Shanars* on the part of the higher castes is not sufficient to create any serious difficulty in the working of the panchayat?—No; there would be a mutual give and take.

5204. Then what about the *Pariahs*?—Of course, they are in a great minority. If a village is constituted of *Pariahs* it would have to have a separate panchayat of its own; I cannot remember any such cases; they would be very rare.

5205. Do you know any villages in which the main population are caste folk, but in which there are one or more *Pariah hamlets*?—I have not come across any.

5206. Would the smooth working of the panchayats be imperilled by the presence of factions?—If the factions were represented in the panchayat there would be no real difficulty I think.

5207. They would work harmoniously?—I should think so.

5208. Would not each party be trying to obstruct the other?—Of course the majority will prevail, and the opinion of the majority will be given effect to.

5209. And you think the minority would bow loyally; they would not go at once and petition the tahsildar and so on?—At the earlier stages you must be prepared for all those things, but with careful management on the part of the superior officers, who would have a careful eye to promote the thing, it should be possible to bring the different people to work together.

5210. You desire to raise the pay of the lowest grade of deputy tahsildar to Rs. 150, and to keep the pay of the highest grade of tahsildar at Rs. 150?—Yes, as it is at present.

5211. Therefore you might have a deputy tahsildar at Rs. 150 serving under a tahsildar of the same pay?—Yes, but you do not find much difficulty between your tahsildar and your sub-magistrate.

5212. Would there not be exactly the same inconvenience, so far as it exists, that you complain of as regards having the tahsildar at Rs. 250 and the Deputy Collector at the same pay?—These Rs. 150 people will always be needed at important places. Take the position of stationary sub-magistrates, as sub-magistrates they do not come much under the tahsildar, so they are practically independent of the tahsildar.

5213. You mention, as an instance of the evil of centralisation, that the Government of India required the Madras Government to raise their rate of interest on agricultural loans from 5 per cent. to 6¼ per cent.?—Yes.

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5214. Did the Government of India issue an order to that effect to the Madras Government, or did they merely suggest it?—They merely suggested it. They said 6¼ per cent. is the rate of interest prevailing in all the provinces of India except Madras, Bombay, and Burma, and the opinion of the other Governments is that there is no reason why the provincial Governments should not all charge 6¼ per cent.

5215. The point is, was the Madras Government ordered to raise it to 6¼ per cent., or was it left to them to act or not as they thought fit?—It was not worded as a mandate; it was put in the form of a suggestion.

5216. Therefore the Government of Madras, if they did not think it a wise measure, could have said "We would rather adhere to our old rate of interest"?—Yes.

5217. Do you call that an instance of centralization?—That is how I viewed it.

(*The witness withdrew.*)

Adjourned.

SIXTH DAY.

MADRAS, *Thursday, November 28th*, 1907.

PRESENT:

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

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

The Hon. Sir V. C. DESIKA CHARRY, Kt., was called and examined.

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5218. (*Chairman.*) You are a member of the Legislative Council of Madras?—Yes, I have been one of the additional non-official members for a little over three years, representing the Corporation of Madras.

5219. You live in Madras?—Yes, I have been 46 years in Madras. I am a High Court vakil practising in Madras.

5220. You desire to draw our attention to what you think might be a larger delegation of financial powers to the provincial Government?—I suggest that the Government of India should not interfere with the details of the provincial budget; they might settle the principles, but the provincial Government should have larger powers with reference to the details; they should have power, after the budget is sanctioned by the Government of India, to appropriate amounts from one head to another.

5221. You suggest that at present the provincial Government has no power to appropriate from one sub-head to another?—From one head to another; I think they have the power so far as sub-heads are concerned.

5222. Have they not power to transfer from major head to major head as well as from sub-head to sub-head, provided that such transfers do not cause the total amount named in the budget to be exceeded?—My belief is that they have not got the power of transfer from one general head to another general head; if that is so then I have no complaint.

5223. You desire to tell us something about appeals?—I think it would be very unwise and inexpedient to do away with the existing number of appeals.

5224. Do you mean appeals in administrative cases—the punishment of one officer by another officer?—Yes.

5225. Why would it be inadvisable to do away with them?—Because it should not be forgotten that the person who passes the original order, when he knows that there is an appeal, pays attention to details much more than if he knew that his order would be final and would not be likely to be questioned in appeal. If any existing right of appeal was abolished it would create a feeling of insecurity in the minds of the public.

5226. You say that, were appeals to be altogether done away with, the person who has to consider the evidence would be likely perhaps not to give it such careful consideration as he would if he knew that his judgment might subsequently be overruled?—That applies equally to the first appellate officers too, if there is a further appeal.

5227. Then the same argument will apply to the highest authority from whom there is no appeal?—There must be a line drawn somewhere.

5228. And the argument which would apply to the lowest officer, as to there being no appeal against the judgment, and the absence of appeal causing carelessness in considering the judgment, would apply to the highest officer?—In a much smaller degree.

5229. Are Counsel heard in any of these appeals in administrative matters?—Very seldom I think.

5230. Therefore the abolition of appeal does not affect one way or the other the employment, or the non-employment, of Counsel in administrative matters?—Well, one does not like to be one's own lawyer; generally the man appealing goes to somebody else to draft his petition of appeal for him, but Counsel is not engaged to argue the appeal.

5231. When a man is punished by his superior and appeals against the punishment he goes to Counsel to draft his appeal?—Not always to licensed Counsel; he goes, perhaps, to private vakils in the *mufassal*—generally poor people—but in the Presidency towns, and in the bigger towns generally, I believe they go to Counsel.

5232. And therefore the abolition of appeals would affect to that extent the employment of Counsel?—To a very inappreciable extent.

5233. But it would affect it?—Yes.

5234. Do you desire to see no restriction upon appeals in revenue cases?—I would not curtail any existing appeals.

5235. Where does the appeal at present lie?—I take it that if a tahsildar does something wrong it goes to the Divisional Officer; from the Divisional Officer it goes to the District Collector; from the District Collector it goes to the Board of Revenue; from the Board of Revenue it goes to the provincial Government.

5236. And from the provincial Government?—I take it, to the Government of India.

5237. What is the smallest sum that can be involved in such a course of appeals?—It is very difficult to say; in most cases they will be questions of land disputes, or of an office.

5238. In your knowledge, as a legal practitioner, what is the smallest sum paid by the occupier of the land to the Government on which these appeals would lie?—In my whole experience of 21 years I have not come across more than 50 or 60 appeals involving very low sums.

5239. What is the smallest amount?—It would be in cases of over Rs. 100 that a man would come to me.

5240. In a matter of Rs. 100 there might be therefore a series of appeals extending over six different appellate courts?—There is a possibility of it, but every one does not go through all of them.

5241. Do you think that that course of appeals is to the advantage of the original appellant?—I have known cases in which the first 3 or 4 appeals have failed, and eventually the man has been successful.

5242. Will you please answer my question?—I should think it would be an advantage in individual cases. My opinion is that the generality of appeals fail, and fail rightly too.

5243. Does that lead to the welfare and contentment of the people?—Quite so.

5244. Rather than curtailment of appeal to one person above the original deciding authority?—Yes, I think so.

5245. Do you make any criticism of the provincial Government in connection with revenue matters?—I consider that the provincial Government are too impersonal and too much dominated by considerations of revenue.

5246. What is your experience which will enable you to tell us something about this? Have you been in any Government employment?—No.

5247. Are you a land holder?—No.

5248. Do you cultivate land?—No.

5249. Now, will you tell us your views?—Among all grades of District Officers there is an opinion prevailing that the largest amount of revenue should be collected; that is the tendency.

5250. How do you know that; are you acquainted with Revenue Officers?—Yes.

5251. And do they tell you that their orders are to collect as much revenue as possible?—As a professional man I very often have to go about into the districts; I talk with both landlords and raiyats; I have appeared in revenue cases both for landlords and raiyats, and from having come into contact with all these people I am able to say this.

5252. You think that the demands of the provincial Government, both upon the landlords and upon the raiyats, are too great?—It is not that; I say that there is a general belief that the efficiency of the Revenue Officer consists in the largest amount he collects and collects promptly.

5253. In the course of your practice as a vakil you find that your clients believe this?—Not only the clients even, but most other people, including Revenue Officers.

5254. The Revenue Officers tell you that the Government insist upon the collection of so much revenue?—No; that is their belief, I put it only as a belief. Upon what they see around them, and what they see in their own cases, I suppose they found this belief. The feeling is not common only to the subordinate officials; even the District Officers know that. Any man who recommends large remissions in his district is put down as a weak man, and generally he is never appointed to the Board of Revenue.

5255. Have you known any cases of that?—If you want particular cases I can mention them.

5256. I do not want names, but have you known such cases?—I have known people who have been Collectors, and very sympathetic Collectors too, and who so far as the people were concerned were very popular, who have been relegated to the Judicial Department; that is the only punishment in the case of District Collectors; they are posted as District Judges, and we know what chances District Judges have of promotion. I am only talking of this Presidency to which my knowledge is confined.

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5257. You yourself would hardly incline to the theory that it is any particularly hard punishment to put a man into the Judicial Department; you belong to the legal profession yourself?—I think it is a most honourable profession, but one's personal experience has nothing to do with the matter. It is a question of the further chances of promotion.

5258. Do you know this as a fact from Collectors, or is it merely hearsay?—I think from the cases I have in my mind I am entitled to draw that conclusion.

5259. You have heard it from other people?—I draw the conclusion from certain concrete cases in which I know persons who were Collectors of districts, and who were very popular as Collectors, and who have been posted as District Judges with no further chances of promotion.

5260. That you look upon as a disgrace?—Well, I cannot call it a disgrace, but it is not treating him as he would have been treated had he been an efficient Collector of revenue. This feeling pervades the ranks all through, going down to the Divisional Officers and Deputy Collectors; if a man is lenient or is very sympathetic, he is made a Treasury Deputy Collector permanently for the rest of his life, and is very seldom looked upon as a smart officer.

5261. Has a Treasury Deputy Collector any power of dealing with the people directly?—No; he sits in his office; he is in charge of the treasury and has nothing else to do; occasionally you find him as the Vice-President of the District Board or something like that—an honorary appointment.

5262. That also you look upon as being relegated to the back benches?—I look upon it as an expression of displeasure. You find it more in the lower ranks, among the tahsildars and Deputy Collectors; a man may commit many blunders as a magistrate, but all that is condoned if he is very clever in collecting the revenue and if he can show an increased collection of income tax; he soon rises from deputy tahsildar to tahsildar and then to Deputy Collector.

5263. You have known such cases yourself?—Yes.

5264. You have never been yourself in Government Service?—No; except in so far as I was a lecturer for some years in the local Law College in addition to following my profession.

5265. Is there anything else on this head that you would like to tell us?—I should like to see better recruitment of these officers, tahsildars and deputy tahsildars.

5266. From the point of view of corruption you mean?—Inefficiency and corruption.

5267. Up to what rank does this corruption extend?—Really up to the tahsildar I should think.

5268. Up to and including tahsildars?—The percentage may not be so high now as it was some 10 or 15 years back, but still I cannot say that they are as pure as the corresponding judicial officers we have in this Presidency, *viz.*, the district munsiffs.

5269. Have Executive Officers sufficient opportunities for personal contact with the people?—They have sufficient opportunities for personal contact, but very few of them take advantage of those opportunities or make use of them.

5270. For what reason?—Want of sympathy on the side of the officers, want of education on the side of the people, and their dread of approaching

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Revenue Officers who are almost always Magistrates; the officers' inability to converse with the people in their vernaculars, and the inability of the people to speak in English.

5271. As a rule in an ordinary village will there not be somebody who can speak some English, or enough English?—In many villages you will not find anybody who can speak English.

5272. And in most of the rural villages there will not be anybody who will speak any English at all?—I should not be far wrong in saying that in 50 per cent. of the villages you will not find anybody knowing English. When I say villagers I do not mean the people who are imported as postmasters sometimes; you may in some big villages also find other officials; I do not include them among the villagers.

5273. That clearly must be a drawback to the intercourse between the District Officers and Divisional Officers and the people of the country?—Certainly.

5274. And it is very desirable therefore that the District and Divisional Officers should have greater knowledge of the vernaculars?—I think so. Then some of the officers have too much to do to find time or feel inclination for intercourse with the people. Other reasons are, too frequent transfers from district to district, too much correspondence and writing of reports.

5275. Your strong opinion is that there is not in the rural districts a sufficiency of intercourse between the District Officers and the Divisional Officers and the people?—There is not.

5276. Do you think the social relations between the District and Divisional Officers and the people amongst whom they live might be improved—that they might meet oftener, both in official, and in private life?—One may wish to have it, but in this country I think for a long time to come such a thing can only be hoped for.

5277. Is there any permanent obstacle in the way?—The manners and customs of the people are I think a great impediment to free intercourse, at any rate with European officers.

5278. Might there be, not a complete freedom of intercourse, but a greater freedom of intercourse?—Certainly.

5279. Would that be desirable?—Certainly.

5280. How would that best be procured?—In the first instance I should like the officers to act sympathetically to the raiyats whenever they meet them, and not depend on their subordinates so much for their information. Most of these Revenue Officers are officers who tour about the district; if they would only make it a point of talking freely with those they officially come into contact with, and occasionally going about the villages and putting questions and asking after their general welfare, more cordiality might result.

5281. You think that is not done sufficiently now?—Oh, no, it could not be expected.

5282. Is that because the District Officer is unwilling to do it, or because he has other duties which prevent him from doing it?—The language impediment is a great difficulty—that is the greatest difficulty; I do not think many are unwilling if they only had the opportunity; most of them would be very glad. But I think they are indifferent.

5283. You have something to tell us in connection with municipalities?—I think that the Government should not unduly interfere with mere details of municipal government, just as the Government of India should not interfere with the details of provincial Government.

5284. What you would desire is that within the budget the municipality should have the power to transfer from head to head?—I am not so particular about that.

5285. Then is it that you desire to have an unrestrained hand in preparing your budget?—In preparing the budget and submitting it.

5286. In rating and taxing the district confined within the municipality?—A municipal budget contains many items. If the Corporation of Madras recommended that one rupee increase should be given to a certain peon the provincial Government could interfere with that.

5287. Do you desire that the Madras Municipality should have a completely free hand in preparing the budget and in rating and in taxing the Municipality?—The rating and taxing is done under the Act.

5288. But do you desire it?—I would say, subject to the sanction of the Government, so far as rating and taxing is concerned.

5289. Then you think that the Government ought to have a restraining hand as to the amount of money to be levied by, and from, the Municipality?—Yes; Government must have a voice.

5290. You think the budget ought to be submitted to the Government and sanctioned by the Government?—Certainly.

5291. Within the sum sanctioned in the budget by the Government, has the Municipality a sufficiently free hand?—The Municipal Executive draws up a budget; 8 out of the 36 members sit together as a Standing Committee, and every item is scrutinised and passed by them; eventually the budget is passed by the Corporation at a special meeting, and it then goes up to Government. The Government may take exception on principle to any item in the budget, but they should not go too much into details. The Government ought not to interfere about such a petty detail as the raising of a peon's pay by one rupee. Everything involving a principle I think the Government should have a hand in deciding.

5292. How many peons are employed by the Municipality?—About 250.

5293. The raising of one peon's pay by one rupee might affect the whole 250?—Not necessarily.

5294. But it might?—Mathematically it might; in practice it does not. We have every year to show Rs. 20,000 as balance in our budget, so that the raising of a peon's pay by one rupee would not count.

5295. Is there anything else you want to bring to our notice with regard to the relations between the Municipality and the Government?—I think the Government ought to show a little more consideration for the resolutions sent up to Government by the Corporation.

5296. In what sort of matters?—In matters municipal.

5297. It depends what the resolutions are—upon what sort of points?—We have two big schemes now before us, the waterworks scheme and the drainage scheme. The waterworks scheme was prepared by a special officer of Government lent to the Municipality; in consideration of that we said that that officer should be put in charge of it. When the drainage scheme went up, the Government recommended that a gentleman should be employed for both schemes together, whose salary would be between Rs. 2,000 and 3,000 per month. The Corporation agreed to that, but subsequently the Government of its own accord sent a memorandum saying that one of our Corporation officers, the engineer, was quite good enough to look after both these schemes, provided we were prepared to pay him Rs. 2,000 a month. We said "We are quite willing that that gentleman should be in charge of the drainage scheme, and your own man who designed the waterworks scheme should be put on the waterworks scheme instead of a new man being brought out from home." Now the Government go back and say, "No, since you do not accept our terms we would rather get out a man from home." What is the good of the Corporation sitting and discussing and coming to a conclusion if, without giving any reason, the Government say, "As you do not agree that one of your own men should be paid Rs. 2,000 for both works, we will not have that one man to look after one of the works for a less sum"? That sort of interference is very unhealthy and undesirable in my opinion.

5298. How are the funds of the Municipality derived; does the provincial Government give you a block grant-in-aid?—Of late, Government have been giving us considerable sums of money by way of bonus, and also lending to us occasionally.

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5299. How much of the expenditure of the Corporation is raised by cess or rates?—By proper taxation we raise about 10 lakhs of rupees a year; by miscellaneous income—for instance, sales and leases of municipal land—we get another 10 lakhs; it is a fluctuating item. We get about 20 lakhs from the town of Madras, and ordinarily we are able to make both ends meet in ordinary years.

5300. What is your total expenditure?—The ordinary expenditure would be about the same; if we collect 20 lakhs we spend about 19 lakhs odd.

5301. So that practically the whole of your expenditure is met out of your own resources?—That is so; occasionally the Government used to help us, but it is only recently, with reference to the big schemes, that they are obliged to help us to any great extent.

5302. Is there any other point which you wish to draw to our notice?—I should like the Government to help us in the matter of taxation. Sources which are legitimately ours, sources which are recognised to belong to the local authorities in other civilised countries, are taken away from us.

5303. What sort of sources?—For instance what are known as town duties, that is license fees for keeping liquor shops in the town. Another thing I can mention is, for instance, the revision of the taxes on arts and professions.

5304. I do not want to go into details; we want to deal with your relations to Government, not your grievances against Government?—In the case of a Corporation like the Madras Corporation, which has got larger responsibilities than it can ever meet successfully, I say you must permit us a freer hand in the way of raising taxes.

5305. Does this entail a great deal of correspondence between the Government and your Corporation?—Of late it has increased very considerably.

5306. What has the proportion of increase been?—I should not like to put it in that way; it might have increased the correspondence, and we have to hold special meetings, and naturally, when a meeting is held, resolutions are passed and the discussions are reported, and everything has to go before the Government. I do not think it has added appreciably to the correspondence.

5307. Is there any other point with regard to your relations with the Government?—I should like the Corporation to be given the liberty of electing its own President. I say nothing personally against any of our Presidents, they have all been estimable men, but I do say there has not been that cordiality and sympathy that there should have been; the President is appointed by the Government, and naturally he looks for promotion and advancement to the Government.

5308. Is the President the only officer of the Corporation appointed by the Government?—No; all the higher executive officers, the President, the Revenue Officer, the Municipal Engineer, and the Health Officer—these four officials are not only appointed by the Government, but in their appointment the Corporation is never consulted.

5309. Does the control by the Government either quicken or retard the execution of works which the Corporation approves of? For instance, if the Corporation wants to lay out a new street or park or build a tank, does it quicken the operation or make it slower; has it any effect upon it?—I do not see that it will have.

5310. What adverse effect beyond that which you have just described to us has the control of the Government upon your Municipality? You tell us that the appointed Chairman does not pay enough attention to the opinion of the members—that he is always looking to Government?—The result is sometimes the Government goes by his own opinion against the collective opinion of the Corporation.

5311. These are the two principal drawbacks in your opinion to the appointment of the Chairman and all these officers by the Government?—Yes; if the President was appointed by the Corporation, and was an elected member of the Corporation, he would have greater respect for the opinion of the Corporation.

5312. (*Sir Frederic Lely.*) Do you draw a distinction between appeals in personal matters and administrative appeals—that is to say, an appeal from a chuprassie who has been dismissed and an appeal from a cultivator against his land assessment?—I should not like to draw any distinction.

5313. You would give both classes unlimited right of appeal, both as to the amount involved and as to the authority to which they should go?—I would not call it unlimited. In my judgment, they are limited, and I would give them the existing rights whatever they are.

5314. You speak of the fact that an appeal lies making the deciding officer more careful?—It makes him pay more attention to the case.

5315. But would not that also apply to a case where there was only one appeal; so long as there was an appeal at all, would it not be likely to exercise that effect? Does the multiplicity of appellate authorities increase the care exercised?—There is a system known as demi-official correspondence with the direct appellate authority. I do not say it is done in any other way than openly, but naturally the officer who first hears generally writes about the case, when he knows that it has gone on appeal to the officer above him, and says, "Such and such are the facts of the case," and he emphasises his opinion.

5316. That is not quite an answer to my question. You say that a system of appeal is necessary because it makes a deciding officer more careful?—Yes.

5317. That would be equally true if there was only one appeal?—It would be true to this extent; there are officers with whom he could not correspond even demi-officially.

5318. You object to the one appeal on the assumption that the deciding authority in the case of the immediate appellate authority communicates with him demi-officially?—He has opportunities of communicating.

5319. Is that a general practice?—I cannot say that it is general; I know it is done in some cases.

5320. Does that apply to all ranks of officers?—I do not say that it applies to all officers.

5321. Suppose a Sub-Divisional Officer was to dismiss a subordinate and he appealed to the Collector; do you think the Sub-Divisional Officer would try to influence the Collector by writing to him demi-officially?—I do say that. Most honestly, he thinks that the man is a bad man, and he has dismissed him because he thinks so, and in a casual conversation, or in writing to the Collector, he will say "Such and such a man is a bad man," that is all.

5322. What ground have you for saying that?—It is very common.

5323. How can you know that it is common?—From my experience of people telling me so.

5324. People say a good many things that are not true in this portion of the world?—But even the appellate officers do not conceal it; they say, "I have heard since this case from so and so that you are a bad man"; it is done quite honestly and openly; there is nothing clandestine about it; I do not say it is done secretly in order to injure a man.

5325. You would consider that it is not altogether the right thing to do?—I should think so from the point of view of the petitioner.

5326. You go among the villagers in the course of your work?—Yes.

5327. You say that the general feeling among them is that revenue interests dominate over the minds of Government officers?—Yes.

5328. Are you referring to all classes of Government officers or only to subordinates; do you think

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with regard to the average Collector, for instance, that his main idea is to get a good sum of revenue out of his district?—That is my feeling.

5329. Deliberately? You say that from your knowledge of Collectors?—Yes and from my knowledge of the districts and from what takes place generally.

5330. Do you think the impression is correct?—Well, it seems to be so; I have always believed it to be correct.

5331. Do you not think very often it is the result of misunderstanding on the part of the people of the motives and intentions of Government officers?—I think it may be misunderstanding by the officials of the intentions of the Government; but I do not think the people are misunderstanding the feelings of the officers.

5332. For instance take forest administration. You admit that the main object of forest administration is the preservation of fuel and building timber and the more economical supply of grazing for the country generally; the main object of the department is the interests of the people?—Quite so.

5333. And yet in the eyes of the people as a rule it is a department run solely for the money that it makes?—No; the heart-burning is created in the working of the rules; it is not so much in the rules themselves.

5334. Enlightened men know what is the object of the Forest Department, but the ordinary villager does not realise that at all?—He has not such a high notion of it, but he does not object to it; it is in the working of the rules that there is a good deal of hardship.

5335. I am speaking of the conceptions of the people of the intentions of the Government?—They would probably not have such high conceptions.

5336. There is a misunderstanding?—Yes.

5337. Do you not think that that would apply to many other branches of Government?—It may.

5338. Then the remedy would appear to be to get the people to understand better the views of Government?—Undoubtedly; in cases where there is misunderstanding I think it ought to be got rid of.

5339. You spoke of the social relations between District Officers and the people, and you said the alienation is partly owing to their want of knowledge of the language. Have you not known in your experience cases where offence has been caused by ignorance of the customs of the people?—Yes, sometimes.

5340. Are such cases frequent?—I cannot say they are frequent; I have noticed occasions in which offence has been given without its being meant. For instance, officials sometimes feel insulted by the particular way a man stands, or the particular words he speaks, without considering that the man himself does not mean anything.

5341. That is a cause of misunderstanding?—Yes, it might be.

5342. Then as to the Municipality of Madras, you say that the Government should only interfere with the budget on fixed principles. Are you prepared to make a precise statement of the principles on which Government should intervene?—Certainly. Suppose the Corporation says that a new road should be made; if the Government says that it should not be made for the present, I do not see that the Corporation has any grievance.

5343. Then your principle would include the desirability or otherwise of new roads?—Yes, or of any new works.

5344. That is a detail, but you are not prepared to lay down a statement of principles?—It would be very difficult to make a catalogue of principles.

5345. Is the President the executive head of the Municipality?—He is.

5346. He runs the whole executive machine?—Yes, occasionally delegating his powers to other important officers—the Revenue Officer at times, the Engineer at other times.

5347. You would admit the principle that, in the Presidency town, which is the centre of Government and which comes more face to face with the outer world than other towns, Government ought to exercise a closer control than in some of the other big towns of the Presidency?—No, it ought to be the other way I think.

5348. Do you not think that Government is more concerned with the good management of the Presidency town?—If that is so, I should expect that the Government would help us more largely than it would help other municipalities. So far as supervision is concerned I should expect that in the case of a city municipality with highly paid officers, almost experts, and fairly intelligent Commissioners elected and nominated, there would be less occasion for closer supervision than in the case of a crude municipality in an out of the way place.

5349. You admit that the capital town of a Presidency stands in many respects on a different footing from the mere capital of a district, however large?—Certainly.

5350. (*Mr. Dutt.*) Your provincial budget requires the sanction of the Imperial Government?—Yes.

5351. And the Imperial Government sometimes makes what it considers necessary alterations before sending down the budget?—Yes.

5352. There is a certain date fixed for the discussion of the budget by the provincial Council?—Yes.

5353. Is the budget sent up to the Imperial Government before that date or after that date?—Before that date; it comes back cut and dried; nothing can be altered.

5354. It comes down with the sanction of the Imperial Government?—Yes.

5355. So that after that, if it appears desirable to make any alterations in the course of the discussion which takes place in the provincial Council, it is not possible to do so?—No; the provincial Government is powerless.

5356. Would you suggest that there should be some method of making alterations, should alterations be desirable in consequence of the discussion which takes place in your Council here?—I think so.

5357. You said that there may be cases involving only an amount of Rs. 100 which may go up in appeal to four or five or six different appellate tribunals. Are you aware of any such particular case involving an amount of Rs. 100 which has gone up to four or five tribunals?—I only stated my impression.

5358. Can you call any particular case to mind just now?—In the case of a *karnam* some years ago who was dismissed, I had something to do with his appeal to the Government of India; that is one of the instances I have in mind.

5359. That was not a case involving Rs. 100?—In the case of this man it was only a few rupees; I do not know how you would calculate its pecuniary value.

5360. Can you say that a *karnam* who is dismissed has the right of appeal to the Imperial Government?—It might have been only a memorial; I cannot say what it was without referring to the case.

5361. You do not think that the check created by the knowledge that there is a further appeal is so desirable or necessary in the case of Government as in the case of local officers?—That is a question that will depend on each particular case. If the Collector of a district is dealt with by the Government I think he should have all appeals open to him.

5362. When you say that the interference of the Government with the budget should be confined to matters of principle and not apply to matters of detail, do you consider that the pay of an officer of the municipality is a matter of detail?—In some cases I would. For instance, a question of the pay of a peon, whether it should be Rs. 7 or Rs. 8, is not a matter involving any principle.

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5363. But it may be the case of an officer on Rs. 50?—With reference to higher officers there might be a principle involved, but in the case of subordinates I do not think there should be.

5364. Where would you draw the line?—I would draw the line in the case of high executive officers, because there there may be a principle involved.

5365. So that you would allow the provincial Government to interfere with the municipal budget with regard only to the pay of the higher officers?—Yes.

5366. Suppose the municipality wanted to raise the pay of an officer from Rs. 300 to Rs. 500; you would allow the provincial Government to sanction it or not sanction it?—Yes. Suppose we said a peon should be paid Rs. 40 a month, that would be a different matter altogether; the Government might point out that it was utterly foolish; if the recommendation is so foolish as that, I think the Government should have the right to interfere.

5367. You say generally that your expenditure is met from your income?—The Government also makes loans on special occasions. When we are badly in want of funds they come to our assistance.

5368. With reference to big works?—Yes; with reference to the drainage and waterworks scheme now in hand they have promised to give us about 11 lakhs as bonus and 17 lakhs as a loan; I am not quite sure of the actual amount.

5369. As regards the income from liquor shops, you mean that this source of revenue ought to be transferred to the municipality?—Yes. I refer to license fees for the vend of liquor.

5370. You do not mean that the municipality should have the power of levying new taxes or increasing existing taxes without the sanction of the Government?—Under no circumstances should they do it without the sanction of the Government.

5371. Is any of the municipal work done by committees or sub-committees?—There is only one committee, which is called the Standing Committee. The President can sanction contracts and other things up to Rs. 2,000; up to Rs. 10,000 it must come before the Standing Committee, and anything over Rs. 10,000 to the Corporation.

5372. There is a Standing Committee which is a sort of executive committee for the municipality?—You may take it so, yes.

5373. There are no other committees?—No permanent committees; we appoint committees to report on special subjects from time to time.

5374. Do you think that committees would help the work of the municipality?—We have the power under the new Act to create committees.

5375. Are you in favour of the creation of Advisory Boards?—I am not in favour of Administrative Councils but I am in favour of Advisory Councils. I would have two Councils in each district, one for the district and one a *taluk* Council, to consist of three members resident in the *taluk* with property qualifications; they should be nominated by the Collector of the district for the present. This Council should advise the tahsildar and deputy tahsildar on such questions as the remission of revenue, questions relating to the repair of tanks, questions affecting village sanitation, questions relating to communal land boundaries and encroachments. In cases where the tahsildar or his deputy is unable to accept the opinion of the majority of his *taluk* Council he should record in writing his reasons for not accepting the same.

5376. Do you consider that opinions given by the district Advisory Boards should be in writing, or should they be consulted orally by the Collector?—I should like their opinion to be put forward formally at a meeting of the Board, and be recorded in the usual way.

5377. And you would have the same procedure for the *taluk* Board?—Yes.

5378. Do you consider that it is desirable and possible to give the village communities greater powers in the disposal of local affairs?—So far as I know, in this Presidency there are no powers exercised by the village communities at all. The only power which a village munsiff exercises is civil and criminal power—he can hear civil cases up to Rs. 20, and he has jurisdiction in cases of simple assault and insult under a very very old Regulation. These powers I think should be taken away from him and vested in a village panchayat.

5379. Are you aware of the existence of some village unions in large villages or groups of villages?—A union as we understand it in this Presidency is something like a small municipality. We have two kinds of unions, major unions and minor unions, which have powers of taxation.

5380. Have you any personal knowledge of village unions?—I know how they are worked; I know many Chairmen of village unions; they are mostly vakils, and when I go to such places I generally stay with them, and I have taken some interest in these things.

5381. What powers do you think should be given to unions of villages?—There is no such union, that is, apart from the unions created by statute; the old panchayats do not exist at all.

5382. As to the unions created by statute, would you recommend giving any powers to those unions?—In the first place they are not in villages; they are what we may call places which have ceased to be villages, *viz.*, rising places which may in a short time become towns. In the places which are of sufficient importance to have a municipality the Government usually appoints one.

5383. Then you recommend the revival of panchayats in the smaller villages?—Yes, I am thinking of those panchayats which have yet to be created.

5384. Can you mention any powers which could be with advantage bestowed on them?—No, I have not drawn up a statement.

5385. Could these panchayats be entrusted with any small public works in their own village?—Certainly, what are known as *kudimaramat*.

5386. The construction of wells and tanks and so on?—Yes.

5387. Do you think these panchayats could be entrusted with some powers of inspection of village schools?—Certainly.

5388. Could they be entrusted with power to try petty criminal and civil cases?—Certainly; they would be much better fitted for that than the present village munsiffs.

5389. Finally, have you anything to say generally with regard to decentralization?—This gives me an opportunity of expressing my fears about any attempt at too much decentralization. While I have very great respect for the Indian Civil Service as a whole—a Service which has given, and is capable of giving, India such capable and efficient public servants, most of whom are honest and hard working—yet I cannot help pointing out that there is a retrograde tendency of relying too much on the man on the spot.

5390. I wanted to know whether you had any suggestion to make?—I am against too much decentralization; I say, do not carry it out too far.

5391. (*Mr. Hichens.*) You say that the budget is submitted to the Legislative Council after it has been approved by the Government of India?—That is so.

5392. How long before the actual discussion do you receive it?—That used to be a standing complaint; we used to receive it two or three days before; this year we had a fairly good time given us I think—about ten days.

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5393. You think you have had ample time to consider it this year?—One would like to have a little more time; but we know the inconvenience, and we do not complain.

5394. You think that 10 days is not enough?—Not quite, we should like to have a little more time.

5395. When the budget comes up to the Council what powers have you; are you able to move a resolution?—Absolutely nothing; we may make suggestions in our speeches, and say what we think about the budget and criticise it—that is all.

5396. But you cannot divide the Council?—No.

5397. If you make a suggestion does it to your knowledge ever go further; suppose you suggested that more money should be spent on a specific scheme, there is nothing to prevent the Government of Madras sending that recommendation up to the Government of India?—The only answer we get would be "This is the Government of India budget; it is cut and dried, and we have to carry it out"; that is all the reply we used to get.

5398. Do you, as a Member of the Council, feel that you have very little say in making any alteration in the budget, and that your opinions if they are expressed possibly do not take the matter very much further?—That is so. That is our grievance.

5399. You are aware, generally speaking, of what is known as the *quasi*-permanent settlement between the Government of India and the provincial Government of Madras?—Yes, I know it in general terms.

5400. Are you generally speaking satisfied with that arrangement as being generous towards Madras?—I cannot admit that; I do not think that Madras is treated as generously as other provinces; that is my impression.

5401. Could you amplify that answer at all and give me a specific instance?—We should like to have more money, that is all; I should like the provincial Government to get more money for their wants.

5402. Can you tell me whether it is proposed to revise the settlement?—I think recently there has been some improvement under certain headings; for instance, now the Local Governments are allowed to build up a famine fund within a limit; that is, it does not lapse as it used to do in the old days. They can build up, and there is a promise also by the Government of India that not only we may build up a fund, but that if any more is wanted they will be glad to contribute.

5403. Suppose that you in Madras were as generously treated as the other provinces, would you be content with the settlement?—Yes, I should be.

5404. (*Mr. Meyer.*) You spoke just now of the Madras provincial settlement with the Government of India as not being in your opinion quite just to Madras; are you aware that the Government of India have of their own accord suggested a revised settlement?—I am not aware of it; the suggestion has probably been made lately.

5405. In the case of appeals, you say that if an officer knows that there is an appeal possible against his order, it will make him more careful to do right than if there is no appeal?—I mean he will take care to put down his reasons if there is an appeal. We know that even in the Judicial Departments when there is an appeal the judge in the court of first instance has to record his reasons; in other cases he need not give reasons.

5406. You desire that the powers of the Municipality as regards Government should be increased—that the Government should dispense with a lot of the control they exercise over the Municipality. From your point of view would not that make the Municipality more careless in their work?—I have said, control in the matter of details; I do not want anything which involves a principle not to be subject to the supervision of the Government.

5407. But even in details would not that make the Municipality more careless?—I should think not: if the question was whether a peon was to get Rs. 7 or Rs. 8, I do not think the Municipality should be hampered by any interference. Of course, you must draw the line somewhere: if we recommended that a peon should be paid Rs. 50 the Government should interfere, but if the resolution was simply to increase a peon's pay from Rs. 7 to, say, Rs. 7-8 a month, that is a mere detail in which the Municipality ought to have a free hand. I fail to see that there is any principle involved in that.

5408. Although you would prefer the Collector to be given large powers in the matter of appeals, you think it would not hurt the Municipality to give them the final decision?—I do not think it follows.

5409. Under the Municipality you have a large number of municipal servants, have you not?—Yes, somewhere between 200 and 300 I think—all menial servants.

5410. Who punishes them?—Each departmental head punishes in the matter of fines in the first instance; any suspension, I suppose, they can recommend to the President; dismissals, I think, are entirely in the hands of the President. I have been a member of the Standing Committee for over five years; a man who is drawing Rs. 50 and over has an appeal to the Standing Committee; in anything below that there is no appeal. The order of the President is final.

5411. Are there appeals to Government?—Yes; anybody drawing over Rs. 50 can appeal to the Standing Committee and I think he can appeal to the Corporation, and eventually can memorialise the Government.

5412. Assuming that there are such appeals to Government, would you allow them to continue?—Yes.

5413. In all personal matters then you would allow an appeal from the Municipality to Government?—Yes.

5414. You say that, although you have never lived in a district, you have a certain amount of experience of district work and of the character of Government officers from your clients in cases?—Not necessarily from clients alone—from my friends in the *mufassal*. I go about the district not only in connection with professional work. We hold our annual conferences in the various districts; we have provincial conferences and we go there; we mix freely with the people in the district, and those people come to us when they come on their private business to Madras, and in that way we get into contact with people of all grades.

5415. When people come to you as a lawyer do they not come to you with some real or imaginary grievance of their own?—Mostly with grievances; not against officers; in most cases that come to the Court the grievance is not personal against the man, but against his decision.

5416. Generally, is a person who has a grievance, real or imaginary, quite an impartial judge of the character of the administration?—Well, there are persons and persons; there may be persons who exaggerate things and there may be others who do not. It may be equally said that people who have no grievance have no business to talk about grievances, because they know nothing—a man who has not been hurt cannot feel the wound.

5417. You tell us that if a Collector shows sympathy with the people he is at once deprived of the promotion he has a right to expect in his own line and made a District Judge?—Not at once; I did not say at once.

5418. But that is the tendency?—That is the tendency.

5419. Do you mean to tell me that Collectors who have sympathy with the people and who are regarded as sympathetic Collectors do not rise high?—Sympathetic Collectors who recommend large remissions do not rise as they otherwise would.

5420. May I take an officer who is now dead—the late Mr. Grose; did you not regard him as a sympathetic Collector?—He was a sympathetic Collector.

5421. How did Mr. Grose end officially?—He became Second Member of Council, having been superseded once.

5422. You mean, a junior officer was put in first?—Yes, and a subsequent Government put Mr. Grose into his right place.

5423. Take Sir Henry Stokes, now retired—would you regard him as a sympathetic Collector?—He was a very capable and conscientious man, but I would not put him down as a sympathetic Collector.

5424. He was a Collector who knew his district?—Certainly, a very capable man.

5425. Do you say that Sir Henry Stokes would have refrained from making remissions if he felt them to be just?—Not if the proper information reached him.

5426. However, Sir Henry Stokes ended as Senior Member of the Council?—Yes. Certainly he was a very capable man; if only his subordinates had given him proper information he would have allowed remissions.

5427. You say that tahsildars generally are corrupt?—Yes.

5428. Are not most of the tahsildars nowadays graduates?—Not most; of course now there is a tendency to improve.

5429. Is it not the fact that for a great many years the general rule has been—I do not say that there have not been particular exceptions—but the rule has been that a man shall not be appointed a tahsildar unless he is a graduate?—Possibly the rule is so, but in practice I think the rule is not observed to the extent that one would desire.

5430. Do you say that the corruption extends to the graduates?—There are black sheep in every fold.

5431. But generally speaking?—Generally, I should take it that it would not be to the same extent as in ill-educated persons.

5432. Then in so far as tahsildars are being recruited from the more educated classes, they are not corrupt?—I should think not.

5433. You spoke of the appointment of the President of the Municipality by the Government; you object to that?—Well, I should prefer him to be an elected member of the Corporation itself.

5434. Do you know the system of the Bombay Municipality; there is a President of the Corporation who is elected by the Corporation, but there is an executive officer, the Commissioner, who is appointed by Government. Do you think that that would be a good thing?—Yes, it may be better.

5435. You admit then that the Government might reasonably have some voice as regards the executive management?—Certainly, a good deal.

5436. On the other hand, you do not think it necessary that the lower officials, the Sanitary Engineer, the Health Officer and the rest, should be appointed by Government; you would leave that entirely to the Municipality?—I think the Municipality should have some voice in their appointment

5437. Take your municipal Engineer; Government appoints him now; would you allow the Municipality to appoint him?—I do not see any harm in it; I think it would be more advantageous.

5438. You have told us about the budget control; besides that is it the fact that in regard to particular estimates for works you have to get the sanction of Government?—Yes, to anything over Rs. 10,000 I think we must get the sanction of Government.

5439. Do you regard that as a necessary limit?—I do not mind it; I should not like any change in that.

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5440. You do not think it is necessary to give you larger powers there?—No, I do not think we want it.

5441. Do you spend much on education in the Madras Municipality?—We make a contribution.

5442. Who manages education?—The Educational Department.

5443. Would you prefer to have the management of your own education?—Yes, but that would involve additional expenditure; with our resources I should think it would be an additional responsibility, though it might be advisable perhaps.

5444. If you had the money you think you could manage it?—Certainly.

5445. Who manages the hospitals here?—We have municipal hospitals.

5446. You desire that that portion of the excise revenue which is derived from fees for the sale of liquors should be given to the Municipality of Madras?—Yes.

5447. Does any other municipality in India obtain such a revenue?—We contend that it ought to be municipal revenue.

5448. Has any other municipality in this country such a revenue?—No.

5449. Are you aware of any other country in which municipalities obtain the revenue from the liquor traffic?—I am told so.

5450. Have you any knowledge of that from your reading?—Not from my reading, but in other countries in Europe I am told such revenue is exclusively the property of the local bodies.

5451. If the Municipality enjoys a large share of the liquor duty, which is a State duty, would not the tendency be, if the Municipality was hard up, to increase the number of liquor shops, so as to get more money?—I should think not. If there was no tendency in the Government to do that, then in the Municipality, which is more a popular institution and in which the elected members are responsible to the public, there would not be that tendency.

5452. Which is better off generally—the Government or the Municipality?—Certainly the Government, but their responsibilities are larger.

5453. (*Sir Steyning Edgerley.*) What is the date of your District Local Boards and Municipal Act in this Presidency?—As to Local Boards I think the last Act was in 1884; the Municipal Act was about the same time; the Municipal Act was recently consolidated and amended in 1904.

5454. Was it subjected to a complete revision in 1904?—Yes, a somewhat complete revision.

5455. Were you on the Legislative Council when that was done?—No.

5456. Roughly I may take it that all this detail that you have given us about the Municipal and Local Boards Acts and so on is summed up into your thinking that the Acts ought to be brought into the melting-pot again and thoroughly reconsidered?—I never said that.

5457. But that is what it comes to; if you are going to alter the powers and so on, you must go through the Acts again?—Without bringing the whole Act into the melting-pot, I think it is open to the Municipal Council to be given these further powers, and if the Government is so inclined I do not think it is necessary to put the Act into the melting-pot.

5458. Has there been any sort of public movement in the town of Madras to get the Act reconsidered? Are the public discontented with it?—Yes, with reference to one point they were discontented, but there was no big demonstration or anything.

(*The witness withdrew.*)

M. R. Ry. C. VIJIARAGHAVACHARIAR was called and examined.

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5459. (*Chairman.*) What is your profession?—I am a first grade pleader practising in Salem and occasionally in Coimbatore. I have 25 years' practice. I was a member of the Salem Municipal Council for about six years. I was an elected member of the Madras Legislative Council for six years.

I would not recommend curtailing the existing right of appeal to any extent. Appellate decision would be more satisfactory and more loyally accepted and as a consequence there would be less inclination to carry appeals higher up—

(*a*) If no material other than the evidence which the appellant had the opportunity of examining and rebutting, is used in the disposal of his appeal.

(*b*) If the appellate authority is by law or departmental order required to set out the points for determination and the reasons for his decisions thereon. This might necessitate the hearing of the appellant in person or a duly qualified agent on his behalf.

I would give to the Collector and Sub-Divisional Officers power to grant remission and to suspend collection of arrears beyond the current revenue year without previous sanction.

I fear that Executive Officers can hardly be said to be in real touch with the people. The causes are innumerable, and consequently there would be necessarily extreme divergence of views as to the remedies. More leisure and greater knowledge of vernaculars would hardly remove the aloofness.

I venture to submit that a District Assembly or Council to assist the Collector is most desirable and most opportune. I would not call it an "Advisory" body. I make the following suggestions in reference to the constitution and functions of such an assembly or Council:—

(1) The members should all be elected directly by the taxpayers under a combined property and educational qualification for voting.

(2) The district should be divided into electoral units for the purpose, according to population, say one for every 100,000 inhabitants.

(3) Each such unit should be allowed to return two members.

(4) One member must have his usual residence within the unit and the other within the district. This would greatly diminish the risk of the people of large towns predominating in the Council while securing a sufficient number of educated and enlightened men.

(5) Membership should be for a term of say three years.

(6) Attendance should be compulsory and non-attendance without a reasonable excuse should be deemed sufficient cause for removal by the Assembly or Council.

(7) Members should not be public servants or village officials.

As to the functions, individual members should have power of initiation; and the resolutions of the majority may be divided into two classes (*a*) those which cannot be set aside and are final, and (*b*) those which the Collector might set aside with the *previous* sanction of Government.

I would make a few suggestions by way of example:—

(1) When the Assembly resolves that no existing pasture and grazing land should be closed and reserved.

(2) When it resolves that no new land out of communal land or other lands within the village boundaries should be reserved.

(3) When it resolves that no new liquor shops should be opened.

(4) When it resolves that particular suggestions should be adopted on the occurrence of plague in reference to preventive and relief measures such as segregation, evacuation, examination of persons, above all, of women.

(5) Any other resolutions on subjects purely affecting their district and which the Government might declare to be dealt with by them finally.

All subjects relating to the administration of the district might be discussed by the Council excepting those which the Local Government with the concurrence of the Government of India might exclude.

I would make the following suggestions by way of illustration:—

(1) Suspension and remission of land tax on failures of crops and occurrence of calamities affecting crops.

(2) Expansion of forests.

(3) Rules as to permits for forest produce in reference to ploughs, fuel, grass, manure, timber for rebuilding raiyats' houses destroyed by fire and other calamities, and whether and when they should be free.

(4) Closing of liquor shops.

(5) Opening new pasture lands and diminishing forest lands.

(6) Opening and closing of police stations, especially the location of punitive police.

(7) Income tax appeals.

(8) Resolutions of municipal and local Boards which the Collector might think should not be carried out.

The existing municipal and local Boards but very faintly carry out the original double object of educating the people in the art of self-government and of relieving the local Government and its subordinates. These bodies are capable of considerable improvement both as to their constitution and functions. The control over these bodies vested in the Collectors and Government by law and by a net-work of rules extends to the minutest details and is embarrassing and annoying. These, coupled with terrorizing provisions enabling the Executive Government to dismiss the members, do not always invite the best men to serve on them; and the anomalous position of the municipal secretary, practically beyond the control of the municipality, and to whom the Chairman is under law bound to delegate several of his powers of these bodies, does not evoke a spirit of self-reliance or enthusiasm to serve the people and the Government on these Boards. The law must be thoroughly recast so as to—

(*a*) make the majority if not all the members truly representative of the people by direct election by the tax-payers;

(*b*) make the office of the President and Chairman invariably elective;

(*c*) enable these bodies to frame their own budgets without being subject to interference by Government only by a resolution in the Legislative Council;

(*d*) enable them to appoint their own staff for all purposes;

(*e*) enable them to manage all their own schools with the help of an inspecting agency appointed by themselves;

(*f*) enable them to manage all their affairs by appointment of administrative committees including participation in measures relating to prevention of the plague when they contribute funds towards the expense.

I do not think circumstances exist, in this province, warranting the control of any municipality by the District Board. In the present state of affairs such control would not be conducive to the development of public spirit in a municipal town.

Village groups may be most advantageously formed. Each group must consist of several villages in view to the selection of competent men to the discharge of the new duties and in view to avoid risk of factious spirit in a single petty village influencing the conduct of the men called upon to discharge public duties and in view also that their decisions and acts may be accepted

loyally. I would suggest that each group should furnish from 300 to 500 adult men.

5460. You have heard most of the evidence given by the last witness?—I heard a good deal of it.

5461. I take it that you and he are in substantial agreement as to the curtailment of the right of appeal?—I think so.

5462. You do not wish to see it curtailed?—No.

5463. Where do you live?—In Salem, over 200 miles from this place.

5464. Is that a large town?—Yes, of about 70,000 inhabitants.

5465. Do you live any part of your time in the country?—I frequently go there, but I do not live there.

5466. Are you an owner of property in the country?—No.

5467. You have no first-hand knowledge of affairs in the country?—Although I have no property I may say that some of my relations have. I once had property.

5468. What do you in practice know about the work of Government in the country districts and the relations between the Government officers and the people?—I know it in the course of my practice as a pleader; I also take considerable interest in knowing how things go on.

5469. You say that you would like the power of the Collector and Divisional Officer to remit revenue on wet crops to be extended also to dry crops?—Yes.

5470. What have you to say as to the knowledge of the vernaculars on the part of British officers?—As a rule they do not speak well, but I should say the vast majority of them understand the vernaculars when the people speak; that is my opinion.

5471. When cases are heard before them can they follow, in your judgment, the evidence of the witnesses?—Many of them substantially follow it, unless the evidence is given in absolutely idiomatic high-class Tamil, when they want the assistance of interpreters; there are exceptions, but, as a class, they know sufficient for ordinary transactions. Witnesses usually speak the ordinary conversational Tamil.

5472. Are the Divisional Officers capable of holding a conversation upon subjects outside their immediate work with educated native gentlemen in the vernacular language?—I do not think as a class they are capable of that without the assistance of an interpreter; they may be able to ask a few questions about the welfare of the people, but I do not think they can keep up a conversation. I am speaking of them as a class; there are exceptions.

5473. Do you think the tendency of late years has been towards an increased knowledge of the vernacular?—I should hesitate to say one way or the other.

5474. As it was 20 years ago, so it is now?—I think so, I have not been able to see any appreciable change. I must say there is a greater desire to know more; if there has been any change at all, the officers are anxious to know more.

5475. Do they set a higher standard of work to themselves than their predecessors did 20 years ago?—I do not think there is any perceptible change.

5476. Do you notice any neglect or ignorance of native habits and customs and etiquette?—I cannot notice much, because there is very little social intercourse between Englishmen and natives of India.

5477. Do you think it would be possible to get a greater intercourse?—Between individuals, but not a class; it is not possible now.

5478. But as between the Collector and the leading men in his Collectorate, would it be possible?—Yes; it would be possible simply as Collector—it depends upon the man, but otherwise than as Collector, it is impossible.

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5479. For what reason?—I think the reasons are numerous. I do not think it is possible unless Englishmen generally change the opinion which they now hold, I am sorry to say, about Indians.

5480. You think there must be a greater display of affability?—I do not mean that; that would be slightly beneficial, no doubt, but I do think that they must know us more and have a better opinion of our moral character.

5481. That is difficult but not impossible?—I do not say it is impossible; it is very possible if the rulers both here and in England would take what I should consider a more statesmanlike view, than they have displayed of late, of the capabilities and feelings of Indians.

5482. You will agree that it is highly desirable?—Most highly desirable in the lasting interests both of England and of India. Happily I have a number of English friends both in England and in India with whom I am on excellent terms on personal grounds. But I am now talking of English as a class and of Indians as a class—friendship between English and Indians is possible, but I say it exists very rarely. I consider that the English rulers, here as well as in England, ought to take a more statesmanlike view of matters relating to India. If Indians were officially everywhere placed side by side with Englishmen—that is to say, as a beginning, if there were a joint Private Secretary to the Governor, one Member of the Executive Council and one member of the Revenue Board, one or two Chief Secretaries and one or two Under Secretaries, chosen from among Indians, I think a good deal of misunderstanding so far as officers of Government are concerned would be immediately removed.

5483. We are very glad to have your views about that, but you will understand that it is a point which hardly comes within the subject of decentralization?—I put it with diffidence; I thought it was perhaps beyond the scope of the present enquiry, but you asked me what were the causes of the want of intercourse between British officers and the people and what were the obstacles in the way of increasing that intercourse, and I ventured to name what I consider to be the chief remedy.

5484. Do you think that Advisory Councils can be constituted and that they ought to be constituted?—I do.

5485. Would you give us very roughly your ideas as to the constitution of such a body?—I should give one member for, say, each 50,000 inhabitants, or, as I put it, two for 100,000; that is to say, one to be elected from a small selected area and another from within the whole district, or it might be the larger towns.

5486. Would you, as some of the witnesses suggested, recommend the abolition of the District Boards?—No.

5487. And as to the *taluk* Boards?—The *taluk* Board and the panchayats and the municipalities should all be retained.

5488. And then in addition to all that you would have the Advisory Council?—Yes.

5489. Would you lay greater stress upon the creation of the panchayat or upon the creation of the Advisory Council?—If I am to choose between them I would rather begin at once, to make the Government more popular, with an Advisory Council for the whole district.

5490. You attach greater importance to the creation of an Advisory Council than you do to the creation of a panchayat?—Yes; it would take some time before we got the panchayat into efficient order.

5491. There would be no difficulty in the villages, as far as you know, in creating panchayats?—No difficulty whatever.

5492. You could get suitable persons?—Very suitable persons provided you do not confine yourself to one revenue village. As a matter of fact they put together small hamlets and call them a revenue village. My idea is, a number of villages capable of giving some 300 to 500 adult men should be put together as one group.

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5493. (*Sir Steyning Edgerley.*) One point about these Advisory Councils. You say that members should not be public servants or village officials. Would not village officials make very good members?—From the point of view of efficiency they would.

5494. I do not mean the village accountant, but, say, the head of the village?—Yes, he would.

5495. Then why do you exclude him?—Because we cannot be sure of his voting quite in accordance with the merits of any particular case.

5496. You mean he would be too much under the influence of the Collector?—No; if he was under the influence of the Collector it would not much matter, but the meanest officials of all the departments in the district would influence him.

5497. Is he not strong enough to resist the influence of, say, the local police officer?—According to my experience he is not. He has a lot of appointments at the same time; he is police officer, magistrate and munsiff; as a police officer he is very much guided by the subordinate police.

5498. The Municipalities and District Boards Acts have been in force now for some 20 years odd?—Yes, there was a Municipal Act as far back as 1871 I think.

5499. But what is the age of the present Acts?—A little over 20 years; they were modified some twelve years ago.

5500. They have not been substantially modified for 20 years?—No.

5501. The upshot of your evidence is that these Acts ought to be put on the anvil again and brought up to date?—Yes; but, without changing the law, a good deal could be done. The law, as it stands, is not given full effect to; the law, as it stands, is ignored in several of its vital portions.

5502. (*Mr. Meyer.*) You spoke of there not being sufficient intercourse between European officials and the gentry of the country; is that partly due to the caste system?—It may have been in the old days: it is not now, the people do not care two pence for caste so far as Europeans are concerned; they no longer wash after touching a European: that is a notion which has died years ago.

5503. The orthodox Brahman never thinks of these things?—There may be here and there old people in a village who would do the same even if they touched me; it is not directed against Europeans; it is a social matter, and a man of those opinions would very often bathe if he had touched his own child.

5504. Still it has to do with the freedom of intercourse with Europeans?—There are such differences among Hindus themselves.

5505. But it all has to do with the freedom of intercourse that would subsist between Englishmen and Brahmans?—This is a thing that I have never been able to follow; I do not think that our declining to dine with Europeans should stand in the way of free intercourse. I do not think that inter-dining has anything to do with it, at all events not to an appreciable extent.

5506. You speak of giving the Collector and the Sub-Divisional Officer power to grant suspensions and remissions of revenue; do you mean absolute power or just the power of recommendation?—So far as remissions are concerned, I should say absolute power.

5507. And with regard to suspensions?—Suspensions too.

5508. Even if it extended to say a quarter of the land revenue of the whole district?—It might be even more in times of distress.

5509. You do not think that that would appreciably embarrass the provincial finances?—It might embarrass the finances and it might be, all the same, just.

5510. You speak of these Advisory Councils as being merely advisory, but would they not be really Administrative Councils?—As I propose it they would not be administrative except, perhaps, in hearing income tax appeals. I do not say that my scheme is faultless.

5511. In respect of certain matters, you say that the decisions of the Council cannot be set aside but are final; therefore so far, they are an administrative body. Can they not supersede the Collector in respect of these matters?—Well, they would content themselves with passing resolutions.

5512. What would happen if the Collector did not agree with the resolution?—All the same, it would have to be carried out.

5513. It must be carried out whether the Collector agrees with it or not?—Yes.

5514. Then the power so far rests not with the Collector but with your assembly?—Well, not quite, unless it had the power of initiative in reference to the subject matter of the resolution.

5515. The power rests with the assembly?—Yes.

5516. Would your assembly generally be constituted of the men of the higher castes?—Not necessarily; for some time to come the higher caste representatives might predominate over the lowest people, such as the *Panchamas*, but eventually they would come to represent all castes.

5517. There would be no *Panchamas* on the Council?—For some time to come I fear there would not.

5518. I will take one case by way of illustration; you mentioned as one of the powers in which the Council should have the final authority, the opening of liquor shops?—Yes.

5519. Might not that affect the *Panchamas*?—Yes, and most beneficially.

5520. Then you would coerce the *Panchamas* by not providing liquor shops?—In so doing I should do them no harm.

5521. But suppose they said they wanted to have liquor shops; would your Advisory Council be likely to listen to the wishes of the *Panchamas* in that respect?—Certainly.

5522. Do I understand you to say that you desire the municipalities to have absolute power over their own affairs?—Yes.

5523. Without any restriction by the Government?—Without any restriction whatever, subject to annual criticism. I exclude appeals by any aggrieved member of the staff; that should be subject to appeal.

5524. But in administrative matters?—In administrative matters I want them to be left absolutely alone.

5525. You speak of criticism by Government. Suppose Government say "We consider that you are neglecting education" and the municipality say "We do not care much about education; we prefer to spend our money on roads"?—That municipality would not last long; you must remember that municipalities are confined to the large towns, and there there is public opinion. A municipality that said "We do not care for the opinions of the Government in educational matters" would not last long.

5526. If the Government criticise, is the Government to have the power to enforce its criticism, or is the final power to be left to the municipality?—The final power should be with the municipality.

5527. You say that they should manage their own schools with the help of an inspecting agency?—Yes.

5528. Then, so far as the municipality is concerned, you would abolish the Government Education Department?—I did not say that; I spoke of schools maintained by municipal funds.

5529. Education is one of the functions of a municipality?—Yes.

5530. Within the municipality, the municipality ought to look after education?—Whether their funds are sufficient or not I do not deal with; wherever they do maintain schools, I say they ought to be left alone.

5531. And the Education Department should be ruled out?—I do not say that they should be ruled out but they should not interfere.

5532. Are they to inspect?—They may inspect if they like, simply for the purpose of informing the Government, in order to enable the Government to lay down proper rules, to compare results, and criticise and so forth.

5533. As regards the District Boards, would you apply the same practice?—Yes, the *taluk* Boards and the District Boards should have the same absolutely free hand in regard to education.

5534. Then I put it to you that the provincial educational authorities, the Director-General of Public Instruction and the Inspector of Schools and all the rest, are to be purely inspecting officers?—Inspecting, and if you like advisory officers.

5535. (*Mr. Hichens.*) I understand you to make one rather important exception in regard to the independence of municipalities and other local authorities, namely, in the matter of appeals; I understand you to say that appeals should be allowed to go to the Government?—I think in the case of personal matters there ought to be an appeal to Government or to one or two officers whom the Government might choose to appoint for the purpose.

5536. Say the Collector?—Suppose they appoint a Board for the whole Presidency. I have not dealt with this, because my views are not matured, but I should like in the case of an aggrieved staff to have an appeal to the Government.

5537. Why do you make exception in favour of the staff?—Because there is the chance of the municipality and the Chairman going wrong. If there is a powerful Chairman whose influence may carry the municipality with him, there is a chance of doing injustice to the staff.

5538. There would be an equal chance in other directions?—That would be with regard to public affairs.

5539. Surely, those are public affairs?—I do not think the two are exactly synonymous. It is one thing to allow an appeal to a man who is punished. I do not say that there should be an appeal necessarily to the Government, but I should like to have a Board constituted by the Government, say for all the municipalities, a Board of three members to hear appeals from aggrieved officers. My own opinion is that then the municipality and the Chairman would be more careful both in the matter of the recruitment of the staff and in the matter of punishments.

5540. In asking that a municipality should have elective powers, do you mean that you think the functions of a municipality should be carried out for the benefit of the public as a whole?—Yes, for the municipality as a whole.

5541. You mean that the decision should be by the majority?—Yes.

5542. That is a principle that appeals to you in this country?—Well, I think so; it applies everywhere I think.

5543. (*Mr. Dutt.*) You have proposed a fresh system of election for the creation of Advisory Boards?—Yes.

5544. You do not think that if *taluk* Boards and municipalities were asked to name members of the Advisory Board that would be sufficient?—Tentatively it might answer, but then I should prefer that the elected members of these Boards should elect the members of the Advisory Councils.

5545. The elected members of the *taluk* Boards and the municipalities might name the members of the Advisory Board?—No members of the *taluk* Boards in this province are elected now, although the law says that two-thirds may be elected; but it requires the sanction of the Executive Government, and the Executive Government has not chosen to give that sanction yet.

5546. With regard to municipalities and District Boards, they have practical independence in their work?—I cannot say that they have.

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5547. Would you propose that the budget of these bodies should go up to Government for revision and sanction?—The Government should not interfere with the budget; that is the life of these Boards; and as an alternative it might be discussed in the local Legislative Council; after a resolution is passed that resolution might be given effect to.

5548. You propose that the budget should be prepared and then it should be sent up for instruction?—Instruction and criticism, to be made use of afterwards.

5549. But you would not give the Government any power to make any alterations in the budget?—No.

5550. You yourself have been a member of the Legislative Council?—I was.

5551. You are aware that the provincial budgets have to go up to the Imperial Government for their sanction?—Yes.

5552. And the Imperial Government have the power of making any alteration?—Yes.

5553. You would not give the provincial Government the same power with regard to municipalities and District Boards?—I would give that power to the provincial Government, which is now subordinate to the Government of India, if the provincial Governments were made independent, and the Government of India was only the national head of all the provinces with some definite limited powers. At present the Madras Government is subordinate to the Indian Government; in fact, under an old statute the Government of India can suspend the Madras Government altogether; therefore the relationship between the Government of India and the provincial Governments is different from the theoretical relationship between the provincial Government and Local Boards.

5554. Under existing circumstances would you allow the provincial Government power to alter the budgets of the municipalities and District Boards?—I would not.

5555. (*Sir Frederic Lely.*) You suggested that the attendance at the Advisory Council should be compulsory?—Yes.

5556. You do not propose to compel attendance by any other means than removal from the list for non-attendance?—That is all; but I may say that in the old regulations in Madras under the East India Company relating to panchayats, non-attendance was punished by a fine. There were regulations to that effect in 1816.

5557. The Council is to consider among other things the suspension and remission of land revenue and the failure of crops?—Yes.

5558. Is not that rather like giving the debtors of an estate power to decide whether they shall pay their debts or not?—But that is in conference with the Collector; he can override them if he likes.

5559. You think that it would be useful to the Collector to have placed before him the views of this Council?—Yes; the Collector could consider the advice of the Council and then come to a conclusion; the Collector might take part in the discussion.

5560. You would allow the Collector to be there and to join in the discussion?—Yes; I would allow the Collector, without being a member, to join in the discussion.

5561. Other officials might be present also?—Yes.

5562. Suppose a municipality levied a transit duty; would you give the Government power to interfere?—If it is legal, I would not give the Government power to interfere in any tax.

5563. Not even a duty which would operate as a transit duty and obstruct the trade of the country?—If it did, they could alter the law.

5564. But without altering the law, suppose a municipality imposes a heavy *octroi* duty; would you give a municipality the power to do that?—Speaking personally for myself, I am very much against *octroi* duties, but if the law allows them, I

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would not object to a municipality having the power to impose such duties.

5565. I am asking you whether you think the law should allow it or not?—I think the law should not allow it.

5566. Suppose one of your municipalities passed a rule of taxation imposing an *octroi* duty upon, say, goods in transit, without providing for a refund on any goods; would you enable Government to interfere to stop that?—Not if it was legal.

5567. Suppose there was a small colony of brick-makers in a town who had their kilns with hereditary rights in a certain position, and the municipality proposed to eject them; would you give them a right of appeal?—No.

5568. They would simply have to submit?—They have their own representatives and they can make themselves felt; I do not believe in hereditary right to carry on offensive trades and to poison people.

(*The witness withdrew.*)

M. R. Ry. P. KESAVA PILLAI was called and examined.

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5569. (*Chairman.*) Have you any practical experience of government in India?—Yes, as a District Board member since 1884 and *taluk* Board member at Gooty.

5570. I think you have heard most of the evidence given to-day?—I heard the last witness.

I am in favour of allowing the delegation of powers to grant dry remissions. They are now very much hampered by the Board and the Government.

The Forest Member of the Board of Revenue is not sufficiently strong. Adequate weight is not given to his views by Government, when the department opposes them. The Department looks to the revenue to justify its own existence and has no sympathy for the people.

District Officers have sufficient opportunities for personal contact with the people. But they do not avail themselves of the opportunities. They seem to labour under the impression that they know much better of the people and their grievances than the people themselves, and they are apparently afraid that by coming in contact with the people their dignity will suffer and that they may fall victims to interested representations. The people themselves feel the aloofness and unapproachableness of the Collector, and would not venture to acquaint him with the trend of public feeling or with the working of public measures.

I do not think the European Executive Officers possess sufficient knowledge of vernaculars, but, though a knowledge of vernaculars is desirable, it is not so essential for kind, sympathetic, and proper administration, as they have *interpreters*, and as people can choose spokesmen, who know English. It is on their anxiety to understand the people's point of view and their feeling of sympathy that the success of administration would depend.

The Government is not bestowing much anxious thought in the selection of Collectors. It is a standing complaint, that when some Collector is good and sympathetic to the people he is made a District Judge.

A Collector is interested in convictions in forest, abkari, and such other cases, so much so that he sends out circulars about the way in which forest and abkari cases should be dealt with. Magistrates think it expedient to subordinate justice to what they think departmental interest.

The system of Bench Magistrates may be extended and may be given larger powers. They will be of real help to the committing Magistrates in the preliminary enquiry of register cases. Their knowledge and experience of local conditions will be of utmost value to the Magistrates, and will ensure public confidence and public safety. The jury system should be introduced in the trial of at least murder cases by Sessions Judges.

The only effective and wholesome method to interest the people in the administration, and to make them feel for the stability and continuance of the British rule, is to restore the old panchayat system or some sort of village autonomy, with some modifications, if necessary, to suit the present conditions. As it is, the village is almost disorganised. The village *taliari* or watchman behaves as if he were the master of villagers. The low paid village munsiff, who is magistrate, civil judge, and revenue collector, rolled into one, feels that he is in no way responsible to the elders and the common people of the village. He is a miniature autocrat, working to gain the favour of policemen or revenue officials in a distant station.

Co-operative credit societies are now started by Government, where villagers are elected as directors. If they can manage banking themselves under sympathetic guidance and instructions, they can be trusted not to have been so thoroughly demoralised as to have lost the co-operative spirit of their ancestors.

It is quite possible, and it is of the most vital importance to the well-being of the people and to the interest of good government, to revive the panchayat system, with powers over educational, sanitation, police, "village forests," and other communal matters, pertaining to the villages concerned. Just as they have a village, or a group of villages and hamlets, under a village officer and village accountant, a panchayat can be formed for the village, or villages, by the appointment of the village munsiff and the village accountant and by the election of a number of villagers to sit on it. The provisions were made in the Local Board's Act of 1884, for members to be elected by taxpayers even to the union panchayats; but this good intention of the Government was never translated into action. This admitted principle should be acted upon to form these popular institutions in the villages. Such a body, periodically elected, will infuse new life into the villagers and make them alive to their duty and responsibility for the detection and suppression of crime, for sanitation, for the preservation of trees and *topes* near the villages (which have been disappearing, after the Forest Department have laid their hands on them for sale, without replacing them by new plantations), for protecting people from starvation in famine times, and in short for hearty co-operation with the Government in their aims and administration. Panchayats may not come up to expectations for some time, but panchayats, if sympathetically encouraged, will just like in any other country evolve, through struggles and experiences, into self-respecting, useful and loyal institutions.

The Forest Department may protest against the placing of any forest area in the hands of the villagers. It is the working of the Forest Laws and Rules more than any other department that affects the people in the necessaries of life, and that creates misery and dissatisfaction even in the most ignorant mind. The department have appropriated village pastures and reserved even barren rocks and useless wastes, in some places to the very confines of the villages, wherever they could find a square mile of waste land. There are no arrangements made "for the special appropriation for the use of villages of parts of forest lands, *on which inhabitants can pasture cattle and cut wood free of charge*, subject to certain conditions, designed to prevent the forest from being completely extirpated."

Civil and criminal work, if entrusted to the panchayats within a certain limit, will be better administered and the people will be better satisfied, and litigation in courts, and its consequent demoralizing influences, will be less, promoting clean life among the people. When these panchayats are established, it will be easier to establish Local Boards, on a satisfactory basis.

The inefficiency of the Local Boards complained of, is due to their constitution and management. The Local Boards' Act of 1884 provided for establishing union panchayats on a partly elective basis, *taluk* Boards with two-thirds of their members elected, and District Boards with three-fourths of their members elected; and also it permitted the election of Presidents and Vice-Presidents to both the District and *taluk* Boards. But the Government ignored the provisions, perhaps for want of

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sufficient faith in the capacity of the people, and adhered to the nomination system under the Presidentship of Collectors and Deputy Collectors. The nomination of members to the Boards practically rests with tahsildars and Deputy Collectors; and the Collector, with little or no knowledge of the people, appoints them, and sends up the names for formal approval. When members are reappointed, the Collector does not require even the formal approval of the Government. The Collectors and Deputy Collectors are also *ex-officio* Presidents of the District and *taluk* Boards respectively. What power, and what influence, can these nominated members exercise in the presence of the Collector and the Deputy Collector who could make and unmake the members? If the constitutions of these public bodies be changed, and Presidents and Vice-Presidents appointed by election, then they will be free to exercise powers to the public satisfaction, and to give wholesome advice and valuable help to the Executive Officers of the district on many public questions.

The Boards as they now exist may with advantage to the people's reputation be abolished; and the Collectors may then feel more responsible for the proper selection of Local Fund Engineers and other servants of the Board, and to watch with interest the expenditure of the Local Funds.

These bodies should be established upon a popular basis and should have the power of establishing agricultural farms, promoting technical education, dealing with the location of liquor and toddy shops, and advising the executive authorities on the difficulty of any religious feuds, on the famine questions affecting the raiyats, and all general administrative problems. No separate advisory body is then necessary. When Collectors have to take the advice of the Boards or seek their help, they may be present at the Board's meetings and hear the discussion, guiding them with necessary information. If a separate advisory body, consisting of perhaps nominated members, exists, it will not be of much value, for the discussion will not be free and frank in the presence of the Collector.

5571. Are you in favour of giving the Collector power to grant remissions in case of dry crops?—Yes.

5572. Would you limit that power by any fixed sum, or would you allow him to go up to any sum he likes?—As large as might be necessary.

5573. You are of opinion that the forest administration is not always in touch with the needs of the people?—Not at all.

5574. I gather that that is principally due to the fact that reservations are made of lands which are not really forest?—Yes. Many of the so-called reservations are all barren rocks and unproductive soil near the villages

5575. Who has the power to declare a particular piece of land a forest reservation?—The forest officer recommends to the Collector, and the Collector makes a recommendation to the Government, and the Government declares.

5576. Is the forest officer as a rule constantly moving about among the villagers in his circle?—He does move as far as the reserve goes, but he has nothing to do with the people.

5577. He moves about?—Yes.

5578. Suppose he declares a piece of land to be reservation, would he have gone and looked at it first of all?—He is supposed to have looked at it.

5579. When he declares a piece of land to be reservation, before he recommends it to the Collector for reservation, does the forest officer see it personally?—He is supposed to have seen it; I cannot say that he does.

5580. Do you know any case in which he has not done it?—No, I cannot say that I do.

5581. Are the forest officers as a rule capable of speaking the vernacular?—Yes, there are only two who came from the north of India, who were not able to speak the vernacular.

5582. Therefore, as a class, you would say they are able to get the opinion of the people who live in the forest areas?—They are able to get it, but they do not.

5583. Having got it, do they disregard it?—I do not think they ask for it at all.

5584. With regard to the District Officers you say that they do not avail themselves of their opportunities of mixing with the people freely?—No, they do not.

5585. Is that partly because of different racial ways of looking at things?—So far as the raiyats are concerned, I do not think that racial feeling exists with the Collectors; Collectors do go to the villages, but they do not seem to think that the people ought to be consulted or be mixed with.

5586. Do they talk as a rule with the local gentry or men of influence?—No; they talk to the officials, especially the Deputy Collectors and tahsildars.

5587. And to the revenue inspectors?—No; they stand at a distance.

5588. The Collector goes nearly every year to every division?—Yes.

5589. Therefore he sees at all events all the officials?—He sees the officials.

5590. And he would have an opportunity of seeing all the native gentlemen?—If he liked.

5591. But he does not like?—He does not.

5592. Can he speak to them in their own language as a rule?—Some of them can talk the vernacular.

5593. And some of them cannot?—Very few cannot.

5594. Have you ever known any who could not?—I have known one, who was not able to speak the language of the district, which was Telugu, but he knew Tamil.

5595. That is a very undesirable state of things?—Certainly, but he was a very sympathetic Collector.

5596. You wish to see the system of village panchayats restored?—Very much.

5597. That will be, you think, a great advantage to the villagers?—It will be a great advantage; I think the people will then begin to be a people.

5598. And there would be no difficulty, in each of the villages, in getting a proper number of persons to serve on the panchayat?—No. They have not found any difficulty in starting co-operative societies where the members are elected for two years.

5599. They manage a sort of co-operative bank, and therefore they ought to be able to look after the village well?—Yes.

5600. Capacity which breaks out in one direction will break out in another?—Yes; and banking is the more important business.

5601. Then with regard to the District Boards; do you think that they should be abolished as one or two witnesses have told us?—No, I do not think so.

5602. You think that that would be a very unwise proceeding?—Yes, because it is a body that unites the whole district.

5603. Do you think, as they are now constituted, that they represent pretty well the opinion of the district?—No.

5604. What class of opinion do you think is wanting?—The nomination itself is at fault.

5605. Is a right class of member nominated?—The majority of them are nominated by the tahsildars.

5606. By whom were you nominated?—I was nominated by the Collector, that was in 1884, and afterwards elected by the *taluk* Board. I was nominated to the *taluk* Board by one Collector, and I was put out by another Collector.

5607. And then renominated?—Another Collector came and put me in.

5608. Of course in your case that was a wise choice; I daresay he makes the same wise choice

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in regard to other people?—He cannot know all the people; there are 24 members to be nominated. I would not be free to talk in the presence of a Collector; I am only a nominated member; we feel sometimes diffidence in speaking out, especially when the Collector himself sits; and besides him, there are members who are officials themselves—the tahsildars and so on.

5609. We had a witness who told us that, as a Divisional Officer, he had been out-voted by the *taluk* Board, and had followed their advice, as he thought, wisely?—Sometimes you get an officer like that; we have had one or two who were very kind and invited us to give our advice and heard us and met us at garden parties and so on, but that is not common.

5610. In those cases you had no hesitation in expressing your real opinions?—We had no hesitation, because we knew the officers to be very sympathetic and good men; they would not take our advice amiss.

5611. You tendered it freely and it was accepted?—That is so.

5612. But that is not the general practice and you would like a greater freedom?—Certainly.

5613. And you think that that freedom would be of advantage to the people of the locality?—To the people, and even to the Government service.

5614. Would you increase the number of members of the District Board?—Not necessarily; we have 24 members on our District Board; ours is a small district; other districts may require more.

5615. Taking one district with another you would not increase the number of members of existing District Boards?—We might increase the number perhaps in order to give a larger scope for election.

5616. Are the *taluk* Boards large enough?—We have 12 members; there are some Boards that have more; we might perhaps have more.

5617. If the *taluk* Boards and the District Boards were improved in the way you suggest, would it be necessary in your opinion to have an Advisory Council?—No, not at all; if they are elected bodies with powers added, that is quite enough; there is no necessity for other Boards.

5618. And if they are not elected Boards?—I do not think it would be of any use.

5619. Therefore an Advisory Board nominated by the Collector or nominated by the Government or by the Divisional Officers, in your judgment would not be of any use?—Not at all.

5620. It would be of no greater use than the existing District Board and *taluk* Board?—No.

5621. (*Mr. Hichens.*) How would you propose to provide the funds for the panchayats? You suggest that they should have certain functions; sanitation, I suppose, would be one, and there would be various other things that they could do, which would cost money?—Certain items might be provided for from the Government funds, and if the panchayats were given power they might be asked to levy some small tax for sanitation; but as for education and other purposes the local funds would have to provide them.

5622. You suggest for one thing that they should have a grant from the District Board funds?—Yes.

5623. And then from provincial funds?—Yes.

5624. I suppose you would agree that that should be allotted to you through the District Board?—Yes.

5625. Then, they should have special powers of taxation in the shape of a house tax?—Just like in any other union.

5626. We have been told that the reason why the village unions were unpopular was that this house tax was levied there?—To some extent that is so, but when people are given power and they see the advantage of spending the money themselves they will not mind paying some tax.

5627. Do you not think that village unions see that to-day?—No; they are nominated members; somebody does the work, they do not know who; they are quite in darkness about it; the villagers do not see it at all.

5628. Then if they were not nominated they would be perfectly contented?—No nominated body would be of any use; if they are elected, they would see the benefit of these things.

5629. That is why the house tax is unpopular in the village unions to-day?—To some extent because they do not see the benefit and have no voice in spending the money.

5630. What other reason would you give why the village union is inefficient?—Because they are nominated members.

5631. Nothing else?—No.

5632. But you would maintain the village union—you would not abolish it?—If we had the elected panchayats the unions might be abolished, because they would be performing the same functions.

5633. I was told by some witness that the village union was half-way between a panchayat and a local municipality; that is to say it was a large village?—It is something like that.

5634. What you would say is that you do not want an intermediate authority, but that some should be made into panchayats and some into municipalities?—I have not said anything about municipalities.

5635. I understood you to say that these village unions are large villages?—Yes.

5636. Could you convert them into panchayats?—They could be converted into panchayats, but they need not be called municipalities at all. The present unions are subject to the *taluk* Boards, and have nothing to do with municipalities. When you abolish the union and have elected panchayats, it will be the same thing.

5637. You would make these village unions panchayats?—Yes.

5638. Could you tell me the size of your district?—About 5,600 square miles.

5639. How often does the District Board meet?—Once in a month as a rule, but sometimes we meet occasionally to decide the budget.

5640. Can you tell me roughly what the average attendance is at each monthly meeting?—About ten.

5641. Do you find that the members living a long way off the place of meeting attend regularly?—They do attend; it is more the officials who do not attend; generally they are absent.

5642. You are also a member of the *taluk* Board?—Yes.

5643. How many members of your District Board are members of your *taluk* Board?—Four members are elected to the District Board by the *taluk* Board.

5644. You do not think that the District Board does the work of the *taluk* Board over again?—It has got a good deal of control of the finances at budget time.

5645. Is that control beneficial?—I cannot say that it is so always.

5646. Sometimes it is beneficial and sometimes not?—There is a contribution made to our fund; the District Board gives a contribution to make up our deficiency in expenditure; in that way it is beneficial.

5647. How is the cess raised?—It is a local cess raised upon fishing rights and tolls and so forth.

5648. Is the main source of income the land cess?—Yes, that is the main source.

5649. A certain portion of that goes to the *taluk* Board direct?—Half the land tax goes to the *taluk* Board.

5650. And the other half?—To the District Board fund.

5651. And they distribute that?—They reserve a fund for themselves for roads, vaccination and some other items; the rest is distributed among the three *taluk* Boards.

5652. Do you think that their discretion with regard to the use of that money is wise?—Yes.

5653. It is better than giving the whole sum to the *taluk* Boards?—Well, it might be better for the locality but not for the district; in some *taluks* they have got very little funds.

5654. (*Mr. Dutt.*) And you think it fair in those cases that the neighbouring *taluk* should contribute something?—On the whole I should think it fair, for the benefit of the whole district.

5655. I did not quite understand what you said as regards the distribution of money. The whole land cess realised in a district is allotted to that district?—The whole cess belongs to the district; there are three *taluk* Boards in the district, and the distribution is made among them.

5656. The members of the *taluk* Board could be elected, could they not, under the Act?—Yes, that is the provision that was made in 1884; two-thirds of the members may be elected. But that has not been done.

5657. Could you make any suggestions besides your suggestion of election which would improve the work of the *taluk* Boards or that of the District Board?—I think that the *taluk* Boards might be given power in regard to plague and excise and other matters; they are not consulted in these matters, although their money is spent.

5658. Do you think it would be a good way to distribute work among members of the District Board by the formation of sub-committees?—Yes; power is given by the Act to do that, but it is not done.

5659. Do you think members would take more interest in the work if they were made to do their work in that way?—Yes, provided they are elected members.

5660. At present who does the work of the District Board?—The President does it.

5661. Who prepares the budget?—The President.

5662. Who appoints all the officers?—The President.

5663. You think that if the District Boards were made more useful, in accordance with your proposal, the District Board would be able to give any advice that the Collector requires without the creation of an Advisory Board?—Certainly; there would be no need of an additional Board.

5664. Could that be done under an executive order or would a fresh Act of legislation be necessary?—There must be an Act.

5665. Why would an Act be necessary?—The people would feel that they had some real power and responsibility.

5666. Under the present Act, would the Collector have the power to convene a meeting of the District Board simply to take advice about administrative matters?—I do not think so, except for the purposes of the Act.

5667. So that if the advice of members was necessary in other matters, and the Collector wanted to get them together, he could not proceed under this Act, and a fresh Act would be necessary?—Certainly.

5668. (*Mr. Meyer.*) Is it not the case that before a forest is finally reserved a full inquiry is held as to any rights possessed by persons in that area?—That is published in the *Gazette*.

5669. It is required by law?—Yes, and it is published in the *Gazette*, but the raiyats do not hear of it; they hear of it when the reservation is made.

5670. Still, the law and the regulations have provided this machinery?—Yes, but in practice it does not work.

5671. You spoke about the Collectors seeing only officials in the course of their tours. Have you known instances of officials refusing to see native gentlemen who desired to interview them?—They do not practically refuse.

5672. Speaking generally I mean?—Well, I do not know, but the treatment is such that no non-official with self-respect would go.

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5673. Do you mean that the Collector is discourteous to you if you go to see him?—I should think so; he is so cold that people do not go again; once they have gone they do not go again.

5674. You say he is "cold"; he is not effusive perhaps, but does he treat you with rudeness?—Well, one is treated in such a way that one is not tempted to go again. There are some good Collectors; what I am saying now does not apply to all.

5675. I am speaking of the generality?—With the generality the reception is such that one who has had the experience would not go again.

5676. Would you not have the opportunity of saying anything you wanted to say and representing anything you wanted to represent?—No. With some gentlemen when you go to see them you are emboldened to speak out, but in other cases the reception is such that people would rather shrink from going again.

5677. Have you had anything to do with Indian Collectors?—Yes.

5678. Do you apply that to them too?—No.

5679. They are sympathetic?—They are sympathetic, and I am glad to say that some European gentlemen also are like that, but the generality of Europeans are not.

5680. How many Indian Collectors have you known?—I have known two Indian Collectors who were good; there was one Indian Collector—no Indian would approach him.

5681. Out of three you have found two that were good and one unapproachable?—Yes.

5682. You say that an elected member of a District Board or a *taluk* Board can express his views freely, but a nominated member cannot; he regards himself as a slave of the Collector?—I will not say slave; he is under an obligation as it were.

5683. You sit in a dual capacity; you are an elected member of the District Board and you are a nominated member of the *taluk* Board. Are we to take it that you speak your views freely in the District Board and that you are afraid to speak them in the *taluk* Board?—Well, I am a nominated member by the Collector in the *taluk* Board; it is the Collector who nominated me on the *taluk* Board.

5684. On the recommendation of whom?—I was not recommended by anybody.

5685. Therefore you consider yourself under no obligation to the Divisional Officer?—I do not know.

5686. You can speak your mind freely?—I think I can speak my mind freely, because I am the nominee of the Collector.

5687. Is not any member of the District Board who is nominated appointed by the Government?—The Government knows nothing about it; the name is sent up and it is gazetted; it does appear in the name of the Government, but it is the Collector who makes the nomination.

5688. The term of office in the *taluk* Board is three years?—Yes.

5689. Then you have been re-appointed repeatedly?—No, I was not re-appointed, because it was thought that I was a little bit troublesome.

5690. But several times you were re-appointed?—Yes.

5691. By different Collectors?—By different Collectors—by one Collector for nearly ten years.

5692. Although you had spoken your mind freely on the District Board to that same Collector, he did not resent your plain speaking?—No.

5693. He rather liked it?—He liked it, and he encouraged me to take interest in matters.

5694. You say that for a Local Board to be any good whatever, all the members must be elected?—Yes.

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5695. By what sort of electorate—by the whole people or a certain class of the people?—I suggest an election from the panchayat; there will be seven or eight of the panchayat class in each village or big group of villages, and they would all elect members to the *taluk* Board; that would be the electorate I would suggest.

5696. Would the *taluk* Board elect to the District Board?—Yes.

5697. Have you any municipal experience?—No.

5698. Does the District Board always sit at the district headquarters?—Sometimes in *mufassal* stations; it depends on the Collector's pleasure.

5699. (*Chairman.*) What is your profession?—I am a pleader—a vakil—but I am a villager born, bred up in a village, and my people are all raiyats; I come from a hereditary family of village officers.

(*The witness withdrew.*)

Mr. P. S. SIVASWAMI AIYER was called and examined.

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5700. (*Chairman.*) You are Officiating Advocate General for the Presidency of Madras?—Yes.

5701. You have been I understand something like 20 years in practice as a vakil?—Something over 20 years.

5702. And you have been in the Legislative Council since May 1904?—Yes.

5703. Do you think that the right of appeal should be curtailed or not?—I think the right of appeal whether to the Government of India or to the Local Government should not be curtailed, whether in respect of administrative action, or in respect of any orders affecting officers of Government personally. I do not think it desirable to impose the condition, with regard to such appeals, that unless accompanied by a certificate, the appeal should not be entertained. The result of imposing such a restriction would be this, that except in cases in which the officer against whose order the appeal is made feels a doubt, there will be practically no appeal; it is the frailty of many minds, even of official minds, not to entertain doubts as to the correctness of the orders they have passed. It would be very unwise in my opinion to restrict the right of appeal only to cases in which the officer against whom the appeal is made feels a doubt; because although he may not feel any doubt, he may be absolutely wrong, and it would be very unpopular to restrict the right of appeal. Officers aggrieved by orders affecting them, and people aggrieved by administrative actions affecting them, would generally be anxious to secure justice at the hands of the higher authorities, if they could not secure justice at the hands of the local officials.

5704. What do you say as to the opportunities which Executive Officers have for personal contact with the people?—I do not think there is any lack of opportunity; but they do not make sufficient use of their opportunities to obtain personal contact with the people. The chief obstacles seem to me to be, the ignorance of the vernaculars on the part of the officers concerned, and the disinclination on their part to learn the vernaculars and to come in personal contact with the people.

5705. Do you find that there is an increasing disinclination on the part of Divisional Officers and Collectors to become acquainted with the vernacular languages?—In view of the fact that English education is spreading in the country, officers are likely to think that it is unnecessary for them to learn the vernaculars themselves, because there may be people acquainted with English who can act as interpreters.

5706. As a matter of fact is there in every village or even in every group of villages, someone who can talk English?—I do not think it can be said that in every village there are people who know English. Mr. Bradley, the Chief Secretary, made the statement that in every village there were people who knew English, and that it was therefore unnecessary for the officers to learn the vernacular. I do not agree with him. There are several villages where there are no people who possess a knowledge of English, and even if there should be some people who possess a knowledge of English, it is eminently desirable and necessary that the officers themselves should be able to converse directly with the people.

5707. You know the whole Presidency pretty well?—I have gone over several districts; I cannot say that I know the whole Presidency.

5708. Where is your present home?—In Madras; I am a native of the Tanjore district.

5709. Have you been living in Madras a long time?—For the last 27 years.

5710. So you would hardly claim to know the country districts well?—I do not lay claim to the same intimate knowledge of the districts that a person resident in the *mufassal* would be entitled to claim, but I have come into contact with the people in the *mufassal*; I have often to go to the *mufassal*, and people in the *mufassal* come to me.

5711. Would that experience of yours enable you to say whether or not the people in the country villages did or did not know English?—I should think so, as regards the places I have visited.

5712. Do you think that it is a growing tendency, then, on the part of the district officials to consider the study of the vernaculars unnecessary?—I cannot say whether the tendency is growing or not.

5713. It is regrettable at all events?—Yes. Another feeling which I think may be noticed is, that many officials consider it *infra dig* to talk in the vernacular; they prefer to speak in English.

5714. That is, the subordinate officials, the tahsildars?—No, they would rather speak in the vernacular with the people; I mean the English officials.

5715. The English officials think it *infra dig* to talk in the vernacular?—I think so.

5716. Have you known such cases in your experience?—They seldom talk in the vernacular.

5717. Not to you?—Nor to other people too, so far as I have seen.

5718. In the *mufassal*?—Yes. There are some officials who have a good knowledge of the vernaculars.

5719. Is this your own experience or what you have been told?—What I have seen and what I have heard.

5720. But you have been practising chiefly in Madras?—Yes, but I have been visiting the *mufassal*, and that is what I have seen, and what I have also heard people say.

5721. Have you been in company with any District Officer when he has been visiting and noticed that he has not talked in the vernacular?—I cannot say that I call to mind any instance of a particular official who had to talk to the people and did not speak in the vernacular.

5722. Therefore it is hearsay evidence, rather—people have told you that there is that tendency?—But I have never seen any European officers talking in the vernacular to the people.

5723. Have you been in company with many European officers in the *mufassal*?—I have sometimes travelled with them in the train, and I have sometimes called on them.

5724. Would it be easy to increase the knowledge of the vernacular on the part of European officers?—I think it would be possible by making the examination in the vernaculars more severe, and by asking officers to keep a diary and to make a note of the persons with whom they had had interviews, and make a report once every quarter or so as may be desirable.

5725. Is there any possibility of greater social intercourse between the Divisional Officers and the people—the local gentry and so on?—I do not see why it should be supposed that there is any insuperable obstacle to any increased social intercourse; all that is wanted is a little more sympathy on the part of the officials.

5726. Is there much such intercourse now?—I do not think there is much social intercourse to speak of now.

5727. Is that less or more than it used to be in former days?—I do not think it can be said to have been growing.

5728. Has it been decreasing?—No, I think not.

5729. It is about the same?—About the same.

5730. Would the grant of larger powers to Commissioners, Collectors, and other local authorities require greater care in their selection?—I do not think it is necessary to grant larger powers; the powers with which they are now entrusted are sufficiently large to require, and ensure, the greatest possible care in their selection.

5731. Suppose larger powers are granted, ought not greater care to be taken in the selection of these officers?—I suppose, in the abstract, yes.

5732. Is greater administrative power for the Collector necessary?—I understood the question to carry with it the implication that if greater care in the selection of officers was likely to be secured more powers might be entrusted. I am opposed to that implication.

5733. Are the present powers sufficient?—Yes, and sufficient care is exercised in the selection of officers.

5734. You have had no connection with the higher ranks of the Government?—Yes; I have had occasion to come in contact with the Members of Council and the Secretaries of Departments.

5735. But you have had no occasion to come across them administratively?—No.

5736. Have you been a member of either a municipality or a District Board?—No.

5737. Speaking generally, you think there should be some increase of powers to municipalities and District Boards and Local Boards?—As regards the matters of which they can take cognizance, I do not think there is any necessity for any extension of powers; the matters which are entrusted to the care of District Boards and district municipalities are comprehensive enough; they include everything connected with the safety, health and welfare of the inhabitants committed to their charge. The complaint is, not with regard to the matters entrusted to their jurisdiction, but with regard to the mode in which the provincial Government interferes with the exercise of their powers by the District Boards and municipalities. It is often complained that the provincial Government interferes with the action of municipalities and Boards in very petty matters, and that their interference is of a vexatious character. I am not in favour of the view that the provincial Government have no rights of interference at all. I believe in most countries, in England and elsewhere, the Central Government has very considerable rights of interference with the actions of local bodies. Whether the interference is such as to produce friction and complaints or not is, and must be, a question of degree. With regard to the municipalities in this Presidency, there have been complaints that the interference has been too frequent and too vexatious.

5738. That being your view with regard to municipalities and Local Boards and so forth, what have you to say about the revival of the panchayat?—I should be disposed to entrust certain matters to the village authorities; for instance, the control of the village police. This was considered by the Indian Police Commission, and I believe the Government of India are in favour of the recommendation that the village police should be placed under the control of the local authorities. I should like to add, with regard to the disposal of petty criminal and civil cases, that village courts might be encouraged to take cognizance of such cases, and parties might be induced to resort to them. In civil cases the jurisdiction is at present limited to Rs. 20; without the consent of the parties, suits can be filed in village courts only up to the limit of Rs. 20; that might be increased to Rs. 50. In criminal cases they might be asked to try such cases as are disposed of by Bench Magistrates in towns, and Benches might be constituted in villages. I would, however, not introduce them in all villages; I would do it tentatively; I would select certain areas first by way of experiment in the most advanced districts.

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5739. Is there any right of appeal in these Rs. 20 suits at present?—There is no right of appeal. Under the Madras Act I of 1889 there is no right of appeal from the village munsiff, but the party aggrieved may ask the district munsiff to revise the order. This power of revision is much narrower than the power to entertain appeals; it is only if the village munsiff has been guilty of any gross impartiality or corruption or has passed an order which is manifestly unjust or contrary to law, that the district munsiff is appealed to, to set aside the order; in other cases it is final.

5740. (*Mr. Meyer.*) You say that you are not in favour of the restriction of appeals. Is it not the fact that under the Civil Procedure Code, second appeals on questions of fact are, generally speaking, barred; a second appeal may not be entertained on a question of fact, though it may be filed on a point of law?—Yes; second appeals are barred on questions of fact.

5741. And under the Criminal Procedure Code, in certain cases there is no appeal against the decisions of Presidency Magistrates and of First Class Magistrates with summary jurisdiction?—That is so.

5742. Then why should you not have some analogous limitation in regard to administrative appeals?—With regard to administrative appeals, I am not aware that the granting of this right of appeal throws any very large burden upon the appellate authorities; I am not in a position to say what amount of burden it throws upon them; and in the next place an officer who has got to decide a matter, not judicially, but in his executive capacity, is not likely to exercise the same amount of care that a judicial officer is likely to exercise.

5743. Are there not laws or rules for the disposal of these matters generally?—There are rules laid down, and I believe the person aggrieved has generally the opportunity of submitting his explanation; but I do not think that the procedure adopted in the disposal of complaints with regard to administrative action is calculated to ensure the same regard for an exhaustive enquiry as the procedure adopted in judicial matters.

5744. You were speaking of the officers not talking to the people in the vernacular. Have you ever accompanied a Divisional Officer or a Collector in his tours in the villages or on *jamabandi*?—No, I have not accompanied an officer on tour.

5745. You spoke of the lack of social intercourse. Is there complete social intercourse between different classes of the Indian community?—There is very much more social intercourse than there is between English officials and Indians, and though various castes are under restrictions with regard to dining and so on, they have numerous opportunities for social intercourse; they meet each other frequently, and know each other much more intimately than it is possible for English officials to know Indians.

5746. Is it not possible that the failure of European officers to mix more freely with the people is due to pressure of work?—It may be partly due to that, but not wholly.

5747. If their work could be diminished without any damage to the public service, you would be in favour of it?—As your qualification is that there is to be no detriment to the public service, I do not object to any diminution of their work.

5748. To put it in a concrete form, if the amount of reporting work which they have to do on appeals and other matters could expediently be diminished, would not that give officers more

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opportunity to get into personal contact with the people?—It would provide them with opportunity: you can take a horse to the pond but you cannot make him drink.

5749. You are not sure whether they would use the opportunity?—Exactly.

5750. You spoke of undue interference by Government with municipalities. Have you heard of petitions to Government from a minority say of the Municipal Council asking the Government to interfere with orders passed by the majority?—I believe in some matters there have been differences of opinion in municipalities, but the class of cases I am referring to are cases in which the municipalities have made unanimous recommendations, and still the Government have refused to accept them.

5751. Do you know of any cases where a minority have appealed to Government to deliver them from the decision of the majority?—There may have been such cases.

5752. Have you heard of cases in which a Ratepayers' Association, outside the Council, has addressed Government to over-ride some act of the Council?—I cannot recall to mind any instance at present, but I think there have been such instances.

5753. You spoke about the subordination of the police to the village panchayat; is it not the fact in this province that the village policeman is at present already under the control of the village headman?—I believe he is.

5754. You recommend a certain extension of jurisdiction of the village courts, which you think might be made into Bench Courts, in civil and criminal matters, and you say that there should be no option to the people, but that in such cases they must go to the village court?—Yes. One of two courses might be adopted; either the people should be forced to go to those courts without any option, or a concurrent remedy might be allowed; the party might be allowed to go to the munsiff's court, but should be deprived of his costs if he could have gone to the village court and has not availed himself of that remedy.

5755. You would allow people to go to the village munsiff or the district munsiff as they think fit, but subject to some possible deprivation of costs later on?—Yes, so that they might be induced to resort to the village courts.

5756. You spoke of the power of revision which the district munsiff possessed over the decisions of the village munsiff; cannot that power of revision be twisted into a regular exercise of the right of appeal?—It has not been so done.

5757. Your experience is that they seldom interfere unless there is some substantial error?—Yes; applications for revision are very infrequent. As a matter of fact I think that the village courts are getting more popular. For instance the total number of suits filed in 1904-05 was 330,000 odd, and the number of cases in which people resorted to the village courts was 90,000 odd.

5758. Could you give us an idea of the proportion of those 90,000 cases that came up again before the district munsiff?—Those figures are not to be gathered from the Administration Report, but I believe such cases are extremely rare.

5759. (*Sir Steyning Edgerley.*) With regard to appeals, you object to restricting them by the condition that the officer appealed against should certify that there was reasonable ground of appeal, because you say that the officer deciding generally thinks he is right and would not give a certificate of doubt. Would you think it a less objectionable proposal not to allow a second appeal except upon a certificate from the first court of appeal?—I would not propose any restrictions, for the reason that administrative proceedings are not conducted with the same formality as judicial proceedings.

5760. But you have got a concurrent opinion as to facts for instance by an independent officer?—True.

5761. You seem to think that the certificate involves a doubt as to the facts. Suppose there was any administrative *darkhast* petition or something of that kind, and suppose the facts were absolutely clear, but that they involved a question of principle; if they do not involve a question of principle would it be possible to say "There is no question of principle involved, the facts are clear, and you cannot have an appeal," or you might say "The facts are clear but there is a question of principle, and you can go on." After the first appeal, would you think that a dangerous limitation?—I believe cases have not been infrequent in which the highest authorities have sometimes interfered and rectified a blunder.

5762. There is some certificate of that sort required before an appeal goes to the Privy Council?—I think that is so.

5763. That is the sort of certificate I was thinking of.—A certificate that there is a substantial question of law involved, where the findings of the courts below are concurrent?

5764. When you have the concurrence of two courts, should there not be some restriction, rather than that appeal should go on indefinitely?—I am averse to imposing any restriction, and I think it would not be a very popular measure.

5765. Now you say that as regards Local Boards and municipalities the provincial Government ought to have a right to interfere, but you think it is carried to too great an extent?—Yes.

5766. When you have given an authority a right to interfere, can you suggest any adequate limitation as to how far they shall exercise that right?—You mean, any limitation which can be expressed in the shape of general rules?

5767. Yes.—It may be a matter of difficulty.

5768. Is it not a matter of very great difficulty?—I confess it would be.

5769. For instance, we all know that the Government of India and the Secretary of State have a statutory right of control over the provincial Governments; the great difficulty in all these matters is how it is exercised. Can you suggest any sort of principle upon which the limitation of the right should be based?—Suppose the District Board of a particular district recommends an increase of salary to an official, say from Rs. 200 to Rs. 500; that would be a matter I think in which the provincial Government might be justified in interfering; but suppose a District Board recommended an increase of salary to a peon of one rupee, I do not see why that should be interfered with.

5770. The only principle you can suggest is, a self-denying ordinance on the part of the superior officer?—It comes to that. I am unable to suggest any definite rule.

5771. You said that these panchayats would have to be experimental to start with?—Yes.

5772. There would probably have to be some legislation to give them gradually the powers that you think they might exercise in course of time?—Yes. For instance, with regard to the disposal of criminal cases; under the existing legislation they can dispose of only very trivial cases.

5773. Are you not the Government draftsman: you draft all the Acts for the Local Government at present?—Not necessarily. If I am asked to do it, I have to do it, but very often the Bills introduced by the Government are drawn up in the office in the Secretariat and they are afterwards brought up; I have to assist the Government in any drafting work they may ask me to do.

5774. You revise the Bills?—Yes.

5775. So that you have a certain amount of knowledge of drafting work and legislative structure and so on?—I suppose I have.

5776. Suppose these panchayats were to be invested with authority and the procedure had to be experimental; would you proceed by direct legislation, fixing a scheme before you come into Council, or would you proceed by an Act which gave you wide powers of making rules?—I should have no objection to passing an Act which would empower the Local Government to frame rules and to confer such powers as they may think necessary upon the village panchayats.

5777. That is practically what is sometimes called giving a blank cheque to the Executive?—In this matter I do not mind.

5778. You would get the freedom of experiment, and you think that that freedom of experiment would be worth the cost of giving a little undue power, against general principles, to the Executive?—Yes, in this matter.

5779. Therefore you think that giving a blank cheque, as I call it, to the Executive in any matter is not a question of abstract principle but one of expediency?—Even the highest principles are questions of expediency.

5780. I suppose you could give us, with very little difficulty, illustrations of Acts that do confer very wide powers of rule-making on the Executive?—For instance, under the Madras Land Encroachment Act, which was recently passed, powers were given to the provincial Government to frame rules under the Act; another instance is the Municipalities Practices Act. There are many Acts under which powers are given to the provincial Government to frame rules

5781. As a matter of expediency too, there is the Epidemic Diseases Act?—Yes.

5782. There are only two or three clauses in the Act; it gives powers to frame rules?—Yes.

5783. Of course that is a matter of great emergency; I do not say it occurs every day, but when the case is good enough you are not prepared to object to it?—If I may suggest the line of distinction, it would be this. Where the action of the Executive will have the effect of interfering with the liberty or the property of individuals, otherwise than by the instrumentality of the Courts and through judicial machinery, I should be chary of investing the Executive with those powers; but where the Executive is empowered to frame rules which will enable an authority to decide certain matters judicially, I should be less disinclined.

5784. Would your principle apply even to cases where the power would be conferred on an authority which is lower in grade than one that has hitherto exercised it?—Yes, because the legislation which would be passed would be passed expressly for the purpose of empowering the Local Government to invest the village panchayats with power, so that the investiture of such local authorities with certain powers would have been discussed by the Legislature, and would be within the contemplation of the enabling Act.

5785. Suppose an Act has been in operation for seven or eight years, and it has got into general knowledge, and a certain amount of case law has grown up about it. Of course, when it first comes in, it is probably kept strictly under the control either of the Government of India or of the provincial Government; but, as the case law grows up, it becomes entirely unnecessary to go to these possibly distant authorities to get the order, and you may want to alter it and to give the powers to a local authority; as, for instance, in a revenue matter you might say, instead of "to the provincial Government," "to the Board of Revenue," or instead of "to the Government of India" you might say "to the Local Government," as the Act becomes known. Would you do that always by specific legislation, or might you have a general Act permitting delegation in such cases? The point involves no alteration of the principles of the Act, but simply the question who shall give a particular order. Could you do that by a general order or do you think it always ought to be done by specific legislation? It might be done by notification in the *Gazette*. Would you be opposed to a general Act giving them that power or do you think that they ought to specifically legislate?—The question is rather too general for me to answer.

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5786. On the one hand you have the blank cheque objection?—I limit it to the case under discussion.

5787. And on the other side you have the possibility of interminable legislation. I wanted to find out whether you thought the expediency on both sides balanced in that particular case?—I do not think I can give any useful general answer.

5788. (*Sir Frederic Lely.*) It has been suggested that the want of efficient knowledge of the vernaculars may be made up for by the existence in the villages of people who speak English?—I do not think so myself.

5789. Is it the fact that in many villages there are people who can speak English who might act as interpreters?—I do not know that in many villages there are.

5790. But the people themselves would not be satisfied with speaking to the officer through an interpreter?—No.

5791. They would suspect that the interpreter was giving his own colour to what was being said?—And they will be always much more satisfied with the officer if he converses with them directly in their own tongue.

5792. (*Mr. Dutt.*) In administrative and personal cases are the present rights of appeal absolutely unlimited?—I think so.

5793. Are you sure of the fact?—I looked up the Petition Rules this morning, and I did not find any limitations laid down.

5794. If a peon is fined one rupee, has he a right of appeal to the Viceroy?—I cannot say whether in particular cases he has, but I did not notice anything in the rules to restrict the right of appeal.

5795. You said that the disposal of cases by village courts is becoming of long standing, is it your experience that in cases, where there is no right of appeal, memorials are sent up to the higher authority for revision of orders?—Yes.

5796. You said that the disposal of cases by village courts is becoming more popular now than it used to be. Are these cases disposed of by the village munsiff and the village magistrate?—By the village munsiff. I cannot make that statement with regard to the disposal of criminal cases; I gave the figures only with regard to civil cases.

5797. If panchayats are created, would you recommend that the cases which are now tried by the village munsiff should be tried by these panchayats collectively, or would they continue to be tried by the village munsiff?—I think the system of trial by the panchayat would be more likely to be satisfactory to the people.

5798. As regards social intercourse between the officers and the people, do you not think that in spite of the caste system there might be social meetings, afternoon parties and so on, where all people could meet the officers without any restriction?—Of course, there would be restrictions; the caste restrictions will for instance prevent the people from dining with Government officers.

5799. I am not talking of dining but of garden parties, afternoon parties and the like?—There will be no impediment.

5800. And if the officers had more time at their disposal, that you think could be easily arranged?—I think so.

5801. And in that way the officers would have a chance of meeting the people otherwise than as officers in their courts?—Yes.

5802. Do you think the influence of that would be exceedingly wholesome?—Yes.

(*The witness withdrew.*)

Mr. V. G. LYNN was called and examined.

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5803. (*Chairman.*) You appear here on behalf of the Madras Chamber of Commerce?—I do.

The Madras Chamber of Commerce is of opinion that increased financial powers might be given to provincial Governments generally, and that the policy of financial decentralization initiated in 1870 and subsequently developed might be further extended with advantage. At present the revenue from salt is wholly imperial and the Chamber would suggest that a share in the revenue derived under this heading might be made over with advantage to provincial Governments to be expended on irrigation works, roads, and other public improvements.

The Chamber is not prepared to offer an opinion as to whether a more complete separation than at present exists might be effected between local and imperial finance, but whilst approving generally of the principle adopted in 1904 for giving Local Governments a permanent interest instead of a temporary one in the revenues under their control, it considers that the proportions allocated of shared revenues will require adjustment from time to time.

The Chamber is of opinion that for irrigation and works of an allied nature, Local Governments might be given borrowing powers within prescribed limits. To safeguard the issue of imperial loans the issue of local loans might be delayed until after the issue of the annual imperial loans and their allotment made conditional on the loans being placed at say a $\frac{1}{4}$ or $\frac{1}{2}$ per cent. above the minimum rate accepted for the imperial loans.

The Chamber is of opinion that the tendency of both the Imperial and provincial secretariats generally is to regard matters too much from a purely departmental standpoint and that both alike are apt to be dominated by considerations of revenue

The Chamber values the right of appeal to the provincial Government and the Government of India respectively, and would view with disfavour any attempt to curtail their privilege.

The Chamber adhere to the views expressed in its letter to the Government of Madras dated 9th September, 1901, as to the serious undermanning of the general administrative staff in Madras. The areas of the districts in Madras are so vast, and the duties of Collectors so manifold, that they can now only make themselves personally acquainted with the needs of the people by the sacrifice of personal attention to other and not less important work.

The Chamber does not consider that there is any present need for further enlarging the powers or extending the functions of the Madras Port Trust, the matter recently having been gone into at length and the Act amended more or less in deference to the views and wishes of the Madras Mercantile and Trading Communities.

In the opinion of some members of the Chamber it would be an advantage were a branch office of the Department of Commerce and Industry opened at Madras under a special Secretary deputed for that purpose either by the Imperial or Local Government.

In regard to the Imperial Customs Service, the Chamber appreciates the advantages over the old procedure of a trained Service for customs duties for securing continuity and efficiency of administration, and it is of opinion that so long as tariff appeals are subject to the decision of local authorities, whose rulings are binding only on a single province, uniformity of practice and procedure at all ports will be wanting.

Since the meeting of the Chamber I have been enquiring further into the subject of granting borrowing powers to provincial Governments. District Boards have power to borrow for local railways, and I am of opinion that Local Governments might be given similar powers to raise funds for irrigation works, roads, and the like. District Board railway loans have not been a success, but it does not follow that irrigation loans would not be taken up, as railways do not appeal so strongly to the up-country native as irrigation does. I do not advocate Local Governments having borrowing powers in the general sense of the words, but I consider that Local Governments might be empowered to raise funds for local purposes by supplementary issues of Government paper, within defined limits. My suggestion is that after the annual loan has been floated, Local Governments might be empowered to float supplementary issues for specific purposes in supplement of the amounts available from the budget allotments.

The following figures regarding the amount of Government paper held in this Presidency and amounts tendered during recent years will be of interest:—

1898	... ...	771	Lakhs of	rupees.
1899	... ...	753	,,	,,
1900	... ...	772	,,	,,
1901	... ...	732	,,	,,
1902	... ...	700	,,	,,
1903	... ...	720	,,	,,
1904	... ...	713	,,	,,
1905	... ...	735	,,	,,
1906	... ...	750	,,	,,
1907	... ...	764	,,	,,

Of the 764 lakhs held in Madras in 1907, the Bank of Madras and seven others (Native States and Government officials in their official capacity) account for 526 lakhs.

Accepted tenders from Madras for recent loans were as follows:—

	Amount of Loan.		Accepted Tenders.
1902-03	.. $3\frac{1}{4}$	Crores of rupees.	15,000
1903-04	.. 2	,,	25,000
1904-05	.. 3	,,	22,00,000
	(21 lakhs of this allotted to Native States.)		
1905-06	.. $4\frac{1}{2}$	Crores of rupees.	11,400
1906-07	.. $2\frac{1}{2}$	,,	5,62,700

Paper in Madras is chiefly purchased throughout the year in the open market as required.

SALES OF GOVERNMENT PAPER BY THE BANK OF MADRAS.

1902	... ...	58	Lakhs of	rupees.
1903	... ...	26	,,	,,
1904	... ...	49	,,	,,
1905	... ...	33	,,	,,
1906	... ...	86	,,	,,
1907	... ...	61	,,	(11 months).

These figures would appear to indicate that in this Presidency the Local Government would have great difficulty in raising loans, and that the amount raised would not compensate it for the trouble, but a beginning might be made in this direction to divert money now being hoarded, to investments of public utility.

5804. Are you a member of the Legislative Council here?—I am.

5805. And therefore you have some acquaintance, perhaps a good deal, with the working of the provincial Government?—I cannot say that I have a large acquaintance with the working of the provincial Government..

5806. Sufficient to enable you to form a sound opinion upon the particular subject?—I hope so.

5807. With regard to the division of sources of revenue between the provincial and the Imperial Governments, you suggest that salt is a head which might be divided and in which the provincial Government might be given a share?—Yes. The Madras Government takes great credit to itself for its efficient working of the Salt Department, and I think it is generally accepted that in this Presidency a larger revenue from salt is derived than in other provinces. Seeing that a larger revenue is derived, I think that, if the Government of India see their way to further reduce the duty on salt, instead of reducing the duty, it would be advantageous to surrender any excess to the provincial Government for expenditure on irrigation works, roads, and other public improvements.

5808. There are probably other sources of revenue of which Madras as a provincial Government gets a considerable share, but to which she does not contribute in proportion, as she does in the case of salt?—Yes.

5809. As a matter of fact your provincial establishment is now under consideration?—That I cannot say.

5810. Is it not rather a dangerous doctrine that because a source of revenue is excessive in one province therefore the provincial Government should share that source; it might happen with regard to the other revenues that the source might be very short?—The suggestion is broadly that, rather than reduce the revenue on salt any further, unless the Government of India would abolish it altogether, any furthur reduction should be handed over to the provincial Governments for the benefit of irrigation works, roads, and the like.

5811. You suggest that within certain prescribed limits a power of borrowing in the local markets might be given to Local Governments?—The matter was discussed briefly at a recent meeting of the Chamber, and the opinion of the Chamber was that it might with advantage be given. Since the meeting of the Chamber I have enquired further into the subject. District Boards have power to borrow for local railways, and I am of opinion that Local Governments might be given similar powers to raise money for irrigation works, roads, and the like.

5812. In a town like Madras, are there hoards of money which are probably not tapped by the issues of the Government of India?—I think so. There was a case in point about a year ago. There was a certain amount of financial trouble in Madras, and enquiries were made as to the best sources of investing money. In one notable instance, where a native Collector had asked for information as to the best investment for money, he appeared to be utterly ignorant as to what Government Paper was, how its interest was collected, or anything about it. I have given figures as to the small holdings in this Presidency of Government Paper. These figures are against the likelihood of any local loans being floated successfully, but I think it might be tried experimentally.

5813. Would there be a greater likelihood of interest being taken in a local loan among the class who have a small amount to invest than there would be in a Government of India loan?—I think it might be so. The results in regard to district railways have been disappointing, but I think the native mind as a rule is not so much interested in railways as it would be in irrigation works. That is a matter, however, that would have to be tested by experiment.

5814. You would probably recognise that anything which disturbed the Government of India market for rupee loans would be undesirable?—I think so, and I have suggested as a safeguard that it should be made conditional that the allotment of a local loan should be placed at say, a quarter or half per cent. above the minimum rate accepted for Imperial loans. I presume, however, that the Government of India would require their annual Imperial loan to be raised first.

5815. The amounts required to be raised for such local loans would not in any one year amount to a very large sum?—No; 20 or 30 lakhs at the outside, if as much—probably considerably less.

5816. That amount ought to be forthcoming in a town and district of this size and prosperity?—Yes, I think it would be forthcoming, or a large part of it.

5817. Do you suggest that the size of the districts in Madras is far too large and that the duties of the Collectors are too manifold to enable them to make themselves personally acquainted with the people and their needs?—That is the impression of the members of the Chamber.

5818. Many of whom have lived here for a considerable time?—Yes, and some of them have passed a good deal of their life up-country.

5819. And to a certain extent have been adversely influenced by the absence of touch between the officials and the people?—No, I think as a rule they are fairly in touch with the officials.

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5820. To the extent at all events that the size of the district is too big?—Yes, in that sense perhaps.

5821. You say that, as members of the Chamber, you have derived considerable advantage from the personal interviews which have taken place between you and the Head of the Department of Commerce and Industry, the Railway Board, and the Directors-General of the Post Office and Telegraphs?—The last year or two the Head of the Department of Commerce and Industry has had personal interviews with the Chamber, and many matters of interest have been discussed informally. We have also seen the Director-General of the Post Office and also the Director-General of Telegraphs. I think these informal discussions have been of material advantage.

5822. Have these interviews between the Chamber of Commerce and the gentlemen to whom you refer had a stimulating effect upon the local departments?—I think so.

5823. And perhaps they have brought to the notice of the departments matters which had previously escaped their attention?—Yes, probably so.

5824. You would like to see a branch office of the Department of Commerce and Industry opened at Madras?—That was suggested at the meeting of the Chamber. Instances were given in which appeals had been made without effect to the Local Government in connection with the duties levied by the Corporation against the mills, and a suggestion was made that the opening of a local branch of the Department of Commerce and Industry would be beneficial.

5825. That would save a good deal of correspondence going through the provincial Government from you to the Government of India?—Yes, that was the idea.

5826. And to that extent save the time of the provincial Government?—Yes.

5827. Then you suggest that considerably larger powers might be given to the Railway Board. Would that be of assistance to the commercial community here?—I do not know whether it would be so much here as throughout India.

5828. (*Sir Frederic Lely.*) With regard to local loans for local works; you have some knowledge of the *mufassal*?—Not very much; I have been in Madras the whole of my time.

5829. It is suggested that apart from bringing out possible hoards in the district it might stimulate local sentiment to have in a district its own railway and its own loan; do you think there is anything in that?—I think there is.

5830. Quite apart from the greater accessibility of local capital, there would be a possible stimulation of local feeling?—I think that it would have a beneficial effect.

5831. Then what is your opinion as a resident of Madras as to the relations between the Government and the Corporation? Do you think they are satisfactory—more especially in the matter of control?—My own feeling is that in some respects perhaps Government does exercise rather too petty a controlling influence, but on the whole I think the controlling influence is not excessive.

5832. You would not diminish it?—No, I would not; in certain respects I would increase it.

5833. You would retain the appointment of the higher officers in the hands of the Government?—Yes, most certainly.

5834. (*Mr. Dutt.*) With regard to local loans, are you aware of any occasion on which the Government have desired to get the power of borrowing money?—I am not aware of such an occasion.

5835. Is it your proposal that such loans should be raised wholly in connection with particular works like railways?—Yes, with specific objects in view.

5836. Could the Local Government raise those loans on easier terms than if they borrowed the money through the Indian Government?—It would be necessary, I take it, that the Government of India should impose certain restrictions on the

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issue. If they had three crores of rupees to allot in any particular year, they could hardly allow the Local Government to advertise the fact that they were bringing out a loan of half a crore, and if it was known that the Local Government would accept any price, in my opinion it might seriously affect the placing of the imperial loan.

5837. The main advantage, in your opinion, of borrowing locally would be to enlist local sympathy and co-operation?—That is my opinion.

5838. (*Mr. Hichens.*) I understood you to say that if the Madras Chamber of Commerce wanted to correspond with the Department of Commerce and Industry the correspondence would have to go through the provincial Government; is that correct?—No. The Chamber of Commerce has had communications, I cannot say returned to it, but they have been advised that the communications should have been made through the Local Government.

5839. You think the principle should be that you should correspond direct with them?—No, personally I have no objection to correspond through the Government of Madras; in fact I think it is much better to preserve intimate relations with it, and enlist its sympathy if possible. Some members of the Chamber, however, advocate direct correspondence with the Commerce and Industry Department.

5840. You have no objection to raise to the general principle of the present financial settlement, it is only a question of amount?—That is all.

5841. And that may, for all you know, be settled by the present negotiations which are being conducted with the Government of India?—Yes.

5842. You suggest that a certain portion of the salt revenue should be handed over. You take salt, as I understood, because the salt revenue is more efficiently collected in Madras than it is elsewhere?—The reason I took salt was because during the last two years there has been considerable reduction in the salt tax, and if there is greater prosperity during the next two years it is possible that the Government of India may propose further reduction in the salt tax; in my opinion, rather than reduce the salt tax further, it would be preferable that they should make over the surplus revenue to the provincial Government for local improvements.

5843. To how many provinces would that apply?—Throughout India.

5844. How would you distribute it?—That would be a matter for the Government of India to decide; we should all like as much as we could get, and we should probably urge for Madras that we should have the full proportion of the contributions from Madras.

5845. Has the Government of Madras any power to reduce taxation?—Not that I know of.

5846. (*Mr. Meyer.*) The salt revenue is derived either from duty on imported salt or from duty on salt manufactured in this country?—Yes.

5847. The duty on imported salt is all realised in the maritime provinces, is it not?—Yes.

5848. And from there the salt travels up inland, to a certain extent, to other provinces?—Yes.

5849. Similarly as regards salt production: there is a very considerable amount of salt produced in Madras that is exported to Bengal and the Central Provinces?—Some portion of it.

5850. While the duty would be realised in Madras, the actual incidence would fall on the consumer in Bengal, say, to a certain extent?—It would.

5851. Then how could you possibly have any distribution of the salt revenue among the provinces?—It might be distributed in proportion to the consumption. I understand that statistics are preserved of the consumption of salt in the several provinces, and this, in my opinion, would be a very good procedure to adopt in dividing any surplus revenue from salt.

5852. Do you consider those statistics reliable?—That I cannot say.

5853. Anyhow you suggest now that it would be unfair to let it go to each province in proportion to the salt revenue brought into account in the books of that province?—Yes, in the way you put it I think that it would be unfair.

5854. That being so, do you still think that the salt revenue is a suitable one to distribute between the provinces?—I do.

5855. You spoke of the provincial Government borrowing for irrigation works. Are you aware that all productive irrigation works of any importance are already constructed mainly from borrowed funds?—I understand that they are.

5856. The Government of India borrows?—It does.

5857. The Government of India can *ex-hypothesi* borrow more cheaply than a provincial Government could?—In general cases it can.

5858. Then why would you change from a system of cheap borrowing on a large scale to more expensive borrowing on a small scale?—There are cases where it might not suit the Government of India to make the allotments for provincial purposes, where money might be forthcoming provincially.

5859. You think the Government of India might not be able to spare money for a productive work in Madras?—It might be so. The Government of India can borrow more freely perhaps than the Government of Madras, but I cannot say that they are always open to lend money when it is required.

5860. The amount the Government of India can spend on productive irrigation works is of course largely dependent on the amount it can borrow?—I presume that is so.

5861. Is the amount that it is able to borrow in Madras at all large?—From the figures which I have obtained it would appear that the amount that could be borrowed in Madras would be relatively very small.

5862. As matters stand at present, are the Madras contributions to the Government of India loans appreciable?—No, they are inappreciable.

5863. Then if you complain that the Government of India does not give sufficient amounts of borrowed money to Madras irrigation works, to a certain extent it comes to this, that they are to apply money which they have raised in Bengal or Bombay to Madras purposes?—I do not complain that they make too small allotments. The proposal I made was that it might be tried as an experiment, and in order to see whether it was possible to tap money which is at present hoarded.

5864. You do not complain that the Government of India give you an inadequate allotment?—I make no specific complaint: in fact, in recent years I think the Government of India have been particularly liberal. One might instance the case of the Madras Harbour.

5865. That is not an irrigation work?—No, but it is a work of public improvement.

5866. You spoke of a system, if you had these provincial loans, of putting a slightly higher percentage than the minimum rate the Government of India were prepared to allot at. I did not quite understand your meaning. Does the Government of India publish its rate?—The rate is published 24 hours after they have gone to allotment.

5867. The Government of India issues a loan; suppose the tenders were at ludicrously low rates, naturally the Government would not take the money, would it?—No.

5868. It has generally a figure in its mind below which it is not prepared to go, but that figure is confidential and is not divulged; you were not speaking of that figure?—No. I suggested that the allotment should be made at, say, a quarter or a half per cent. above the minimum rate accepted for the imperial loan. Suppose the last loan that was placed was accepted at 97; the Local Government could then only place its loan at Rs. 97¼ or Rs. 97½ according to whichever figure was adopted. This suggestion was made because it was anticipated that, if the powers of borrowing were given to provincial Governments, the operations of the Government of India might be hampered.

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5869. You mean that the Local Government should always borrow at a little higher rate than the Government of India borrows?—Yes; it was with a view to prevent people withholding from tendering from the imperial loan on the chance that they would get in for the local loan on more advantageous terms.

5870. Suppose the Local Government could borrow, would not its credit be two or three points below the credit of the Government of India and not half a point higher?—It would.

5871. Therefore the precaution is not needed?—My suggestion was to place the Government of India loan before the provincial Government loan.

5872. On what security would you have the provincial Government borrow?—The security of the Government of India.

5873. The provincial Government is to borrow on the security of the Government of India?—Well, it is the ordinary Government paper; whatever the security is for Government paper, it would be the same security. The proposal I make is that there should be a further placing by the provincial Government of 3½ per cent. paper.

5874. The security for Government of India paper is the whole credit of the Government of India. Do you propose that the Government of India should put its credit at the disposal of the Madras Government or any other provincial Government, and allow a provincial Government to borrow against the Government of India's credit?—One perhaps could hardly expect them to do that.

5875. Or would the provincial Government borrow upon its own local revenues, or what?—It might borrow on the security of its local rates or taxes.

5876. That is to say on the amount of revenue which it shares with the Government of India?—Yes. You must remember that the views expressed here are very general views, and may be subject to a good deal of amendment on further consideration.

5877. Still it is quite easy to say the Government of Madras ought to have borrowing powers; the difficulty to my mind is to know how they are to be applied?—That would be for the Government of India to consider.

5878. Would you, as a man of business, invest in Madras Government paper—paper that was placed simply upon the security of Madras revenues and for which the Government of India took no responsibility whatever?—I think money could be placed on that security; the security of the Government of Madras, I think, would compare very favourably with the security of the Government of India as a whole.

5879. Then there would be no question of the Government of India guaranteeing the Local Government of Madras?—I presume the Government of India would guarantee that the Government of Madras was not upset, and as long as the Madras Presidency existed the security of the Government of Madras would be quite sufficient to raise the loan against.

5880. You have spoken of loans by District Boards for railways; have there been many such loans?—No.

5881. I believe there was only one, and that was not a success so far as getting the money from the public was concerned?—Yes.

5882. The public were not sufficiently patriotic to take shares in the Tanjore District Railway?—They were not.

5883. Do you think they would be more patriotic in regard to providing moneys to be used in irrigation works at the other end of the Presidency?—No, I do not think you could raise money at one end of the Presidency for irrigation works at the other end of the Presidency; but I think you might raise a certain portion of the money in the part that would be particularly benefited. It is only a suggestion: it is quite possible that on going into it it would be found to be impossible.

5884. Then it is a mere general proposal that neither you nor the Chamber have gone into at all definitely?—That is so; we had only a limited time at our disposal to deal with this matter.

5885. You spoke of its being necessary occasionally to revise the terms of the provincial settlement. You do not mean by that that it was necessary to reduce the shares of the provincial revenues, but merely to increase them?—It was understood when the present rate of 25 per cent. was made that the Government of India reserved to itself the right of reducing it if necessary.

5886. What do you mean by 25 per cent.?—25 per cent. of the shares of revenues.

5887. That was only in one branch?—Yes; the Government of India have reserved to themselves the right of reducing the amount and said that from time to time it should be taken into consideration whether it should not be increased; presumably they will do that.

5888. Do not the Government of India only reserve the right of reduction in the case of some grave imperial emergency?—That is so, I understand.

5889. You would revert to the old quinquennial settlements, under which the Government of India might hereafter give you a bigger share, but might possibly give you a smaller one, than they do?—There were grave defects pointed out at the time, and I am in accord more or less with the representations which led to the permanent settlement.

5890. Then you agree that the present settlement should be permanent, except in the case of a grave imperial emergency, in the sense that the provincial share should not be reduced?—Unless it is absolutely necessary; of course if it is necessary for imperial purposes to reduce it I do not see that any patriotic person can object to it.

5891. I say, except in the case of any grave imperial emergency; otherwise your idea is that the present settlement should be permanent in the sense that the provincial share should not be reduced, but that it might be hereafter possible to somewhat increase the provincial share?—Yes.

5892. You spoke of the Commerce and Industry Department having a branch office with a Secretary in charge in Madras; Madras is not the most important commercial centre in India?—It is not, unfortunately.

5893. Bombay would have a larger claim?—Yes.

5894. And Rangoon perhaps?—Yes.

5895. And Calcutta when the Government of India were at Simla?—When I say that there should be a Secretary, possibly there might be an Under Secretary; the importance of the official here could be determined later.

5896. If you came to branch offices you could not have one in Madras only; you would have to have branches elsewhere?—That would follow, I think.

5897. Would it conduce to consistence in Government policy, and the ready despatch of business, to have a number of branch Secretariats all over the country?—It might facilitate it in certain instances.

5898. You consider that the Government is too impersonal and too revenue-seeking?—That was the opinion expressed at the meeting of the Chamber.

5899. Are you, or the Chamber, prepared to substantiate that by specific instances, or do you make it merely as a general statement?—The statement made is a general one; it might be substantiated by specific instances, but it would be perhaps personal to publish cases that have arisen.

5900. (*Sir Steyning Edgerley.*) It has been suggested that there should be a fairly complete separation between imperial and provincial finances, and it is possibly a further step in that suggestion that, if you had that more complete separation, it might be advisable to allow borrowing by provincial Governments?—That is so.

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5901. You spoke of borrowing for irrigation and allied works; you do not confine the suggestion, that provincial Governments might possibly borrow, to irrigation works?—Not entirely; they might borrow for any local improvement.

5902. Suppose the provincial Government had for new works only nine or ten lakhs to spend after providing for everything; you would not mind their borrowing for important bridges if they could get them quicker in that way?—I would not.

5903. It would be very small, but you would agree to their borrowing for things like that as well as for irrigation?—Yes, for irrigation, roads, and other public improvements.

5904. In speaking about the branch of the Commerce and Industry Department in Madras, you gave some reason as to the duties levied upon mills?—A question has arisen in the case of some local mills here which were taxed upon a certain basis, and I believe they appealed to the Local Government. First I think the case was heard in the Police Court and the decision was given against them. The magistrate held——

5905. The details do not matter. Do you not think that if you had a branch office of the Government of India Secretariat in Madras and carried questions of that sort to them you would get into considerable trouble with the Local Government?—It might be, but the Chamber of Commerce would not mind that; if the Local Government did not sympathise with them, they would go to the Government of India.

5906. But I understand that you would go direct to the Government of India and not trouble the Local Government?—Yes, we should. As a matter of courtesy we should send the communication to the Government of Madras, but we should at the same time address the Government of India direct.

5907. In a matter of local administration?—I do not think that the Chamber considers whether it is a matter of local administration or not; they would consider their own members' interests first.

5908. But would it be considering your own future interests particularly if you did that?—I suppose not.

5909. Would it be a wise thing to bring an office here with that object; do you not think it would rather upset the coach?—Yes, I rather think it would. The views expressed in that Resolution, I may say, are not mine.

5910. As you are aware, all the Government Departments and other authorities have to purchase goods of European manufacture through the India Office?—Yes.

5911. A witness has told us that he thought that local officers might have very much more power in that regard and in regard to local purchases, and he suggested that if they had the power the country was ready to respond and would be able to supply most of their wants. Do you think that that is so?—In many instances I think that a large number of stores that are at present purchased at home could be obtained locally.

5912. At increased rates or much the same rates?—Much the same rates, and in many instances more favourable rates.

5913. If that were done would it lead to a considerable development of this country or not?—I cannot say that it would lead to considerable development; but it would tend to develop the local industries.

5914. You think that sea customs is a matter which ought to be entirely in the hands of the Imperial Central Government?—I am entirely of that opinion.

5915. Does it matter very much to the trade of India that there should be uniformity in the practice of Madras, Calcutta, Bombay, Rangoon and Karachi?—I think that there should be uniformity in practice at all ports.

5916. And you would centralize that completely?—I would.

5917. Your Chamber suggested that it would even get rid of the appeal to any local officers?—I would permit an appeal to the central authority alone.

5918. (*Chairman.*) You think there ought to be uniformity of treatment of customs when the goods are actually landed, but you do not refer in any way to the charges levied at individual ports?—No.

5919. The port dues ought to be settled by the authority at each port?—Yes, but the customs dues and the manner of levying those customs dues in my opinion should be uniform at all ports.

5920. Is there not a good deal of money made in Madras both in the Indian and in the European community?—A fair amount at times.

5921. Where is that principally invested?—Do you mean the money made in trade?

5922. Profits have to be invested in some way?—They are invested in business; I think in many instances in the case of natives they are hoarded, not invested.

5923. There is a considerable accumulation of hoards going on amongst the Indian population?—I cannot say that it is so; it appears to be so.

(*The witness withdrew.*)

Mr. WILLIAM FRANCIS GRAHAME was called and examined.

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5924. (*Chairman.*) You have been a member of the Indian Civil Service?—I have.

5925. You retired about nine years ago?—On the 4th January, 1899.

5926. Do you think that there is at the present time among British officers here a considerably less power of speaking the vernacular than there was, say, when you first entered the Service?—Yes, that is what I have noted among young men of the present day.

5927. In the earlier days of which you have experience were officers less bound by a mass of correspondence?—Yes, and Assistant Collectors in those days had very much less to do.

5928. So that as young men they could move about and were forced to speak to, and to get into touch with, the people?—They could not move about except by order or permission of the Collector; they were supposed to remain at headquarter stations unless the Collector ordered them to go out. If they wanted to go out, say, for a shooting party or any purpose like that, the Collector gave them permission to go out.

5929. Whatever may have been the reason, they had a greater knowledge of the vernacular?—Yes, I think so.

5930. From your knowledge of the Presidency, would it be desirable to revive the system of village panchayats?—Yes.

5931. Were they in existence in the early days of which you speak?—No, I do not remember myself having ever seen any instances of village panchayats, but they had only just ceased to exist, if they had ceased, when I went up-country in 1866.

5932. There were cases of them?—There were still cases of them, and the people wished to have them again. I think they should be restored now, in the Northern Circars at least, which I have known better than any other part of the Presidency.

5933. Have they died out to the regret of the people?—I think so.

5934. And such information as you could get of their work leads you to think that their work was good?—Yes; I think the people of this country are inclined to mediate in matters of dispute between them rather than to go to law; they go to law partly for amusement; I think they believe in the system of arbitration.

5935. Did you ever hear of there ever being any difficulty in those former days in getting people to serve upon these panchayats?—No.

5936. What was the reason that they died out?—I think perhaps that the District Officers disapproved of them, but I cannot give any specific reason, because, as I say, I did not see them dying out. I think the probable reason is that the increase in the number of district munsiffs' courts in the different districts gave them the opportunity of going to a real judge and having their disputes settled.

5937. Do you mean that they could not exist side by side with the munsiff?—No, I think they could exist side by side.

5938. It would probably want a good deal of fostering care on the part of the Government?—Yes, because they are out of practice now; the people are not accustomed to them. In this Presidency custom is a very powerful force; a thing that the people are accustomed to—a thing that they like; custom is a great thing amongst most human beings.

5939. (*Sir Steyning Edgerley.*) I suggest that the panchayat has died out to a great extent as the natural result of the progress of society from communism to individualism?—I cannot say that I have considered the matter sufficiently to give a definite answer on that point. If you go into some districts where I have been, you will find people about as backward in the scale of civilisation as you could very well expect to find them, so that, if the spread of civilisation is the reason why panchayats have died out, I can see no reason why they should not have survived there. I found no difficulty as a rule, when I was a Judge, in getting the parties in most cases to submit to arbitration. That is practically the panchayat system. Personally, I would rather take any amount of time and trouble to get people to settle their disputes when they can by arbitration amongst themselves than to have them heard out in court; because having a case heard out and a decision given always leaves a rankling feeling of dislike between the two parties.

5940. (*Mr. Meyer.*) Was not a great blow struck at the old panchayat system by the introduction of the individual *raiyatwari* system?—Yes, I suppose it was, but there are many things in villages—revenue is one thing—that I do not think the village panchayats should deal with. I exempt revenue particularly. I think they might deal with sanitation, although I have no great faith in their belief in sanitation—also education and any civil disputes between themselves.

5941. Then if the panchayat is to be revived for the settlement of disputes, will it not be necessary to make its authority final?—Yes, I would make it final within a certain limited amount; I cannot say now, because it is many years since I read about panchayats, what the superior limit of value in suits that they disposed of actually was.

5942. So long as a man has power to go either to the panchayats or to the munsiff, will not every discontented man go to the munsiff?—Yes.

5943. Therefore to make the panchayat a success you must put it in the same position as any other court?—Yes.

5944. You have had a career of 35 years in Government Service?—Yes.

5945. During that time did you notice any increase in the habit of appealing amongst the people as against local orders, speaking generally?—Yes, I think I have.

5946. A noticeable increase?—Yes.

5947. We have also heard something from various witnesses about corruption of the subordinate agency; in your 35 years' experience has the character of that agency improved or otherwise?—It has improved certainly.

5948. Largely improved?—Largely improved, more especially in the judicial branch.

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5949. And among the tahsildars?—Yes, I should say amongst the tahsildars also, but of course I have had no revenue experience since the year 1880.

5950. You have been a Judge since?—Yes.

5951. Still, as a Judge, you saw something of the work of Sub-Magistrates?—Yes, as Sessions Judge. Besides that, one saw a fair amount of the work of Revenue Officers in cases that came up on appeal under the revenue law.

5952. You say that the *morale* of the Judicial Service has increased enormously and that as regards tahsildars and deputy tahsildars there has also been an improvement, but not so much as in the case of the Judicial Service?—Yes, I think so.

5953. (*Mr. Hichens.*) The development of local self-government has advanced considerably since you first came to the country?—There have been a great many municipalities and District Boards and *taluk* Boards created. I cannot say that local self-government has advanced very much.

5954. What experience have you had of municipalities?—I was Vice-President of the Chicacole municipality for nearly nine years, and I was the first Vice-President of the Chicacole Local Fund Board, and presided over it for some seven years.

5955. In your experience have these local bodies a sense of their local responsibility?—None.

5956. Can you say why?—What you find is that if the Vice-President or the Chairman or whoever presides is a strong man, the people wait to hear what he says, and as a rule they will accept it without considering whether they approve or disapprove of it. In my first Local Fund Board the first budget I had to introduce had a fairly good sum allotted for education; there were 12 of us; 11 out of the 12 were opposed to having any educational budget and I tried my hardest to get them to strike it out; I said "If it is your opinion that you do not want education, that it is a wrong thing to have any part of the budget allotted to education; then it is your duty to strike it out." The answer was, "But what would Government say?"

5957. You mean really I suppose that, although on paper they have a certain amount of responsibility, in practice it comes to nothing?—In practice I do not think they ever realise it.

5958. Is it a desirable thing to develop the sense of responsibility in districts?—I think it would be a desirable thing to do, but I do not quite see how it is going to be done. I suppose our theory is that some day or other we are going to leave the Indians to govern themselves, but unless we develop a sense of responsibility in them I do not see how we are ever to leave them to govern themselves.

5959. You have no suggestion to make as to how it could be developed by expanding, say, local self-government—I mean District Boards and so forth?—It may grow in time, but I see no symptoms of it. In this municipality of Madras they all seem to have a pretty fair idea that they have power, but I doubt whether any one of them feels responsibility.

5960. Would you be prepared to recommend that they should be given the power of managing their own budget and of carrying out, let us say, their own public works, their own sanitation, and so forth, by themselves, on their own responsibility?—Do you mean in Madras?

5961. I mean in the districts.—Certainly not.

5962. You would not be prepared to take that risk?—No, because I am perfectly certain that if they had no Government officer to control them in any way the whole thing would become a system of jobbery. As it is now, you continually find members of the Local Fund Boards and of municipalities in the *mufassal* struggling to put some relation of their own into some place that has either been created under the Act or that they

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wish to create, without any regard to whether he is fit for the post or not. That is universal in my opinion.

5963. Would you suggest that you must wait until that tendency has been eradicated before you give them further powers?—I think you have to wait; you have no option.

5964. Then from no point of view would it be desirable now to take any step whatever to enlarge their powers?—Certainly not.

5965. Would you say the same with regard to municipalities?—Yes, I think it is worse in the municipalities.

5966. Including the Municipality of Madras?—No, because I think in the Municipality of Madras they are amenable to a certain amount of public opinion; there are newspapers here, and these newspapers publish various things that they do and various things that they say, and if any man were really to try to run a job for a friend in this municipality I think nearly all the newspapers would expose it.

5967. You are in favour of reviving the panchayats?—I am.

5968. And you would give them certain judicial powers?—Yes, they would be very well suited for that.

5969. Would they not be also subject to the same temptations to jobbery?—I think not. I think the influence in a village is much more healthy than it is in a town.

5970. There is more public opinion?—The feelings of the people are in favour of the right thing being said and done, and that would affect the panchayats very largely.

5971. (*Mr. Dutt.*) In order to make these village panchayats realities, as you said, it would be necessary to give them powers, and final powers, within certain limits, in the disposal of civil and criminal cases?—Yes.

5972. Your proposal is that there would be some legislation necessary in order to do that?—There is no other way of giving it to them, that I can see, except by legislation.

5973. Would you recommend the same uniform plan for all panchayats, or would you give the Government discretion to give different powers to different panchayats?—I think I should give the Government discretion to give power to the panchayats up to a certain point, and I would also give them the power to go slow to begin with—to start with something very much short of the maximum that the panchayat could work up to.

5974. So that, if there was an Act, only the principles would be laid down in the body of the Act, and the rest would be schedules of powers with which the panchayats might be entrusted?—Yes, something like what I understand the new Civil Procedure Code is to be; every detail is practically to be in the rules to be framed under the Code.

5975. You said that there has been a noticeable increase of appeals during the 35 years of your service. Do you find a similar noticeable increase in petitions of all kinds?—Certainly; I can give you an instance. It happened that I had to make an investigation into the comparative amount of work that was done by myself during the first four years and four months that I was Judge at Tinnevelly, and the work that my predecessor had done in the four years and four months before he left. I found that in miscellaneous petitions the rise was from something like 2,500 a year to 4,500 or 4,600; that is a very fair rise I think in four years and four months.

5976. So that it is not only in the matter of appeals that there was an increase, but also in the matter of petitions of all kinds?—Yes; the only thing in which there was no rise was in sessions cases. We had in the same space of time almost the same number of cases and of prisoners and witnesses in sessions cases; criminal appeals increased from 180 to 390 or 395.

5977. You remark that there has been a great improvement in the *morale* of the officers generally, but more especially in the judicial line than in the revenue line. Could you suggest any way in which a similar marked improvement could be effected in the *morale* of the tahsildars and the lower revenue officers?—No, I do not know that I can. The district munsiffs now are men who have undergone a thorough legal and judicial training. Very few men are made munsiffs now who are not Bachelors of Law, and I think that in the course of their legal and judicial training they have forced upon them a respect for what is true and just and honest; that is what I take to be the *raison d'être* of the law, and I think that becomes a part of them in a way. Tahsildars have not such a training. I think that increased pay to tahsildars might have a very marked effect in raising their *morale*.

5978. If the selection were made from the same class of men or men equally well educated and trained, would that help to improve the *morale* of the tahsildars to some extent?—Yes, but I do not see how a man who is aspiring to be a tahsildar is going to get his training. A tahsildar is almost always chosen from the deputy tahsildars or from clerks in the Collector's office—it was so in my time. I do not know what they do nowadays, but they must rise from a lower position in the Revenue Service.

5979. If the members of these District Boards and *taluk* Boards were formed into sub-committees and had duties imposed upon them under the existing supervision and checks, would that improve matters and make them take more interest in their own work?—Of course it would, it would be discipline.

5980. And you would suggest that as a way of getting more work out of them?—I certainly think something of that kind might be tried at any rate. I see that one of the witnesses suggested that they should have sub-committees of two, and that they should be given power to investigate and make suggestions as to how particular departments should be conducted. I think that would be an admirable discipline for members of municipalities or Local Fund Boards, and that it would really train them into governing themselves.

5981. (*Sir Frederic Lely.*) Even though the village panchayat has disappeared or is disappearing, is there not still a sense of brotherhood in most of the best villages that might be utilised?—I consider that there was in the days when I was a Revenue Officer; people always backed up their own village.

5982. And so far as you know that feeling still exists?—I think so; I see no reason why it should not exist.

5983. They all have some common interest, say, in the village well and the village school and so on?—The fact that they belong to the same village is a tie between them.

5984. That still exists although the village as a corporate life has disappeared?—The village as a commune has disappeared; that is to say the old communal life has gone.

5985. But there still remains a tradition of associated life?—I think so.

5986. What was the government of a town under native rule; was that not entirely under the *kotwal*?—I suppose the *kotwal* was a very important officer in a Native State; in villages that I have seen in the Northern Circars the village *naidu* was always looked up to as a man of great importance.

5987. I am speaking now of the towns?—I do not know what was the system under native rule.

5988. As a matter of fact, so far as managing their own affairs is concerned, would you not say that a villager of the best sort was quite equal in intelligence to the town man?—In most things I should say he was.

5989. And in some things better?—In some things much better; in honesty, for instance, I think he is a good deal better.

5990. Therefore in our attempts to get the people to govern themselves, in passing over the village and beginning at the towns, have we not made rather a false step?—I suppose we have, but that is a matter that I have never considered very much.

(*The witness withdrew.*)

Mr. Joseph Satya Nadar was called and examined.

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5991. (*Chairman.*) You are a member of the Madras Municipal Council?—Yes; for five years.

5992. You desire to represent something to us on behalf of that municipality?—Yes. Under the Code now in existence, the Code of 1904, all chief officers are appointed by Government and Government alone. My submission is that the Corporation should have a voice in these appointments. Government may appoint, but it should be after consulting the Corporation; or in other words the Corporation may recommend a person to be President of the Corporation and the Government may appoint. And not only the President; there are three other chief officers of the Corporation, the Revenue Officer, the Health Officer, and the Engineer of the Corporation.

5993. You want the Corporation to have power to appoint all those three?—Or at all events they must be consulted in the appointment of those officers. Under the present Code even the subordinate officers and servants of the Corporation can be appointed only with the approval of Government. That is curtailing too much the powers of the Corporation.

5994. Ought the Corporation to have an entirely free hand in that matter?—Yes, in the case of subordinate officers and servants.

5995. Then may we turn to your other point?—That was as regards the budget. The Government has power now to reject the budget submitted by the Corporation completely. The wording of the section is that they may "reject or alter or add to" the budget submitted by the Corporation. From my past experience it appeared to me that the Government were interfering too much not only in the matter of the appointments but also in the municipal budget. My submission is that if there were items in the budget to which the Government could take exception, they should draw the attention of the Corporation to the matter, so that the Corporation might itself amend its own budget; in short, that Government should be given power to interfere with the budget only in regard to matters with which they are directly concerned, or with regard to matters which affect the general policy of the Government, or with regard to matters which the Corporation could not do under the Act except with the approval and sanction of the Government.

5996. I understand that no taxes can be levied without the approval of the provincial Government?—Yes.

5997. And the Local Government sanction is required for the construction of water works, the acquisition of land, street improvements, future construction of buildings, closing of public markets, and so on?—Yes.

5998. In all those kinds of things you desire greater freedom?—Yes.

5999. We have had it in evidence that the whole of the expenditure of the Madras Municipality is raised from Madras—practically the whole of it?—Practically, no doubt, but not the expenditure incurred in connection with big schemes.

6000. There the Government comes to your aid?—Yes.

6001. But the ordinary expenditure of the Municipality is raised from the town of Madras?—Yes.

6002. Therefore you feel that, being a large town here and finding your own money, you are entitled to a greater control?—That is my submission.

6003. (*Mr. Hichens.*) Is there not a provision in the Code that the Local Government has to fix the date of the submission of the budget and the date on which it shall be considered by the municipality?—Yes.

6004. Why do the Government decide that?—They want to have the budget by a fixed time for their convenience, so they fix a time by which the Corporation shall submit its budget, and the Corporation have to go through the budget by the time appointed to suit the convenience of the provincial Government.

6005. Do you consider it necessary that the budget should be considered by the provincial Government at all?—I think that the budget as a whole must be considered by Government.

6006. Why?—On the ground generally that all municipalities, particularly such a big municipality as that of Madras, must be under Government supervision and some sort of control of the Government.

6007. Do they ever alter your budget?—They do.

6008. Do they add to your expenditure, for example?—I am not aware of any instance where the Government have added to the expenditure that we put down in our budget.

6009. What form does the alteration generally take?—In preparing a budget we propose, for instance, a small increase of salary to a subordinate officer; recently there was an instance of an increase of one or two rupees to the salary of a menial servant. That was a matter in respect of which we had to protest against Government interference.

6010. They do not interfere very much in bigger matters?—No.

6011. They have a reserve power to interfere in bigger matters, but as a matter of fact they leave you very much to yourselves?—Yes, they interfere in minor matters.

6012. (*Mr. Dutt.*) You have asked for a freer hand in the management of your own resources and a freer hand altogether for the municipality. Do you claim for the municipality the right to impose a new tax without the sanction of the Government?—No.

6013. Nor to alter an existing tax?—No.

6014. Nor to abolish an existing tax?—No.

6015. In those matters you are perfectly content that the Government should have a voice in the matter and should control your actions?—I think they must have.

6016. But in small matters, like those you have mentioned, you consider the Government should not interfere in or alter your budget?—Exactly.

6017. (*Mr. Meyer.*) Do you say that although the Government interfere repeatedly on small matters such as the payment of a peon and so forth they do not interfere with you in big matters?—I do not mean to say that they do not interfere at all. The Corporation feels aggrieved to see Government interfering in petty matters.

6018. But as to their control in big matters; one of the previous witnesses told us something about a drainage scheme; you wanted a man from outside and Government thought that somebody else could do it; do you call that a little thing or an important thing?—That is a very big thing.

6019. It was a thing towards which Government were contributing?—That was with regard to the appointment of an important officer. There of course my contention was that the Government should not have appointed an officer on their own responsibility without consulting the Corporation.

6020. But as compared with the appointment of a peon or a clerk, that was a fairly large matter. I will put it in another way; does the Government never put pressure on you to raise your house tax?—They did.

6021. Did you raise it?—We protested, and we were compelled to raise it.

6022. Then Government does, whether for your good or otherwise, interfere with you in large matters as well as in small?—Do you mean in the budget?

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6023. Throughout the year, in the exercise of the powers given to it by laws, does the Government interfere with you?—As regards the items that the Corporation put down in the budget, the Government interfere very often in many petty matters which the Corporation do not like, but this question did not suggest itself to me. In the question of raising taxes and so on they did compel us.

6024. I do not want to discuss whether the exercise of their power was expedient or not, but although they mostly interfere with you in little matters, they do sometimes interfere with you in big matters as well?—Yes.

6025. You spoke of the municipality having no voice in the appointment of the President. Is there not a section of the Act under which a certain number of you may remove the President?—The Act empowers the Corporation to remove a President, but gives it no voice in the appointment.

6026. (*Chairman.*) I suppose the reason that the provincial Government fix the date for the consideration of your budget is the fact that it has to be got through before the provincial budget is passed?—That is so.

6027. As a Corporation, you have no dealings at all with the Government of India, have you?—No.

6028. Have you a great deal of correspondence with the provincial Government?—A good deal.

6029. Has that increased or not lately?—I believe it is on the increase, judging as I do from the papers that are in circulation among the members.

6030. Has it increased or decreased since the new Act of 1904?—I think it is on the increase; my experience is only since the last five years, but even during those five years I should say that the correspondence has regularly increased.

(*The witness withdrew.*)

Adjourned.

SEVENTH DAY.

MADRAS, *Friday, November 29th*, 1907.

PRESENT:

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

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

The Hon. Mr. J. N. ATKINSON was called and examined.

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6031. (*Chairman.*) You are a member of the Board of Revenue of Madras?—Yes; I am officiating as First Member. Duties are not assigned according to the position of the member in the Board. I am in charge of the duties of Land Revenue Settlement, Survey, Land Records, and Agriculture. I hand in memoranda regarding the organisation of the Board. The Board as at present constituted consists of three departments, (1) Land Revenue, including Forests, (2) Separate Revenue (Salt, Abkari and Income-tax), and (3) Settlement, Survey, Land Records and Agriculture. The Land Revenue Department is in charge of two members; the other two Departments are in charge of one member each. Though the Board is divided into three departments, and the members have separate portfolios, important subjects in any of the three departments are dealt with by the Full Board of four members. In the case of a collective Board subject, the opinion of the first member, if supported by a single other member, prevails. Any member dissenting from the opinion of the majority may claim that the fact should be placed on record. In the Separate Revenue and Settlement Departments all but the most important subjects are dealt with by the single members in charge of those portfolios. In the Land Revenue Department the various subjects are distributed between the two members. Many subjects are dealt with by a single member—more important ones by both members. In the latter case, should there be a divergence of opinion, the papers will be circulated to a third member—and the opinion of two members prevails.

The name of the member or members of the Board under whose orders a resolution of the Board is issued is entered at the head of the copy of each proceedings. An abstract in print of the Proceedings issued in routine and miscellaneous series is circulated to the members, who may withdraw or cancel an order in which they may not agree.

One of the members is in charge of the Court of Wards portfolio and disposes of all ordinary papers. The more important subjects are dealt with by the full Court, and they are the following:—

(1) Taking up of estates under superintendence.
(2) Schemes for the liquidation of the debts of encumbered estates.
(3) Revision of the Court's office establishment.
(4) Delegation of general powers to Collectors and their subordinates.
(5) Appointment of managers of large estates and of estate collectors, agricultural experts, etc.
(6) Marriages of wards.
(7) Removal of wards from their estates to the Court's institution at Madras.
(8) Educational progress of the wards and their tours.
(9) Grant of loans from one estate to another or to a private person, on the first mortage of immoveable property.
(10) Large investments of surplus funds in the purchase of landed property or in municipal or other debentures.
(11) Questions of disputed succession on the death of wards.

There are 24 Collectorates in the Land Revenue Department which have the following staff:—23 Collectors, besides the Resident in Travancore and Cochin; 15 Sub-Collectors; 21 Head and Special Assistants; Assistant Collectors (of varying numbers); 79 Deputy Collectors.

Each Collectorate is divided into a number of *taluks* presided over by a tahsildar. One or more *taluks* are formed into a division which is in charge of a Sub-Collector, Head, or Special Assistant, Collector, or a Deputy Collector. There are 87 divisions and 161 *taluks*.

In most *taluks*, the tahsildar is assisted by a deputy tahsildar. Each *taluk* is divided into a number of revenue inspectors' ranges or *firkas*, and each *firka* consists of a number of villages each officered by a headman (*monigar*) and an accountant (*karnam*).

Collectors act as local agents of the Court of Wards in their respective districts, and superintend the affairs of the estates in their charge subject to the control of the Court. In the case of an estate in which the execution of decrees is transferred from the Civil Courts to the District Collector, the latter is debarred by law from superintending the management of the estate, and his place is then taken by an officer called the "Estate Collector," specially appointed by Government for the purpose. To each estate is appointed a manager who works under the orders of the Collector. The managers and the more important subordinates under them, especially in the larger estates, are usually Government servants lent to the Court's service.

There are at present 26 estates under management. Of these one has no manager, as the ward has no immoveable property; six small estates are managed by Government Revenue Officers of the rank of deputy tahsildar who have been appointed *ex-officio* managers of those estates; the remaining nineteen estates have each a manager of its own.

The function of the Court of Wards is to take up estates of disqualified proprietors under its superintendence with the sanction of the Local Government, and to administer their affairs, for which full power is vested in the Court under Madras Act I. of 1902. The actual management of the affairs of the estates devolves on the Collectors subject to the control of the Court. Under the law (Section 8 of Madras Act I. of 1902) the Court is competent to delegate any of its powers to Collectors and their subordinates. The Court had delegated considerable powers to Collectors in the matter of appointment and the control of the establishments, grant of leases, grant of remissions, assignment of lands, conduct of suits, advances to tenants, revision of orders of subordinate officers, etc. In financial matters the Court has given to Collectors as large powers as it could, consistently with its position as trustee on behalf of its wards. The Court's sanction is required for all recurring charges such as salaries of establishment, maintenance allowances, etc., while Collectors have been authorized to incur miscellaneous non-recurring charges of every kind up to Rs. 50 in each case. They have authority also to pay the *peshkash*, assessment and all other public dues, to incur ordinary law charges and contingencies; and to sanction expenditure on irrigation works, buildings, etc., up to a limit of Rs. 500 in the case of original works, and Rs. 1,000 in the case of repairs, subject to provision in the budget. The Court sanctions an annual budget for each estate, but the Collector is at liberty to transfer funds from one head to another, or from the reserve, without limit. In miscellaneous matters in which no specific powers have been delegated to the Collector, the practice is for him to take the necessary action himself, except in those matters of importance in which he considers that the Court's orders should be obtained.

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The members of the Board, besides disposing of the correspondence on the subjects under their charge, tour through all the districts, meet the Collectors, Conservators, forest officers, and discuss the general affairs of the districts, get to know the character and qualifications of the various District Officers, listen to any complaints which members of the public may have to make personally, study any important problems in dealing with which local investigation is likely to be useful, and give such counsel and advice to the local authorities as circumstances warrant.

The control of the Forest Administration of the Presidency is entrusted to one of the two Land Revenue members of the Board of Revenue. The Forest Member exercises the necessary control in the name of the Board of Revenue. For administrative purposes, the Presidency is divided into three circles, Northern, Central and Southern, which contain 28 forest districts. Each forest district is subdivided into ranges, each in charge of a forest subordinate called the ranger, who is assisted in the discharge of his duties by deputy rangers and foresters. Each range is subdivided into "beats" looked after by forest guards. Each circle is under the control of a Conservator. The Collector is the head of the Forest Department in the district. He controls the general management of the forests therein with the assistance of a forest officer, called the district forest officer.

Collectors and Conservators are subordinate to and receive their orders and instructions from the Forest Member of the Board of Revenue. The relative position of the Collector and the Conservator in the forest administration is as follows:—In all the external relations of the Forest Department, that is, those matters in which the Department comes into direct contact with the public, such as the provision of grazing, the supply of firewood, the issue of timber for agricultural and domestic purposes, and so on, the control of the Collector is supreme and his orders prevail. In internal matters and those relating to technical and departmental working, such as the framing of working-plans, the propagation and renewal of forests and the appointment and control of the staff, the decision rests with the Conservator. In matters which to some extent relate to both of these two classes of subjects, the Collector's orders prevail. The Collector accordingly controls the felling, extraction, removal and disposal of forest produce and generally all matters affecting the privileges and convenience of the public. The Collector or the Conservator can refer to the Board of Revenue for decision any matter in which either authority thinks that the orders issued by the other are contrary to the public interests.

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CONDUCT OF BUSINESS BY THE BOARD OF REVENUE.

Distribution of subjects

SUBJECTS ASSIGNED FOR DISPOSAL BY

THE COLLECTIVE BOARD.	A SINGLE MEMBER.			
	TWO MEMBERS.* LAND REVENUE.	A. LAND REVENUE DEPARTMENT.	B. LAND REVENUE DEPARTMENT.	C. SETTLEMENT DEPARTMENT.	D. SEPARATE REVENUE DEPARTMENT.
(1) Conduct of Public Officers (Government).	(1) Acts & Bills—opinions regarding.	(1) Acquisition of land for public purposes.	(1) Examination of treasuries.	(1) Cowles.	(1) The Salt Department.
(2) Court of Wards (other than routine and ordinary matters).	(2) Administration report relating to— (a) Administration. (b) Circulation of copper coins. (c) Destruction of wild animals. (d) District Press. (e) Revenue and Finance. (f) Special Funds.	(2) Census. (3) Darkhasts. (4) Destruction of wild animals. (5) Endowments (VII. of 1817). *Inamdars* and territorial pensions.	(2) Forests. (3) *Inams.* (4) Land Revenue— (a) *Ijara* deductions. (b) Extents. (c) Land and Village Cess. (d) Refunds. (e) Remissions (other than season & fixed).	(2) Minor Irrigation. Irrigation Accounts. Irrigation Cess Fund. Irrigation projects and systems. Kurnool Cuddapah Canal.	(2) The Abkari Department. (3) The Opium Revenue. (4) The Cinchona Revenue. (5) The tabulation of all statistics connected with the sea-borne trade of the province.
(3) Grant of dry remissions.	(3) *Inamdars* report—land revenue portion.		(5) Pensions.	(3) Kadapah.	(6) Income-tax.
(4) Nominations for the posts of tahsildar and deputy tahsildar.	(4) Land Revenue collections.		(6) Public service and village offices— Examinations qualifying for, in which other departments are not concerned. (7) Public works and petty construction and repairs. (8) Records. (9) Revenue Business Statements. (10) Special Funds. (11) Tour returns. (12) Village offices and village officers. (13) Zamindaris. (14) Miscellaneous— (a) Alienation of land. (b) Archæology. (c) Boundary disputes. (d) District Press. (e) Divisional charges statements. (f) Estimate of extra charges. (g) Ferries. (h) Laccadive Islands. (i) Mineral concessions. (j) Transfer of villages from one *taluk* to another.	(3) Miscellaneous—Leave, Travelling allowance, pension, etc., of the subordinate officers of the Agricultural Department. (4) Trade—Inter-provincial, internal road and rail-borne traffic. (5) Veterinary Department—Civil—Cattle disease, Veterinary education, pony breeding. (6) Weights and measures including conversion tables. (7) Survey. (8) Co-operative Credit Societies. (9) Fisheries (10) Flood, fire, etc.	(5) Remissions— (a) Season.† (b) Fixed. (6) Second crop charge. (7) Settlement including settlement appeals and correction of settlement registers. (8) Tanks— Standing Order No. 7. Standing Order No. 8. (9) Transfer of lands from dry to wet, etc. Transfer of lands from *punnaibaks* to assessed. (10) Water rate.	(6) Famine relief and famine relief programmes. (7) *Jamabandi* report. (8) Agriculture—Agricultural banks, agricultural experiments and agricultural education. (9) Agricultural statistics, crop forecasts and crop experiments. (10) Botany—Economic Botany, Entomology, Mycology and Agricultural Chemistry. (11) Industries—Technical and industrial enquiries and statistics of industries. (12) Land records, including village and *taluk* accounts (except those transferred to land revenue). Field measurement books, survey records. Training of revenue inspectors and *karnams* in survey. Birth and death registration. (13) Loans & Improvement, and the Land Improvement Loans' Act. (14) Loans & Agriculturists' Loans Act. (15) Miscellaneous—Leave, Travelling allowance, pension, etc., of the subordinate officers of the Agricultural Department. (16) Trade—Inter-provincial, internal road and rail-borne traffic. (17) Veterinary Department—Civil—Cattle disease, Veterinary education, pony breeding. (18) Weights and measures including conversion tables. (19) Survey. (20) Co-operative Credit Societies. (21) Fisheries (22) Flood, fire, etc.

* Routine papers in any "Two member" subject will however be disposed of by a single member.
† When the Full Board has decided that *dry remissions* should be granted in any area all further details may be arranged by the Commissioner of Revenue Settlement acting alone.
Note.—(1) During the absence on tour of one of the Land Revenue Commissioners the two-member subjects may be disposed of by the other Land Revenue Commissioner.
(2) When a paper which under the foregoing distribution would go before a single member, is an appeal against a decision previously passed by that individual member in any other capacity, such paper will be disposed of by any colleague whom he may designate.

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The Forest Member's duties are as follows:—

(1) To tour during each year in several forest districts of the Presidency.

(2) To submit recommendations to Government in regard to the constitution of reserved forests or their disafforestation.

(3) To submit recommendations to Government in regard to the issue of rules under the Forest Act.

(4) To sanction the suspension of rights in reserved forests and to close reserves against grazing as a punishment for incendiarism.

(5) To sanction the alienation of the rights of pasture or to forest produce admitted in reserved forests.

(6) To make recommendation to the Government regarding the appointment, promotion, leave, etc., of the members of the Imperial and Provincial Forest Services.

(7) To decide appeals submitted by forest subordinates against punitive orders.

(8) To decide appeals against the administrative action of the Conservators, Collectors and district forest officers.

(9) To sanction temporary establishments, except rangers, up to Rs. 100 in the case of each appointment wherever necessary on the recommendations of Collectors and Conservators.

(10) To confirm promotions of rangers made by the Conservators so as to secure an even flow of promotion among the rangers employed in the three circles.

(11) To sanction working-plans of forests forwarded by Conservators.

(12) To compile the budget estimates of the Presidency for the sanction of Government.

(13) To sanction estimates on account of capital expenditure up to Rs. 10,000 where such expenditure is not provided for in the sanctioned budget.

(14) To sanction estimates for the purchase of live-stock over Rs. 1,000 and up to Rs. 4,000, stores, tools and plant and furniture over Rs. 500 and up to Rs. 2,000.

(15) To sanction free grants of timber and other forest produce

(i) up to Rs. 1,000 for the construction of large works of public utility such as railways, tramways and the like.

(ii) up to Rs. 500 to village communities, public bodies, departments of Government or sections of the community in their collective capacity, and

(iii) up to Rs. 200 in other cases.

(16) To sanction transfers of funds within the same major head (11 Forests); but the reappropriation of savings under "Salaries," "Establishments" and "Allowances" requires the previous sanction of Government.

(17) To sanction the refund of charges for the conveyance of horses and camp equipment to all forest officers travelling on transfer or on duty.

(18) To examine the tour returns of the district forest officers and Conservators.

(19) To review inspection reports of Conservators and Assistant Inspectors of Local Fund Accounts and the audit review of the Accountant-General.

(20) To sanction remissions and refund of forest revenue over Rs. 500 to any extent.

(21) To sanction proposals to write off irrecoverable arrears of forest revenue up to Rs. 1,000 in each case and of irrecoverable advances up to Rs. 1,000.

(22) To sanction proposals to write off the accounts the value of stores, timber, etc., exceeding Rs. 500 which have not been lost by fraud.

(23) To sanction proposals to write off the accounts the value of stores, timber or public money, lost by fraud or defalcation up to a limit of Rs. 200 in each case.

(24) To allow the free cutting and removal of grass during times of famine from reserves ordinarily closed to grazing.

(25) To sanction permanent exemptions from age restrictions of candidates for employment in the department.

(26) To sanction temporary exemptions from general educational qualifications of candidates for employment in the Forest Department without limit of time or salary.

(27) To sanction temporary exemptions of forest subordinates from departmental and special tests for a period not exceeding one year.

(28) To supply all permit and code forms to districts.

(29) To sanction indents for tents for forest officers.

(30) To sanction the supply of certain articles of stationery and belts and badges.

One member of the Board "is in charge of the duties of" the Commissioner of Revenue Settlement, Survey, Land Records and Agriculture.

The portfolio system observed in the Board's office differs in one important respect from that in vogue in the Government Office. Under a statutory provision a list of the subjects disposed of by members of the Board, individually or collectively, is notified in the Gazette, and a Government order requires the name of the member or members of the Board responsible for each resolution to appear at the head of each copy. In routine cases a copy of the proceedings, or a list of the abstracts of several such proceedings passed in the course of a day, week or fortnight, is submitted to the member as soon as practicable so that he may stop or cancel an order in which he does not concur.

The various Heads of Departments subordinate to the Board in the Department of Revenue Settlement, Survey, Land Records and Agriculture are enumerated below:—

(a) *Special Settlement Officers and Special Assistant Settlement Officers.*—The initial settlement of all districts in the Presidency having been completed, the operations of the Settlement Department are now confined to resettlement.

(b) *Director of Survey.*—The cadastral survey of the Presidency is practically over and the survey operations now conducted are of the nature of resurvey or revision survey which are an indispensable preliminary to resettlement.

(c) *Director of Land Records.*—The Land Records staff is employed in the various detailed operations preliminary or accessory to the maintenance of survey marks and survey records.

(d) *Director of Agriculture.*—The members of the Agricultural Department are employed in the management of experimental stations, and the dissemination of agricultural information among the raiyats.

(e) *Superintendent of Civil Veterinary Department.*—The Civil Veterinary Department conducts operations calculated to improve the breed of horses, ponies, cattle and stock, the dissemination of veterinary knowledge, and the prevention and treatment of cattle diseases. The Superintendent is also in charge of the Madras Veterinary College.

(f) *Registrar of Co-operative Credit Societies.*—The Registrar is entrusted with the organisation of Co-operative Credit Societies and the inculcation among the raiyats of the principles of self-help, co-operation and thrift.

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(g) *Director of Industrial and Technical Inquiries.*—The expansion of industries such as handloom weaving and chrome tanning, the investigation of subsoil supplies of water, and the introduction of oil-engines and machinery for the development of irrigation constitute the main functions of the Director. Other subjects of inquiry are likely to be added in the near future.

Duties of the Member of the Board in charge of office of Commissioner of Revenue Settlement, Survey, Land Records and Agriculture.

1. Settlement and re-settlement—
   Settlement appeals.
   Correction of Settlement registers.
2. Water-rate.
3. Second crop charge.
4. Tanks—
   Private construction of tanks.
   Private repairs of ruined Government tanks.
5. *Jamabandi* Report.
6. Remissions—
   (a) Season.
   (b) Fixed.
7. *Cowles.*
8. Transfer of land—
   (a) From "dry" to "wet" and *vice versâ*.
   (b) From "*poramboke*" to "assessed."
   (c) From one *ayakat* to another.
9. *Kistbandi.*
10. Loans under the Land Improvement and Agriculturists' Loans Acts.
11. Minor Irrigation.
12. Irrigation Accounts.
13. Irrigation Cess Fund.
14. Irrigation projects and systems.
15. Survey—
    Resurvey.
    Revision Survey.
    Survey Advances.
16. Land Records—
    Village and *taluk* accounts other than those transferred to Land Revenue Department.
    Field measurement books.
    Village statistical registers and *firka* books.
    Revision of the Statistical Atlas.
17. Birth and Death Registration.
18. Rail-borne trade statistics.
19. Road traffic registration.
20. Season report—
    State of season.
    Rainfall.
    Cultivation.
    Prices.
    Wages.
21. Famine and Scarcity—
    Famine relief measures.
    Famine relief programmes.
22. Agriculture.
23. Agricultural statistics, crop forecasts and crop experiments.
24. Botany—
    Economic Botany.
    Entomology.
    Mycology.
    Agricultural Chemistry.
25. Fisheries.
26. Civil Veterinary Department—
    Cattle disease.
    Cattle shows.
    Veterinary education.
    Pony breeding.
27. Statistics of Industries—
    Cotton mills.
    Coffee and tea cultivation.
    Mineral production.
    Sundry industries.
28. Industrial and Technical Inquiries—
    Weaving.
    Chrome tanning.
    Use of oil engines and machinery.
    Pumping experiments.
    Boring experiments.
29. Weights and measures.
30. Public servants—
    Leave, travelling allowance, pension and disciplinary correction of subordinate officers.
31. Flood, fire and other unusual charges.
32. Co-operative Credit Societies.

N.B.—(1) When the Full Board has decided that dry remissions should be granted in any area, all further details are arranged by the Commissioner of Revenue Settlement acting alone.

(2) When a paper which, in the ordinary course, would go before the member in charge of the Department of Revenue Settlement, Survey, Land Records and Agriculture, is an appeal against a decision previously passed by him in any other capacity, such paper is disposed of by any colleague whom he may designate.

(3) When serious famine appears imminent or when extensive relief measures are undertaken, the member of the Board in charge of the Office of the Commissioner of Revenue Settlement, Survey, Land Records and Agriculture exercises the powers and performs the duties of Famine Commissioner, as laid down in the Code, until a Famine Commissioner is appointed.

6032. You set out in your memorandum that there is a statutory provision requiring a list of the subjects disposed of by the members of the Board, and so forth, to be notified; does that not strike you as being somewhat cumbrous?—The reason of that was that originally the Board of Revenue was only looked upon as a collective Board; it was then found that it was extremely inconvenient for the disposal of business that the whole Board should have to see to every subject, and it was found that no individual member or no two members—nothing less than a collective Board—could dispose of any subject unless the law was altered, which it accordingly was.

6033. Is this present procedure which you detail here easy; does it work smoothly and quickly?—Yes, quite; very much more quickly than the other.

6034. Then you set out that you have under your control special Settlement Officers, the Directors of Survey, and so forth? Is there any delegation of power to these officers under you which you could suggest to us as desirable and useful?—I made suggestions the other day to the Government; they are very small; we have not had much time to consider the whole subject; I daresay if we were to look into the matter more thoroughly we could find other powers that could be delegated.

6035. Will you put in a schedule of such duties as you think could reasonably be delegated?—Very well.

6036. With regard to the Director of Industrial and Technical Inquiries, does he lay himself out to find out in what direction new industries should be started?—Yes, but the particular industry upon which his efforts are to be centred is of course subject to the orders of Government.

6037. That is to say, to yourself?—Government is over me; I can recommend to Government, but I cannot do more.

6038. Who is your immediate superior?—The Secretary to Government in the Revenue Department.

6039. What service have you?—Twenty-nine years.

6040. You correspond with the Secretary in the Revenue Department; what service has he?—I think it is 26 years.

6041. In the correspondence which takes place between you and all these Directors, and between you and the Secretary in the Revenue Department, is there much waste of time?—No, I do not think so.

6042. Some small amount?—I do not think there is any waste of time; there is a certain consumption of time, but speaking generally the time is usefully consumed.

6043. Could any of that time be saved and devoted to better purposes if the correspondence were either modified or simplified?—Not otherwise than by the delegation of powers which we have recommended. We have made recommendations from time to time for Government to delegate certain powers to us; there are some small matters in which we have to go up to Government now, which, in my opinion, are pure waste of time.

6044. Some of your time therefore, is wasted?—Yes, in those small matters.

6045. And in the same way, in your judgment, some of the correspondence which comes to you from below causes a certain waste of time, and you propose that you should delegate the authority to your subordinates to prevent that?—Yes, to a small extent.

6046. You hand in a list of different heads of subjects with which you have to deal as Commissioner of Revenue Settlement and so forth. That list contains no fewer than 32 heads; out of these 32 heads how many can you settle yourself?—I could not tell you without going through the list. In practically all these cases there is an appeal to Government.

6047. I want to know how much you can practically settle yourself?—Any answer I give you will be misleading, but I should say 14 out of the 32.

6048. About half?—Something of that sort. In any case practically any order I give is open to appeal.

6049. But in practice you find that you can dispose of about 14 out of the 32?—For instance, some of the heads in that list are really only periodical reports; of course there is no appeal against a periodical report.

6050. Now with regard to remissions of revenue, we have had it in evidence here that Collectors can remit wet revenue at their own discretion?—Yes.

6051. They cannot remit dry revenue?—No.

6052. Might not that power of remission to some extent be further extended to Collectors?—No. I do not think there is the slightest necessity for it.

6053. Throughout the Presidency what sort of proportions of revenue respectively are derived from wet and dry crops; would it be one-third to two-thirds?—I daresay it might be, but I should be very unwilling to commit myself to any definite statement. I do not think there is any need to delegate this power to Collectors. To begin with, it is very seldom that it has to be exercised; to go on with, it is not a matter that requires any very detailed enquiry. A dry remission according to our rules is granted over large tracts of country, and not on consideration of the conditions of each particular field, but on the consideration of the general condition of the tract.

6054. I am not asking what the rules are now; I am asking, if there is distress in any particular village, why should not the Collector have power to remit without reference to the Board of Revenue, if the remission would give real relief?—In my own opinion, I should say Collectors would be far too much inclined to grant remissions.

6055. Collectors would forget their obligations from the revenue point of view?—Quite so.

6056. What is the limit in the case of wet crops that they can remit to?—Any amount; that is to say, wet remission is given field by field, and they can remit the full amount of it.

6057. You do not think that some limit might be fixed within which a Collector visiting a village, or even a district, in which there is evidently distress amongst the growers of dry crops, might be empowered to remit revenue? He can as I understand suspend it now, can he not?—He can only grant what we call postponement of kists.

6058. Postponement of kists is putting off the date of collection?—Yes.

6059. It is quite clear that, if a man has got no crop, unless he draws on his previous year's savings, he has no money; that would apply to any crop, wet or dry?—That is so.

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6060. If there is real distress, that relief should be given and given quickly?—Quite so.

6061. Therefore, would it not be well that a Collector should have power, within certain limits, which would not endanger the financial stability of the provincial Government, to give the relief which is all-important to the cultivator?—You are assuming that if a dry crop fails the man must be reduced to distress. I do not think that that assumption will bear examination; it requires certainly more than the failure of one dry crop to reduce a man to distress, and I do not know that there is need for any immediate and early relief such as you suggest.

6062. Would the Collector be in the position to know, or would his subordinate in whom he trusts be in a position to know, whether either a particular village or individual raiyats in the village had, or had not, got some hoardings?—He would not be in a position to know about each individual raiyat, but he certainly ought to be in a position to know whether, speaking of a village generally or a tract generally, the people were hard up.

6063. You could not trust his discretion within a limited area, in the case of dry crops, to say whether or not the village deserved relief?—No; I should prefer not to trust his discretion; I do not say that there are no officers whose discretion could not be trusted, but speaking generally, I think not.

6064. You trust Collectors in large matters otherwise?—Yes.

6065. But in the case of revenue you do not feel yourself so free?—I do not say of revenue; I only say of one particular form of revenue.

6066. Who fixes the date of the kist?—That is settled by Government.

6067. On whose advice?—On the advice of the Board of Revenue and the Collectors and all the local officials.

6068. You yourself at your own discretion as a member of the Board of Revenue cannot settle that?—No.

6069. Why is it necessary to carry that beyond you to Government? Is your advice to Government about kists often disregarded or altered?—No; we very seldom do give advice to Government about the kists now. The latest rules about altering the kist are that when a district is re-settled the Settlement Officer is to combine with his settlement report any recommendation he may have to make as regards what we call the *kistbandi*, and occasionally suggestions are accepted; I think the other day one was accepted in Kurnool; the first kist was formerly timed to fall in December, and on the recommendation of the Settlement Officer it was put forward to January; that of course comes through the Collector and through the Board—through me—to Government.

6070. But who is Government in this case?—Well, the Secretary is only the channel by which it reaches the Government.

6071. Cannot the Secretary settle a matter of that sort?—No.

6072. That would have to go practically to the Government?—Yes.

6073. Who would have the best knowledge of a particular district, the Member of Council who seldoms tours, the Board of Revenue who tour more often, or the Collector who lives in the district?—The Collector would have the best knowledge of conditions as they are; I think the member of the Board of Revenue might claim to have almost equal knowledge, provided that he had personal knowledge of the district; in some cases more so.

6074. Might it not be sufficient to stop at the Board of Revenue, so that the local knowledge of the Collector, tempered by the experience of the member of the Board of Revenue, would settle these matters?—As a matter of fact it does not even stop at the Government. There can be no

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large alteration of the *kistbandi* without informing the Government of India, for financial reasons; so much of our revenue falls in the months prior to the 1st April, and the rest afterwards, that if there were to be any large alteration in the *kistbandi* it might upset the whole of the financial arrangements.

6075. It might involve transference of revenue from one year to another?—Yes.

6076. How often is the revenue collected in a year?—It is collected the whole year round.

6077. The alteration of date would only really affect the Government of India and the provincial Government within two or three months. If you altered the date of collection of revenue say from February to April it would upset the revenue of the year?—Yes.

6078. But suppose you altered it from October to December, that would have no effect on the revenue of the year?—I only know what the Government of India tell us. The Madras Government on one occasion did, of its own authority, sanction a certain change in the *kistbandi*, and the result was some financial dislocation; I do not know the details, but a letter came down from the Government of India requesting that the Madras Government would not effect any large alteration in the *kistbandi* without either letting them know or consulting them.

6079. Are there many questions of altering the *kistbandi*?—No, not now—not large questions.

6080. If any powers were delegated on this matter it would be a comparatively small matter?—I think so. At the same time it must be remembered that the important kists are those in March and April, and that every single kist you transfer from March to April would be of importance.

6081. I asked a Collector yesterday whether he thought there could be some further improvements in the methods by which the loans reached the cultivator. Do you think yourself that there could be any means of expediting the matter?—We considered that question quite recently, and we introduced certain improvements. The general effect was so far as I remember—I have not referred to the papers since—that Divisional Officers and revenue inspectors may take the money into camp to pay the people on the spot without their having to come to the *taluk* cutcherry. Now, there appear to have been orders issued by the Government of India dated the 1st March, 1905, and the 14th May, 1907, under which the accounts of loan transactions have been simplified, and this alteration of taking cash into camp has been adopted.

6082. You have told us that you think the second alteration has been made; do you know whether the first improvement has also been carried out, as to the matter of accounts?—I cannot speak from personal knowledge, but if it has been ordered it must have been carried out. The only person who could tell you that would be a person who has been entrusted with the duty of keeping the accounts.

6083. Do the accounts of these loans not come up to you?—No; they are kept in the *taluk*; there are other accounts that come to me, but those are only consolidated from the *taluk* accounts.

6084. Are these *taluk* accounts simple?—They are as simple as they can be; they are still complicated.

6085. Could they be simplified?—I should hesitate to give an opinion.

6086. You deal with vital statistics?—Nominally, yes.

6087. Are they sent in to you?—I am responsible for looking after births and deaths registration, but as a matter of fact practically nothing ever comes to me.

6088. Are you a post office in the matter?—That is the sort of thing.

6089. Whom do you send them to?—I really do not know.

6090. Why should you be a post office? Why should they not go direct?—I have made a mistake. Statistics of births and deaths do not come to me. The "births and deaths registration" there refers to the compulsory registration of births; it is only in certain areas that the registration of births and deaths is compulsory, and before those areas can be extended reports come up from the districts through me to Government. In regard to that I do perform certain functions more or less.

6091. More or less?—Well, let us say more; I mean, I do really consider those reports; they are genuine reports; it is not a mere statistical matter, but the Collectors send in and give their reasons *pro* and *con* about the extension of compulsory registration to certain areas.

6092. Then you have your railway and District Board statistics?—Those are pure statistics; I do not think I ever see them unless I call for them.

6093. Why should they not go direct to the other department to whom you send them?—I do not know; speaking at random I should be delighted if they did; there may be some extremely good reason why they should not. Practically I am responsible for all statistics of any sort.

6094. What is the good of an officer being responsible for statistics which he does not see and for which he is merely a post office; why should not the real man be responsible?—That I cannot answer.

6095. If your Department is not the really responsible department they ought not to go near you; it is waste of time and labour?—There is a great deal of compilation to be done, and some of that is done in my office; it must be done somewhere; if it goes to the Government office or remains in the railway office I shall be delighted, but somebody has to do it, and they have put it on me.

6096. Then with regard to seasonal reports, are these all necessary to your revenue work?—Yes.

6097. Then economic botany, entomology, mycology, and agricultural chemistry?—That is all connected with agriculture; that is one of my most important departments.

6098. Then statistics of industries; must you have those statistics?—I think you might cut out the word statistics; it really means industries. You were mentioning the Director of Industrial Inquiries; he is the head of that Department under me.

6099. Then with regard to fire, flood and other unusual charges?—Those are things that very seldom occur.

6100. Speaking generally, out of all these 32 different subjects, can you give us any suggestions by which your correspondence both outwards and inwards could be diminished; is your work in the Department very heavy?—It varies from time to time; sometimes it is very heavy; there may be a great rush of work that one can hardly get through; then for a time it is perhaps not so heavy; at any rate there is quite enough to fill my whole time.

6101. Has your department increased in size lately?—Yes, owing to such things as co-operative credit societies, the extension of industries, and the extension of the Agricultural Department; all those are growing very fast.

6102. Therefore is it not almost essential when you have to deal with these subjects, that your unnecessary correspondence upon those subjects should be reduced to the very smallest possible degree?—I suppose so.

6103. Can you from your experience make any suggestion to us as to how that unnecessary correspondence could be got rid of?—I could not make any suggestion at random in regard to mere administrative correspondence; I should have to consider it with regard to each of these different departments.

6104. Could you, speaking generally, trust more to the discretion of your chief subordinates, the Collectors and Directors of all these various subjects? You have told us that you would not like to trust the Collector in the matter of dry revenue, but on other subjects which pass beween you and him would you like to give him greater discretion?—In some matters, yes.

6105. Could you give us one or two heads of subjects on which you think he might have more discretion?—One matter is that of appeals.

6106. Is there any other subject?—I have not formed any ideas beyond the mere isolated things in which we have recommended delegation.

6107. Then with regard to these other Directors: besides small matters, is there any other important work which is now nominally entrusted to them and really settled by you or some authority superior to you, which you could trust to them?—Again I cannot say on the spur of the moment.

6108. Are the departments growing?—Yes.

6109. As a department grows is it not quite clear that the person at the head of the department must acquire greater experience?—I suppose he ought to.

6110. Is he worth keeping if he does not?—No, I take it he is not.

6111. Then would it not be well that as a department grows, and as the head of it acquires experience, he should be gradually entrusted with larger and larger powers; is that not a sound maxim of Government?—Yes.

6112. Would it not therefore be well in the interests of your own department to search carefully into the subjects in regard to which these gentlemen might have much greater powers?—Yes, I shall be very glad to do it.

6113. Can you give us any suggestions on the point?—No, I cannot at the moment, because it would require very careful consideration and consultation; other officers might have very different ideas from mine.

6114. You have not consulted them yet?—Not generally on the question. There is one matter of importance that I may refer to. The other day a matter came up in connection with the Director of the Industrial Department; that is a *quasi*-commercial department in a great measure; he now is developing the manufacture of chrome tanned leather; he explained to me that in connection with that development he had to purchase a great deal of raw hide, and he recommended that he might be allowed a floating advance up to Rs. 5,000. The Account Code at present does not allow any such advance to be made without the sanction of Government. That is a special case; he is running a department in a special way, different from most Government Departments, more like a mercantile firm. His representation is that he has not got enough cash to run his department properly. On another occasion he said, "It seems rather nonsense that, while Government allow me to spend perhaps Rs. 1,000 or Rs. 1,500 in buying hides, I may not sanction Rs. 15 to have another clerk in my office."

6115. (*Sir Frederic Lely.*) Have you had much experience as a District Officer?—Yes, for the last ten years I have been in Madras; for 19 years I was up country.

6116. You served as a Divisional Officer and as a Collector for some years?—Yes.

6117. Does not the *jamabandi* consist of an examination by the Divisional Officer of the village accounts and the *taluk* accounts?—Yes.

6118. Do you remember the number of registers and accounts of all sorts kept in the village?—What we call the village accounts number 24.

6119. Are they not unnecessarily voluminous?—I hardly feel competent to give an opinion; we have cut them down very often; what I should like would be to get the opinion of an expert, that is to say a non-official accountant, a chartered accountant, or something of that sort. We have four or five times tried to shorten them and cut them down, but still there is no doubt they are very large.

6120. You have large irrigation accounts, are those carried to very minute detail?—One I think has 115 columns.

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6121. And the revenue is adjusted to the fraction of an anna?—Yes. Perhaps we are talking of different accounts; there are "Irrigation Statistical Accounts" and there are "Irrigation Accounts" intended simply for the assessing of the water rate and so on.

6122. Those are what I am referring to.—They are not so very complicated.

6123. The statistical accounts are?—They are complicated in the sense that they are very minute.

6124. Is not the revenue, the share of water-rate, adjusted down to the fraction of an anna?—It is assessed at so much an acre.

6125. And then worked out to the very last pie?—I think we disregard the pies.

6126. However, might you not fix some margin of say eight annas; it would greatly decrease the intricacy of the account?—I do not know that it would, very greatly. If you only calculate it down to annas, I do not think that that makes it much more complicated.

6127. At the *jamabandi* the examining officer is supposed to examine the whole of these 27 or 28 books?—Yes.

6128. As a matter of fact does he do it?—To begin with, he does not examine them at the *jamabandi*; a great number are examined before; and, by way of simplifying the *jamabandi*, orders have been issued that all the accounts on which the revenue is assessed should be submitted to a Divisional Officer periodically, every month I think it is, and that he should pass orders on them from time to time; that relieves the pressure at the *jamabandi*.

6129. Still, at the *jamabandi*, he is supposed to refer to each of these books, is he not?—Yes.

6130. And examine them and consider the condition of each village as it may be inferred from its progress or retrogression, and so on?—Yes.

6131. On the average how many villages would the average Divisional Officer have?—He would have generally speaking two *taluks*; generally speaking a Divisional Officer has to take the *jamabandi* of two *taluks*, and in each *taluk* there will be an average of, I suppose, 120 villages; it varies from 120 to 150, some more, some less.

6132. About 250 villages?—Yes.

6133. Is it possible for one man to make any proper enquiry into the condition of all those villages?—Yes, I think it is; when you speak of one man, of course he has got his office to help him; you do not expect him to check every figure himself.

6134. It is mostly office work?—The actual orders are passed by the *jamabandi* officer; there will be some arithmetical work.

6135. I rather gathered that the 250 villages would be too many, but even that is sometimes exceeded?—The Collector very often has to do three *taluks*, and in some instances the Divisional Officer has to do three *taluks*.

6136. Then he makes the *jamabandi* report to the Collector?—Yes.

6137. What does the Collector do with it?—He makes a consolidated *jamabandi* report for the district, which comes to the Board of Revenue, and then the *jamabandi* report for the whole Presidency is consolidated there and goes to Government.

6138. I take it that that report is practically the only means by which the higher authorities know of the state of the villages and the general state of the district?—Oh no.

6139. How else do they know?—You use the words "state of the villages and state of the district"; we have our weekly season report.

6140. I ought to have said, that and other reports?—That and other reports, yes. You want to know whether the higher authorities, that is to say the Board, perhaps, and the Government, are dependent solely on these reports for their

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knowledge of the districts; certainly not; the members of the Board travel through the districts.

6141. Do you inspect the offices?—Yes, sometimes.

6142. Instead of making this separate *jamabandi* report to the Collector to be forwarded to the higher authorities, would it not be sufficient if the notes made at the *jamabandi* were deposited in the *taluk* office, and if any superior officer coming round was able to refer to them?—You mean for the purpose of learning the economic condition of the villages?

6143. Yes.—But then the *jamabandi* serves another, and perhaps a much more important, purpose. It gives the Government information as to the way in which the revenue for the year has been arrived at.

6144. But that would not require a voluminous report?—The actual report is not very voluminous; it has been cut down. What is voluminous is the statistics.

6145. Do those accompany the report?—Yes.

6146. Is that necessary?—I should imagine so, because the Government must have information as to how the revenue has been arrived at; I am speaking of the pages and pages of figures that you objected to.

6147. You think that is necessary?—Yes, I think so; I do not see how Government could possibly appreciate how the work was done without those statements.

6148. Would not short abstracts be sufficient?—What they get are abstracts of the accounts in the *taluks*; the actual village and *taluk* accounts are not published in the reports which go up to Government or in the reports made and published by Government; it is all an abstract.

6149. But the Divisional Officer has to prepare them and send then in, and they are for the purpose not of ascertaining how the man has done his work, but for the purpose of setting out the sources of revenue?—Yes.

6150. Is that all that is aimed at?—You also judge of the way a man has done his work by the way the *jamabandi* has been done.

6151. But if the point is to ascertain how the Divisional Officer has done the *jamabandi*, whether he has made a complete examination and whether the tahsildars and Deputy Collectors have come out of it well or not, is it worth while putting all that into a report to Government; would it not be sufficient to state all these details, and send it to the tahsildar for information and guidance, and allow it to remain in the tahsildar's office for inspection by any superior officer who goes round; would that not be quite sufficient?—I should hardly say so; I think Government would like to know how the work was being done in the *taluk*.

6152. But cannot they trust the superior officers to see that the work is well done; why should Government worry itself about the way in which the Divisional Officer does his work?—It seems very important that Government should know.

6153. You do not think it would be sufficient to trust to the superior officers, the Collector and the Board of Revenue, to see that the officer does his detail work properly?—No; I think Government ought to have knowledge on that subject.

6154. It causes a great deal of extra paper work?—Not very much; there is a great deal of extra work in the matter of compiling the statistics.

6155. As to the Court of Wards; is that under your department?—Not now; at least, I am only one out of four; but it was very specially under me for two or three years.

6156. Do you not think it has a very deadening effect on the work of a Collector not to be allowed to spend Rs. 5 without sanction?—It would have if that were true, but it is not—not at all.

6157. Can he raise the pay of a servant?—Yes; we have given him very large powers.

6158. Is that a recent change?—No; the delegation was, I think, in 1904.

6159. He has very large powers then?—Yes. It is perfectly true that he cannot spend a pie without sanction, but that really means that it must be in the budget or somewhere else. For all the ordinary expenditure in these estates we have a schedule drawn up of what is called the "ordinary expenditure" required in the estate. When once that has been sanctioned for an estate, the Collector may incur any expenditure he likes in accordance with that schedule. In addition to that, take the case of irrigation works or anything of that sort; he may spend without any sanction at all Rs. 500 on a new work and Rs. 1,000 on repairs; he may give fees in civil or criminal cases up to any extent he likes. It was said yesterday by a Collector that he spent a large portion of his time in writing reports to the Board to get sanction for the filing of suits or defence of suits. As a matter of fact he requires no sanction at all unless there is some "special or important issue" involved. If any "special or important" issue is involved he has to get the sanction of the Court of Wards; otherwise he has a free hand either to file or defend suits.

6160. Then he has practically a good deal more power than he said he had?—Yes, a good deal more.

6161. One question about income tax; does that come under you?—No.

6162. But as a matter of fact there is a great deal of income tax appellate work?—Yes, there is.

6163. Involving often complicated accounts?—Yes.

6164. It is rather a laborious task to wade through them?—Yes.

6165. Does the higher appellate Court, the Board of Revenue, do that?—Once or twice I have taken over particular appeals that have come to the Board, because the member in charge did not wish to dispose of them, he personally knowing something about the matter. My experience is that accounts are very carefully examined, as carefully as time will permit.

6166. Do you think it is worth while that two highly-placed English officers should laboriously wade through accounts of that sort?—No; that is a matter in which I think there might be delegation of power.

6167. I suppose in income tax cases it is very difficult to arrive at the truth?—Very.

6168. Even if you do arrive at an opinion different from that of the lower court you are as likely to be wrong as right, considering the nature of the evidence you have to go upon?—Yes, I should say quite as likely.

6169. Then is it worth while, when a small sum is at stake, to injure the Collector's authority by revising and altering his decision?—No; as I say, I think that is a matter in which the right of appeal might be cut down.

6170. The supervision of the Board of Revenue is by means of touring?—A great deal of touring.

6171. You have got 24 districts in the Madras Presidency?—Yes.

6172. Does the whole of the Board manage to visit every district once a year?—Every district is visited once a year by either one or more members of the Board, some by all members of the Board, some by two, some by three.

6173. On an average?—I should say something like two or three members.

6174. How long do they generally stop in a district?—Three or four days, or a week, sometimes longer.

6175. Do they make it a point to inquire into all the administration?—It varies with the member; the member in charge of the Separate Revenue Department—Salt and Akbari, Customs and Income-tax—makes investigations into the work of the officers in his own department in the district; the member in charge of Forests makes detailed inquiries into the work of that department in the district. My work being principally land records, that is the item to which I should principally address myself.

6176. Do any of you look into the state of education?—Personally I do not, except as I might take a personal interest in it.

6177. But you are not expected to?—No.

6178. The Collector may take absolutely no notice of the course of education in his district, but it would not come to your notice?—No, except in a general sort of way; when we tour we occasionally hear things that have to do, not with our particular department, but with matters of general administration.

6179. Then practically education attracts no attention from touring officers?—Not from members of the Board of Revenue.

6180. Suppose in the headquarters of his district there is a Training College where discipline is a scandal, and the Collector takes no notice of it, is there anyone to pull him up?—There is the educational authority.

6181. It is left entirely to the educational authorities?—I think so; but suppose I was touring in a district, and I heard that there was a great scandal in a school or something of that sort, I should probably bring it to the notice of the Government demi-officially.

6182. That would be a matter for your own personal discretion?—Exactly.

6183. Then the state of discipline for instance in a Training College is left entirely to the Educational Department?—So I believe; it does not come under me.

6184. That is to say, an educational inspector?—Yes, or the Director.

6185. Is it a consistent system that a Collector, a man of mature experience, should not be allowed to remit, say, Rs. 10 to a ruined cultivator, but that the whole trend of education in a countryside should be entrusted entirely to a young man with possibly no experience at all in the country?—I presume it is not; it is rather a difficult question to answer.

6186. The Collector has no power to make direct remissions of his own authority on dry crop assessments?—No.

6187. Is not the Board of Revenue, which exercises that power, completely dependent on the Collector's report?—Not entirely. Suppose it is a large matter, affecting a large tract of country, the Settlement Member would go and inspect the tract, and probably, in case of distress such as would be necessary to bring the question of dry remission within practical politics, he would have seen the tract many times over.

6188. I was referring to smaller cases?—As a matter of practice we do not give remission in dry crop cases of small extent. I do not mean to say that we should never do it. Suppose a sudden calamity; suppose in some case a river swept over the country and covered a few fields with sand and rendered them uncultivable; we should come in then.

6189. But those cases must occur?—Yes, but they are so extremely few that there is no need to make a rule to meet them. What would probably happen would be that the Collector would tell his subordinate not to collect, and then report the facts.

6190. If cases are extremely few, it is not obvious how it would be dangerous to give the Collector power to deal with them?—If you limit it to such cases I do not think there would be any objection to it.

6191. Say a limit of Rs. 1,000?—I should say there would be no objection to that.

6192. From your knowledge of Orientals you would admit that a boon given at once is enormously enhanced in value; the delay of a month or two robs it of half its grace?—That is so.

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6193. Then, in matters connected with District Boards and municipalities and so forth, there is no intermediary between the Collector and Government?—I believe not.

6194. In the case of a riot or any great disaster such as a flood, would it be anybody's duty to go to a district and give the Collector advice and support?—You are speaking of exceptional circumstances. I do not say that it is anybody's duty, but I may quote an instance. In 1896 when I was Collector in the Kistna district, we had an extraordinary flood such as had never occurred before; they could not get at me; it happened that I was in the corner of that district, and I could not get up there in time, there was a member of the Board there, and he took charge *pro tem.* and issued all necessary orders.

6195. He happened to be there?—Yes. Suppose he had been anywhere within distance he would have come there no doubt; at any rate personally I should have done so.

6196. The personal contact between the Collector and the higher powers is limited to an occasional visit, perhaps once or twice a year, from members of the Revenue Board?—Yes.

6197. All the rest is a paper chain?—There are the Heads of other Departments.

6198. But they would attend only to their own department?—Yes.

6199. Is the practice of demi-official correspondence much in vogue in the Madras Presidency?—I cannot compare it with other Presidencies, but there is a great deal of demi-official correspondence.

6200. (*Mr. Dutt.*) Does settlement give a great deal of work?—Yes.

6201. The initial settlements are all over; it is only the revision settlements that are taking place now?—Yes.

6202. And they come up after the lapse of a fixed period of years?—Yes.

6203. Is a general proclamation issued that a particular district is going to be re-settled?—Yes.

6204. Is the Settlement Officer a special officer?—Yes.

6205. Are there a number of Settlement Officers always employed by the Madras Government?—There is a Special Settlement Department, which is now gradually being absorbed, and now Civilian Officers are put on special duty.

6206. Would you tell me approximately how many Settlement Officers there are now?—Four.

6207. Is the re-settlement work very heavy; does it involve the re-classification of soils?—No, only in exceptional cases; I will not say never.

6208. Generally, there is no re-classification of soils?—Government has laid down the principle for its own guidance that, generally speaking, there shall be no re-classification.

6209. Has that been published in the *Gazette* or proclaimed to the people?—I do not know whether it has been published; but it is perfectly well known.

6210. When the Settlement Officer has made his assessment, is that proclaimed to the people first, or is the sanction of the Board of Revenue first obtained?—Do you mean that such and such rates have been fixed?

6211. Yes?—Of course you cannot proclaim to the people that such and such rates have been fixed until the sanction of the Government has been obtained; but the Settlement Officer consults the people as to the rates to be fixed, and the member of the Board of Revenue generally consults them too.

6212. But his decision is not communicated to the people before the Government sanction has been obtained?—No. As a matter of fact you cannot speak of the Settlement Officer's "decision." It is only the Settlement Officer's recommendation.

6213. What opportunities has the Collector to give his opinion on the proposals?—They all come through the Collector to me.

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6214. So that the Collector has his opportunity of giving his opinion then, when he passes it on?—Yes, and at many other stages in the course of affairs too; the Settlement Officer is always in close communication with the Collector.

6215. After it has been sanctioned by you does it go to the Government for sanction?—Again, I cannot "sanction"; I can only recommend.

6216. There are two officers recommending and the Government gives its final sanction?—Yes.

6217. And then it is proclaimed to the people?—Then a notification is issued.

6218. Suppose some of the cultivators think that they have been hardly dealt with, what remedy have they got after the final notification?—They have remedy by petition; and there have been cases in which the rates have been lowered in consequence of representations made. At any time during the currency of a settlement, that is to say ordinarily speaking 30 years, the rates may be lowered, and it is open to anyone to make a representation to the effect that the rates are too high.

6219. But cases of the rates being lowered on representations made immediately after the settlement, are very rare?—Yes.

6220. Would you recommend any larger opportunities to the cultivators to put forward their objections before the final sanction of the Government is given?—No, I do not think there is any necessity.

6221. You do not think it is a grievance that the whole thing is done before the people know anything about it?—I do not know about its being a grievance, but I do not think there ought to be a grievance. The raiyats are perfectly well aware of what is going on; the Settlement Officer consults them all the time; he is moving about in the villages and he mixes with them, and as a matter of fact one knows that he does consult them. In the one settlement in which I took a prominent part, I made a point of consulting the raiyats.

6222. But they do not know what recommendations have been actually made by the Settlement Officer?—They do not see his report.

6223. That is what I mean. Do you not think that a better opportunity should be given to the people to bring forward their objections before the Government after they have known the proposals and before the Government has given its final sanction?—I do not think there is the slightest necessity. As a matter of fact they do know what the proposals are. It may be perfectly true that they do not see the Settlement Officer's report, but they know perfectly well what his proposals are.

6224. In what way?—It is known to everybody; it is not confidential.

6225. It is not published?—It is not published, but it is talked about between the Settlement Officer and the raiyats and all sorts of people; it is not confidential in any way, and they are perfectly well aware of it, and, as a matter of fact, they do send in memorials almost without end.

6226. If they are known to the people, would you have any objection to their being formally made known to them, not in an underhand or confidential way, but formally communicated to the people before final sanction is given; would you have any objection to that?—I do not myself think that there would be any great objection; it has been done in some cases.

6227. You said that the accounts kept for assessing the water rates are not very complicated?—No.

6228. They are generally so much per acre?—Yes.

6229. Do the water rates vary according to the kind of crops grown?—Water rates are rather in a state of transition. We have certain rates in force in certain districts where the rate is calculated either at the whole or a proportion of the difference between the wet and dry assessments; in other places the rates are calculated at so much per acre.

6230. Are different rates imposed for different kinds of crops grown?—The only distinction as regards the crop is whether it is a crop that takes water for the period during which one crop will remain on the ground, or for a period in which two crops will remain; that is to say whether it is *ek-fasl* or *do-fasl*.

6231. Suppose a man grew *do-fasl* in one year and went in for *ek-fasl* the next year, the rate would be decreased or varied?—Yes.

6232. So that there must be a great deal of variation in the water rates from time to time?—Yes, if it is according to the crop.

6233. Do you recommend that a uniform system of water rate should be levied, irrespective of the kind of crops that the cultivator raises?—No, I would not recommend it.

6234. You would continue the present system?—I do not know which system you mean; there are different systems in force. What I should like to see would be a system of rates varied according to the crop grown.

6235. That would involve an annual inspection of the nature of the crop?—There must be an annual inspection now.

6236. An inspection of the particular crop that is grown?—The inspection is of the area irrigated, and, when you inspect the area irrigated, you must at the same time inspect the crop.

6237. Are appeals or representations with regard to water rates or with regard to the land assessment made directly to the member of the Board of Revenue when on tour?—Not generally speaking, but I have had representations made to me. I am bound to say that what has been generally told me is that the rates have been very moderate, and that there has been no necessity for reference to the Collector.

6238. But generally speaking the practice would be to refer the complaint to the Collector?—It was not a complaint.

6239. Or representation?—Usually when I have been talking to the raiyats about the state of their crops and their economic position, they have told me things tending to show that they are satisfied. I cannot remember ever having had a complaint made to me—nothing that you might call a complaint; I am speaking about an oral representation.

6240. No petitions or even representations are generally submitted to the member of the Board of Revenue when he goes round on tour?—Very seldom.

6241. (*Mr. Hichens.*) Does revenue settlement include the remission of taxation or the remission of rents?—The actual remission is given by the Collectors; appeals about fixed remissions of land revenue come to the Board in the Land Revenue Department.

6242. To you?—Not to me; water rates come to me.

6243. I see that a certain number of remissions come to you. Is that not purely a land revenue matter, and would not the Land Revenue Department come in in connection with that point?—The Land Revenue Department would not come in there at all. The Land Revenue members would have nothing to say to the things entered in the particular list you have got, unless I choose to ask their opinion.

6244. Does not land revenue mean the rent which Government takes?—Yes, but there is nothing down here about rent or revenue.

6245. "Remissions" here do not apply to the remissions of revenue?—Yes, seasonal remissions of land revenue come to me.

6246. Is that why there was a cross reference from one department to another?—The division of work between the members of the Board does not proceed on any scientific principle—simply on the principle of trying to equalise the work.

6247. There is no definite classification; there is a Separate Revenue Department which deals with certain clearly defined subjects, but there is no clear line of demarcation between the subjects allotted to the other two branches of the Board?—The division of work between the Land Revenue Members and the Settlement Member is to some extent arbitrary.

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6248. Do you think that the work admits of a better classification than at present?—I do not think so; there is no inconvenience caused.

6249. Now with regard to the revision of revenue settlements, what are the relations of the provincial Government with the Government of India; how far, if at all, does the Government of India interfere in the matter of revenue settlements?—This is rather going out of my department, but I think the ultimate decision as regards the assessment of land rests with the Secretary of State.

6250. You deal with the Agricultural Department as a whole, not merely with the agricultural revenue of the department?—No, I deal with the Agricultural Department as a whole.

6251. In what respects are you brought into contact with the Government of India in the Agricultural Department?—Only in respect of the Central Agricultural College or institution at Pusa; there is an Inspector-General of Agriculture of the Government of India; he comes down here, and to a certain extent inspects and gives advice.

6252. The Inspector-General acts in a purely advisory capacity so far as you know?—So far as I know; in my experience I have never known him issue any orders.

6253. It is quite competent of course for the Government of India to interfere by means of legislation or otherwise if they wish?—Yes.

6254. In practice would they do it by legislation, or by instruction?—I think they would do it by instruction if they wished to interfere. It is a purely executive Department; I do not see that there would be any need for legislation.

6255. I take it that they would not do that without consulting the Government of Madras first?—I should imagine not.

6256. Do you consider at all that, in so far as the Government of India undertakes non-advisory work—by which I mean the College at Pusa that you alluded to just now—they are merely duplicating the work that is done in other departments?—I do not think so.

6257. Do you mean by that that they are doing work of a higher order?—Not necessarily. With respect to the College here, we have our own College and we wish to train men for agricultural employment and for employment in the Government Agricultural Department and so forth, and to improve the agriculture of this Presidency. It is quite obvious that the agricultural conditions of the Madras Presidency are very different from the conditions in the Punjab or from those of any other province of India. Therefore, it is necessary that we should have our own College and our own establishment, and have our men trained in a way that will suit local conditions.

6258. Is it necessary, from your point of view, that the Government of India should have their College?—I will not say it is necessary, but I think it is beneficial. They can probably carry on their work, for instance in research, to a much better degree than we could down here; and again they could study general principles perhaps that would be adaptable to the whole country and not merely to one province; we here should concern ourselves with principles only applying in Madras.

6259. There are certain definite subjects which it is desirable to study from a wider point of view than you can study them in Madras?—Yes.

6260. In the matter of appointments do you think that beyond a certain salary, say, Rs. 500 per month, it should be necessary to consult the Government of India?—Yes, surely.

6261. Necessary and desirable from the administrative point of view, not from the financial point of view?—Do you mean the control over the creation of an appointment, or the control over the appointing of an individual to that appointment?

6262. Both?—And you eliminate all questions of finance?

6263. I will eliminate all questions of finance for the moment?—If finance be eliminated, I do not see any reason why the Local Government should not be permitted to create appointments and appoint to them.

6264. You see no objection from the point of view of the good government of Madras to giving them a free hand with regard to the appointments that they make, subject of course to any limitations that may be laid down by law?—That is to say, the law on the subject of finance?

6265. Wherever the law prescribes that certain appointments have to be made "subject to the approval of the Government of India," would it be possible to eliminate that phrase and leave it to the Government of Madras?—Irrespective of all questions of finance—so far as I can see there would be no objection.

6266. I exclude finance, because I assumed that you have a fixed share of revenue at the present time?—Yes, we have.

6267. And therefore you have to make both ends meet so to speak?—Yes.

6268. And I assume that the Government of Madras would feel that obligation. Now do you see any objection, for example, to having an absence of uniformity between, let us say, Madras and Burma in regard to the salaries of different appointments?—I do not see why there should be any comparison between them. I do not know what Burmese conditions are at all. If you want to know whether I think that in every province we ought to have exactly the same appointments and exactly the same salaries; I should say not.

6269. I want to know whether uniformity is in your opinion desirable?—Certainly not; I mean, it is not necessarily desirable; it may turn out that uniformity is possible and desirable, but compulsory uniformity is undesirable—I mean uniformity for its own sake.

6270. But would you say, for example, if the Madras Government found it desirable to appoint an additional Assistant Collector, that they should be allowed to do that without consulting the Government of India at all, on the ground that they were the best judges as to whether an Assistant Collector was required in a district or not?—If you are still eliminating financial considerations, I see no objection to that.

6271. An objection might be raised that in certain cases the pensions of those officers would fall on the Government of India?—Surely that is financial; if you begin to talk about pensions you bring in financial considerations.

6272. Would you suggest that each province should be responsible for its own finance entirely?—That is a very large question, but as far as my knowledge goes I should say that that cannot be done.

6273. I wanted to get at some general principle with regard to the devolution that you would suggest. A good many details have been put before us in regard to appointments and in regard to other matters Can you in any way justify those under a general principle?—No, I do not think I can. We arranged them first in one order and then in a second; I do not think there was any general principle acted upon.

6274. Suppose it were suggested as a general principle that administrative matters should be confined to the provincial Government and matters of policy confined to the Government of India; would that be too wide?—I should not like to answer that on the spur of the moment; I have not thought over it as a matter of principle.

6275. Or take this as a principle: that any matters which require legislative sanction should be referred to the Government of India and that any others should not?—No, by itself I do not think that that is a satisfactory suggestion.

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6276. You have nothing to suggest yourself?—No.

6277. (*Mr. Meyer.*) In regard to the filling up of appointments, has the provincial Government not full discretion, subject to certain high appointments such as Members of Council and Judges of the High Court, which are reserved for His Majesty the King?—Yes, I think they have, so far as I know.

6278. As regards the personal element in connection with filling up appointments, there is no control by the Government of India over the Local Government is there?—No.

6279. As regards the creation of appointments, apart from financial considerations, there are a certain number of Services common to India—the Indian Civil Service for instance?—Yes.

6280. Suppose the Madras Government, say, within their budget allotments were to double the pay of Civilians in the province of Madras; would that not re-act on other provinces?—That is financial.

6281. But the hypothesis put to you by Mr. Hichens, which I desire to pursue, is this: would it be desirable that, if the Local Government could find the money, it should be able to do what it liked in the matter of creating new appointments. Suppose Madras had a considerable surplus and proposed very largely to increase the pay of its Civilian Officers; would that not re-act on other provinces which perhaps were not in such a fortunate financial position?—I suppose it might.

6282. It might be inconvenient on that ground?—*It might.*

6283. And suppose they were largely to increase the number of European Civilians, would that not to a certain extent raise a political question?—Quite so, but may I suggest that you are putting very extreme cases.

6284. That is just what I want to get at. You really think that the Local Government should have an absolutely free hand within the limits of its own budget?—I do not think the objection you raise is one that would be likely to occur; it is difficult for me to imagine the case of a provincial Government wishing to double the number of Civil Servants, or to double their pay, or wishing to do any extreme and outrageous thing of that sort.

6285. Are there not certain limits within which some amount of central control is essential?—Yes, there are limits; I suppose the question is whether it is necessary to lay them down, or whether you could not trust to the good sense of the Local Government.

6286. Would you and the Board give Collectors full power and simply trust to their good sense?—I do not think the Collectors are quite on the same footing as a Local Government; they have not the same experience.

6287. Would you have the Board given full powers?—Again, I do not think that the Board is quite on the same footing as the Government.

6288. Then you make a distinction; you say that the Government ought to be trusted but not the Board?—No, I did not say that. The question was put to me whether I thought there was any objection, and I said that, eliminating the financial question, I did not see why such and such a thing could not be done.

6289. But do you think it ought to be done?—That is another question; I do not know that there is any necessity for it.

6290. As regards the distribution of subjects between the members of the Board, you explained that it was notified by Government, but who actually draws it up; does the Board draw it up, and does the Government simply accept the schedule and notify it, or is it actually revised by Government?—On the only occasion on which I have known the notification drawn up, it was accepted by Government.

6291. Suppose it happens that you thought that a certain subject which had been dealt with hitherto by you could be better dealt with by the Commissioners of Land Revenue, and they agreed, could you re-arrange matters yourselves, or would you have to go to Government?—Strictly speaking we should have to go to Government. Suppose there was any change in the distribution of subjects and a member passed orders on it without the authority of Government, I do not think it would be legal.

6292. Apart from the legal restriction, should the members of the Board have full powers to distribute the work between themselves?—I do not think there is any objection.

6293. And the legal restriction, so far as it exists, is an unnecessary restriction from the point of view of practical politics?—Yes.

6294. As regards the distribution of work between the two Land Revenue Members: you have been a Land Revenue Member?—Yes.

6295. Is there not a large amount of work that is shared between the Land Revenue Members?—Not very much now; there are certain subjects which are called two-member subjects.

6296. As regards the bulk of the work, that is done by single members?—Yes.

6297. Would it be possible to reduce the number of two-member subjects and increase the number of one-member subjects?—I do not think so.

6298. Is it your experience that things go more smoothly and quickly in the Settlement Department or in the Land Revenue Department?—I think there is no difference really. The subjects that sometimes cause trouble are the full-Board subjects; those are the most important and probably give most scope for difference of opinion.

6299. You gave a list of full-Board subjects, but may not the Government tell the Board to treat any important subject as a full-Board subject?—Yes.

6300. In your full-Board subjects you have a number of matters relating to the Court of Wards; is that necessary?—As a matter of fact all the routine work is done by one member.

6301. Are there not a number of matters that are put into the full-Board schedule that might be really left to a single member in ordinary practice?—As a matter of actual practice, the Court of Wards is run by one member; the other members can see the papers at any time they like, and they are all circulated, but except in isolated matters, the whole of the Court of Wards work is done by one member.

6302. What do you call important matters?—Those that the member in charge himself chooses to send to more than one member; or any of the other members may ask to see any particular papers or class of papers.

6303. For instance, the marriage of a ward?—That is always done by all four.

6304. And the transfer of a ward from his home to "Newington"?—That is always done by the four.

6305. Are there not things that the whole four do that might be relegated to a single member?—I think all the subjects dealt with by the four members are important. You have mentioned those two. As a matter of fact the question of a ward's marriage, and the question of a ward's education, are very important matters; I do not know anything more important.

6306. Do you find that the Government interferes much in the Court of Wards work?—Very little.

6307. Are there any important matters in which you have to obtain the sanction of Government?—We have to obtain the sanction of Government to taking estates under the superintendence of the Court of Wards.

6308. Is that a legal necessity?—Yes.

6309. Do you really think it necessary?—Yes, I think so.

6310. There are a large number of small estates?—I think in every case the sanction of Government has to be obtained to taking an estate over; but in certain of the smaller estates, if we like, we need not recommend to take over, and then the papers need not go to Government at all.

6311. But the estate could not be taken under management without the formal sanction of the Governor in Council?—No.

6312. Do you consider that necessary in the case of petty estates?—I think it might perhaps be relaxed in the case of some small estates below a certain limit of revenue; a limit might be fixed.

6313. Government should only be addressed in the case of the larger estates?—Or, let us say, in the more important, because some are politically important though they may not be large.

6314. You might schedule those cases, and in the others give the Court of Wards a free hand?—Yes.

6315. Going a little further, might not the Collector have a freer hand in the management of the smaller estates within his district? You have said that he has considerable powers, but there are a certain number of matters in which he still has to come up for sanction, are there not?—You mean a freer hand in regard to the administration of estates after they are taken under superintendence of the Court?

6316. Yes?—I think we have given the Collector as full powers as he can manage; I cannot at the moment think of anything further.

6317. Has he any power with regard to establishment?—Yes, he has very large powers.

6318. Then, speaking generally, do you think the Collector has as much power as he can safely have?—Yes. The great trouble that the Collector has is in regard to the accounts. The treasury accounts are so complicated. That was in consequence of the Ganjam treasury frauds.

6319. There were considerable frauds in the Ganjam district in a Court of Wards case?—Yes.

6320. And the result was that you issued orders increasing the accounts and the complexity of the accounts everywhere?—Yes.

6321. Was that necessary?—We did that in consultation with the Accountant-General, and on consideration of all the facts that were discovered.

6322. The Accountant-General would naturally take a rigid view in accounts matters?—Yes.

6323. Suppose there is a failure in a particular case owing to the neglect or fraud of some officer, is it necessary to impose restrictions on everybody else; would it not be sufficient to make an example of that particular officer as a deterrent?—No, I think you must try to prevent such occurrences in the future.

6324. You do not think that very severe punishment—dismissal and so forth—would act as a sufficient deterrent?—No, certainly not.

6325. You have been Revenue Secretary to Government, as well as a member of the Board, and therefore you can look at matters from both sides. Speaking generally, would you say that a good deal of correspondence comes up from the Board to Government which need not come up?—Yes, I should say a great deal.

6326. And in the same way, correspondence comes up from Collectors to the Board?—Yes.

6327. You have made some general proposals as to the delegation of power from yourselves as a Board to Collectors, and from Government to you as a Board?—Yes.

6328. Does that correspondence which you consider superfluous arise out of a multiplicity of petty references, or is it on large questions?—A great deal of it comes from petty references, I think.

6329. I understood you also to say that your proposed delegations were themselves of a petty character individually?—Yes.

6330. But your point is that although each may seem small in itself, collectively they would reduce correspondence considerably?—Yes.

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6331. The power of the Board of Revenue in regard to the suspension of collection of arrears is limited to the *fasli* in which the failure of crop occurred?—Yes.

6332. Is that a sound restriction?—No; I think we might go further; I think the Board might have further power.

6333. Would you give the Board full power in regard to suspensions?—I see no objection to giving them full power.

6334. Has the Board powers in regard to the remission of revenue on dry crops?—No, it has to get the sanction of Government.

6335. Is that necessary?—I should say not.

6336. Should the Board have full discretion in regard to the remission of dry arrears?—Yes.

6337. You have stated that within some modest limits the Collector should have the power to grant dry remissions?—Yes.

6338. Has the Board any power in the matter of wiping off irrecoverable arrears?—No.

6339. Is that good?—No; the Board might have power in that respect.

6340. Full power?—I think so; the Board might write off anything and everything.

6341. These restrictions are mainly due to antiquated law?—Yes.

6342. As regards the Board's Standing Orders, does the Government interfere with them much?—Any proposal for the amendment of the Standing Orders has to be submitted to Government for approval.

6343. Is that necessary, except in matters involving some important new departure in policy?—I do not think it is necessary, because the Standing Orders do not bind the Government in any way.

6344. But they bind the Collector and the people under him?—But if they do not bind the Government, why is it necessary for Government to approve of them?

6345. Still, a man could appeal to Government, conceivably, against the Board's Standing Orders?—You mean against an order carried out in accordance with the Board's Standing Orders?

6346. Suppose you issued a new Standing Order dealing with *inams* or trees or anything else; any person aggrieved might appeal to Government?—Yes.

6347. I understand you to say that at present you cannot issue a Standing Order without the approval of Government; but if you could issue your Standing Orders independently there would be an appeal to Government by anybody who considered that your Standing Order was oppressive?—Yes, an appeal would lie.

6348. Do you think that that is sufficient control in the hands of Government?—I think so.

6349. Or would you do away with the appeal?—No; you could not do away with the appeal.

6350. You spoke of appeals coming up to you from Collectors in regard to seasonal remissions; do you deal with those yourself, or are they dealt with as a matter of office routine?—No, they come to me myself.

6351. In regard to the matter of accounts; a number of these accounts, in fact you might say all of them, or nearly all of them, come from districts; the Collector submits the district accounts?—The *jamabandi* accounts.

6352. And others—statistical accounts and so on?—Yes.

6353. It is necessary that they should be tabulated somewhere?—Yes.

6354. And the Board of Revenue office is a convenient place to tabulate them?—Yes.

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6355. Therefore, although you may not scrutinise the accounts yourself, your office is performing a useful and necessary function in tabulating them?—Yes.

6356. It was suggested that you should not go beyond eight annas as a unit in charges of revenue. Are there not particular fields in the Ceded Districts in which the assessment is two annas an acre?—Yes.

6357. Suppose a man has two fields of four acres each; what would happen under the eight annas principle; would you charge him eight annas or nothing?—It was not my proposal.

6358. Is it in your opinion a practical thing?—No, I think I said it was not.

6359. Do you consider that the Collectors might have larger powers in the granting of agricultural loans?—Yes.

6360. Their power is restricted now to Rs. 1,000?—I think it is Rs. 500.

6361. How far would you go?—In the proposals I made, I suggested up to Rs. 2,500.

6362. Would you give a like increase to the Divisional Officers and the tahsildars?—I did not make any proposal with regard to them, but of course that would follow.

6363. As regards the Inspector-General of Agriculture, do you consider that you have received useful advice from him in matters affecting the Presidency?—Personally I have had very little experience, but I believe his advice has been useful.

6364. Then as regards the Pusa College that you were speaking of; is not that a College for what you might call post-graduate study?—It was started for a post-graduate course.

6365. That is to say, it does not affect all your local men, but such of them as desire to do so can go on to that course?—Quite so.

6366. I see that one of your full-Board subjects is the appointment of tahsildars and deputy tahsildars?—Yes.

6367. Those appointments are really made by the Collector?—Yes, all we do is to sanction the inclusion of certain names in an approved list; the moment the names are in the list the Collector may appoint anyone he likes from that list.

6368. Then the list is a full-Board subject?—Yes.

6369. I take it that that is in order to get the maximum district experience possible?—Yes.

6370. Are you in favour of the Collector having full power to appoint his own tahsildars?—No, I think it would not be advisable.

6371. As regard the qualifications of the men whom the Collector sends up; how do you judge?—There are certain qualifications that are necessary—the passing of particular examinations for instance; but we judge (the examinations passed) by the general educational qualifications, by the previous service, by such things for instance as linguistic knowledge, and anything that may be within our own knowledge from previous reports.

6372. And in a certain number of cases one or other of the members of the Board would himself have known the district not so long ago?—Very often.

6373. Are you in favour of the personal grading of tahsildars?—Do you mean having one list for the whole Presidency?

6374. At present am I correct in saying that the pay depends on the *taluk* and that you cannot promote a tahsildar without moving him from the *taluk*?—That is the general rule, but there are exemptions granted from that rule; it is not a rigid rule now.

6375. That requires the special sanction of the Board of Revenue?—Yes.

6376. Would you be in favour of making it the general rule?—I think not, because some *taluks* are undoubtedly more difficult than others, and if you have only personal pay then you will be left with your more difficult *taluks* in the hands of the less competent and less experienced tahsildars; that is one reason.

6377. Is the senior tahsildar always the best tahsildar?—Not always, by any means.

6378. Are not your Deputy Collectors graded personally?—Yes.

6379. Does the same objection not apply there? Is not one Deputy Collector's division heavier than others?—Then he is transferred.

6380. Do you always have the most highly paid Deputy Collector in the heaviest division?—No; but I think the difference between one Deputy Collector and another is less than the difference between one tahsildar and another—I mean the average difference.

6381. Of course it would not be necessary to appoint them rigidly by seniority; a man could be passed over could he not, even under the personal grade system?—Yes.

6382. Would you be in favour of grading the tahsildars on a general provincial list?—No.

6383. You have had some experience of famine?—Yes, very [illegible] are call[illegible]

[illegible] but [illegible]

[illegible] Fitch h[illegible] cannot ac[illegible] same [illegible] cannot be altered without the [illegible]?—I think it can.

6397. Would it be possible to re[illegible] two-member subjects and inc[illegible] one-member subjects?—I do [illegible]rol necessary?—I should [illegible]

6298. Is it your experience [illegible]ever leave the general [illegible] smoothly and quickly in [illegible] in the hands of the Government or in the Land [illegible]es, the general principles, that is, to say, is no difficulty [illegible] to prescribe.

6387. But others [illegible]e the details might well be left in the hands of the provincial Government?—Certainly.

6388. Speaking generally on revenue matters, have you found that improvements have been effected on the initiative, or with the help, of the Government of India?—I think I am not competent to give an answer on that point. In the Board we do not see these things until they come to us from the Local Government, and we do not know whether or not any particular thing has come up to the Madras Government from the Government of India.

6389. As regards the point raised about the Collector and want of personal guidance, is it not the fact that you occasionally summon Collectors to Madras when it is desirable for you to see them?—Yes.

6390. And might not a Collector write and say that it would be advisable for him to come up and consult such and such a member of the Board?—Yes.

6391. As to the appointment of Collectors, do you think that greater care should be exercised?—No, I do not think that there is any need for any alteration in the present system.

6392. You are satisfied that all the Collectors are efficient. Of course, one man is better than another, but would you say speaking generally that every man you have got as Collector is fit to be a Collector?—Yes.

6393. (*Chairman.*) Are you sure of that?—Yes. It is very difficult to say what exact standard a man has to fill in order to be fit for a Collector, but I would not say that any of the men at present Collectors are unfit to be Collectors.

6394. Are you aware that a certain number of Collectors, more or less recently, have been held to be not altogether fitted to exercise their duties?—I know that one or two have been.

6395. (*Mr. Meyer.*) Is it not a general argument as regards delegating larger powers to Collectors, that some of them cannot be trusted?—I do not know that I would put it as baldly as that—that they cannot be trusted.

6396. I do not mean morally, but I mean trusted to exercise the power with discretion and ability, for the good of the State, as one might put it?—There are instances in which one would trust one man's discretion more than that of another, but I do not know that there are any Collectors of whom you could say that you would not trust their discretion at all.

6397. Do you say that there is not a single Collector that you would replace if you had a free hand at the present time?—Yes, no one occurs to me; nothing has come to my notice recently which would lead me to suppose that any particular man ought to be turned out.

6398. Would any good purpose be served, or the reverse, by giving Collectors Advisory Councils?—No, I do not think it would serve any good purpose. I think it would be a disaster.

6399. Are you in favour of trying to revive the village panchayat system?—I think that would be a very good thing.

6400. You would have some such system for local matters generally of a petty description?—Yes.

6401. (*Sir Steyning Edgerley.*) You say that if the senior member of the Board carries one member with him on any full-Board subject, that opinion prevails, and no intimation that the other two members differ is given to the Government?—It may be. There is no particular rule upon it except that a member who differs may, if he wishes to do so, have a minute of his dissent recorded.

6402. You say "any member dissenting from the opinion of the majority may claim that the fact should be placed on record, but has no right to claim that a formal minute of dissent should be appended to the resolution as submitted to the Government unless the latter invite one"?—Then perhaps I am wrong; I am speaking only as to the practice. As a matter of practice, on two or three occasions I have known members to dissent, and they have said that they would like their minute of dissent sent up, and it has been done.

6403. Suppose you and another member agreed, and that, therefore, was the decision of the Board, would you add to your report that Mr. So-and-so dissented?—Yes, that is always done; there is always that indication, even if it be not on the general question, but on a mere matter of detail.

6404. Then you say that it is the common practice in the Board that your Secretary disposes of a certain number of things which apparently he can anticipate, and that you see returns from him of the work he has done in that way, either every day or every week or every fortnight. What is the real practice; is there a daily return?—In my department it is weekly.

6405. How many items does that weekly return usually consist of—the routine items disposed of by the Secretary?—About 15 or 20.

6406. Your Secretary is an Indian gentleman on Rs. 1,000 a month?—Yes.

6407. These reports come from Collectors who may be higher officers on perhaps Rs. 2,000 per month?—Yes.

6408. Might it not be taken as a principle that everything the Secretary can dispose of ought never to come to you at all?—As a matter of fact the routine matters on which the Secretary passes resolutions are generally only intermediate references—calls for reports and so on.

6409. He considers that the case is not ready for your orders, and wants more information?—That is it.

6410. Would he ever dispose of anything?—He would never dispose of a complaint or appeal or any subject that would require the exercise of discretionary power.

6411. Not even some small financial sanction?—My sanction is obtained in all cases involving the expenditure of public money.

6412. Would not these weekly returns give you an excellent guide as to whether they were or were not things that ought to have come to you?—Yes.

6413. Where the execution of decrees is transferred from the Civil Courts to the District Collector under section 45 of the Court of Wards Act, the Collector cannot undertake the management of the estate. Cannot a Collector be trusted to execute a decree because he is in charge of the estate?—He has two distinct powers; as Collector of the estate he has to look after the management of the estate; as "Decree Collector," as he used to be called, he has to exercise a judicial function.

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6414. Surely the execution of a decree cannot be called a judicial function?—Well, *quasi*-judicial. He is simply a functionary of the Court; he is a Decree Collector.

6415. There is nothing judicial about it?—He decides for instance what they call the priorities, the date on which the decree should be satisfied.

6416. You have a section in the Court of Wards Act, Section 8, by which you can delegate to the Collector any function of the Court that you like?—Yes.

6417. Have you used that power a great deal?—Yes.

6418. Do you find that a convenient arrangement?—Yes.

6419. Have you ever had any complaints against that section being used—I mean complaints from outside parties?—No; not that I can recall.

6420. If there had been a serious complaint, you could have recalled it?—Yes; there cannot have been a serious complaint.

6421. Do you not think that a similar section would be extremely useful as between the Government of Madras and the Board?—You mean. enabling the Government to delegate powers. As a matter of fact I suppose the Government can delegate powers, except in so far as they are prevented by law.

6422. But this section gets you through the law; you have found it a very useful provision in the case of the Court of Wards; you have used it continually and given many powers under it: do you not think it would be a very good power to give to the Government?—I would not give it unless there is necessity for it; I doubt whether there is necessity; I think Government can delegate.

6423. You have sent in a number of schedules to the Local Government for amendment of powers; some of the delegations recommended in those schedules cannot possibly be given without legislation; my question is whether you do not think it would be well to give by legislation that power to the Government?—That is to say, to enable Government in so far as they have not now got powers by law to delegate to the Board or any other authority they like; yes, it would be most useful.

6424. Are you quite satisfied with the table of distribution of work?—Yes, I think so.

6425. For instance, all four members have to agree in the appointment of a deputy tahsildar; only two members are required to consider Acts and Bills, while one member only can dispose of the whole work of the Abkari Department; is that quite a logical distribution?—I think it is all right.

6426. Then, litigation is a two-member subject; that does not go to Government at all?—The sanction of defence of suits does not go to Government.

6427. Is it possible to state in words the principle of division of functions between the Government of Madras and the Board of Revenue?—No, I do not think I could at the moment state any principle.

6428. At any rate it is not a well-known principle; when a subject comes up you could not say, according to your lists, *this* is evidently a Government subject and *this* is evidently a Board subject?—No.

6429. All the members of the Board are promoted to the Board from the rank of Collector?—Yes.

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6430. So that up to that date you are freshly in touch with things such as local sanitation and medical relief, the police, and so on?—Yes.

6431. When you get on to the Board you all specialise?—Yes.

6432. You yourself came on to the Board at about 20 years' service?—Twenty-one or 22 years' service.

6433. Presumably you may get on to the Council at 31 or 32 years as the chance comes; you would not be likely to be there before?—No.

6434. So that for that rather important 11 years you will not have been in touch with every branch of the administration?—No.

6435. Then you go into Council, and you possibly have to deal with all these miscellaneous subjects and pass orders on them while your experience is about 11 years old?—Yes.

6436. Is that a good system?—I should say it may not be an ideal system, but the difficulty is to see anything better to replace it.

6437. The gentlemen who come on to the Board of Revenue are *ex hypothesi* the most experienced and most able and the best of the Collectors?—Yes.

6438. They come fresh on to the Board, and really, you would say that their experience is infinitely greater than that, for instance, of the Sanitary Commissioner, or the Surgeon-General, or the Inspector-General of Police?—That is to say, their experience is greater in regard to the general condition of the country—yes; I suppose that is so.

6439. Their touch with the people is greater?—Yes.

6440. Just when they are most useful on all subjects, the system cuts them off from dealing with all these other subjects which touch the life of the people of the district?—Yes.

6441. And when they come to deal with them again they are a little out of date?—Perhaps.

6442. We had a witness who said that possibly we got more efficiency out of the departments by having experts and trusting to them, but he said he thought it was worse for the raiyats. I ask you, do not you consider that your own Board system, cutting off the Collectors from these subjects, is also worse for the raiyats?—Than what?

6443. To withdraw these most experienced Collectors from all touch with such things as local self-government implies, sanitation, medical relief, police and so on, and leaving it to those specialists who are *ex hypothesi* less in touch with the people. Do you not lose a great deal?—I do not know that I would say so.

6444. Is that your deliberate answer?—You mean that it is bad for the country?

6445. I said, bad for the raiyats?—That they should be handed over to the Inspectors-General, or whatever it may be in the Government?

6446. That these gentlemen should be completely withdrawn from all control of these subjects?—No, I do not think so. I think the Collector of the district should have sufficient knowledge and power and authority to look after the interests of the raiyats.

6447. You said that you were entirely against the introduction of Advisory Councils; would you also be against any extension of the functions of District Boards?—You mean, so as to make them advisory. I think myself it is a wrong principle. If you are going to treat these bodies as advisory bodies, I do not think you can expect to get very much valuable advice; the advice that they would give would, I am afraid, be generally biassed and partial, and certainly I do not think they would ever give advice that would be considered unpopular in the press. But the great objection I should have is this: the object I take it is in some measure to fit the people for what we might call self-government, and all our efforts during the last 40 years, as far as I can see, have failed.

6448. I put it to you that they have failed because you have withdrawn your most experienced people from the control of those efforts?—I do not consider that that is necessarily the reason.

6449. May it be a contributing cause?—It might have helped, but for one reason or other our efforts have failed.

6450. At present all your District Board work goes straight to Government; the Secretary of the Government and the Members of the Council do not tour to any great extent?—No.

6451. Therefore they lose that living touch which a high class touring officer might supply?—Yes.

6452. Is that not a cause of the failure?—You mean failure of the District Boards and municipalities?

6453. Yes?—I do not think that that has much to say to it; I think the causes are other than those.

6454. You do not think that the proper end at which to begin to increase the local self-government of the country is with these District Boards and municipalities?—No, I would begin lower, I would begin with the panchayats.

6455. But at the lower end?—At the lowest end. I am strongly in favour of beginning with the panchayats.

6456. Do you not think that you require your best experience and your best brains to help it?—In so far as the panchayats are concerned, that is where I would begin. I think the Government interference should be reduced to an absolute minimum; I mean, Government officers should have the least possible to do with it that they can.

6457. You come into contact with two of the Government of India expert advisers, the Inspector-General of Agriculture and the Inspector-General of the Civil Veterinary Department?—Yes.

6458. You say you think the Inspector-General of Agriculture is helpful?—Yes.

6459. You think at present he confines himself to enquiry and research and the dissemination of information and advice to the Government of India and such help to the Local Government as he can give?—Yes; those are all useful functions.

6460. You do not find that he transgresses those?—No, I have not found that in my experience.

6461. You do not find that you get improvements forced on you through his agency by the Government of India?—No—not in my experience.

6462. And therefore when he comes here you are rather glad to see him?—Yes.

6463. And he helps you locally?—Yes.

6464. But I suppose if he was in a position to give you orders or to fashion your development otherwise than by giving advice, you might think that dangerous?—Yes, I think it would be a risky experiment to allow him to issue orders.

6465. (*Sir Frederic Lely.*) You say that the Collector is entitled to act on his own authority, subject to budget provision, in matters concerning the Court of Wards. What hand has he in making the budget?—He sends up the budget to the Court, and the budget may be altered to a certain extent.

6466. As a matter of fact is it often altered in detail?—Not very much because there is no great scope for alteration in an estate.

6467. Has he power to reappropriate from one major head to another?—I do not think he has; I cannot tell you without reference.

6468. Has he any discretionary grant provided him for any unforeseen expenditure?—He has a balance.

6469. Can he spend any of that balance of his own authority?—Yes; he would have to report the fact.

6470. Suppose he wanted to make a little crop experiment?—In that case I think we should expect him to report beforehand, because it is not urgent.

6471. As to anything not urgent you expect him to get orders before taking action?—Yes; we delegate to him sufficiently large powers, financial and otherwise.

6472. I understand you to say that he cannot spend money without previous sanction by the Board?—No; that is the general rule.

6473. You admit that it is an important principle of administration to encourage zeal and initiative?—Quite so.

6474. Would it be a sound principle to lay down that the Collector should be allowed a very free hand, subject to periodical visitations by the Board to pull him up if he has gone wrong?—We should be obliged to have control over the budget; we must sanction that; and then, as I say, within the budget limits he can spend anything.

6475. But do you give him no discretionary grant, and allow him to reappropriate?—But the general purposes for which he has to spend money are so few. He has a grant for his agricultural work, for a farm, if there is one, for suits, for the maintenance of all the wards, for the expenses of temples, for repairs of irrigation works, for new works and so on.

6476. That is always supposing that he can get the sanction of the Board?—No; he can do all these things on his own initiative.

6477. That is if they are in the budget?—As I have said for new works he may spend up to Rs. 500; for repairs, up to Rs. 1,000.

6478. Even if it is not in the budget?—Yes; that would come out of the reserve if there is any. The budget would not cover individual work; so much would be allotted for what we call *maramat*, for repairs of tanks; when he has Rs. 10,000 allotted for *maramat* he can spend Rs. 1,000 on what he likes.

6479. But you say that he cannot reappropriate?—No.

6480. If he has Rs. 10,000 allotted and can spend Rs. 1,000 as he likes, that involves reappropriating?—No; all works in the estate are covered under the heading of *maramat*.

6481. And within that he can spend any money he likes?—Up to Rs. 1,000.

6482. Without the previous sanction of the Board?—Just so.

6483. But he cannot spend Rs. 5 on a crop experiment?—I do not think he can.

6484. (*Chairman.*) What I understand you to say is that each member of the Board of Revenue supervises some part of the Collector's work, but there is no officer of Government in whole charge of the whole of the Collector's work?—Yes.

6485. As there is in other provinces, where there are Commissioners over the Collectors?—No, there are no Commissioners in this province.

6486. And you think that, speaking generally, a system of partial supervision over a man's work, such as obtains by the Board of Revenue, is better than a system of whole supervision, such as obtains under a scheme of Commissioners?—I do not know that I said that, because I have no experience of the other system.

6487. And you are satisfied with your own system?—Yes.

6488. Now, you told us of a case of a flood occurring in your district when you happened to be absent from the place, and a member of the Board of Revenue going down and looking after things. In a province where there is a system of Commissioners, would the Commissioner have gone to that particular place as a matter of course?—I do not know.

6489. Probably if the flood occurred in his division, the Commissioner would have been bound to go there?—Yes.

6490. At all events he would have known that the Collector was not there?—I do not know.

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6491. Do the salaries of the Board of Revenue attach to individual places or to members?—To individual places.

6492. A man is doing work as Second Member of the Board of Revenue; in order to get a higher salary must he be put up to First Member?—Yes, but the work is not attached to the place.

6493. Therefore, suppose you are doing particular work as Second Member, you may then become First Member doing the same work?—Yes.

6494. Will you also tell me whether under the system in Madras, with no Commissioners, the powers of Collectors are larger than the powers of Collectors in other provinces?—I believe they are; I am not sure.

6495. At all events you will admit that, if they are not, the system requires that they probably should be?—Yes; I think very strongly that a Collector should have very large powers indeed in his district.

6496. So long as that does not affect questions of remissions of dry revenue; you put in that *caveat* perhaps?—Yes.

6497. Do you know whether there is any section in the Court of Wards Act, or any Act at all, by which Government could delegate much larger powers than they now delegate to Collectors for general administrative purposes?—No, I do not think so. There is no Act giving the power of general delegation.

6498. You have this power under Section 8 of the Court of Wards Act, but you do not act upon it?—Oh yes, we have delegated our powers as far as we possibly could under legal advice.

6499. Would it surprise you to hear that, subject to an annual report, Collectors and District Judges in Bombay manage minor estates with practically full powers and without any other control at all?—I did not know it.

6500. If that is found, as I believe it is found, to work well in Bombay, would it not work well, *mutatis mutandis*, in Madras?—Yes, I daresay it would.

6501. And might it not relieve you of a great deal of work and correspondence?—It would relieve us of a great deal of work no doubt.

6502. And to that extent therefore it would be distinctly desirable?—I do not know; I mean the question of how you are going to bring up your landed proprietors, men owning 1,500 or 2,000 square miles of country, is rather an important one, and the question is whether you could give the Collectors absolute power for that reason.

6503. Would a system which worked well in Bombay, *a priori*, work well in Madras?—I do not know what the Bombay conditions are; I suppose the estates are much the same.

6504. I suppose the officials in Madras are no whit inferior to the officials in Bombay?—I meant to say that I did not know whether the estates were the same; if it works well in Bombay, I see no reason why it should not work well in Madras.

6505. Who is responsible that the first intimation of serious possibility of famine reaches the Government?—It is extremely difficult to say when there is the first intimation, because the intimation has been growing from moment to moment; one can hardly say that there is such a thing as a first intimation of famine, because one is aware of it beforehand.

6506. Is there any possibility under the present system of serious famine—I do not mean distress, but serious famine—escaping the notice of Government?—Certainly not, absolutely none.

6507. In the preparation of the programme of "useful works" who is the officer actually responsible?—The famine relief programme is prepared by the Collector in consultation with the Public Works Officers and the Local Fund Board

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Engineers and the municipalities. The programmes prepared by the Collectors are sent up to the Board of Revenue.

6508. Can the Board of Revenue sanction them?—The Board approves the list, and passes on a copy of the resolution to Government, and a copy goes, I think, to the Government of India.

6509. What interval of time elapses between the despatch by the Collector of this programme and its return to him sanctioned?—Perhaps a month, or it might be two months, according to the state of work in the office.

6510. Does the state of work in the office prevent the consideration of measures which from their seriousness must be very urgent?—Certainly not.

6511. The immediate consideration?—No.

6512. You said just now that they might take a month or two months according to the state of work in the office?—Quite so.

6513. If that is so it is clear that the interval of a month before the Collector gets sanction to start his work may be very serious?—No; the famine relief programme has nothing to do with the starting of works.

6514. Nothing at all?—Nothing whatever.

6515. Can the Collector start works on his own responsibility?—Only in cases of great emergency.

6516. Then the famine relief programme has something to do with it?—No; the famine relief programme is what is sent in every year, whether there is famine or not; it is just to be ready prepared. The moment there is famine the Collector starts the works.

6517. Are there not minor and major works?—"Public works" and "village works" I think are the terms.

6518. We may be at cross purposes. My question is this: when famine becomes urgent, who is responsible for starting the works in time?—The Collector.

6519. Has he full sanction to start those works?—Yes. Of course, he ought to have works sanctioned beforehand, and our system is that, unless there has been grave dereliction of duty somewhere, he must have a complete programme ready, so that he would be able to get to work within five miles of any village at any time.

6520. There is a standing programme of famine works?—Yes.

6521. How long would it occupy to get sanction to start those works?—No time at all.

6522. Who decides whether the time has arrived to start the works?—Government decides when it is time to start famine relief work. We first go through the stage of test works; then when it is considered that the test shows that famine is really in existence, those test works are converted into what are called famine relief works.

6523. Has the Collector power to start test works on his own account?—No, only in emergency.

6524. He represents to the Government that emergency has arisen; how long is it between the time he represents that emergency has arisen and the time when he gets sanction to start his test works?—It would be practically no time; he would get a reply by telegram.

6525. Then in the case of famine he has a free hand in the suspension of revenue demands and the distribution of loans and so forth?—In the postponement of kists; that is to say, he would postpone all collections, and he would then report the matter; then the Board of Revenue can suspend collection for a whole year; if it is necessary to suspend for more than a year, the sanction of the Government is obtained.

6526. Then from your point of view there is complete freedom in case of emergency?—Yes.

6527. Are the famine accounts sufficiently simple?—Personally I have had no experience, because they have all been revised in the last year or two. It is only the other day that we got orders from the Government of India on the latest forms; I have not seen them. I think they are as simple as they can be made; in my own personal experience in 1891-2 and again in 1901, there was no difficulty about the accounts.

6528. When you have famine do you appoint what are called famine officers, just as when you have plague you appoint plague officers?—Yes.

6529. It is simply the Collector doing double work?—No, the famine officers work under the Collector.

6530. Are there special officers brought into the province for the purpose when famine comes?—Yes.

6531. Where are they got from?—Anywhere they can; it depends on the extent of the famine; in 187[illegible] Civilians and Military Officers and everybody they could indent on were brought in from other provinces.

6532. That is to say, other places were denuded of officers in order to get over the difficulty in a particular province?—Yes.

6533. And the same thing occurs in the case of plague?—Yes; the same thing of course would not occur now, because we have a larger staff and are better prepared.

6534. Who sets the Famine Code in operation?—The Famine Code is always in operation; I mean, there are provisions in the Famine Code which apply to the condition of affairs now, in the very best season.

6535. You have no suggestions of any sort or kind to make as to excessive interference during famine; no unnecessary reports are asked for from you?— No, none whatever.

6536. You have to send a weekly telegraphic report?—Yes.

6537. And a monthly report?—Do you mean during famine?

6538. During famine?—There are many more than that; we send weekly telegraphic reports always and a monthly written report.

6539. Does the monthly report cause you unnecessary correspondence?—No. Of course I am going back to my previous experience; we have had no experience of famine in the last few years; but according to my former experience the reports did not cause unnecessary correspondence.

6540. They could not be summarised in a more lengthy telegraphic report?—I think not; I think that everything that was in the reports was necessary.

6541. Not more than was necessary?—No, I do not think so.

(*The witness withdrew.*)

The Hon. Mr. C. J. WEIR, I.C.S., was called and examined.

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6542. (*Chairman.*) You are a member of the Board of Revenue?—Yes, since about six years. Before that, I was Secretary to the Government in the Local and Municipal Department and in the Educational Department.

6543. With regard to the Court of Wards we heard some evidence from the previous witness, and I believe you heard his evidence. Have you anything to say to supplement it?—I think not.

6544. Upon that matter Mr. Atkinson is more fully informed than yourself?—Yes; he has had more direct charge. I have only been for a short time in charge of what we call the routine work of the Court of Wards; I have seen a great deal of the work on more important subjects.

6545. A Collector told us the other day that he spent an appreciable time, which he put at an hour and a quarter a week, in sending up cases which were under Rs. 5 to the Court of Wards, and Mr. Atkinson told us this morning that it was quite unnecessary that he should have done that, and that the Collector had full power to dispose of those cases?—I think that is so, unless some question of principle was involved.

6546. Would there be nobody in your department to bring to the attention of the Collector cases which he had authority to dispose of himself and which he needlessly referred to the Court of Wards?—Certainly; I should think as a matter of course, as soon as the reference came in, it would be pointed out to him.

6547. Ought that not to be brought to his very serious attention?—Yes.

6548. We were told that the members of the Board of Revenue, including yourself, are constantly on tour?—Frequently—I will not say constantly.

6549. How long do you spend on tour?—I should say about three months in the year on the average probably, or more.

6550. Do you think that the fact that you have been for some time separated from active administrative work would lessen your knowledge of the vernacular?—Well, yes, you get a little rusty as years go on.

6551. You are in charge of the Forest Department?—Yes.

6552. When you are touring in this way are you then able to speak directly yourself to the people in the places through which you pass?—Yes, I find no difficulty in speaking either Tamil or Telugu.

6553. You have not got to employ an interpreter?—No, I can get on pretty well; if there is any complicated difficult question I might want an interpreter.

6554. Particularly with regard to your duties as supervisor of all forest administration, is it not exceedingly important that a gentleman in your position should know the language?—Certainly, he should keep up his knowledge of the language. We have got four or five languages in the Presidency; you can hardly be master of them all.

6555. Might that not point perhaps to the undesirability of putting the forest administration under the Board of Revenue, as opposed to a system which would allocate the supervision of it to a Commissioner living in and acquainted with the language of a given district?—It would enormously increase the expense I am afraid.

6556. I am not referring to the expense?—Unless you divided the Presidency up exceedingly small you would still have different languages spoken in many of the Commissioners' charges.

6557. Is the Presidency of Bombay divided up into exceedingly small places?—No, I do not know that it is; I mean, you would have to divide the charge of the Commissioners into very small charges.

6558. Are they so divided in Bombay?—I believe not.

6559. Therefore, there would not be any necessity to divide them into small charges under a system of Commissioners here?—But you would have the same difficulty about languages because in almost every Commissioner's charge you would have two or perhaps more languages.

6560. You would not have the four languages?—No, you would not have the four.

6561. From this particular aspect probably a system of Commissioners might be more advantageous than the system of the Board of Revenue?—I do not see how you could have Commissioners of divisions in which the same language was spoken throughout.

6562. There would be less difficulty at all events about the language?—There might not be; you could not have a Commissioner for the Tamil country and a Commissioner for the Telugu country.

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6563. You tell us that there is a difficulty in that there are four languages spoken in the Madras Presidency?—There are five really.

6564. Under a system of Commissioners' divisions there would not be the same difficulty of having the five languages in one division?—Under any one individual charge, no; you would have, I admit, fewer languages spoken.

6565. Do many papers come to you from the forest administration under your charge?—Yes, it is nearly half my work, not quite.

6566. Do you find that there is any difficulty existing between the Collectors and the forest officers and Conservators?—No, I do not think so. Recently we have revised the Forest Code and rather altered the relations between the Collectors and the Conservators. I do not think there has been much friction. Heretofore, the Conservator has been more or less an advising officer; the Collector is supposed to be the head of the forest matters in his district.

6567. Are there changes proposed to be made in that matter?—In some things we propose to give the Conservator more direct authority over the Collector, on what I may call the technical part of the subject, and leave the Collector direct responsibility for the rest.

6568. Will those changes tend to lessen correspondence and delay?—Yes, I think so.

6569. Have you delegated any new powers to the Collector under this Code?—The Conservators may delegate some of their powers to the senior Deputy Conservator under the proposals.

6570. Have you yourself, as the member of the Board of Revenue in charge of forest matters, handed over any of your powers either to the Conservator or to the Collector?—The new Code provides for enlarging the powers of Conservators in some respects. I think a Government order has just been passed; there is nothing very important.

6571. When you talk of enlarging powers, do you mean the creation of new powers or the delegation of old powers?—They are powers taken from the Board mostly—powers of sanctioning expenditure and the like.

6572. Do you have to pass many appeals on from yourself up to Government?—Yes, a good many; you mean in forest matters?

6573. In either forest or revenue matters?—Yes.

6574. Does that take up much of your time?—No, I do not think it takes a great deal if the case has been carefully considered when it first first came up. It takes up the time of the people in the office; I do not know that it takes the individual member very much time, because he sends on the case with a brief report.

6575. Does he settle many of these cases which come to him?—When it comes originally on appeal you have to go carefully into the matter.

6576. What percentage of the cases which reach you do you settle yourself?—I must settle all appeals.

6577. What proportion of the cases which reach you on appeal are ultimately settled by yourself, and how many ultimately go on to somebody else above you?—It depends altogether on the nature of the appeal. One class of appeal that I get an enormous number of is from village officers.

6578. Administrative cases?—Yes, and there are also suits.

6579. Do many of these people appeal from your decision?—They cannot appeal; no appeal lies to Government in those particular matters; under the Act the Board's decision is final.

6580. Could you delegate some of these powers advantageously to the Collector?—Yes, I think it might be simplified further; it is all laid down by the Act at present; I think some of those appeals from the village officers might be advantageously left to the Collector without appeal to the Board.

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6581. Could you give us any idea of what proportion might be left?—Numerically it would be difficult to say.

6582. (*Sir Steyning Edgerley.*) This memorandum says that the Collectors regulate among other things tree-felling; does not that rather cross the line into technical forestry?—I think it does. The phrase is taken from the most recent Government order. It was not what we proposed, but it was the Government order.

6583. You say "The Collector accordingly controls the felling, extraction, removal and disposal of forest produce, and generally all matters affecting the privileges and convenience of the public. The Collector or the Conservator can refer to the Board of Revenue for decision any matter in which either authority thinks that the orders issued by the other are contrary to the public interests." Suppose the Collector writes to the Conservator and says "I don't like this, this is not right"; the Conservator can appeal to the Board?—Yes.

6584. Meantime, pending the Board's decision, does he have to carry out the Collector's decision?—Yes; the Collector would prevail in his district. As a matter of fact he would probably wait; I do not think the Collector would insist on his order being carried out if he knew that an appeal had been made to the Board.

6585. In the meanwhile the people have to wait for what the Collector thinks right; that is the effect of it?—Yes.

6586. One of the witnesses told us that the Accountant-General's audit was extremely detailed; he said that on the standard audit form there are 203 items of objection any one of which he might transgress at any moment. Is that detail necessary?—That timber audit is a very technical matter; I do not feel competent to speak upon it with any great authority; I know we tried to simplify it; it is very difficult; you have to take into account tryage and shrinkage and all sorts of things.

6587. Is the Accountant-General an expert in these matters?—No; our Committee sat with the Accountant-General the other day and simplified the accounts as far as possible.

6588. You have done what you could?—Yes.

6589. Is your tour very largely determined by the forest area in the Presidency?—I travel also as Land Revenue Member.

6590. The districts which have forests are 87,054 square miles?—They are more than that, I think; those figures are not of the total area of the district; that is only Government lands.

6591. It is "excluding zemindari and *inam* lands"?—Yes, which of course are very large.

6592. That would raise the figure how much—by 20,000 square miles?—More than that; I think in Vizagapatam the "district forest area" is put down as 1,327, but the area of the district is about 20,000 square miles.

6593. There is not forest in every district in the Presidency?—Yes; we reserve forest in every district.

6594. So that your forest duty takes you into every district?—Yes.

6595. Are both the Revenue Members ever away from Madras at the same time?—We are not supposed to be; when one is out the other is supposed to remain at headquarters; occasionally it has happened that we have both been away.

6596. That is the theory, but there are exceptions?—Very seldom; once in my experience we both had to go out at the same time.

6597. When one of you is out what becomes of your two-member cases?—One of us does them.

6598. They automatically become one-member cases?—Yes; it is sent to the other member after disposal for the information of that member if it is urgent.

6599. And it it is not urgent?—It will go in circulation to him.

6600. Can you give us any principle of division of the work between the Government and the Board, or is convenience the chief thing; suppose you were trying to set forth the functions of Government and the functions of the Board; is there any line of division of principle?—No, I do not think so. The Government has delegated certain powers to the Board rather as the result of experience.

6601. It has grown, in fact?—It has grown. The functions of the Board of Revenue are laid down in an old Regulation of 1802.

6602. Have they since remained practically the same?—Some of it has become obsolete.

6603. What is the latest regulation?—There was an Act regulating the work of the Board of Revenue in, I think, 1894, but that merely introduced the portfolio system into the Board, or legalised the portfolio system which under the old Regulations was not legal.

6604. You have something to do apparently with archæology?—Yes.

6605. Do you ever come into contact with the Director-General of Archæology?—No.

6606. (*Mr. Meyer.*) You speak of the functions of the Board having been laid down by a Regulation of 1802; were they laid down then in very general terms?—Yes, very general.

6607. Practically revenue work was to go to the Board of Revenue?—Yes, and we were given the fullest control over Collectors and all their duties, and we are responsible for making proposals for the improvement of revenues and checking waste on the part of Collectors, and things of that sort.

6608. But the actual limitations on your functions now—the matters that you cannot deal with independently, but must send up to Government—have been the result of departmental orders very largely?—I think that is so.

6609. And in some cases of statutory control forbidding you to suspend demands beyond the *fasli*?—That is according to the Regulations too.

6610. And you cannot write off irrecoverable arrears?—No.

6611. But in the bulk of cases the control is not statutory but executive?—Yes

6612. Have you made any specific proposals for the delegation of powers to yourself?—Yes, as to minor matters.

6613. Are there any really important matters in which you think the powers of the Board might be increased?—No, I do not think there are any really important; we have made no recommendation of any importance.

6614. Matters like the suspension of revenue are not within your province?—I think dry remissions is a full Board subject.

6615. We got it from Mr. Atkinson that the Board should have full power as to dry remissions; do you hold with that?—I do not think there is any harm in letting it go up to Government.

6616. Is there any good in it?—Well, it is a matter that does not occur often; it is a matter that affects a large area of country, and I think Government ought to have a voice in the matter; it might have a serious effect on the finances, and Government is responsible for these.

6617. We also got it from Mr. Atkinson that in his opinion a Collector might have power with regard to dry remissions within certain modest limits; do you hold with that?—Yes, if it is quite modest; not such as would have a serious effect on the finances of the district or of the Presidency.

6618. The Collector would have some powers, and then it must go to Government; you would give no independent powers to the Board?—I would not mind giving powers to the Board up to a certain amount, a higher amount than in the case of Collectors. We were always told that dry remissions in this Presidency are only to be given in the case of a general widespread failure of crops.

6619. And you think when they occur on a wide scale it ought to go to Government?—Yes.

6620. As regards Government control over the Board's Standing Orders, could that be relaxed?—I think it is a very good thing that Government should control the alteration of the Board's Standing Orders, as they are so very important; the whole of our revenue administration is based upon them, and it is important that Government should have a voice in the matter.

6621. Is the number of full-Board subjects unnecessarily large, and could they be reduced at all?—No.

6622. You have had experience of other departments of the Board, in which you were sole member?—Yes.

6623. Comparing those with the Land Revenue Department, in which there are two members, do you find that there is any delay of work consequent upon two members having to be consulted and possibly differing?—Yes, undoubtedly there is some delay.

6624. Your two members differ every now and then, and then a third member has to be called in to arbitrate?—Yes.

6625. Would it not be desirable therefore, as far as possible, to split up the Land Revenue two-member subjects into single-member subjects?—Yes; but I think two opinions are better than one in some subjects. Take such important things for instance as Acts and Bills; as a matter of practice, that is nearly always made a full-Board subject.

6626. I will not take you through the list; I am content with your general opinion that there are some subjects on the land revenue side that ought to be two-member subjects and a variety of others that might be made single-member subjects?—I think so.

6627. Do you think that members should be allowed to distribute their own work without reference to Government?—Yes; I do not think the reference necessary; the Government accepts, so far as I know, whatever distribution we propose.

6628. Have you any important matters in which you desire to give larger powers to Collectors?—I have handed in a list of those matters in which we wish to delegate powers to Collectors; I do not think that I have any in which important questions of principle are involved

6629. Collectively will they save a lot of correspondence?—I think they will.

6630. You spoke of the village officer. The village officer is ordinarily dismissed by the Divisional Officer?—Yes.

6631. Then there is a second appeal on to the Board?—In the case of a *karnam* and village headman, yes.

6632. In the case of any punishment short of dismissal, is there any such appeal?—No.

6633. About ten years ago there was a curtailment of the right of appeal to the Board on other matters such as *darkhast*?—Yes; there is no second appeal in *darkhast* now.

6634. Has there been any tendency on the part of the Board of Revenue to revive that right of appeal by calling up cases for revision?—I think there was up to two years ago; since then it has been checked; we thought that in cases where there had been fraud, and so on, we should interfere.

6635. But now you say the Board does not interfere?—Except in what we consider to be clear cases of fraudulent conduct on the part of either the village officers or the parties to the *darkhast*; we do not interfere except where there is something so fraudulent as would enable us to upset the contract in a court of law.

6636. We were told by the previous witness that, in his opinion, all the Collectors were quite satisfactory; that, though some were more efficient than others, every Collector was fit to be a Collector; is that your opinion?—Well, hardly.

6637. You think there are some Collectors who are not really fit for their posts?—I would rather see better men in the posts.

6638. Are you in favour of any system by which such men should be eliminated—should not be allowed to become Collectors?—Yes, I am.

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6639. There are a good many transfers?—Not nearly so many as there used to be some years ago; they are minimised now in the Presidency.

6640. When a Collector goes on leave other than privilege leave, is the man in the district put in, or is some man brought in from outside if he happens to be senior?—The man from outside generally, if it were anything more than privilege leave.

6641. That is to say anything over three months?—Yes.

6642. Would you be in favour of making the acting appointment more largely within the district, provided there was a Divisional Officer in the district who was considered capable of running the district for a few months?—It would be hard to do so without injustice, perhaps, to senior men in other places.

6643. But if such a system prevailed, in the course of a man's service would not things equalise themselves; would he not have gained at one time and lost at another?—He might, but he also might not; he might be always unlucky.

6644. If it were possible to avoid undue injury to the interests of Civilians, it would be better to make the appointments more local?—Yes, assuming that you have competent men.

6645. Are you in favour of the personal grading of tahsildars?—Yes, within the district.

6646. That their grading should be determined by personal seniority, and that they should not be transferred from one *taluk* to another?—Yes, I am quite in favour of that.

6647. Are you in favour of putting them on a general provincial list?—No, I think that would be a great mistake; I think it would weaken the authority of the Collector.

6648. You have spoken about forest work. Is not the real head of the forest administration in the district, as far as administrative work is concerned, the Collector?—Yes.

6649. You, as the Head of the Department, are rather a supervising and controlling officer?—Yes.

6650. Is unity needed in regard to matters of forest policy for the province?—Yes.

6651. Consequently, even if we had a system of territorial Commissioners, in your opinion would it be desirable to have a central forest authority above them?—I think it would.

6652. The Forest Act contains a section that requires the sanction of the Local Government and of the Government of India to the disafforestation of any forest area, however small?—Yes.

6653. Do you consider that necessary?—I think it is a good thing to make disafforestation as difficult as possible; there are always clamours as to the different forests.

6654. Therefore it is desirable to keep the reference to the Government of India?—Quite so; I think it ought to be retained. We reserve our forests with great deliberation, after years of consideration, and I do not think it ought to be lightly undone.

6655. But in many cases is it not some petty adjustment of boundary, a matter of a few acres?—In matters of that sort the reference to the Government of India might be waived.

6656. You would alter the law as to that?—Yes, we might leave the Local Government to deal with small areas.

6657. The law always requires a double notification by Government; you must have a preliminary notification and then, when all the claims have been examined, a final notification?—Yes.

6658. Do you think the sanction of the Government is required at both stages?—Perhaps it is.

6659. Might it not suffice to let the Board of Revenue issue the preliminary notification, and

then let the matter go to Government after all local claims have been threshed out?—Government might then think it was a mistake altogether—that the original area proposed was wrong.

6660. But nothing could be done until Government had finally sanctioned?—But in the meanwhile all the work of settlement would have been in vain, and the trouble thrown away.

6661. Even as it is now, it might possibly happen that Government had issued a preliminary notice for settlement, and then, on actual settlement it was found that part of the area was not required?—Yes, they have done so within the last few months.

6662. You had some experience as Local and Municipal Secretary?—Yes, I was there for a year and a half.

6663. Is the control the Government exercises over District Boards and municipalities very minute?—Yes, I think it is.

6664. All their budgets have to go up to Government?—Yes.

6665. They have to get the sanction of the Government for a variety of administrative matters?—Yes.

6666. Is all that central control necessary?—I think they might be given larger powers with advantage.

6667. You think that both District Boards and municipalities might be given larger powers?—Yes.

6668. Then if the District Boards were given larger powers, might it not be possible to devolve such power of control as is still required upon one of the Land Revenue Members of the Board of Revenue? It was suggested to Mr. Atkinson that it was a weak point in the administration that able and experienced Collectors became members of the Board of Revenue, and in that capacity lost touch with the condition of things in the districts in regard to local and municipal government, sanitation, education and other matters. I ask you, with reference to that, whether it might not, in your opinion, be possible to delegate some powers of control over the working of local self-government to a member of the Board of Revenue?—Yes, I think it is quite feasible.

6669. And it would be, you think, of advantage to the administration?—It might; the member tours about more; he would have more chance of seeing the people.

6670. Government is a sedentary body and the member of the Board is, on account of his other duties, touring?—Yes; I would like to say that I do not think the members could do it now, unless their number is increased.

6671. Would no re-adjustment of work as between the present members allow a member of the Board of Revenue to take up District Board work?—I am afraid it would overwhelm him.

6672. If the Board in other matters got larger powers given to it, and in turn delegated larger powers to Collectors, would there not be an appreciable relief in that way?—Yes.

6673. You think that the existing members of the Board could not do it; would you be prepared to make an additional member of the Board for the purpose of dealing with local and municipal work?—If they have to look after municipalities and District Boards, I think you would want an extra member to do it.

6674. Would it be possible to allow Collectors to exercise control over municipalities, or at any rate over the smaller municipalities?—They do so now; they can interfere now.

6675. But in ordinary matters in which the municipality has to get outside sanction, the Collector is simply a channel; he can make his remarks, but the actual decision is that of the Government?—Yes.

6676. On a number of these matters at any rate, might not the control be left to the Collector?—Yes, I daresay a great many matters might be left to him.

6677. It has been suggested by several witnesses that things would go better if the Executive Engineer in each district was placed in the same relation to the Collector as that in which the district forest officer and the District Superintendent of Police stand; that is to say, he should be the Collector's assistant in all matters affecting the people, and independent in purely technical matters; does that commend itself to you?—Yes. I think it is desirable, especially in such matters as irrigation.

6678. (*Mr. Hichens.*) Are these full-Board matters settled by correspondence or by a meeting?—We sometimes meet, but rarely. Generally these things are circulated from one member to the other; it begins with the junior member and goes up finally to the senior member.

6679. You have no stated times at which you meet?—No, we have not. I do not think we have full-Board meetings more than about two or three times in the year generally.

6680. Then the advantage of the Board of Revenue could hardly be said to be that it is a deliberative assembly?—Not as regards full-Board meetings, but we very often consult each other when one member has local experience of the district concerned. That I think is of great value.

6681. Should the full-Board meetings be increased in number?—No; I have not found them very useful.

6682. The forest revenue consists of fees for cutting timber and for grazing rights and so forth?—Yes.

6683. Is there a schedule of the maximum and minimum fees that can be charged?—Yes; what we call seignorage rates are laid down.

6684. Who sanctions that schedule?—The Government sanctions it for each district.

6685. There is no general maximum and minimum tariff laid down by the Government?—I forget whether there was originally, but we have had seignorage rates for the district all laid down for several years.

6686. It would not be possible for the Collector to cut down the seignorage rates by half without consulting anybody?—He can lower grazing rates in his district; the maximum rates he is not allowed to increase, but he is allowed to go below the minimum.

6687. And it would be equally possible for the Board of Revenue to reduce the schedule without consulting the Government?—Yes.

6688. What roughly is the forest revenue per annum?—The forest revenue was just about 36 lakhs last year; the surplus was 8 lakhs odd.

6689. So that it would be in your power to affect that very materially?—Yes.

6690. Could you tell me whether the Government of India are ever consulted with regard to the schedule of forest rates?—No, they never interfere.

6691. (*Mr. Dutt.*) Is it necessary to obtain the sanction of the Indian Government to enclosing any land as a reserved forest?—No; sanction is required to disafforest, not to make a reserve.

6692. You would not entrust that power to the provincial Government even for a small area?—I have said that for rectifying a boundary, or things like that, I think power might be entrusted to them.

6693. Would you place any particular limit as regards area, or as regards value, under which the Government of Madras would have the power to disafforest without reference to the Government of India?—Well, I would say for the purpose of rectifying a boundary or rectifying some mistake that had been made.

6694. Would you place any particular limit as regards area, or as regards value?—Yes.

6695. I suppose there are fixed rules, for general guidance, as to which areas should be reserved forests and which not?—Yes. For instance, we always lay it down that a reserved forest shall not be within a certain distance of a village; of course

trouble is given to the people by cattle trespassing. We have also general rules laid down to find out how much grazing lands is left outside the reserve, so that a liberal margin may be left. All that is considered before the proposal is sanctioned.

6696. Do the rules require that the forest must be a real forest in order to be reserved; are ordinary waste lands allowed to be included in a reserved forest?—There is nothing to prevent it.

6697. As a matter of fact do the reserved forests generally consist of real forest?—Except for climatic reasons we should not propose to reserve anything unless we knew that it would give a good supply of timber for the people; our aim is to get a good supply of valuable fuel for the people.

6698. I understood you to say that the Board's decision is final in regard to most of the appeals from the village officers?—Yes.

6699. And in other revenue matters also there is a limitation to the right of appeals and appellants can go no higher?—That is in what we call our *darkhast* cases—applications for waste land; by executive orders there is no second appeal.

6700. Is there a similar rule in regard to most of the revenue matters that come up before the Board, or is there an unlimited right of appeal?—On ordinary revenue subjects, say, disputes about irrigation and things like that, there is no limit.

6701. Would you recommend any limit to be placed on appeals upon those subjects?—I think it might with advantage be laid down that an appeal should not lie beyond the Board if the Board has affirmed the decision of the District Officer.

6702. In regard to certain subjects, or in regard to all subjects that come up to the Board?—I think it might be laid down on all these general subjects.

6703. In the list of subjects assigned to you, under heading 5, you have "Remissions, (*a*) Season, (*b*) Fixed." What is the nature of those remissions?—They are very rare indeed.

6704. In those cases would you delegate the power from the Board to the Collector?—They are very rare things indeed; I do not exactly know what they would embrace.

6705. If they are petty matters would it not relieve the Board of a lot of work if the Collectors were empowered to deal with them and order remissions in those cases?—Yes, I have said that I think that might be so.

6706. As regards tahsildars would you require any sort of educational qualification from them?—Yes, I would. Most of our men now are graduates; I do not see why we should not lay that down for the future.

6707. It would improve the service if it were made a general rule that only graduates should be appointed tahsildars?—I would not introduce it at once, because it might prejudice men already in the service, but I think ten years hence there might be a rule like that.

6708. You said that you saw no objection to the District Boards and municipalities being placed under the Board of Revenue except that it would be necessary then to appoint another member on account of the increase of work?—Yes, I am afraid it would, if they were given large powers of control.

6709. In that case would it be necessary to have a Secretary for that department?—Yes, or it might be run by an Under-Secretary.

6710. If you had a highly paid officer in the Board to deal with those matters would not a Secretary be redundant?—Of course the Local and Municipal Secretary has other work to do; he is also Secretary in the Educational Department and in the Legislative Department.

6711. Would it lead to some sort of reduction in the Secretariat if a new member of the Board were appointed?—Yes, it might; you might have an Assistant Secretary.

6712. When you go on tour how long do you stay in a district?—It depends; sometimes my tours are rather lengthy, because I have to go into forests and remote places where I move about with considerable difficulty in a difficult country.

6713. How long would you remain at headquarters?—On a forest tour I should not be at headquarters at all. Generally, when I go to a district I go to headquarters for three or four days and talk to the Collector.

6714. Do you examine the Collector's Office and the Divisional Office?—No, I have never really examined them, I see if there is any need of new buildings or extra accommodation.

6715. But you do not examine the registers and records to get an idea of how the work is done?—No, I have never done that.

6716. Then really your only means of judging of individuals is by what you gain by short personal intercourse, and the rest is paper?—Yes.

6717. (*Sir Frederic Lely.*) With regard to the power of Collectors to remit land revenue; you say you would not mind giving them power to remit up to a certain limit; would you give them power to grant suspensions to any amount?—No, I think not.

6718. Would you make the same limit as for remissions?—Yes, I think anything that seriously affects the finances of the Presidency ought to go to Government.

6719. It has been said that the tendency of the Madras Board of Revenue system is to make the Collector a bigger man than under the system of Commissioners; would you be inclined to agree with that?—I should say so, I have no experience of the other provinces.

6720. Can you indicate any way in which his position and influence are increased under the Madras system?—Well, I am afraid I do not know any of the details of administration in other provinces, so I really cannot say; I should think it is inevitable that he must have more influence.

6721. As to the grading of tahsildars in a district list, is that not a disadvantage when you want to move a tahsildar?—Now their pay depends upon the particular *taluk* they hold.

6722. They are confined to one district?—Yes.

6723. Is not that a disadvantage if you want to move a tahsildar who has formed local connections which you wish to break?—Sometimes it is, but, if we think a tahsildar ought to be moved, the Board would tell the Collector to arrange for a transfer.

6724. But as a general principle do not the tahsildars gain by a little variation of experience, just as Collectors do; as far as it goes, that is a disadvantage of the district system?—I do not know; I think if you have a general list you will have to have somebody outside the district to promote the tahsildar, a central authority like the Board of Revenue; that would weaken the Collector's authority very much, and that would counterbalance any good that the other would do.

6725. (*Chairman.*) If you had a provincial list, might you not perhaps get the same disadvantage about knowledge of the vernaculars in the case of the tahsildars that occurs in the case of Divisional Officers moved from district to district?—Yes, you would have to see that they were only posted to districts of which they knew the vernacular.

6726. Therefore the present district system is advantageous from that point of view?—Yes.

6727. Suppose the system of Commissioners were introduced into Madras, have you any sort of idea how many Commissioners would be necessary?—You would certainly want four.

6728. There are three in the Bombay Presidency, I think, at present, and one in Sind?—Yes.

6729. Bombay and Madras are roughly about the same size?—Yes; I think Madras is a little larger.

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6730. In case of the selection of Collectors for promotion, do the Board of Revenue have anything to say; do they report confidentially on them?—Not ordinarily unless they are particularly asked to.

6731. But are they as a matter of fact generally asked?—Not generally, not at all events in writing or officially.

6732. Have you ever as a member of the Board been asked—not for the purpose of rejecting a man, but for selecting an officer for promotion?—No; I have been verbally asked about a man.

6733. That was in the case of an officer you knew well?—Yes.

6734. What as a rule carries weight in your mind; suppose you were consulted as to whether A.B. ought to be selected for a particular post, what would carry weight with you as a member of the Board of Revenue in recommending him or not for selection?—I do not know. I should arrive at an opinion by seeing his work for a number of years; we see the work of all Collectors that come before us.

6735. Would his ability to write a clear report, or would his knowledge of languages, or would his tact, weigh with you principally?—Tact would be a very valuable thing in this country.

6736. You would not confine yourself merely to his ability to write a clear and able report on a subject; that would not be the only factor?—Certainly not.

(*The witness withdrew.*)

The Hon. Mr. J. TWIGG, I.C.S., was called and examined.

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6737. (*Chairman.*) You are Commissioner of Salt and Abkari and Separate Revenue?—Yes.

6738. How is your revenue divided between the provincial Government and the Government of India?—Salt is entirely imperial; excise is three-quarters imperial, and a quarter provincial; stamps half and half; Income-tax three-quarters imperial and a quarter provincial; Customs entirely imperial.

6739. You hand in this statement showing the organisation of your office?—Yes.

The Salt Department, the Abkari Department, the Opium revenue, the Income-tax revenue, and the Customs Department, are administered by the Commissioner of Salt, Abkari and Separate Revenue. He also compiles the annual report on emigration and immigration and submits it to Government in the Public Department. Besides the control exercised by him in the Board's office he periodically tours throughout the Presidency on inspection duty. The Commissioner is assisted by the Deputy Commissioner of Abkari who advises on matters in connection with distillery and warehouse management and also on salt and abkari matters involving technical details. The Deputy Commissioner of Abkari controls the Board's office laboratory which conducts salt analyses and obscuration tests of imported spirits.

The Presidency is divided into 3 divisions each under the control of a Deputy Commissioner, one of whom is a member of the Indian Civil Service. Subordinate to the Deputy Commissioners are the Assistant Commissioners of subdivisions. Subdivisions are divided into circles in charge of inspectors aided in most cases by assistant inspectors. Circles are comprised of ranges in charge of sub-inspectors. Inspectors of maritime circles have in addition to their usual duties the control of salt factories and customs ports. Salt factories other than those at circle headquarters are in the immediate charge of assistant inspectors. Customs ports are in the charge of assistant inspectors, sub-inspectors, superintendents or assistant superintendents according to the importance of the ports. The land customs stations at the 4 French settlements are supervised by the ordinary staff. There are 2 opium and 2 ganja storehouses each in charge of an assistant inspector. The officer in charge of the ganja storehouse at Duggapad also supervises the cultivation of ganja. For the supervision of cultivation of ganja on the Javadi Hills an assistant inspector is posted temporarily for the season. The distillery and warehouse establishments are under the control of the Deputy Commissioner of Abkari. For purposes of distillery and warehouse control the Presidency is divided into 3 circles in charge of inspectors. Distilleries are in charge of assistant inspectors, who are in the case of the larger distilleries assisted by one or more sub-inspectors, according to the importance of the distillery.

Collectors are responsible for the realisation of the excise revenue and for the general excise administration of their districts, the agency for the collection of the revenue being the ordinary land revenue establishment.

The Customs Administration of the port of Madras is entrusted to the Collector of Customs, Madras, assisted by two Assistant Collectors. The Collector is also the chief referee in all matters of Customs procedure for out-ports.

The Collector is in charge of the income-tax administration of his district, the income-tax being collected by the ordinary land revenue establishments.

The general control and superintendence of the stamp revenue is vested in the Board of Revenue, the management in each district being entrusted to the Collector of land revenue. Stamp work is attended to by the ordinary land revenue establishments except in the Madras and Godavari districts. The general Stamp Office at the Presidency Town is in charge of the Superintendent of Stamps.

6740. Do you find any difficulties or any advantages which have followed on the change of Customs from a provincial service to a purely Imperial Service?—The advantage is scarcely felt yet; we are still re-organising. I think it has distinct advantages.

6741. Has it reduced or has it saved correspondence between the provincial Government and the Government of India?—I am afraid I cannot answer that question.

6742. In all these five departments which come under you, is there a great deal of correspondence with the Government of India?—I am scarcely in a position to say; we refer matters to our own Government, and if it is necessary to pass it on and take orders, they do so.

6743. Whom do you refer it to in the provincial Government?—It goes to Government, and the Member who deals with these questions deals with it first.

6744. What Secretary of Government do you correspond with?—The Revenue Secretary.

6745. Are you as a matter of fact much senior to the Revenue Secretary in service?—He is my junior by three years.

6746. Has he power in his department to settle questions himself?—No, he is merely a Secretary.

6747. Has he no power in the department to settle questions?—Oh no.

6748. He is merely the post office to the Member?—I really do not know what the relations are between the Secretary and the Members.

6749. In these departments do you find that the control of the Government of India, as exercised through the provincial Government, interferes much with your executive functions?—I have not found it so in my experience?

6750. Do you find that the control of the provincial Government is excessive over you?—I do not think so; the department has sent in certain suggestions for the delegation of powers.

6751. But I want your opinion as the Excise Commissioner?—I have not felt it myself.

6752. You have not been unduly restrained or confined in any way or hindered in your work?—I have not found it so; my experience dates from February 1906.

6753. Can you make any suggestions to us in respect of these five heads of duties as to any matters in which you would like a freer hand?—No.

6754. (*Mr. Hichens.*) The salt revenue goes entirely to the Imperial Government?—Yes.

6755. How far do they leave you a free hand in dealing with the administration?—I think the provincial Government has an entirely free hand.

6756. The amount of the salt tax is laid down by the Imperial Government?—Yes.

6757. But any remissions and so forth that there might be are made by the provincial Government without reference to the Government of India?—I do not understand what you mean by "remissions."

6758. It might be that there was a certain amount of revenue that was irrecoverable for one reason or another; would you have to make reference to the Government of India in a case of that sort?—I do not think so, but I really cannot tell; it does not come before me.

6759. So far as you know all administrative matters are settled by the provincial Government, and no administrative matters practically are submitted to the Government of India?—So far as I know, that is so.

6760. In what relation does the Collector of Customs stand to you?—He is subordinate to the Board.

6761. That is, it is an inferior department?—Yes.

6762. And any question that comes up of administration or otherwise is submitted to you? Take the question of his staff for example; suppose the Collector wanted to increase his staff, would the question be submitted to you?—It would go through the Board to the Government.

6763. And from the Government to the Government of India?—In an Imperial matter, I suppose so.

6764. So that he is not directly under the Government of India?—No.

6765. He is under you for whatever is required, whether for increase of staff or for customs regulations; whatever he does is done with your approval?—Yes.

6766. You think that that is a necessary provision?—I think he should be under local control, because the conditions are so different here; they vary very much from place to place.

6767. In the matter of staff, is that not a matter which the Collector would be quite competent to settle between himself and the Imperial Government; there is no particular point in the provincial Government having a say in that?—It would not be of very much importance in the case of office staff, but by "staff" I suppose you mean the staff at all these small ports. At present the Customs Department is mixed up with the Salt; the subordinates are not Imperial at the small ports. All this is practically under consideration now, but at present the inspecting officers and so on are the Salt Officers.

6768. Your opinion is that it is desirable that this officer, although the Customs are really under the Imperial Government in every way, should correspond through the provincial Government in order that the provincial Government may have an opportunity of expressing their views if they desired to do so?—Certainly.

6769. (*Mr. Dutt.*) With regard to the Excise Department, that is entirely under provincial management?—Yes.

6770. I suppose country liquor and ganja and opium are the main items of revenue?—Yes.

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6771. With regard to country liquor you have the central distillery system here in Madras?—The contract system.

6772. The revenue is derived partly from the still-head duty and partly from the license fees of shops?—Yes.

6773. Who collects the license fees of shops?—The Collectors.

6774. Do they do it through the tahsildars in the first instance?—Yes.

6775. How is the still-head duty collected?—It is paid in before the liquor is issued.

6776. That is the simplest procedure that you could suggest?—I think so.

6777. Is toddy also a large source of revenue in Madras?—Yes.

6778. How is the revenue collected?—That is also collected by the Land Revenue Officers.

6779. So that the Collector has a large amount of supervision over excise matters in his own district?—Certainly.

6780. And your excise officers in the district take their instructions from the Collector?—I cannot quite say that.

6781. Have you got inspecting officers?—We have inspectors, and over them are Assistant Commissioners, then Deputy Commissioners; the Collector is responsible for many things.

6782. Mainly for collection?—For collection, and also for the number of shops and that kind of thing.

6783. You have no suggestions to make for simplifying the work by granting further powers to the Collector in excise administration?—That is a point that is now being considered.

6784. Orders have already been issued by the Indian Government in accordance with the recommendations of the Excise Committee?—They have passed resolutions upon the report of the Committee and sent them down for the consideration of the Government.

6785. (*Sir Frederic Lely.*) The recommendations of the Excise Committee contemplate giving more power to the Excise Commissioner over the excise arrangements?—I do not know that it is quite a matter of giving him more power.

6786. The Collector cannot at present give orders to your officer on the spot?—The ranges are not conterminous at all with district boundaries.

6787. The nearest responsible officer to the Collector would be the Assistant Commissioner?—Yes.

6788. Can he give orders of any kind?—I do not think he usually does.

6789. Is there any friction between the Collector and your subordinates?—Very little indeed.

6790. If the Collector disapproved of any order given by you, what would happen? Suppose he expressed officially disapproval of anything done by your Assistant Commissioner or by your own orders, what would happen?—If it was by the Assistant Commissioner he would correspond either with the Deputy Commissioner or with the Board.

6791. And if the Deputy Commissioner disagreed with him could anything further be done?—He would refer it to the Commissioner.

6792. And you would decide?—Yes.

6793. Practically, the Collector is outside the sphere of abkari administration?—He has nothing to do with the technical part of the work.

6794. Or with the administration of the department strictly as such?—No, there is no strict division of powers.

6795. He would decide on the locality of the shops?—He would make his recommendations.

6796. Would he decide on them?—It is always subject to anything that the Commissioner may have to say in the matter. The Board lays down a maximum and minimum number of shops, and within that number it rests with the Collector to open such shops as may be necessary.

6797. He would fix the locality?—Yes.

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6798. You agree, as a general principle, that the head of the district should have the determining voice in the excise management of his district?—Certainly; I always encourage him doing so.

6799. You have a Deputy Commissioner of Abkari; is he stationed in Madras?—Yes.

6800. (*Sir Steyning Edgerley.*) He conducts all your tests of imported spirit?—Yes.

6801. And he has a chemist under him?—He is our chemist himself; he has a man who is competent to make the tests.

6802. Does he deal with things that come up, say, from Pondicherry?—It would be sent up here to be tested; he does the whole of it; there is nobody else to do it.

6803. You have also got a central store-house?—Yes.

6804. That is also under him?—No, it is under the Secretary.

6805. That deals with books, and forms, and uniforms, and machines for your department only?—Yes.

6806. Have other departments got the same sort of facilities?—As to forms and books, that would be done through the Superintendent of Stationery, I think, and clothing as well.

6807. Could not the Superintendent of Stationery do your work as to forms and books; is it necessary to have a separate officer?—It is much more convenient.

6808. To you, of course. Could you not supply yourself from the Superintendent of Stationery?—Yes, it would be possible to do so.

6809. Does it not rather lead to extravagant duplicating of stores, supplies of forms and so on?—I am not quite sure about the forms; they are, I think, printed at the central press; they are not printed by us.

6810. Your central press for instance does not distribute forms and books for all departments direct; you have depots?—We distribute from the depots.

6811. Then, in three districts you have the Deputy Commissioners of Divisions?—Yes.

6812. They have a certain authority; what actually are they supposed to do?—Inspection is one of their chief duties.

6813. You have got apparently a double district system; you have got these three Deputy Commissioners of Divisions, and under them Assistant Commissioners, then you have got besides that another system of district subordinates who are strictly at the breweries and distilleries and warehouses and I suppose do not go outside those, and they are under your Deputy Commissioner of Abkari at headquarters?—Yes.

6814. So that you have got a double string running over the Presidency; you have got your three Deputy Commissioners and Assistants under them, then you have got your technical men at the distilleries and breweries and warehouses under the Deputy Commissioner of Abkari?—Yes.

6815. What exactly are these outside inspecting officers supposed to do? They do not inspect the techinical work, which is under the Deputy Commissioner of Abkari?—Certainly not.

6816. Then what do they inspect?—They inspect the work of the whole establishment, the Preventive and Salt establishments. The Deputy Commissioner and the Assistant Commissioner have to inspect the salt factories and the whole of the Preventive work; the circle officers, the inspectors and the rangers under them.

6817. But what goes on in the ranges: *ex hypothesi*, you have got another organisation for the breweries and distilleries?—But that is very small; we have half a dozen distilleries here and there.

6818. What have these other men got to inspect; is it the shops?—They will have to inspect the men who inspect the shops.

6819. And salt and opium?—Yes.

6820. Except the men who are at the salt factories and breweries and warehouses, could you not spend the money that you spend on the Commissioners, Deputy Commissioners, rangers and so on, much more profitably by improving the tahsildars, and working entirely with the land revenue establishment?—I think it would be absolutely impossible. After all, it is a very technical subject.

6821. What is technical?—The system of tree tax; there is quite as much as our present inspecting officers can do to inspect the officers and see that the inspectors and subordinates are doing their duty; it would be impossible to throw it on to the Land Revenue Department.

6822. The tree tax, of course, gives a good deal of work, but liquor shops do not give a great deal of work?—They have to be inspected; then there is the preventive work.

6823. You think that anything like the sum which your system of Commissioners and Deputy Commissioners and inspectors costs would be quite insufficient to strengthen the *tahsildari* establishment sufficiently to do that work?—I think so.

6824. Is there not considerable risk of further corruption and oppression through departmentalism?—There is always the danger of that, but it is decreasing I believe.

6825. You, for instance, have something like 873 sub-inspectors in districts; on what pay are they?—From Rs. 30 to Rs. 70.

6826. Do you think that as a class they are trustworthy?—About as usual, I think, but all this question of improving the establishment is under consideration in connection with the Excise Committee's report.

6827. Is it likely to be considered whether it would be wiser to strengthen the central revenue establishment so as to do that local work for you?—I think the suggestion is to improve the sub-inspectors.

6828. You think it is rather going in favour of further departmentalism?—Yes. I cannot say what the decision will be; it is still under consideration.

6829. You think yourself that that will probably be the solution?—Yes, I think so.

6830. You agree that customs work is really an imperial function?—Yes.

6831. And ought to be with the Central Government, not with the provincial Government?—I think the provincial Government ought to have a say in the matter; what I mean is, I do not think it would be well to have the customs simply worked from the central authority.

6832. You have got a number of out-ports, which obviously must be provincial; they could not possibly go under the Imperial Government?—No.

6833. Is there any foreign trade at those ports or is it all coasting trade?—There is a good deal of foreign trade in some of the ports.

6834. Then suppose the decision to imperialise the Customs Department is maintained, at present I understand all that is imperialised is actually the Collector and his Assistant and so forth; do you think it ought to go a little further and imperialise the establishment of the Collector of Customs?—I think there would be some disadvantage in doing it, because the establishment at present is linked with the salt establishment; for instance, if we want extra men to assist they send down to the nearest factory to get same salt peons.

6835. But now that the Collector is an Imperial Officer, surely the control of the provincial Government over him is very much weakened?—I do not know why it should be.

6836. You do not think it is so, as a matter of fact?—At present matters are still under consideration; they are not strictly defined.

6837. Practically the whole of the office, the statistical branch and everything else, is at present provincial?—Yes.

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6838. Do appeals from the Collector come to you—from his decisions as to customs duties?—Yes.

6839. The Chairman of the Chamber of Commerce suggested that they should go to some central imperial office; do you think that that is possible and feasible?—That is already done under instructions from the Government of India. I suppose he was referring to decisions as to the levying of duty on different things, machinery and so on, on which there are often a lot of very complicated questions. The Government of India has directed that in matters of general importance things should be referred to them for decision, and that has been done.

6840. Suppose the Chairman appeals from the decision of the Collector of Customs, who would decide it in the ordinary course?—The Commissioner—the Board.

6841. It has been suggested that that should be transferred to some imperial authority; would you agree to that?—I see no particular objection to it, but all important matters are already referred.

6842. How can you refer an actual specific appeal; the law says that the appeal lies to the Commissioner; how can you transfer it?—There is an appeal against my decision to the Local Government.

6843. I understand you to say that all important matters already go up to the Government of India?—Any question where the practice at various ports is different.

6844. But that is not an appeal on a particular decision passed by the Collector of Customs here. The Collector, *ex hypothesi*, before the appeal could lie, has given his decision; the Chamber of Commerce represent that the appeal from that decision should go to some central authority; at present it goes to you; in Bombay it goes to the Commissioner of Customs; in Bengal it goes to another officer. What is your view about that recommendation of the Chamber of Commerce?—I think that things had better stay as they are.

6845. Is the Collector of Customs in Madras very heavily worked?—I believe he is—he certainly is at present, because he is working out various re-organisations of establishment.

6846. That is transitory, but is he likely to be heavily worked; he has no other work outside the customs work?—It is contemplated that he shall go round and inspect the out-ports.

6847. When a decision is passed at one of the out-ports which has foreign trade, who hears an appeal from that?—Under the Customs Act it comes up to the Board, with one intermediate authority.

6848. Who is that intermediate authority?—It would be the Assistant Commissioner, I think, as a rule.

6849. Would it not be much better that it should be the Collector of Customs at Madras?—I think it would; I think the out-ports should be brought into more direct touch with the Collector.

6850. Will the Collector of Customs in Madras, when his establishment is settled, have plenty of time for the disposal of such appeals as are likely to come forward?—I think so.

6851. As he is supposed to be a customs expert, you will probably get a better decision?—Perhaps so.

6852. Income tax work is done by the Collectors; what do you do in the matter; do you do anything further than compile statistics?—The Board is a Commissioner of Income-tax, and therefore appeals come from the Collectors.

6853. Are they very numerous?—There is a good deal of work.

6854. The Superintendent of Stamps is under you?—Yes.

6855. You have got some special arrangement for Madras City and the Godaveri district as to the supply of stamps; do you know what that is?—In Godaveri and one or two other districts the Collector is authorised to impress stamps; and in Godaveri, where this work is particularly heavy, a small addition has been made to the ordinary land revenue establishment on this account. In the Presidency town there is a special stamp establishment under the Superintendent of Stamps.

6856. Do you consider that the supply of stamps is an imperial or a provincial function; is it one for the Central Government or for the provincial Government?—I should think for the Imperial Government.

6857. Do you think then that the appointment of Superintendent of Stamps for the distribution and sale of stamps in this Presidency should be an imperial appointment?—I do not think that follows; besides, here he has several other functions; he is the Collector of Madras, the Superintendent of Stamps and Stationery, and Protector of Emigrants.

6858. You say that salt is purely imperial, customs is purely imperial, and excise is divided. As to excise, should the administration be wholly provincial?—I think so.

6859. Do you mean that the local conditions are special, or for what reason?—This Presidency has worked out its scheme, and it should deal with it itself.

6860. Have you seen the recent orders about the Inspector-General of Excise?—I saw that one was to be appointed.

6861. (*Mr. Meyer.*) As to the Customs Department, the only change that has been made by what has been called the imperialisation of the Customs Service is that the Collector, and eventually (or possibly now) some of the Assistant Collectors of Customs are borne on a general Indian list and are appointed, and are liable to transfer, under the orders of the Imperial Government?—So I understand.

6862. But as regards the actual working of the department no change has been made; the Collector now is as much subordinate to you and to the Madras Government as he was previously?—Yes.

6863. You have said that, in your opinion, he should also deal with out-ports?—Yes.

6864. In the out-ports, you told us the work is done by an amalgamated establishment; in this Presidency you have amalgamated the salt, excise, and customs work?—Yes.

6865. You have found that that has led to considerable economy?—I believe that was the reason, because nothing better could be afforded at the time; it is rather expense that has been avoided.

6866. It was dictated by considerations of economy. The combined establishment is more economical, the work is done at less expense than it could be done by three different establishments?—Yes.

6867. If the suggestions contained in the questions put to you by Sir Steyning Edgerley were adopted, it would mean that you would have to have separate officers at the various out-ports?—I did not understand his suggestion to go so far as that. It was rather that the inspector should inspect the out-ports and give them more efficient and regular inspection than they now get. Our inspectors know very little about customs work.

6868. Does it follow, because the customs revenue is imperial, that the *personnel* by whom that revenue is collected should be imperial?—I think not.

6869. And suppose the *personnel* was imperial, would it be the case that the Imperial Government at Simla or Calcutta would have to deal with a number of clerks and petty subordinates in Madras?—I suppose so.

6870. And these persons would have to be Madrassis, to be conversant with the language?—Yes.

6871. Which could manage such an establishment better, the Imperial Government direct, or the provincial Government with its local representatives?—The latter, of course.

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6872. As regards the Excise Department, does the Collector deal with the allocation of liquor shops and the disposal of liquor shop sales?—Yes.

6873. And, as a Magistrate, he is concerned with preventive cases that are brought forward?—Yes.

6874. The ordinary establishment under the three ordinary Deputy Commissioners and the Assistant Commissioners is concerned with preventive work mainly, is it not?—Yes.

6875. The preventive work is of considerable importance?—Very.

6876. For instance, the tree tax involves a large amount of preventive work?—Yes.

6877. The salt work is entirely under what you might call the technical agency—the production of salt in the factories and the preventive work so far as it exists there?—Yes.

6878. Are the distilleries entirely under the abkari inspectors, or are they also under the territorial Deputy Commissioner and his men?—No; there are three distillery inspectors who inspect the distilleries, and there are sub-inspectors.

6879. There is a big distillery at Nellikuppam?—Yes.

6880. Who manages that?—An assistant inspector.

6881. Is he in any way under the control of the local inspector or the local Assistant Commissioner?—No.

6882. He is entirely under the control of the inspector of distilleries?—Yes.

6883. And he in turn under the control of the Abkari Deputy Commissioner?—Yes.

6884. Therefore the ordinary Deputy Commissioners and Assistant Commissioners are not concerned with distillery work?—No.

6885. You have studied the report of the Excise Committee?—Yes.

6886. On that Committee there were representatives of all the important provinces, and it was presided over by a Madras officer?—Yes.

6887. Their recommendations were all unanimous?—I believe so.

6888. They found, in the case of Madras, that your prosecutions were too numerous, that your subordinate staff wanted to be improved, and that the Collector had not sufficient control over the preventive arrangements and so forth in his district?—Yes.

6889. On the other hand, did they find that this system of a special preventive force, duly controlled, was much more efficient and less oppressive than the system, which prevailed in some other provinces, of having no special preventive force for abkari purposes and leaving the work to be done by the ordinary establishments?—I had not noticed that particularly.

6890. Do you remember their finding that the Madras methods in regard to distillery matters were suitable for adoption in other provinces?—I believe so.

6891. And that speaking generally a number of provinces had got behindhand in excise matters through the work being done in "water-tight compartments," as the Committee put it?—I do not remember that.

6892. Having read the Committee's report, do you think the work they did was good?—I should say so, yes.

6893. As to this new appointment of Inspector-General of Excise, will not that be of advantage from the same point of view—in bringing to notice in one province what is being done in another?—I think if it was confined to that it would be of great use.

6894. And in regard to salt matters he might also do some good?—Possibly.

6895. Then on the whole you think that the appointment of the Inspector-General of Excise and Salt is a good step?—I have not seen the exact proposals as to what his functions are to be, but if it is purely advisory, I should approve the appointment.

6896. You mentioned that the Government of Madras had a more or less free hand in excise matters. You have rules under the Opium Act which regulate the system of administration?—Yes.

6897. You have to refer those rules to the Government of India every time you want them altered?—Yes; I was not thinking of opium when I spoke just now.

6898. Is it necessary that you should refer your opium rules to the Government of India?—No, I think it is not necessary.

6899. You have said that the Government of Madras have a quite free hand in salt matters; is that quite so; you would except the matters that have to be referred under financial rules, such as the appointment of an additional Assistant Commissioner?—Yes.

6900. But some years ago did not the Madras Government desire to forbid the sale of salt by measure and to make the sale by weight compulsory?—It has been suggested many times by the Board; I rather think it was once recommended by the Madras Government too.

6901. But the proposal was negatived by the Government of India?—It was.

6902. I am only trying to elicit, in the interests of accuracy, that the Madras Government has not a completely free hand in salt matters. In matters of general policy the Government of India does claim the right to intervene, and that particular recommendation of the Government of Madras was negatived, I think, on the recommendation of a representative Salt Committee?—It was.

6903. You say you have no larger powers to ask for from the Local Government about your inspectors. Do you appoint inspectors?—No, the Government appoint the inspectors.

6904. Do you promote inspectors?—No, the Government promote inspectors.

6905. What is their pay?—It ranges from Rs. 250 to Rs. 400.

6906. Might you not have the power at any rate of promoting inspectors?—Yes, but I do not feel that there is any great necessity to ask for it.

6907. If there is no decided advantage in leaving the power with Government, then it saves correspondence and saves time to have it with yourself?—Yes.

6908. Therefore it would be desirable to give you the power of promotion?—Yes, I think it would be desirable on the whole.

6909. And as to the first appointments, could you not be trusted to make the appointments?—Yes.

6910. Who appoints you, the Government of India or the Government of Madras?—The Government of Madras.

6911. (*Chairman.*) What office had you held before?—I was everything up from Assistant Collector, Head Assistant, Special Assistant, Sub-Collector, Collector, Judge.

6912. What experience had you of excise matters before you became Excise Commissioner?—None.

6913. You said that it might be difficult for an Imperial Service to employ Imperial officers at a great distance from themselves?—I suppose it amounts to that, yes.

6914. Is the Post Office an Imperial Service?—I believe so.

6915. Is that managed at a great distance from headquarters by Imperial officers?—I do not know what the arrangements may be; there is the local Postmaster-General.

6916. Who is not a servant of the Government of Madras?—I am afraid I do not know about the Post Office Department; I believe it is under the Central Government.

6917. Is the same the case in respect of the Telegraph Department?—I suppose so.

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6918. Therefore it is not an inherent impossibility for an Imperial department at a great distance from its subordinates to conduct a business satisfactorily?—But this is such a small isolated matter of less than a hundred *employés*.

6919. But still, it is not impossible inherently?—It is not impossible.

6920. The whole of the customs revenue is imperial?—Yes.

6921. The opium is entirely an imperial revenue?—We have a local rate upon it as well.

6922. Do you think that any of these sources of revenue of which you have charge could be advantageously handed over in bulk to the Imperial Government in exchange for other sources of revenue; would it reduce correspondence, or staff, or anything of that sort, if they were so handed over; for instance half your stamps, half your excise, half your income-tax in the future are to go to the Central Government, and half will remain with yourselves; suppose all those sources of revenue were handed over to the Imperial Government, other financial arrangements being made with the provincial Government; would that relieve you of any correspondence or any duties?—No. The management of these departments rests with the provincial Government; it is only a division of the receipts; I do not see that it would save anything at all.

6923. At all events, if it did, your particular office would not be in the position to know?—No.

6924. Do you know of any country (perhaps you are not familiar with the systems of Government in any other country) where the Customs Service in its entirety is not imperial?—I do not know about other countries.

(*The witness withdrew.*)

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6925. (*Chairman.*) You are the Secretary to Government in the Public Works Department; also, as Chief Engineer, President of the Sanitary Board?—Yes.

6926. Will you state briefly the organisation of your department and the nature of your duties?—The Secretary to Government, Public Works Department, is, as Chief Engineer, the executive head of his Department and holds also the position of President of the Sanitary Board. He is assisted by an Under Secretary and Deputy Chief Engineer selected from the ranks of Executive Engineers. The Consulting Architect to Government works under the Chief Engineer as a technical Assistant.

All questions relating to establishments of the whole department, consisting of one hundred engineers, permanent, covenanted and temporary, and about 350 upper subordinates, permanent, and temporary, come before the Chief Engineer and the Secretary. In his capacity as Secretary he makes recommendations as to the posting, promotion and grant of leave to Engineers and in the case of locally recruited Engineers also as to their employment. He has thus to make recommendations as to the arrangements necessary to fill leave vacancies and to deal with all matters which come before Government in regard to the general administration of the department and the conduct and work of the Engineers. In his capacity as Chief Engineer he performs similar functions in regard to upper subordinates without reference to Government, and also selects and appoints recruits to the upper subordinate establishment from qualified candidates from the Engineering College. The Chief Engineer also deals with all applications for additions to permanent office establishment and for temporary establishment, obtaining the orders of Government where this is not covered by existing sanctions.

The Chief Engineer has direct charge of all matters relating to roads and buildings, and all plans and estimates for those exceeding Rs. 2,500 (£166) come before him for technical scrutiny. In regard to this branch of work a large number of plans and estimates for road bridges prepared by District Board Engineers come before the Chief Engineer for technical scrutiny. Plans and estimates for sanitary works such as water supply and drainage schemes, hospitals, markets, &c., come before the Chief Engineer twice, first in his capacity as President of the Sanitary Board, when general opinions are expressed for the consideration of Government on the administrative side, and subsequently approved for technical scrutiny in his capacity as Chief Engineer.

The Chief Engineer is thus the general adviser of Government on all matters affecting the general administration of the department and on all engineering matters except in regard to irrigation. For irrigation projects and works there is a Chief Engineer for irrigation who is a Joint Secretary to Government, and thus deals with irrigation works without reference to the Chief Engineer.

6927. Do you get a number of questions referred to you on the Sanitary Board from the various Collectors of districts?—The Sanitary Commissioner and the Sanitary Engineer forward to the Sanitary Board proposals, which are considered first of all by the Sanitary Board, and the Sanitary Board report to Government.

6928. Your fellow members of the Board are the Secretary in the Local and Municipal Department and the Surgeon-General?—Yes; it is a Board of three.

6929. You have not very much power on the Sanitary Board to finally settle schemes?—Not to finally settle schemes, only to make recommendations.

6930. You have, as members of the Sanitary Board, no power at all of deciding on the schemes which are submitted to you?—I do not think so.

6931. You refer them to Government?—We merely express general opinions. We say, "We recommend the scheme," or we can refer it back to the Sanitary Commissioner for a further opinion, or to the Sanitary Engineer, if it happens to be a Sanitary Engineer's question. If the scheme will cost Rs. 10,000 or less we refer it, approved, to the Sanitary Engineer for sanction; if above that limit, then to Government.

6932. When you have made a recommendation you send it to the Local and Municipal Secretary?—Yes; all schemes costing over Rs. 10,000.

6933. He is one of your colleagues on the Board?—Yes.

6934. He in turn, having considered it, sends it on to you again as Chief Engineer in the Public Works Department?—It finally comes to me after the Government has passed an order.

6935. Does it not strike you that a system which requires your consideration of a scheme without any power of disposal on the Sanitary Board, and which is afterwards submitted to you in a totally different capacity, is a cumbrous and unnecessary procedure?—I certainly do think so.

6936. And it must only entail loss of time and waste of money; do you agree to that?—I agree so far that I have already found a difficulty as the engineering member of the Board in passing an opinion on a scheme without going into the engineering question, and if I go into the engineering question I might as well deal with it at once.

6937. Would it be better in your judgment to maintain the Sanitary Board, giving them power to decide, subject to reference to the Financial Department, and subject only to that, and abolish the reference to the Local and Municipal Department and the Public Works Department, or would it be better to abolish the Board and continue the reference to those departments?—I think in one respect two references are necessary. It is unnecessary to go into a lot of engineering details before Government have passed an administrative

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order that they approve of the expenditure on general lines for the object which is dealt with, and it seems desirable that they should first of all pass an administrative order on the general scheme, with an approximate figure of cost, before any detailed engineering questions are gone into.

6938. Would you not at once find that the administrative department which has to pass the order would say "We cannot pass the order until we know the final detailed cost"?—They must have a figure of cost, which can be determined by a certain amount of engineering scrutiny on general lines.

6939. However, you agree that the dual system which at present exists is unsatisfactory?—I think it could be improved. I would abolish the Board, as at present constituted.

6940. Do you yourself, in your capacity as Secretary, actually pass orders upon all these recommendations as to posting, promotions, granting leave, and so forth, or do you leave it largely to some subordinates?—They all come to me.

6941. Is there anything in point of time which could be advantageously saved by reference to some of your subordinates?—I do not think so with regard to officers, but the powers of Superintending Engineers in regard to the appointment and pay of lowly paid establishments in individual cases are disadvantageously restricted.

6942. You have to refer the filling of vacancies and so forth to the Government, but with regard to what you call your upper subordinates that you can do without reference to Government?—The Superintending Engineers can move a subordinate about and they can move Assistant Engineers about.

6943. Do you think that many of these duties which devolve upon you could be quite as satisfactorily dealt with by your subordinates?—The technical scrutiny of estimates detailing engineering features of design, could be largely delegated to the Superintending Engineers, I think.

6944. Are they in practice dealt with by them now?—All new works exceeding in value Rs. 2,500 are sent up at present to the Chief Engineer.

6945. Are they practically scrutinised by him, or is he content to take the opinion of the District Engineers?—They are scrutinised by him at present, but there are certain matters of detail which are now referred to the Chief Engineer the responsibility for which should, I think, rest with Superintending Engineers.

6946. At all events you think they might perfectly well be delegated?—The work we are engaged on now is to draw up rules of design and standard dimensions and type designs; as soon as they are brought into play I think powers might be largely increased. At present the powers of Superintending Engineers as a whole do not reach the limit that is imposed by the present Code.

6947. Have you anything to tell us about the relations of your Superintending Engineers with the Collectors; are they satisfactory on the whole?—I can only speak for myself, I cannot speak for the Government; suggestions have been made that the engineers should be put under the orders of the Collectors.

6948. Not in technical matters but in administrative matters?—That is the difficulty. I have never seen any practical scheme drawn up showing exactly what it means or does not mean; but I understand that some sort of control is asked for. I think that as the administrative head of his district the fullest co-operation should exist, and advice must be given by Public Works Officers to the Collector. I think the machinery of the department should be at his disposal; but on the other hand I very much doubt whether he should be called upon to interfere with one of its working parts. There is a regular chain of discipline in the Public Works Department from the Chief Engineer downwards; and the proposal seems to me to involve a break in the chain, and I think that in that way it would cause confusion. It seems to me also to throw upon the Collector responsibilities and work which should more properly fall on the Superintending Engineers.

6949. We have had before us some District Superintendents of Police, and I gathered from them that the District Magistrate has no power over the police, but he may give orders to District Superintendents of Police to do this, that, or the other; he has no power of interference with the internal economy and discipline of the force. In the same way I think the suggestion here is that if a Collector saw a particular water channel which wanted repairing, he should be able to give orders on the spot to do that, without referring to the Executive Engineer, who might be a great distance away. Would you have any objection to that?—If you give him power over one thing you give him power over other things.

6950. If the powers of discipline of the District Superintendent of Police over his force were not interfered with, and similar lines were to obtain in the allocation of power to the Collector over the Public Works Department, speaking generally, there ought not to be any difficulty about disciplinary questions in the Public Works Department?—So long as he does not touch upon any technical or engineering questions.

6951. (*Mr. Meyer.*) You spoke of granting larger powers to Superintending Engineers. Have you not lately received a letter from the Government of India making very specific suggestions on those points? What is being done upon that?—The letter has not been replied to.

6952. The Government of India have called for your opinion?—Yes.

6953. Suppose the result is that there is a considerable amount of decentralization, and larger powers are given to Superintending Engineers, the initiative will have come from the Government of India?—Yes, officially; I have been working in the same direction myself, though not to the extent proposed by the Government of India.

6954. Have you sent in any proposals for larger powers to the provincial Government in respect of public works affairs?—We sent in a list of items in regard to which extended powers might be given by the Government of India to the Local Government.

6955. When was that sent in?—A few days ago.

6956. Assuming that it has funds available, a provincial Government can incur large expenditure on works without reference to the Government of India at all?—They can sanction up to 10 lakhs.

6957. And including establishment charges?—Up to 12½ lakhs.

6958. There is an exception as regards expenditure upon Government houses?—Yes; there is a restriction with regard to the residence of a Governor of Rs. 15,000 on any one house in a year; anything over that sum has to be submitted to the Government of India.

6959. That is to say, in regard to Government House, Madras, if repairs or alterations to the extent of Rs. 20,000 were to be undertaken this year, you would have to get the special sanction of the Government of India?—That is as to new works.

6960. And repairs?—Ordinary repairs are not restricted in that way, I think.

6961. Assuming that to be so, do you think that the existing restriction is necessary?—No.

6962. Would your idea be to give full powers to the provincial Government?—I think full power might be given; it is provincial money.

6963. That is to say, full power up to the extent of 12½ lakhs as for other works?—Yes.

6964. Suppose it was contemplated to enlarge Government House very much—up to a cost of 10 lakhs—the provincial Government might in your opinion be allowed to do it, just as they might enlarge the Secretariat here?—I think so.

6965. There is another restriction in regard to houses occupied by Government officers. You charge rent on them as a rule, do you not?—Yes.

6966. Your rents are fixed upon what one might call *quasi*-commercial considerations with reference to the initial capital cost of the house and site, and with reference to the recurring maintenance charges?—Yes.

6967. But there is a limit; you cannot charge an officer more than 10 per cent. of his salary in the shape of rent?—No.

6968. And the rent ordinarily should be 8 per cent. of the officer's salary?—Yes.

6969. Is it not the case that if the cost of your house would exceed 8 per cent. of the salary of the officer who would ordinarily occupy it, you have to go to the Government of India for special sanction?—Yes.

6970. Is that necessary?—I think the rules might be taken as a general guide as to what is proper, but the Local Government might have power to deal with special cases and to deviate from the rules if they thought fit.

6971. Absolutely, or within some larger margin?—I think absolutely.

6972. Would you report to the Government of India in such a case?—Yes. I would not propose to abolish the rules; I would propose that the rules should be as they are now, but that the Government should deal with special cases.

6973. The Government should have a dispensing power you mean?—Yes.

6974. What would be the object then of having special reports to the Government of India; do you mean that it would be some sort of a check?—As a check.

6975. You speak of the scrutiny of the plans of works for District Boards; you have had experience of those as a Superintending Engineer, and possibly as an Executive Engineer?—To some extent—for bridges mostly.

6976. Has every work costing over Rs. 2,500 to go to the Executive Engineer for scrutiny?—No. All works of a special and unusual character costing Rs. 2,500 and upwards go to the Superintending Engineer for advice. The Superintending Engineer sends on those above Rs. 5,000 to the Chief Engineer for Government sanction.

6977. They do not go through the Executive Engineer at all?—I do not think so.

6978. Is that a good limit; might not the District Board have some larger discretion?—I find that many of the plans that come up now want some alteration; I am not in a position really to say whether the District Board Engineer should be given greater powers; we have no control over them.

6979. (*Sir Steyning Edgerley.*) Have you many Government houses at the out-stations, Government buildings which are occupied by Collectors and Assistant Collectors, Assistant Police Superintendents and so on; does the Madras Government house its officers in Government buildings much?—Yes, it is increasing.

6980. How do your rents compare with those of a private landlord in the same stations?—I do not know that I can say.

6981. What does a Collector's house in an outstation—a Government bungalow—cost to build?—About Rs. 40,000.

6982. And what is the rent?—About Rs. 180; it may be that.

6983. Do you charge any of your Collectors Rs. 180 a month rent?—We are bound to charge them the rent as it works out.

6984. May we take it that that is very much higher than they could probably get a house for if one were available?—Yes, perhaps it is; but of course they cannot get a house of the description that is built for them.

6985. But they could house themselves for a good deal less probably?—Government only build houses where there are none available—where they have not got houses.

6986. If Government took a long lease of a house would not any private landlord probably be very glad to do it at something less than what you do?—Yes, if a suitable house was available.

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6987. When an officer takes a Government house he has to keep it on throughout the twelve months; it is his official residence, and there is an end of it; he has to pay his rent all through the year?—He has to pay for it as long as he occupies it.

6988. All through the year, even when he is on tour?—Yes.

6989. Officers like Assistant Collectors and District Superintendents of Police when they are in a private house very often throw it up when the touring season comes?—I do not know about that. In Madras they tour all the year round.

6990. Do they keep a house all the year round?—I think so, generally.

6991. Do you think that the system of Government rents—it is not your fault, but the system as you are obliged to enforce it—is rather a heavy tax on the officers. Do you get many complaints about it?—I do not think we do; officers sometimes want the houses.

6992. When you examine these District Board estimates and so on, do you do that work for them free?—Some work is done free by order of the Government, and some work a charge is made for.

6993. Do you know the principle of division?—No charge is levied when a provincial grant is made for the work, as in such case the charge would be *pro tanto* a reduction of the grant. No charge is made in the case of famine works undertaken by the Public Works Department from local funds.

6994. Your correspondence with the Government of India is really limited to very big works and to questions of rent and so on?—There are a number of small things that have to go up to the Government of India.

6995. (*Mr. Dutt.*) You would not approve of the District Engineer being placed under the Collector for the purposes of the distribution of irrigation water?—A general order to that effect I think would not be desirable.

6996. But would you approve of the District Engineer acting in consultation with the Collector in all matters relating to the distribution of irrigation water?—He is already supposed to act in consultation with the Collector on all this sort of things.

6997. When the Collector sends in an instruction or an opinion on that matter, he will either comply with it or send it on to the Superintending Engineer?—Under the rules that exist, in any cases where a Collector's wishes in regard to the construction of new works or the repair of existing ones are not complied with the Superintending Engineer has to give the reason, and the Collector can refer it to Government.

6998. Are you certain that he has to give his reason to the Collector or to the Superintending Engineer?—That is my impression.

6999. However, if there was no such rule, would you have any objection to having a rule of that kind?—That is rather an irrigation question, but we want to do all we can to get the officers to act together.

7000. Do you see any strong objection to it?—I see this objection, that in regard to a certain project the whole success of the project depends very often upon technical questions regarding the uses of water, and also technical questions in regard to discharges which we have to take account of—rainfall and flood discharges; and if a consultation is to go on before a sluice is shut or a weir is thrown open and so forth, it might not be advantageous; but generally speaking, I think we want the administrative officers of Government to have the opinion and advice of the engineers and the engineers to co-operate with them in every possible way for the advantage of Government.

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7001. When they cannot agree what would you suggest; when the request is sent up to the Superintending Engineer would you object to his saying "For these technical matters it is impossible to comply with the Collector's requisition"?—His reasons should be given I think.

7002. (*Mr. Hichens.*) What roads are under the charge of the Public Works Department?—Only a few special ones; most of the roads are dealt with by the District Boards.

7003. Does your department inspect the roads of the District Boards at all?—The Superintending Engineers are supposed to report to the Presidents of District Boards anything they notice in which they can help, and generally act as advisers in any case that seems necessary.

7004. Speaking generally, is it your impression as the Head of that Department that the District Boards make their roads pretty well?—I am afraid I cannot say.

7005. Should any of the roads that are now made by the District Boards be transferred to the Government?—Government now and again does take over the roads; it is generally a question of funds; the District Board cannot afford enough to keep them in order; then they apply to the Government, and Government takes them over.

7006. Would it be wise if the Government took a larger share of road construction under their wing?—I see no strong reason at present why they should; it involves an entire change of the present system.

7007. (*Chairman.*) It has been suggested to me that in your dual capacity as Chief Engineer and Secretary to Government in the Public Works Department, you may have occasion to advise Government as Secretary regarding appeals of departmental subordinates against your orders as Chief Engineer; is that a fact?—It must be a fact; any appeal to Government would naturally go to the Secretary.

7008. Then in that particular instance there might, in one or two exceptional cases, be a reason for extending the right of appeal in regard to your department which would not obtain in other departments; would you agree to that?—Yes.

(*The witness withdrew.*)

The Rev. A. ANDREW was called and examined.

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7009. (*Chairman.*) You are a missionary?—Yes, of the United Free Church of Scotland. I came out to India in 1879.

7010. What part of India have you been principally resident in?—In South India. For four months I was in Madras City, all the rest of the time I was in Chingleput.

7011. You have a very good acquaintance with the district?—Yes, because I have lived there the whole time with the exception of four months.

7012. (*Sir Frederic Lely.*) You have been in touch and on intimate terms with various classes of the people?—Yes.

7013. I supose you speak the language with perfect ease?—Yes.

7014. Does your Mission engage in cultivation at all?—Yes, as a part of our industrial work.

7015. You have been intimately connected then with the cultivating interests?—That is only part of my work.

7016. Still in the course of your work you have been brought into contact with the cultivators as a class?—To a large extent, and especially our own people.

7017. Also, you have had intercourse with others who do not belong to your flock?—Yes.

7018. Have you noticed during the time you have been in India any change in the attitude of the people towards the officers of the Government?—It depends upon what officers you mean; if it is the higher officers, I do not think there is very much change, because if a European Collector is sympathetic and alert the people do respect him still; I do not see very much change; it depends very much on the person, too.

7019. As a matter of fact, do they see much or know much of the higher officers of Government?—Not very much; I do not think they see so much as they used to; I think the higher officers are too much worked.

7020. What do you mean by the higher officers? The Collector, the Sub-Collector and officers of that grade; I think they have far too much work to do.

7021. And the result is?—The result is that they have not time really to mingle with the people and see the people as perhaps they ought to do; I do not think it is their fault to a large extent.

7022. As a matter of fact if a man has a grievance, can he get access to one of these higher officers that you speak of and an opportunity of telling it?—He can, but he must present a petition in the vernacular.

7023. I suppose many of your people have grievances?—Yes.

7024. Real or fancied?—Sometimes—a good many are fancied.

7025. Have they as a matter of fact an opportunity of stating those grievances in person to the higher officers of the district?—I believe they have; they must present a petition, I understand, in the vernacular, and I do not think that these officers have much time to look into matters, that is my opinion.

7026. However, as a matter of fact if a man has a grievance he can generally make sure of being able to represent it in person?—I think so.

7027. For all practical purposes the European officer or higher officer is accessible?—He is, but I do not think that he has time to see the people on account of having so much work to do.

7028. He is not on the familiar terms he formerly was?—No, I do not think so.

7029. Is there any other reason besides what you suggest, namely, overwork?—I think also perhaps their lack of fluency in speaking Tamil; as a rule they have not full command of the language, and they have not had opportunity enough of getting full command.

7030. Have they less command of the language than the officers had when you first came to the country?—I know some officers at present who have a very good command of the language.

7031. And some who have not?—And some who have not, as far as I can see.

7032. Is there any well grounded complaint, among the people, of the different attitude of Government as such—that it is more rigid?—I think it is more rigid; I think it has a greater tendency to go by rule than it had in former times.

7033. In all branches of Government?—Almost all branches of Government; I think the tendency is to have a set of rules and keep to those rules, and the whole system becomes somewhat mechanical; there is not enough discretionary power, I think, granted to the high officers.

7034. Is that the opinion you have formed yourself, or is it the opinion of the people as you have gathered it from talk with them?—I think it is the combined idea.

7035. (*Mr. Dutt.*) Have you come in contact with any of the village panchayats in the district?—I do not think there are any panchayats at all. There used to be panchayats, but at present it is the village munsiff and the *karnam*, the village accountant, who are really the heads of the village. I would suggest that a panchayat be formed in every village, or at least in every raiyatwari village, where there is at present a munsiff and a *karnam*. The whole administration, as it were, rests upon these petty village officers; almost all the information that is got is got through them, and I think that you might have a little village Board with the munsiff at the head and with the *karnam* and three or four or five of the leading men on the Board.

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7036. You would recommend that panchayats be formed, including the village munsiff and the *karnam*?—Yes. There is a peculiarity about the Indian villagers, that if there is anything to be considered, if any difficult point arises, they naturally call a panchayat, and when the decision is given they follow out that decision and do not demur to it. So it would be if you had a panchayat formed in every village. There are 54,000 villages in the Madras Presidency. Perhaps it would be too much to have a panchayat in each village, but there are 34,000 raiyatwari villages, and if a panchayat was formed in each of those, it would be a great thing. What you want in India is the development of local self-government, and this goes to the very root of the matter. The development of the education of the people so far as self-government is concerned ought to begin at the village panchayat; then after that it could be enlarged.

7037. Do the villagers still form panchayats among themselves for the settlement of local questions which come up among them?—I do not think so. From what I have been able to gather there is a very strained relationship between village officers and revenue collectors and so on.

7038. I mean in regard to matters which have nothing to do with the village officers—little social questions and so on; in those matters do they form little assemblies of their own?—I am not sure.

7039. Did you find this prevailing to any great extent when you first came to India 28 years ago?—I think so.

7040. And you think it would be a good thing to try to revive that?—I think so.

7041. You think they could be entrusted with simple duties?—Such as village sanitation, the making of village roads and communications; and also perhaps, when times of remission came, the revenue officers might ask the panchayat their opinion as to what fields required remission. At present it rests on the village officers; when it is left in the hands of one or two men they will be biassed and prejudiced, but when there is a body of men, their combined opinion must be much better than a single man's opinion. Also with reference perhaps to education, I do not think we have gone down far enough with reference to the development of elementary education in India. Simple village schools might be placed in the hands of these people. At present the matter is managed by *taluk* Boards and District Boards. I was a member of the *taluk* Board and District Board for many years and also a Councillor in the municipality of Chingleput, also an official visitor to the Government Reformatory at Chingleput, so that I have had some experience.

7042. As to these village panchayats, would the division of the people into different castes stand in the way of their successful working?—I do not think so.

7043. You think that for village matters they could come together notwithstanding their division into castes?—It would require supervision, of course, by the higher authorities; there is no doubt of that. If these village panchayats were formed throughout South India, I think there should be a special officer appointed such as you have in the Accountant's Department. A man is sent down from the Accountant-General's Department to audit the municipal books and accounts; he comes and criticises what has been done, and points out the defects, and co-ordinates the whole system, comparing the books of one municipality with those of all other municipalities. In the same way there might be an officer appointed by Government to supervise these panchayats; he would know how they should be managed; he could look into all the details connected with them, and criticise their work, and co-ordinate them with all the other panchayats.

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7044. With some supervision of that kind do you think the institution would be likely to succeed?—I think so, because it is suited to the genius of the Indian people. There are many things that they think the panchayat would be the right thing to manage if they could be got together. In marriage questions, for instance, among the lower classes they have a special panchayat in any questions connected with marriage responsibilities; in case of any dispute the panchayat is called together to settle it, and it even dissolves the union in some cases.

7045. You think that such an institution is suited to the genius of the people?—Yes, and I think it is a great mistake that that simple Board has been allowed to die out.

7046. Do you think that *taluk* Boards on the whole do useful work?—Yes, I think they do. I have no doubt the members of the Board at present do not take a very great interest in Local Board matters, and sometimes their opinion is not worth much, but still it is in the line of local self-government, and one can never learn to swim until one goes into the water; so, it is necessary that these Boards should be called into being, and the people educated up to be able to manage them. That is not done in a day; it requires many years' experience, and the defects will gradually disappear as time goes on if patience is exercised.

7047. Would similar remarks apply to District Boards?—Yes. To improve that, I think that committees should be appointed in connection with these Boards, and executive power to a large extent should be given to these committees. At present the executive power is wholly, I think, in the hands of the President; but sub-committees might be appointed, and they might be granted a certain amount of power to carry through things. That would make these men take a very great interest in the matters for which they were appointed. The Boards take very little interest in education—I mean very little practical interest; no doubt they all have education at heart, but the practical interest is very little, simply because they have not been called upon to apply their minds to the matter and try to guide the development of education in their district. If some power was given to them to do that, they might take a very much greater interest and make things go in a way that they never went before. I would suggest that, or the creation of a school Board for each district, in which men of this class would have power over education. The whole education would be in the hands of this special Board, and they would have their own officers and pay their own officers, and of course get grants from the District Board or from Government.

7048. If you think that the *taluk* Boards and District Boards could be induced to do the work, you would not recommend the creation of separate school Boards?—No, if they could be got to do it, but they have not yet got it into their heads to do it. It might be done by appointing special committees in connection with these Boards, and putting it in the hands of two or three men who would really take an interest in it. I would say that not only with reference to education, but with reference to roads and sanitation.

7049. What you mean is that there should be two or three separate sub-committees formed?—Yes, and that these should report every month to the *taluk* Board; if anything went wrong the other members of the *taluk* Board would call them to account, and a further advantage would be that the other members would come to take an interest in what these sub-committees were doing.

7050. (*Mr. Hichens.*) In your experience are the inhabitants of a village more or less homogeneous?—It depends; there are certain villages where Muhammadans predominate for example, and some villages where certain other castes predominate; as a rule the central street is occupied by the Brahmans, and behind the Brahmans there are

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Sudras, and at a little distance from each caste village there is the *Panchama* village,—the *Pariahs'* village; that is almost universally the case in South India.

7051. I suppose they are torn by factions in the villages?—Of course; there are always factions in India.

7052. Do you think that that would prevent them coming to a reasonable decision in regard to matters entrusted to the panchayat?—There would be leading men in each village or group of villages that was chosen to have a panchayat; the leading men must be chosen, and the people themselves, I think, should have the power of choosing those men, otherwise a panchayat would be of very little use.

7053. Is the existence of these factions likely to prevent questions being decided on their merits? Suppose a question that was relegated to a panchayat came up; would not each faction act *quâ* faction, or try to decide *quâ* faction, and not consider the merits of the particular matter?—The tendency would be in that direction, but I think if the people had the power to choose these men to be on the panchayat they would respect the decisions of the panchayat. It is always the case that when a panchayat is formed for any particular matter the members are chosen by the people of the place, and their decision is respected.

7054. Then your opinion is that the sense of responsibility that would be developed would in time make them respect the decisions of the panchayat?—In time; you would need to have patience; it must grow and I believe it would grow; I believe that a great deal is lost by want of patience in this country.

7055. You say there is a certain amount of faction as between the various sections in a village. Does the same feeling obtain as between one village and another?—I do not think so; I think it is more in personal matters.

7056. (*Mr. Meyer.*) In your part of the world you have got a series of "right hand" and "left hand" castes who are at frequent enmity with one another?—Yes.

7057. Would they work harmoniously on a panchayat?—If it is for the common good, I think they would.

7058. Would the minority accept the decision of the majority loyally or would they try and appeal to higher authority?—My general view is that the Indian people scarcely ever yield to these things; they like to go to a higher person or court in order to get their view of the matter carried out; no doubt that is natural.

7059. A man will drink the cup of appeal to its last dregs—is that your experience?—I do not think it would be so with regard to ordinary village people; there are many of them who are uneducated; very few in the villages are educated, and there is a great deal of deference shown to people higher than themselves amongst the villagers.

7060. It would be desirable, however, if the panchayats are to do any good, to make their decisions final, within reasonable limits?—In petty cases, I think so.

7061. You must have no recourse to the submagistrate or the district munsiff as against the panchayat?—For very small petty cases I think that would be quite enough. I was told by a Brahman the other day that his father was a munsiff in a certain village near Chingleput; his experience goes back about 50 years; there were panchayats in those days, and this was the sort of thing that took place at that time. An accusation was made against a man; the munsiff called his panchayat together; they sent for the man and asked him if he had done the thing that was complained of; the man always confessed, because the munsiff and these men of the village know all the circumstances of the people of the village, they know their conditions and their characters and what they would be likely to do, and so there is very little chance of a man successfully denying a thing if he has done it, and consequently he confesses. The munsiff says, "All right, you must pay so much to this complainant for doing a thing like this," and the man always pays, and the whole thing is done with; justice is administered, and no more is heard of the matter. That is the kind of paternal relationship that used to exist. All that is gone in these days, and perhaps if panchayats were revived this sort of thing might return again.

7062. You spoke of a supervisor of panchayats; how many supervisors would you need? You spoke of 34,000 Government villages; I suppose it would be impossible to have one man to supervise the panchayats in all the villages?—Yes.

7063. You would have one in each district perhaps?—It depends on the number in each district; that would be a matter of detail which would be considered afterwards; but the point is to create these panchayats. I believe that local self-government centres upon these panchayats and that if they are properly managed the people would be educated into serving on higher Boards—*taluk* Boards and District Boards and so on—in the future.

7064. But cannot such supervision as is required be better done by the local tahsildar and the Divisional Officer rather than by starting a fresh Panchayat Department, as you might call it, with a special officer?—I do not think so, because the tahsildar has an immense amount of work to do, and I do not think he would have time for such work. Moreover, he has to do with revenue matters and other matters which might bring him into conflict with these people. If you had a man who was quite separate from the tahsildar or Divisional Officer, and who had as his sole duty the organisation of the panchayats, I think they would be better managed.

7065. You spoke about the increased rigidity of our administration in the district; the Collector and other officers can no longer act, you say, at their discretion; they are more bound by rule. Is that your general opinion?—That is speaking generally.

7066. I suppose that results to a certain extent in facilities for appeal against the acts of those officers. If a man's decision upon a point is final, he can exercise some discretion; if there is an appeal, he is bound by the letter of the law; is not that the tendency?—I have not much experience of that; I cannot say.

7067. You spoke of education in connection with the local Boards. A previous witness suggested that education should be taken away from the local bodies and entirely run by the Educational Department. I gather that you would be entirely opposed to such a plan as that?—That was my opinion some years ago.

7068. You now think it should be centralized?—I advocated School Boards; I complained of the inaction of these Boards; in fact, education was going back under these Boards in South India for a number of years. If you go back ten years it is absolutely stationary; there is no improvement whatever; there are the same number of pupils and the same number of schools now that there were ten years ago. So that unless something is done to quicken the energy of the Board members, some other system must be adopted. I do not know whether the Educational Department would be any better. If the Boards cannot be made to take a greater interest in education, then it should be taken out of their hands altogether, and separate School Boards established with members who would take an interest in such work.

7069. Would you have them raise a special cess for schools?—Yes, I have advocated that too. I think that not enough is done by the Government for elementary education. Government are just playing with elementary education.

7070. You would be prepared to have a special School Board with a special School Board rate *ad hoc*, and supplementary to the ordinary land cess?—I have advocated in the public press that an education cess should be put on; for example one anna in every rupee. Under land revenue 625 lakhs are collected in Madras; if one anna in the rupee

was put on for education it would give a large amount of money for the purpose.

7071. That is in addition to the cesses now levied for general purposes?—Yes.

7072. Do you think that would be popular?—I do not think it would be popular, but you may have to do that in time.

7073. Your idea of education is that it should be as far as possible worked by a local body, whether it be the *taluk* Board or some new special Board, but not directly by the central provincial Government?—I think not, but finally that, if they cannot do better without.

7074. Speaking from your experience of District Boards and *taluk* Boards, apart from education, do you consider that they are bodies which deserve to have larger powers than they at present possess?—I think so, and I think that the elective principle ought to be introduced; at present there is really no elective principle at work.

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7075. Surely you have the *taluk* Board electing to the District Board?—To my mind that is not real election, because all the members on the *taluk* Board are nominated, and it is from these nominated members that members are chosen to the District Board.

7076. Then you would like to have an elected *taluk* Board, and you would like to give the *taluk* Board greater powers?—Something like that.

7077. One or two witnesses have proposed the abolition of District Boards, and that all such local power as now vests in the District Board should be distributed as far as possible between the *taluk* Boards; are you in favour of that?—I am not so sure about that, because you require some body to supervise the work, and I do not see how the different *taluk* Boards could be supervised and co-ordinated in the proper way unless there is some central authority.

(*The witness withdrew.*)

KHAN SAHIB MAHOMED AZIZ-UD-DIN SAHIB BAHADUR was called and examined.

7078. (*Chairman.*) You are Collector of South Canara?—Yes.

7079. How long have you been a Collector?—I have been permanent Collector for the last two years here; before that I was for some months Collector of the Anantapur district.

7080. Having been in your Collectorate for two years, I presume you are pretty well acquainted with it?—Yes; especially as I was Deputy Collector for several years before I commenced service in 1882.

7081. Have you in the course of your experience as an officer been constantly moved from district to district?—No.

7082. You have been fairly stationary?—Fairly stationary; in fact, I was kept very long in the districts to which I was posted.

7083. That very fact, I imagine, has caused you to know the people of your district better than many Collectors can know their districts?—Certainly.

7084. Have you a good knowledge of the particular vernacular spoken in South Canara?—Yes.

7085. You are not a native of South Canara?—No.

7086. But you know the vernacular spoken there?—There are five vernaculars spoken in South Canara.

7087. Do you know them all?—I do not know all, but I know three of them.

7088. You know three of them well?—Yes, fairly well, and besides I know Tamil and Telugu, which I had to know when I was on the east coast.

7089. You are able therefore to speak fairly freely with the people?—Yes, I am able to speak fairly freely; I make use of Hindustani generally.

7090. Do you find that in those districts the vernacular of which you do not know you have more difficulty in ascertaining what the views of the population are than in districts the vernacular of which you do know?—Certainly; if the language is known we are able to discourse with the people freely and can exchange thoughts; if we do not know the language we are wide of the people, and the people are wide of us.

7091. Of course, it is of great importance that there should be a good knowledge of the vernacular on the part of all Divisional Officers?—It is of paramount importance.

7092. How is most of your time occupied as Collector—in or out of your office; how many hours do you devote every day to your office work?—I have to devote almost the whole time to my office work.

7093. Except in those seasons when you are touring?—Even during those seasons I have to do the office work and inspect and tour as well.

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7094. When you are what is called on tour how many hours are you in the office as a rule?—I attend the office between 2 and 5. The rest of the time I work at home.

7095. That is to say, when you are on tour you have to devote three hours a day to office work?—No; I mean when I am at headquarters.

7096. But when you are on tour?—When I am on tour I finish the office work as soon as the post is received from the office; then the rest of the time I spend in seeing the people.

7097. How many hours do you have to give to purely office work when you are on tour?—Three hours a day is sufficient.

7098. Have you any suggestion to make to us whereby the amount of office work could be reduced?—Yes. I think it is necessary that some of the powers of the Board should be delegated to the Collectors; the non-delegation of such powers gives rise to unnecessary correspondence, and no material object is gained.

7099. Those powers which you think ought to be delegated would set free the Collector from a great deal of correspondence and office work, and he would be better able to get about?—Yes.

7100. That is the object of the delegation which you think ought to be made?—Yes.

7101. Now, you are well acquainted with the District Boards and *taluk* Boards, of course?—Yes; except for two years when I was senior Presidency Magistrate in the town of Madras, all the rest of my time I was in the *mufassal*, I was connected more or less with *taluk* Boards and District Boards; I was elected Chairman in the South Arcot district for several years.

7102. Would you agree with the suggestion of one of the witnesses that if an Advisory Council were started it would be desirable to do away with the District Board?—My difficulty has been this; I do not know what this Advisory Council is put forward for.

7103. Questions of revenue, or small irrigation schemes, or roads, or things of that sort, or small educational matters?—I should like to take these things *seriatim* and, if permitted, to express my views.

7104. If you started a Council would you find persons in the district who would form satisfactory members of it?—Yes, but I want to know before what this Advisory Council is intended for.

7105. Would it depend upon the subjects referred to them, whether or not the formation of an Advisory Council was advisable?—Yes; if I know what the subjects are to be, I can say from my experience what these Councils would be likely to do.

7106. Do you think the District Board is a good Board and does good work?—Yes, I think so.

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7107. Might its powers be extended advantageously?—I think it has got nearly all the powers necessary in this Presidency.

7108. Then, should the *taluk* Board's powers be extended?—I do not know in what direction; they might be given larger allotments if necessary; they have all the necessary powers within their own jurisdiction.

7109. Do you agree that the formation of village panchayats is advisable or not?—There is already a panchayat under the District Boards Act which is called a union panchayat. These union panchayats are not held in favour by the people, because they involve taxation. I remember that once there was a proposal to establish a union at Pamidi in the Anantapur district, and that excited very angry opposition. As it is, the people are not in a position to make any self sacrifices, and they do not want any union or other institution which will involve taxation. If by these panchayats is meant the old panchayats that we read of in history, it is a different matter; I think that some such system might be introduced, but not on the old arbitrary lines; they must be introduced on more civilised lines.

7110. Then you would give them power to deal with petty civil and criminal cases?—Yes; we have already civil benches in the villages; we could not have criminal benches appointed unless the Village Magistrates Act was amended.

7111. If their powers were restricted to small questions, and they had no power of rating or power of taxation put into their hands, you think it would be desirable to start panchayats?—I think so.

7112. But it would be undesirable to give them power of rating or taxing?—Yes; rating or taxing they do not like, and to give them those powers would upset the whole thing. What I wanted was to educate the people to dispose of their petty civil and criminal cases, and thus save the public from going to the expensive courts and getting ruined.

7113. It has been suggested that the right of appeal in administrative matters should be limited; do you think that that would be a wise thing or not?—I think as the law now stands it is fairly well limited, and I do not think that by appealing to so many authorities much good ensues; but at the same time it is a privilege which the people cherish much, and it would give rise to considerable dissatisfaction if the right of appeal was curtailed.

7114. As a matter of practice, how far are appeals carried, I mean taking the generality of appeals? Do a great many pass through your hands?—Yes.

7115. Where do they generally end?—There are some appeals which the Collector disposes of finally; there are no appeals against punishment by petty fines, but in cases of dismissal of a servant whose pay is Rs. 50 or more there is an appeal from the Collector's decision to the Board and a second appeal to the Government.

7116. As a matter of practice, do they appeal beyond the Board?—They do sometimes.

7117. But very seldom?—Very seldom.

7118. So that what they are practically satisfied with, is an appeal from the Divisional Officer to you and from you to the Board of Revenue?—Yes.

7119. That is practically what satisfies the people?—Yes, it satisfies the people, but the right of further appeal in those cases in which it is now exercised cannot be restricted without giving dissatisfaction to the people; they appreciate it as a great constitutional privilege which they have obtained under the British Government of setting forth their grievances and obtaining justice in one place or the other.

7120. (*Mr. Dutt.*) Suppose that plague relief measures had to be adopted, and the people had to be segregated, or women had to be examined, do you think an Advisory Board would on such occasions be of some help to the Collector?—As a matter of fact there has been plague in Mangalore for the last five or seven years, and I have had much to do with it during the last few years; we have there what we call a Vigilance Committee consisting of 40 members; we meet every fortnight, and we get information from them as to the localities where dead rats are found and so forth.

7121. Are these non-officials?—Yes; in that way they are of use, but their influence on the public is practically *nil*; the people do not care very much. But there are some influential persons who do render us valuable assistance.

7122. If such influential persons were made to form an Advisory Board, could they in times of plague be of some assistance to the Collector?—Yes, it has been found of assistance and we have now a Vigilance Committee in Mangalore.

7123. Then, on the occurrence of famine or scarcity, could the members of an Advisory Board if properly elected or selected be of some use to the Collector in representing to him the condition of different classes of people whose condition is not generally known to the higher authorities?—I do not think the Advisory Board will know much about what takes place in the district or in the *taluk* which may be afflicted with famine. The Collector, as it is, is touring about in his district, and he is able to consult on such occasions various people.

7124. You think on famine occasions they would not be of much use?—I do not think that beyond drawing upon their imagination they will be of much use.

7125. Not as private un-official members?—No.

7126. Then with regard to occurrences such as floods and other calamities; would they not be of any use in giving an idea of the amount of remission that should be granted?—No. I had occasion to work in connection with the floods of the Kistna, and also at Cuddalore; it was not possible to get any help from any of these local people, and I do not expect that any good could come from consulting them.

7127. Did you make a selection of the people best able to advise you on those occasions?—Yes.

7128. Then on occasions when the Government has to explain a particular measure to the people, would the instrumentality of some of the leading men be of help to you?—In theory it seems all right, but in practice I do not think it will be of much use.

7129. Have you ever tried the experiment of having the object and scope of Government measures explained to the people through the leaders of the different communities?—But there are so few leaders; there are so many factions and feuds.

7130. I say, leaders of the different communities?—But there are so many different communities; there is no genuine leadership anywhere.

7131. Have you ever tried it?—There is no occasion to try it, because I know it.

7132. You say that there are so many factions and feuds; would the leaders of these contending factions be of some use to the Collector in bringing them together and effecting some sort of reconciliation and restoring peace?—People who are connected with factions are absolutely useless on such occasions; we have to look to other people who belong to neither faction, and they help.

7133. You have received no help from the leaders of these factions?—No, one distrusts the other; but people outside the factions are useful.

7134. Lastly, in ordinary concerns relating to the condition of the people in the villages, would the leading men be of any use, if an Advisory Board was formed, in keeping the Collector and the Divisional Officer informed of the condition of different villages?—I do not think so at all; I think it is rather a theoretical thing; it sounds very well in theory, but in practice it will be found impracticable.

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7135. So that except on the one or two points which you mentioned first, you do not think Advisory Boards would be of any use at all?—No, I am not in favour of Advisory Boards being formed.

7136. (*Mr. Hichens.*) I understand you to say that a Vigilance Committee might be useful as an *ad hoc* body?—Yes.

7137. That is in a special emergency, but you do not say that they should be constituted into an Advisory Board?—I do not mean that at all; I mean that whenever we want to form such a Committee we do form it.

7138. Would your point of view be that if the Collector wanted to get at the opinion of the people of the country he should do it by knowing the people?—If he is a Collector who is in touch with his people and knows his business, he will know where to go.

7139. Do you have Agricultural Societies and other Societies?—Yes, we form them on occasions, whenever we want them. I am President of the District Agricultural Society of Mangalore, and I have under me several branch Societies.

7140. There are several of those Societies, and if at any time they wanted to make representations to you, you would always be prepared to hear them?—I think that those Collectors who are in touch with the people can obtain first hand information and advice from the people. With such Collectors the whole district is an Advisory Council.

7141. (*Mr. Meyer.*) You spoke of the unpopularity of any fresh taxation?—Yes.

7142. Did you hear the suggestion of the last witness that the progress of education should or might be accelerated by levying a special education cess and entrusting schools to special School Boards?—That would be most unpopular.

7143. Are the municipalities popular in your opinion?—The municipalities are popular where the work is properly conducted. Of course people do not wish to pay taxes, but nevertheless they do not grumble much if the taxes collected are properly utilised.

7144. But they object to fresh taxation?—They do not want taxation.

7145. So that they would not like a new municipality or a new Board to be established?—No; very often when we think of starting a municipality they object.

7146. Have you had very much experience of such municipalities elsewhere?—Yes, I was *ex-officio* Chairman of the Salem municipality, which is the third largest municipality in the Presidency, for a year. Then I was elected Chairman of the Cuddalore municipality, which is also an important one, for five or six years.

7147. Could the municipal Councils be given larger powers than they have at present?—I think the powers they have are fairly large; I would wait.

7148. Have they not to go up to Government in a variety of matters such as the appointment of petty clerks?—Yes; all those powers I would give.

7149. Then you do not think that any really big matters should be given to them, but in certain little points restrictions might be reduced?—Now they cannot appoint, without reference, subordinates on salaries of Rs. 50 and upwards; I would delegate all these powers to them, and, within the budget, I would allow them a free hand as far as possible.

7150. Have you had any experience of factions within the municipalities themselves?—Several.

7151. In that case, suppose there is a faction in the municipal Council, do those who are outvoted accept the situation, or do they at once proceed to an appeal to Government say?—There is no appeal to Government. There was one faction quarrel in the Mangalore municipality, when matters had to be reported by the Collector to Government; in another instance, in Cuddalore, factions were so bad and the municipality was mismanaged to such an extent that it was disfranchised.

7152. What do you mean by disfranchised?—The right of election was withdrawn, and it was reduced to fewer members.

7153. (*Sir Steyning Edgerley.*) The last witness said that he considered that no progress had been made in the extension of primary education in the last ten years—that it was very much in the same state as it was ten years ago; do you agree with that view?—No, I do not agree. We have been endeavouring our best to extend primary education; we have now a larger number of schools, and the Government are giving us a provincial grant for the construction of new schools from their allotment of six lakhs; every year we are building new schools and opening new schools, and taking new schools under the grant-in-aid system.

7154. The statement would not be true of your district?—Not of my district nor of several districts where I have served.

7155. (*Sir Frederic Lely.*) I do not understand you to say that we should not give power to the panchayats to levy a tax; was not what the people objected to our obliging them to levy a tax?—Yes.

7156. Would you object to giving the panchayat power to levy a tax if they wished it themselves?—The measure would be unpopular.

7157. You mean even if the people through their panchayats did not object to it?—Yes.

7158. Would you object to giving them power, say, to make a rule that every householder should keep the ground opposite his own house clean?—He is expected to keep his surroundings clean now.

7159. But there is no power to compel him to do so?—He can be charged with a nuisance under the Nuisance Act or under the general provisions of the Indian Penal Code.

7160. If he does not keep the road in front of his house clean?—I mean his own surroundings.

7161. I have no doubt in your part of the country there used to be a sort of understood rule in the village that every man was responsible for the land on both sides of his house?—Yes, provided that the ground belonged to him.

7162. More than that—I mean the high road opposite to the house?—He is not bound to clean it.

7163. I do not say he is, but suppose the panchayat made a rule making it compulsory on a man to keep the high road clean for a certain length opposite his house under a penalty, would you see any objection to that?—No; such things might be done by the panchayats.

7164. That is to say, you would give them a right to impose such obligations of their own accord?—Yes, if they are willing to do it; and the power should be, in the beginning, such as not to involve much responsibility, and at the same time give an opportunity to these people to be educated in such matters. I would have village panchayats first.

7165. Would you or not give the village panchayats power to impose such obligations on householders in the village?—Yes, that is a reasonable obligation.

7166. Then you say the Collector is very heavily worked?—He is heavily worked; I should like him to have more time to mix with the people.

7167. Is the Divisional Officer also very much overworked?—The Divisional Officer also is overworked, because he has much to do now, and some of the powers of the Collector may be delegated to him.

7168. The *jamabandi* is done by the Divisional Officer and also by the Collector? The object of the *jamabandi* is that the officer may pass in review the revenue accounts of the year?—Yes.

7169. And draw his deductions as to the progress of the village or its retrogression?—Yes, and settle all disputes.

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7170. And get all the villagers in and hear what they have to say; in fact, to review generally the state of affairs in the village?—Yes.

7171. As a matter of fact is that done?—It is done. During the time of the *jamabandi* the other work is practically stopped, and for nearly a month or so almost the full time of the Collector is devoted to this purpose.

7172. How many villages would the average Divisional Officer have to do in the course of the season?—The *jamabandi* lasts for a month.

7173. How many villages would he have to do the *jamabandi* of?—Each *taluk* consists of 250 or 300 villages.

7174. You do not think that the work of the *jamabandi* does degenerate into mere routine?—Not in our case. Of course there are some officers who take no interest; such instances are known, but in the instances I have come across at *jamabandi* these things are carefully gone into.

7175. Another branch of your work consists in revising the calendars of criminal cases?—Yes.

7176. Is that very heavy?—Yes, it gives a great deal of work, because the District Magistrate, if he does his duty conscientiously, has to go through these calendars.

7177. Does he as a matter of fact?—I do.

7178. Can you give me an idea of the number of calendars that come up in the course of the year?—I have got 5 *taluks* in my district. There are about 500 to 600 cases in each sub-magistrate's file per annum; that would be 2,500 cases almost.

7179. You examine every one of them?—Every one; but there are many calendars in which we just see whether there has been much delay, and exercise our judgment.

7180. As a matter of fact is not most of that work done by an office clerk?—Oh no. It is done by myself.

7181. (*Chairman.*) Do you think there is any obstacle in the way of a British Collector mixing with the people of his Collectorate?—Yes, I think there are several obstacles, and the chief of them is that generally English Collectors are disposed to be exclusive.

7182. They do not as a rule make advances to the native gentry?—There are some Collectors who are very good, but as a rule they are rather exclusive.

7183. Would the Indian population, whether Hindu or Mahomedan, welcome advances made to them?—Certainly. I think this exclusiveness is greatly felt, and as soon as this fetish is overthrown the better for administration.

7184. Would there be anything in the habits or customs of either one race or the other which would naturally exclude them and which would be a fatal obstacle?—There are some such obstacles among Brahmans, but they are disappearing as Western education is progressing. For instance not so many years ago a Brahman would never shake hands or touch anyone who was an alien in religion; now they take no notice. They have been given a liberal education under the British rule, and they are willing that there shall be better social intercourse between themselves and their English comrades.

7185. And would you say the same of the Muhammadan community?—Yes. The Muhammadans have much in common with the English people, who are "the people of the book."

7186. I may take it then that, while there is no absolute bar to friendship on either side, any advances made by the European officers would be welcome?—Certainly. I think it is highly necessary that such advances should be made, and, as the Collectors are the higher persons, I think the advances should come from them first.

7187. You desire to add something about the Forest Department?—With regard to the forests no doubt the policy of the Government of India is that the Forest Department should be worked for the benefit of the people—the agricultural community—but at the same time in practice that policy is not very much realised. Very often the raiyats do not get the small privileges which might be extended to them without deteriorating the forests. The Collector who is the man on the spot knows all the demands and requirements of the raiyats, but when a representation is made by them, it has to go through the Collector to the Conservators, and the Conservators, who are professional people, look at it from a professional point of view only, and very often the Collector's suggestion is not approved. The result is that the people do not get what they should get and there is great dissatisfaction. I may say at once that on account of the forest laws there is very great dissatisfaction among the agricultural classes, and I think it is a matter which deserves the careful consideration of those in authority. The result is this; what is not granted to these people fairly is obtained by them unfairly, that is by bribing the forest guards; they get more than what we could give them fairly, and the whole thing is done in an unsatisfactory way. I should like to have these small forest privileges given to the people.

7188. You would like to see the restrictions which are laid by the present forest laws and regulations upon the village communities bordering on the forests and reserved lands overhauled, with a view to seeing whether small petty restrictions could not be got rid of?—Yes.

7189. Also you imply that the quality of the forest guards requires considerable improvement?—No; I do not think you could improve the quality of the forest guard very much by giving them one or two rupees more, but I want more superior officers—more rangers and deputy rangers to supervise these subordinates.

(*The witness withdrew.*)

Adjourned.

EIGHTH DAY.

MADRAS, *Saturday, the 30th November*, 1907.

PRESENT:

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

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

Mr. N. MACMICHAEL, I.C.S., was called and examined.

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7190. (*Chairman.*) You are President of the Madras Corporation?—I am Acting President just now. I am a member of the Indian Civil Service, officiating as President of the Municipality during the absence on leave of the permanent President.

7191. Will you briefly state the nature of your duties?—The duties of the President are laid down in Madras Act III. of 1904.

(*a*) The entire executive power under the Municipal Act vests in the President,

and he exercises supervision and control over all municipal officers and servants (Section 20):

(*b*) he prepares the Administration Report (Section 30):

(*c*) he makes arrangements for the elections of Commissioners (Sections 38-53):

(*d*) he appoints and dismisses subordinate officers and servants (Section 58):

(*e*) all contracts are made by the President on behalf of the Corporation (Sections 66-67):

(*f*) he presides at meetings of the Corporation (Sections 72-80) and of the Standing Committee (Sections 83-85):

(*g*) he prepares the budget (Sections 91-98):

(*h*) he sees to the collection of taxes and tolls leviable under the Act (Sections 115-191):

(*i*) he attends to the distribution of the water supply (Sections 193-196):

(*j*) he looks after drains, latrines and urinals (Sections 208-227):

(*k*) he is responsible for the maintenance, repair, and protection of the public streets (Sections 229-259):

(*l*) he deals with building applications (Sections 260-289):

(*m*) he looks after the lighting of the public streets (Section 290):

(*n*) he attends to sanitation (Sections 292-403).

7192. The entire executive power of the municipality rests in your hands?—Roughly speaking, yes.

7193. You make reference to a Standing Committee which exists for certain purposes; do you have committees or sub-committees of the Corporation at all?—I have been in the office for seven weeks; there were several committees, I believe, previous to my appointment; the reports of them came before the Corporation during my time; I have not actually sat on any such Committee.

7194. They are not Standing Committees?—No, they are appointed for special purposes. There is a Standing Committee which meets twice a month.

7195. What does that do?—The duties and powers of the Standing Committee are laid forth in section 17 and the following sections of the Act.

7196. There are no Standing Committees in existence for the special consideration of housing, or sanitation, or drainage, or anything of that sort?—Such committees have recently been in existence; I cannot say off-hand whether any such special committee is in existence at the present moment.

7197. Do you find that you can deal with all this mass of detail yourself?—A great deal of that is dealt with by the officers under me, the Engineer, the Revenue Officer, the Health Officer, and so forth.

7198. The duty that is entrusted to you as Chairman has in fact to be done by some other officer, although you are responsible?—Yes; my duty, I should say, consists to a great extent in supervision over these officers.

7199. Is that the principal reason that the Government appoints the Secretary, the Engineer, and the other principal officers of the Corporation?—Because their duties are so important.

7200. Had you been head of a District Board or Municipality before you were appointed to your present position?—I have had about six years' experience as President of a *taluk* Board; I have only been Chairman of a district municipality for a short time.

7201. From such short experience as you have had during the last seven weeks, could a great deal of your duties be quite as well done by Standing Committees of the Corporation?—I consider that a great deal of the work I have been doing during the last seven weeks should have been done by the clerks in my office; they are hopelessly incompetent to do it in my opinion.

7202. Therefore it would be just as well that the members of the Corporation, who must be interested in the town, should have some power, and it would give them an interest to take part in executive work?—You mean with a view to relieving me of some of my work?

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7203. Yes?—The first thing to be done in that direction is to reform the internal constitution of my office. The municipal office is in a hopelessly inefficient state at present.

7204. What we are rather considering is the possible devolution from you of some of your authority and power to somebody else. Would it, or would it not, be well in your judgment to relieve you of some of your executive power, while retaining to you, as Chairman, the directing power?—I am afraid I cannot answer such a question.

7205. Let me put this by way of illustration; the Mayor of a Corporation at home would have under him the Chairmen of different committees, each of whom has within the jurisdiction of his committee large executive powers; the Mayor exercises a general guiding influence. Would the application of some such principle as that be advisable in the case of the Municipality of Madras?—I should say that the present officers under me—the Engineer, the Health Officer, and so on—take the place of such committees.

7206. But you do not think it would be well to substitute for these permanent officials, whom you now have, some members of the Corporation?—Speaking off-hand, I should say that I do not know of any reasons for doing so.

7207. (*Sir Frederic Lely.*) Do you not find sometimes that your dual capacity produces inconvenience? I suppose a good deal of the discussion in the Corporation consists of criticism, more or less, of your acts as Executive Officer, does it not?—To a certain extent; it is the duty of the Corporation to bring to notice, and they may do so by resolution in the Corporation, cases of neglect in the execution of municipal work or of waste of municipal property.

7208. That is a challenge of your conduct as Executive Officer?—That is a challenge of my conduct as President.

7209. Does that not make your position as President rather anomalous?—I have not considered that point.

7210. Do you not consider that a better arrangement would be to separate the executive authority from the presidency of the Corporation?—The Corporation have absolutely no power to do anything except to express opinions.

7211. Take the officers in charge of particular departments as individuals; could the actual work of those officers be handed over to a committee?—No, the work of the Engineer could not be handed over to a committee unless they were skilled Engineers, nor the work of the Health Officer unless they were skilled Health Officers.

7212. The suggestion is that your executive supervision should be handed over to a committee; as a matter of fact, can executive powers be so well handled by a committee as by an individual?—No.

7213. (*Mr. Dutt.*) You have said that one of the duties of the members is to criticise and find out whether there are any defects in the working of the system; have the members anything else to do besides that at the meetings of the Corporation?—Yes; their general duties are defined in section 16 of the Act. They have to consider statements of receipts and disbursements and all papers and reports, and pass such resolutions thereon as they think fit and so on.

7214. Are there any duties in regard to sanitation or education or any branch of municipal work in which you think the constitution of a sub-committee would be useful in order to supervise the work of the Executive Officers?—In practically every branch it is most useful that the members should bring to notice any neglect that they see on the part of the executive. Whether the thing can be done any better by having actual sub-committees I should not like to say offhand.

7215. Does the President appoint all the officers, excepting the three officers appointed by the

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Government—the Engineer, the Secretary, and the Health Officer?—Yes. Under section 58 of the Act.

7216. That is done without consulting the members?—Yes, it rests entirely with the President.

7217. And the President has powers to fine, punish, or dismiss these officers?—Subject to the control of the Local Government.

7218. Is there any appeal from the order of the President?—Section 59 provides that "any municipal servant in receipt of a salary of not less than Rs. 50 per mensem may appeal to the Standing Committee against an order of dismissal by the President, and any such servant in receipt of a salary of not less than Rs. 200 per mensem may further appeal from the order of the Standing Committee to the Corporation."

7219. Have men who get less than Rs. 50 any sort of appeal against an order of dismissal?—Not that I am aware of.

7220. (*Mr. Meyer.*) Speaking generally as to this Standing Committee in regard to the Executive Officer, is it purely an advisory Council or is its sanction required to a variety of things before the President can act?—It has got a good deal of semi-executive power. Its sanction is required in a great many cases.

7221. In respect of executive acts of yours are there appeals to the Corporation as a whole—speaking generally?—No; under section 427 of the Act "An appeal shall lie to the Standing Committee"—then follows a long list of orders of mine—"from notices or for action taken or proposed to be taken by the President under various sections; the decision of the Standing Committee on any such appeal is final."

7222. Then one may say the executive power is shared between yourself and the Standing Committee?—Yes, the Standing Committee has a considerable amount of practical executive power.

(*The witness withdrew.*)

Mr. H. D. Taylor, I.C.S., was called and examined.

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7223. (*Chairman.*) You are Secretary of Government in the Local and Municipal Department?—The Local and Municipal, the Educational, and the Legislative Departments.

7224. Will you state briefly the organization of your department and the nature of your duties?—The Local and Municipal Branch deals with and receives references from the following officers or bodies, apart from memorials which may be addressed by private bodies or individuals:

(*a*) District Boards (23);
(*b*) district municipalities (60);
(*c*) the Madras Corporation;
(*d*) the Military Authorities in matters affecting the budgets, account rules and audit of Cantonment Accounts, Cantonment taxation, and similar matters;
(*e*) the Sanitary Board;
(*f*) the Sanitary Commissioner;
(*g*) the Sanitary Engineer;
(*h*) the Inspector of Boilers.

This covers all matters connected with local and municipal administration on which references are made to Government, the chief of which are the *annual reviews* for *each* individual District Board and municipality in regard to budget and administration reports, and the review of the notes of the sanitary and audit inspecting officers; orders in regard to the increase in municipal taxation; the sanction to the levy of fees in cases in which the power has not been delegated by Government; the sanction to revision of the establishments of local bodies, the examination of schemes for the improvement of sanitation, drainage and water supply; the examination, in consultation with the Financial Department, of applications for loans and grants to local bodies; the examination of schemes for District Board railways, and all other matters connected with plague, sanitation and vaccination—including matters dealt with in the King Institute of Preventive Medicine; and the annual reports in connection with these subjects. Also the framing of rules and bye-laws under municipal and local Acts, and decisions in election petitions in which an appeal lies to the Local Government.

Under *Education*, references are received from the Director of Public Instruction, from the University of Madras, and the Superintendent, Government Central Museum. The references cover a wide field, including the revision of educational rules and the Grant-in-Aid Code, the sanctioning, above certain limits, of grants-in-aid under that Code; questions relating to the revision of establishment, or for new schemes of educational policy; the distribution of special grants for special purposes to local and other bodies; the examination of the budget; the grant of exemption, in so far as the power has not been delegated under the Public Service Notification; and the annual review of the administration.

The Secretary is the Secretary also to the Legislative Council; he attends meetings of the Council and of Select Committees, and attends to all legislative business before the Council; the election and appointment under the President's orders of the Members of the Council; and to interpellations, memorials and the agenda paper. He is responsible for a record of the proceedings of the Council and for seeing that the various enactments as revised from time to time, are kept up to date, and that revised lists of local rules and orders having the force of law are prepared and published periodically.

He is also, in his official capacity, a member of the Sanitary Board which considers sanitary schemes suggested by local bodies and advises those bodies in connection with such schemes, and sanctions schemes and prepares type designs for sanitary buildings.

The Gazetted Staff under the Local, Municipal, Educational and Legislative Departments is as follows:—

Sanitary Department.

1 Sanitary Commissioner.
1 Deputy Sanitary Commissioner and Inspector of Vaccination.
1 Officer as Superintendent of the King Institute of Preventive Medicine, Guindy.
1 Sanitary Engineer.
1 Assistant Sanitary Engineer.
1 Inspector of Boilers and Prime Movers.
1 Assistant Inspector of Boilers.

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The District Medical Officers are also District Sanitary Officers. In seven districts, Sanitary Assistants to the District Medical and Sanitary Officers have been appointed. The latter are under the immediate control of the Presidents and are paid from Local Board Funds. They are not Gazetted Officers.

Educational Department.

1 Director of Public Instruction.
21 Members of the Indian Educational Service—including 3 Inspectresses.
41 Members of the Provincial Educational Service.
3 Assistant Inspectresses.
2 Law College appointments.

I do not consider that the Directors and Inspectors-General perform any specially useful function so far as the Madras Presidency is concerned. I refer more particularly to the Director-General of Education and the Sanitary Commissioner with the Government of India. I incline to the opinion that their existence must tend in some degree to weaken the authority of the Local Government over its own Executive Officers, though

correspondence on personal questions is no longer permitted. The responsibility for the details of local administration must rest with the provincial Heads of Local Departments subject to the general control of the Local Government. These must have a better knowledge of local conditions than a single officer with the Government of India possesses, and probably greater experience. Equally good results could be obtained by conferences once every 3 years or so at a suitable season and centre, where results and conditions could be compared. In the case of Sanitary Commissioners I doubt whether any practical results would follow from such conferences, as their duties are confined mainly to inspection and advice with reference to special local conditions. Directors-General should not be allowed to call for fresh statistics that do not exist in published form.

Schemes of educational reform in recent years date mainly from the Educational Conference of 1901, and hence the initiative has mainly been taken by the Government of India in accordance with the resolutions of that Conference. I am in favour of allowing the Madras Government to develop its educational policy on its own lines, in accordance with the funds which may, from time to time, be available to meet the cost of such development, adopting such suggestions from other provinces as may be found suited to the local conditions of this Presidency. If any special schemes involving a large outlay, which do not form an item in the provincial programme of development, are undertaken owing to a mandate from, or at the instance of, the Government of India, financial assistance should be given by the Government of India to the Local Government to the extent necessary for giving effect to those proposals.

I do not consider that of recent years there has been in the Educational and Local and Municipal Departments any material increase in the demand for statistics. The statistics as embodied in the annual administration reports on Education, Local Boards and Municipalities, Sanitation and Vaccination, have been accepted as sufficient for some years with few variations. For the Madras Municipality new details as to the causation of deaths and vital statistics were called for recently. The alterations in the educational rules have led to some slight revision of the forms submitted by local bodies in the matter of education.

Subordinate officers are bound to send on to Government all appeals addressed to Government, whether an appeal lies or not by rule, and whether or no the question has already been decided. Officers might be authorised to withhold appeals in such cases, and send an annual list to the Government. When a case has been decided by the appellate authority, it should not be reopened except upon a certificate of the authority passing the order that it contains new matter such as materially to affect the merits of the case. Second appeals might be disallowed except in such cases. As to appeals by local and municipal servants, these are governed by rule under article 24, Municipal Account Code, and Articles 414 to 421, Local Fund Code. The final powers of Presidents of District and *taluk* Boards might well be enhanced. There should be no appeal against fines up to Rs. 5, or against orders of suspension up to one month in the case of Local Board servants.

There are under the Madras Government 23 District Boards with 82 *taluk* Boards and 382 unions subordinate to them. There are 60 district municipalities in addition to the Presidency Municipality. Section 288 of the District Municipalities Act, 1884, and section 160 of the Madras Local Boards Act, 1884, authorise the delegation by the Local Government to any person of all powers except those specified in the first chapters of those Acts. Similarly section 159 of the Local Boards Act, 1884, authorises the Local Government to delegate to any person any of the powers conferred on the Collector by that Act. The Madras City Municipal Act, 1904, does not provide for the grant of any powers by delegation. The powers of the Local Government have already been delegated to a considerable extent in minor matters relating to Local Fund and municipal administration to Presidents of District Boards and to Collectors respectively. Cases in which further delegation appears possible are dealt with from time to time as they are brought to notice. The question of the extent to which further delegation of powers could be extended under the District Municipalities Act was reviewed in detail only two years ago. It does not appear possible to delegate additional powers to municipal Councils to any material extent except in regard to the creation of new appointments and revision of establishments; these bodies already enjoy a considerable amount of freedom in regard to expenditure from their balances. Under the existing financial rules such freedom has not hitherto been permitted to Local Boards, and the restrictions in that respect have, in my opinion, been detrimental to the administration of those bodies, and have led to the accumulation of considerable balances. The finances of the Boards can be dealt with by the Local Government individually and not as a whole without reference to the Government of India. Local bodies have ample discretion, within their means, for the selection of works for execution, but there is a great tendency for them to fail to discriminate between charges of a recurring and non-recurring nature, and to submit proposals for the former on the strength of a balance or of savings in a single year, without seeing whether the charge can be met in future years from the expansion of their normal income.

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I consider that some concession might be made to the Corporation of Madras in regard to the power to create minor appointments up to a certain limit, and to revise establishments within that limit. There are also certain other powers as to local taxation under section 57 (iii), (v), (vi) and (vii) of the Local Boards Act that might in my opinion be delegated to District Boards, and the appointment of members of union panchayats might be delegated to Revenue Divisional Officers. If it be held that the Government are to have ultimate responsibility for the proper administration of local affairs then I doubt whether further concessions should be made. But if the local bodies are to bear the entire responsibility, these concessions might be granted. I should however view with some misgiving the grant of full control as likely to lead to waste and extravagance. In the case of such powers being granted, final control would have to be left to the auditor, and there should be no coming up to Government with applications to whitewash irregular expenditure, which so often occurs at present. If extended powers are given to municipal Councils I think that the standard of franchise should be raised. I am not convinced that the present standard secures efficient representation or the selection of candidates best qualified to hold responsible office.

So far as my own personal experience as Collector goes, the creation of District Advisory Councils would not serve any useful purpose. A Collector who knows and takes an interest in the administration of his district possesses all the facilities that he requires for obtaining the opinions of leading gentlemen in the district on points on which their advice may be of value both generally and as to local details. The appointment of a definite Council might limit his powers and facilities in this respect.

I do not consider it desirable to give District Boards any power of control over the smaller municipalities. Such a proposal would not fit in with the system which prevails in this Presidency. Of the 60 municipalities, only three—two of which are Hill municipalities—have a population of less than 10,000, while there are only five with a population between 10,000 and 15,000. The municipal Councils have no official representation on the District Boards, while the funds of the two bodies are raised from different sources and assessed on different principles. It might be desirable on the other hand to abolish one or two of the smaller municipalities in the plains and to place them in the position of unions, and thereby bring them within the ordinary Local Fund system.

7225. Do the District Boards and municipalities cause you a considerable amount of correspondence?—A very great deal of correspondence.

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7226. Could you give us any sort of idea what the proportion of time is that they occupy of yourself and your staff?—The Department is separately staffed; for the Educational Branch we have a separate class of staff, and again in the Legislative and again in the Municipal Branches. Almost the full time of the municipal section is taken up with the District Boards and municipalities; there is sanitary work as well.

7227. What staff have you in the Local and Municipal Department?—About 30 altogether.

7228. What proportion is that to the size of the Educational Department staff?—The Educational and Legislative staff only numbers about six.

7229. Amongst your duties you are a member of the Sanitary Board. Has the Sanitary Board, which consists of yourself, the Sanitary Commissioner, and the Engineer-in-Chief, any power of deciding upon the schemes which are submitted to them?—To a certain limit.

7230. What is that?—Under the rules of the Sanitary Board, as approved by Government, all schemes for sanitary improvements estimated to cost over Rs. 500, received from municipalities or local bodies, have first of all to be approved. Plans and estimates for such schemes are sent through the Sanitary Engineer to the Sanitary Board. The Sanitary Engineer himself disposes of all schemes estimated to cost between Rs. 500 and Rs. 1,000; anything over that has to come on to the Sanitary Board, and in minor schemes they express final approval.

7231. But have they power of decision; can they say, "Yes, we pass this scheme," or send it back?—They approve it with, or without, modifications, but the municipal Council or the Local Board will have to adopt it and sanction the estimate, and allot funds for the work. There is a difference between a general approval of the scheme and sanction to the estimates; sanctioning estimates is the province of the Sanitary Engineer up to a certain amount, or of the Public Works Department in excess of that amount—that is in cases of schemes involving an expenditure of Rs. 10,000 and upwards.

7232. Does the Sanitary Board stand in the place of the Local Government Board in England; has the Sanitary Board power to say to a District Board or a *taluk* Board which sends it up a scheme, "Yes, we sanction this scheme and you can spend the money"?—No. It has no such power; it has no control over the funds; it may sanction a minor scheme administratively, as being sanitarily sound.

7233. Could it finally sanction and dispose of a scheme sent up to it by the District Board?—It can sanction a scheme up to Rs. 10,000; anything over that would go to Government. That does not mean sanctioning the funds. The Board has no control over the funds.

7234. Suppose they say, "This is a good scheme, we approve of it," then there is no further appeal as to the soundness of the scheme?—No, except that there is a technical scrutiny over the estimates, which is exercised as an executive duty by the Sanitary Engineer up to Rs. 10,000.

7235. Therefore the Sanitary Board has no ultimate power of decision; after all the review they give a scheme it has to go somewhere else, first for financial, and secondly for technical, scrutiny?—Practically. They are really advisory; they are advisory up to certain limits.

7236. (*Sir Steyning Edgerley.*) As to this Rs. 10,000 limit; the work comes from the District Board through the Sanitary Engineer and the Sanitary Commissioner to the Sanitary Board?—Yes.

7237. So that so far as the approval of the scheme up to Rs. 10,000 is concerned, it goes nowhere else?—No, the Government do not express specific approval of schemes below that limit; unless the question of a provincial grant or loan has to be considered the Board has final control except as to the provision of funds and the technical scrutiny of the scheme.

7238. (*Chairman.*) Practically, therefore, every scheme has first of all to go to your colleague, the Surgeon-General, who sees it once, to your colleague, the Chief Engineer, who sees it twice, and to yourself who see it twice, first as a member of the Sanitary Board, and then as Secretary of the Local and Municipal Department?—I should not see minor schemes, below the limit requiring the sanction of Government, more than once.

7239. What is that limit?—There is practically no limit; proposals would only come to Government when there was a question of providing the funds when the application is made by the Board. Local Boards can sanction estimates for ordinary works themselves up to Rs. 2,500 or up to Rs. 5,000 when they do not include special masonry work.

7240. Then over Rs. 2,500 they come to you twice if they include masonry?—Sometimes proposals for works come to me twice, sometimes three times. On the Sanitary Board I can merely advise from the point of view of the interests of the Local Board.

7241. As Secretary of the Local and Municipal Department you advise again?—Yes.

7242. Therefore you advise twice on nearly every scheme of over Rs. 2,500?—On such sanitary schemes as come up to me in the Government I advise twice.

7243. Is that a good system?—It causes delay, but I think it prevents waste.

7244. It does not prevent waste of time?—It does not prevent waste of time, if you put it in that way.

7245. Is the decision you give as Local and Municipal Secretary any better than the decision and advice you give as member of the Sanitary Board?—When a matter comes up to me as Secretary of Government, the question is one of ways and means and financing.

7246. But you do not settle the question of financing?—I have to discuss it and see if it is a question of a loan or how funds can be provided; then the Financial Department has to be addressed on the subject as to whether the loan shall be sanctioned.

7247. Why should not the Sanitary Commissioner address the department straight away?—Because he has not the knowledge of the financial conditions of the local body.

7248. If he has no knowledge, what is the good of consulting him?—He is purely advisory on matters of sanitation.

7249. Does the Financial Department advise on sanitation?—No; if it is a question of a grant from Government or of a loan from Government funds it must go to the Financial Department in order that allotments may be made.

7250. You, as a member of the Sanitary Board, have the knowledge at your disposal whether or not it is in accordance with your general regulations in the Local and Municipal Department; the Engineer, as an expert, has technical knowledge which enables him to criticise the scheme; why should your decision as members of that Board not be final instead of referring it to yourselves in some other capacity?—Because the Board merely decides on the sanitary aspect of the scheme without reference to the financial conditions.

7251. Cannot you do that at one and the same time?—No, the Sanitary Board has the records, for one thing. In some minor works I am inclined to think that the Sanitary Board might be given certain powers of disposal.

7252. You think that reference to the same people on two or three occasions is necessary in all these matters?—Reference is made on different points; one is whether the scheme is satisfactory from the sanitary point of view; the other is whether it is feasible from a financial point of view.

7253. And the same person cannot decide those two?—No; because as Secretary of the Government in the Local and Municipal Department I cannot say whether a scheme is sanitarily sound without the advice of the expert.

7254. Have you not got the advice of the expert; if not, what is the use of your Sanitary Engineer and Surgeon-General?—But we have to get that advice.

7255. But you have it when you are on the Sanitary Board; they are sitting by your side?—There is the further question of the provision of funds.

7256. Do you not think that the Sanitary Board ought to have the final power, consisting as it does of experts?—But the Board has not the materials upon which to form an opinion as to the practical aspects of the scheme.

7257. You say that annual reviews for each individual district come up to your department; how many such reviews reach you?—There are reviews from 60 municipalities, one from the Presidency Municipality, and 23 from the 23 Local Boards; the same with the budgets.

7258. Are all these annual reports necessary?—I think it is necessary that Government should know generally how the local administration is going on. If Government are supposed to exercise any control and to have any care for the ratepayers—the people who pay the local rates—then I think it is necessary that the Government should have some idea of how the money is spent.

7259. But only under those conditions?—That is a matter of principle; I am assuming that Government is responsible for seeing how the money is spent. Whether the Government has that responsibility or not is a matter of principle.

7260. Then if there was a very marked freedom given to the municipalities and District Boards, these annual reports and their return to your department would cease to be necessary?—I think they would still be very advisable; in many cases, for instance, the Government make large grants of money for roads, education, and other purposes; the Government ought to know how the money that comes, not from the local taxpayer but from the general taxpayer, is spent.

7261. You read all these reports yourself?—Yes.

7262. It takes time?—Yes; I cannot say that I read every word of them; I glance through them and I have tabulated statements which I check and compare.

7263. Is that a really necessary part of your work?—I think it is essential that so long as the Government retain control, they should know how the money is being spent.

7264. There are something like 150 of these reports received?—I get 84 budgets, and 84 administration reports in the Local and Municipal Department; that is apart from the sanitary reviews, of course.

7265. Are these 170 which you have just referred to different from the annual administration reports?—There are 84 annual administration reports; there are 84 Local Boards and municipalities, and there are 84 budgets.

7266. Then besides that?—There are audit reports and reports of the Sanitary Commissioner.

7267. One each?—Not one each year; the Sanitary Commissioner inspects all the municipalities about once in four or five years.

7268. And you get reports from the Engineer upon sanitation as well as the Sanitary Board's report?—No, only as to special schemes—water supply and drainage.

7269. Therefore the greater part of your time is taken up by reading these reports?—A very considerable portion of the time is taken up by reviewing them.

7270. And you think that it is necessary to do that?—Yes; if the principle of Government control is upheld.

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7271. Are there any necessary powers which could be usefully delegated to the Director of Public Instruction?—Yes, there are a certain number of powers that could be delegated to the Director of Public Instruction.

7272. You hand in a schedule of those powers?—Yes.

7273. All these are trifling questions?—Yes, that is my opinion; I cannot give the view of the Government, of course. There is one item here about the Lawrence Asylum; that is rather an important and special institution, and I think a certain number of papers should come to the Government with regard to that.

7274. As to these questions which are referred to, how many of these do you actually settle yourself?—It depends a great deal on the nature of the paper and whether any principle is involved.

7275. I will not say all, but some, at all events, of these reports, are submitted to you by officers who have equal experience with yourself?—Yes.

7276. Some of them perhaps by officers who have even longer experience than you?—Yes.

7277. Therefore unless there is some special reason such as the accumulation of decided cases, it would appear at first sight that some of your powers as Secretary might reasonably be delegated to an officer, or officers, who have equal experience with yourself, or even greater experience. What sort of proportion of cases which come to you are decided by you without reference to the Member?—I should say roughly about half or, perhaps, a little more—that is, in volume. Of course, a number of those routine questions are merely Gazette notifications; those go to the Assistant Secretary and not to me at all.

7278. Matters which for the convenience of Government must be notified and sent up to you for publication?—Yes.

7279. Of the half which you settle yourself, what sort of proportion in number do you think could be settled without reference to yourself?—Under the rules the sanction of Government has to be obtained to all establishments.

7280. Do not let us deal with the rules; let us deal with this from your own view of your work without consideration of any existing regulations. What amount of that work do you think could be practically settled by the officer who now has to refer them to you, without harm to the system of government generally?—I should think perhaps one-tenth; I am going very largely upon sanctions for establishments; I happen to know the figures of those.

7281. Then of the remaining one-half of the work which comes to you which requires the consideration of the Member of Council?—It is difficult to say; it all depends on the nature of the proposals; if there is any principle involved, of course it must go to the Member in the absence of a precedent.

7282. You think the remainder really requires the attention of the Member of Council?—Yes, I should say so; I do not speak of the number of papers but of the volume of work.

7283. Is this in reference to all your duties?—That is only as to the Local and Municipal Department. In education I should say that a larger proportion of papers goes to the Member of Council for decision.

7284. Have you with regard to these other matters that come under your notice got similar proposals to those which you make with regard to education?—No; powers have been very largely delegated to Collectors in regard to municipal affairs, and two years ago Government went very carefully over the lists to see what further powers could be delegated.

7285. You think that that has pretty well cleared off what, in your view, could be so delegated?—Under the existing law, yes.

7286. But what could be delegated suppose the law was profitably amended—could there be a much greater delegation?—There could be no further delegation under an amendment of the law, because

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the present Local and Municipal Acts provide for the delegation of every power except under Chapters 1, which relate to the constitution; those powers could not be delegated.

7287. You say that the power to impose local and municipal taxation on railway administrations has not yet been delegated?—No; it could be delegated under the Indian Railways Act, but it has not been delegated by the Government of India.

7288. Could it usefully be delegated?—I think it would save a great deal of correspondence; the proposals are always approved; we always consult the Railway Department and the local bodies; then we write to the Railway Board, and, as a matter of fact, no representation has ever been refused, so far as I know.

7289. Therefore, from your experience, if the Government of India laid down some general rules for guidance, that delegation could safely be made?—Yes.

7290. And it would save a great deal of correspondence?—It would save about 12 letters a year.

7291. Somewhat lengthy letters?—These routine letters are rather lengthy because they have to give the facts and a statement of the services rendered by the local body.

7292. Then there is a delegation with regard to tramways which you would rather desire to have?—That is a delegation in the case of tramway lines outside the municipal limits; a tramway may run outside the municipal limits for a hundred yards; in that case the sanction of the Government of India has to be obtained. That would require an amendment of the Act; it could not be delegated outside the Act. It is not a very important matter; there are only a few references under the Act, but still they seem unnecessary.

7293. You are in favour of power being given to you for local purposes to borrow in the local market?—Yes, in the local market for local purposes by local bodies; I do not mean by the Local Government, but by the municipalities and District Boards.

7294. Would there be any difficulty in finding the money locally?—There might be, except at certain seasons of the year. Perhaps between June and October it might be easier; there is only one big case in which this has happened; that was the Tanjore District Board Railway.

7295. In that case it was rather a failure?—That was a failure partly because the Tanjore District Board Railway is not guaranteed by any special cess. The Tanjore District Board instead of levying land cess at the maximum rate, as it might have done under the Act, levied only a portion of the cess for ordinary purposes, and devoted the balance to a special railway guarantee fund. Therefore this railway loan is not guaranteed by a cess as in the case of other District Board loans.

7296. Were the Board unanimous in the matter?—I believe they were quite unanimous. I think, as a matter of fact, that of the total amount only about 7 lakhs was raised in the open market, and Government gave a loan for the rest.

7297. Would people in the locality, who are now in the habit of hoarding their money, be willing to take up District Board, or local municipality paper?—I think so at a reasonable interest—about 4½ per cent. There have been two or three cases in which small loans have been taken up.

7298. With regard to the Inspectors-General, must responsibility for the details of local administration rest with the provincial Heads of Local Departments?—I think they have most local experience, and they know best how to apply that experience by general principles to local conditions.

7299. You are not very anxious to have the interference of Directors-General and Inspectors-General because the provincial Government, through their Heads of Departments, know what is going on in the Presidency much better than a Director-General can?—I think so.

7300. Does the provincial Government, as far as you are concerned, consider that the officers under them—the District and Divisional Officers—have the same claim to non-interference?—I have no idea what the views of the provincial Government are. My own personal view is this. There might be delegation to a certain extent, but taking education for instance, the allotment of funds must rest more or less with the Director of Public Instruction because he has to consider the needs of the whole Presidency; whereas, if you delegate those powers to Inspectors and lower down the scale, they would want to get too large a share for their special district; therefore, there must be control.

7301. Are the Government of India justified in requiring some amount of supervision over the way in which the money which they allot for certain purposes, is spent?—I think the Local Government can be trusted to a greater extent to deal with allotments of funds than individual subordinates of the Government. It is a body that on the whole has more experience and a wider view of general policy, especially when you have to consider departmental interests against local interests; these interests have to be weighed in the balance very often, especially with regard to schools.

7302. Is the Director of Public Instruction of the same opinion as yourself with regard to these matters?—I believe he differs from me; he is inclined to departmentalise too much, specially with regard to Local Board schools. Some time ago a proposal was made that the Local Board should make a lump contribution to the department for educational purposes. I differ personally from that view. I think that the Local Board should have more control over the Local Board schools, and that they should not be entirely departmentalised.

7303. Does the Director of Public Instruction share your view as to the utility, or otherwise, of the Director-General of Public Instruction?—I have spoken to him about it, but I think he does not consider the appointment of much material use.

7304. The provincial Director of Public Instruction thinks that it is good to have a Director-General and that there is a greater chance of getting schemes sanctioned and funds allotted by the Government of India if there is a Director-General as an expert adviser to the Government of India?—I am rather inclined to doubt that. I do not think we have had any moral help in getting schemes sanctioned. In one matter with regard to a scheme for the re-organisation of Training Schools we were very much delayed; we pressed for a moderate instalment of reform; the Director-General did not understand our system and thought it covered much more than it did; we were only asking as to part, while he thought we were asking for the whole, and that led to delay.

7305. Your view is that any knowledge which the Director-General gets together from the different parts of India might make him tend towards an undesirable uniformity?—It might be so.

7306. And that if the provincial scheme differed from his view of the desirability of uniformity, the scrutiny of the Government of India might be a drawback to your getting a scheme which would exactly suit the requirements of the Presidency?—That is possible.

7307. Would it be probable?—I think it very likely would happen.

7308. Have you ever asked for, or adopted, suggestions from other provinces in this matter of education?—Not by Government. There was a conference two years ago of Directors of Public Instruction at which they compared views, but there were no formal resolutions passed; they compared their views, and if they found anything good in one province which they thought might be useful for adoption in another, they resolved upon adopting it accordingly.

7309. Have you, as a matter of fact, apart from that conference, ever asked for, or adopted, suggestions from other provinces?—There has been a tendency lately with regard to the rural schools

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to attach a small garden to the schools. That idea was taken from the Central Provinces, I think.

7310. Is that the only case?—There might be other cases, but generally, I think, we have worked out our own policy as far as possible.

7311. Then you say: "There has not been any material increase in the demand for statistics"; you mean demand by whom?—By the Government of India.

7312. Do all these statistics which we have had referred to, the vital statistics and so forth, come to you?—The vital statistics are tabulated by the Sanitary Commissioner and are published in the Gazette, and a copy is sent to Government once every month.

7313. You, of course, see a great deal of the work of these municipalities and District Boards?—On paper.

7314. Do you ever get any suggestions from the Chairmen of these District Boards—from the District Magistrate in his capacity as Chairman of a District Board—as to how things might or might not be done?—No, the resolutions of the District Board are sent up for sanction or approval, and the resolutions contain the proposals.

7315. Suppose you got a suggestion from the Chairman of a District Board that such and such a course ought to be adopted in regard to some matter under discussion, would you think that he was exceeding his powers?—Certainly not. Frequently proposals come up for altering certain Code rules; they are always considered.

7316. I do not mean from the District Boards, but from the Chairman of the District Board. Suppose the Government disagrees with the proposals of the District Board, what happens?—If the Chairman of a District Board sent up a proposal, unsupported by a resolution, he would be told to place it before the District Board and to obtain the District Board's opinion.

7317. If there were suggestions and proposals as to the method of managing business in one of these municipalities, you would not send them back to him with a rebuke?—Certainly not; I think that any reasonable proposal would be considered.

7318. A good deal depends on the interpretation of the word "reasonable"?—It is a question of degree, certainly.

7319. But you do not perhaps, as a matter of fact, get these suggestions?—No, I do not think we have very many suggestions except as to special points on existing Codes.

7320. You are not in favour of the delegation of additional powers to municipal Councils, or District Boards?—Municipal Councils and District Boards must be considered more or less differently.

7321. Might further powers be delegated to the municipal Council?—As at present constituted, I doubt it.

7322. One of the witnesses has said that the control of Government is such that there is little scope for self-government remaining; you would not agree with that view, as regards municipalities?—I think municipalities have a fairly free hand; they can allot from their balance up to a limit of Rs. 500 for individual works.

7323. Is that giving them a free hand in administration?—Well, if the budget proposals come up they are considered; if there is no reason on financial grounds why they should not be carried through they are nearly always adopted; but the tendency is for establishments to go up by leaps and bounds without reference to financial considerations.

7324. Your experience is that the general idea of every municipality is not to clean streets, or light roads, or to make sanitary improvements, but to make appointments for people in the municipalities?—I think that with regard to a great number of the proposals it is not so much the proposals for appointments themselves as the form in which they come; they ask for petty increases which are not justified; a man may have served as a peon at Rs. 8, that being the market value of his labour; a proposal comes up to raise his pay to Rs. 9 on personal grounds—not to raise the pay of peons generally, but to raise the pay of that particular peon; then that man dies and another appointment has to be made; that man starts, of course, at Rs. 9; he serves for a number of years, then another personal proposal is made to increase his pay to Rs. 10; so that the pay of the post—not of the man—is raised to Rs. 10; that goes on indefinitely.

7325. Who finds the money for this?—The municipalities.

7326. Do you think they would be so far forgetful of the length or shortness of their own purses that they would not get rather tired of this in time?—With greater responsibility it is quite possible that they might, but at present I believe that a large number of these proposals come to Government simply in order to throw upon Government the odium of refusing them; if they had greater responsibility they might exercise better discretion.

7327. Is it not desirable, in order to relieve Government of the odium which you say now attaches to them, to give the responsibility of refusal to the municipalities?—Provided the municipalities are entirely responsible for their own finances and held to be so; if that principle is conceded then I would give them the power.

7328. Therefore, if it was made clear to the municipalities that any extravagance would have to be met out of their own funds and could not be made up by provincial funds, you would be in favour of increasing their powers?—A trial might be made.

7329. And might be usefully made?—I will not say usefully; I do not know that the money would be expended usefully in all cases; in many cases it might.

7330. Are people ever likely to run unless they begin by walking?—It is hardly possible.

7331. Therefore, if you are ever to educate the people into self-government within their own doors, they must be allowed to make some mistakes?—Yes, I think so.

7332. It might be useful after all, notwithstanding possible financial blunders, to give the municipalities more power than they have?—Yes, but the franchise should be enhanced so as to improve the administration and so as to ensure a better class for municipal Councillors than in some cases exist. I do not for a moment say that there are not some very excellent gentlemen on the Councils doing excellent work, but the tendency of the municipal Councils is such that many gentlemen who are qualified to sit upon them and who would otherwise stand for election, will not do so.

7333. The whole of the municipal expenditure is met by municipal rates or cesses?—Not the whole; there are contributions or grants from Government in some cases.

7334. Do you know to what extent?—There is a question of these aided schools—schools which are aided through the Local Boards—by Government money given through the Local Boards; I think that might have to be changed.

7335. I am talking of municipalities?—The municipalities in the same way get certain grants.

7336. Therefore a certain proportion of municipal income is derived from grants-in-aid made by the provincial Government?—Yes.

7337. What is that proportion?—I believe Government gave last year about Rs. 60,000 for grants-in-aid to municipalities for education, and they have given a special grant for improving the standard of municipal elementary schools of about Rs. 17,000.

7338. What would that represent in proportion of the municipal income?—The municipal income

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is about 33 lakhs. I suppose the proportion contributed by Government would be about 2 per cent.; that is leaving out special grants for special schemes like water-supply and drainage, which amount to very large figures. That is why I think in many cases provincial control should be retained, because otherwise Government would have no security for the money it has advanced or granted for these special works.

7339. Would not that control, which in these cases seems to be essential, be met by the submission to, and approval by, the Government, of the particular scheme towards which they were to lend money?—That would not show whether taxation had to be enhanced to meet the interest on the capital involved in the scheme. All these schemes have to be very carefully examined, not only with reference to the schemes themselves, and their cost, and the details, but also with reference to the finances of the municipality, in order to make certain that the municipal finances can stand the expenditure.

7340. Would you give much the same sort of opinion with regard to the District Boards and *taluk* Boards?—I hope that there will be a change next year, but hitherto the District Boards and *taluk* Boards have not been allowed to make any allotments from their balances owing to the inclusion of the local finances in the general provincial and imperial budgets.

7341. You have seen the Resolution of the Government of India regarding the separation of Imperial and local finance?—I have seen the Resolution, but I am not quite sure how the account portion of it is to be dealt with. If the local bodies are given a free hand over their balances it will prevent accumulation. Hitherto the budgets have had to come up; there are 23 individual budgets; these are carefully reviewed; the totals under each head are then sent up to the Government of India and the necessary reductions are made. For the current year, after the budgets were reviewed, and the totals made up, the Government of India reduced the totals by 4 lakhs for works, and 2 lakhs for education. The budget proposals have thus all to be reviewed a second time. The result is that Local Boards, within their budgets, and Government, within the totals, cannot reappropriate. It is true that we are allowed to reappropriate under the rules. The *taluk* Boards meet once a month; it may take two months before we get estimates from all the District Boards, and by that time conditions have changed altogether. Not only that, but the past system has retarded the preparation and issue of the budgets; also they have had to be prepared on four or five months' actuals instead of coming in and being prepared more up to date.

7342. Then will this separation between imperial and local expenditure result in a reduction by a considerable amount of correspondence between you and the Government of India; will it reduce the correspondence between you and the local bodies?—It might tend to increase the correspondence if the sanction of the Government has to be obtained to allotments in excess of a certain amount; otherwise it would decrease correspondence on the budgets and it would decrease budget work; we should get budgets out much more quickly.

7343. Would it be advisable to delegate all this to the District Boards and municipalities?—Perhaps it might.

7344. Would it not be advisable to delegate to District Boards the power to spend their balances?—To a certain extent.

7345. At present that would have to come to you?—At present there are no rules; specific proposals for expenditure from balances have to go to the Government of India.

7346. Could not the Board of Revenue be consulted?—The Board of Revenue has nothing to do with such proposals, which come to the Local Government direct. I would give the District Boards power to spend up to Rs. 2,500 on individual items, provided that the balance was not reduced below 5 per cent.; if the cost of any proposal, not included in the budget, exceeded that limit, I should say let it come up for Government sanction.

7347. Is there no sort of *via media* between the ultimate responsibility of the Government and that of the local authority?—I do not think so. It is a question of principle; either the Local Board must be responsible, or the Government—one or the other must be responsible. If the Government is responsible they must hold control especially in matters where they give funds from the pockets of the general ratepayer.

7348. Do you know whether, as a matter of fact, in other countries Government makes grants-in-aid to local authorities without assuming control at all over the way in which the money they so grant is spent?—I am not aware of that. I believe that in England everything is under strict rules and under the control of the Auditor.

7349. Have you no audit of these Local Boards?—Yes, there is the Accountant-General's audit.

7350. Might not the audit be the *via media*?—We must have rules here and a strict audit.

7351. Is there not a local audit now?—Yes.

7352. Might that not be trusted?—No, I think that the local audit staff is not sufficiently strong.

7353. Not sufficiently strong, or not sufficiently honest?—The pay of the highest clerks is about Rs. 70.

7354. Therefore, do you mean they are not sufficiently honest?—Perhaps they are hardly sufficiently reliable.

7355. Could not that be improved?—At considerable expense.

7356. We had a suggestion made to us that the District Board should be abolished, and one witness in reply to that suggestion said that the substitution of a strong *taluk* Board for the present District Board would entail a very large increase of correspondence with the Collector first of all and then with your department; do you think that that would be so?—There are 82 *taluk* Boards at present and there are 23 District Boards; that means that the work would be four times as much.

7357. Would it necessarily be four times as much?—I think so under the present system; at present the proposals of the *taluk* Board come through the President of the District Board.

7358. Might not some other considerations intervene which would alter this mathematical calculation of yours?—Not under present conditions, it would mean increased budgets, it would mean 82 budgets altogether; at present Government do not deal with the budgets of *taluk* Boards; they are all included in the District Board budget.

7359. And the District Magistrate, who is now President of the District Board, and, therefore, I suppose, the real supervisor of all these *taluk* budgets, would not be able to deal with new *taluk* Board budgets?—He could allot funds for distribution subject to the sanction of the Government as is done at present.

7360. Does he not practically control the *taluk* Board budgets at the present moment?—No, I do not say so. The Revenue Divisional Officer is President of the *taluk* Board and the members of the Board meet together and they consider their budget; these budgets are then sent up to the District Board where they are discussed and tabulated; if additional funds are required, the District Board consider what allotments can be made.

7361. (*Sir Steyning Edgerley.*) You suggest that the result of the recent orders of the Government of India excluding District and Local Funds from their budget should tend largely to freedom and elasticity in the administration of the funds of the Local Boards compared with the present system?—Yes, and saving in time.

7362. Might similar results follow a separation between imperial and provincial funds?—I have no particular knowledge of the absolute financial relations between the Imperial and provincial Governments; there is a difference in that there are 23 separate District Boards, and that means 23 separate budgets; it is impossible to reappropriate from one District Board budget to another, without referring to them all. That is the difference between the relations of the Government of India and the provincial Government, and those between the provincial Government and the District Boards.

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7363. In that case the provincial Government as regards provincial finance would be in the position that the District Board occupies towards the provincial Government in the separation I suggest. Would they not get greater freedom and elasticity in dealing with their own revenues if they were separated?—That I cannot say; I know nothing about the distribution and so on between the other departments, except as regards education.

7364. You are not in favour of the Director-General of Public Instruction; you think he is not much use to you?—I do not consider that he serves any useful purpose; I have no opinion one way or the other; as long as he does not interfere he may be a very useful adviser to the Government of India.

7365. Could he not fairly help the Home Department and the Government of India to understand the technical part of educational references?—Perhaps he might not have the experience; he may be a new man without any knowledge or technical experience of Indian conditions.

7366. But you would admit that it is a possibility?—He might be useful to the Government of India, but my contention is that he is no real use, so far as I can see, to the provincial Government.

7367. You are acquainted with an important review issued in 1904 of educational matters?—Yes, as the result of the Educational Conference of 1902.

7368. That is a useful document to all provincial Governments?—Yes; it has practically decided many questions; a lot of proposals were suggested before; they are not all original proposals of the Government of India; they embodied proposals made by Local Governments previously which had been under consideration for some time.

7369. So long as things of that sort are not imposed upon you by the Government of India, but you are allowed to adopt them if you like, you agree that that would be a useful document?—Yes.

7370. And similarly as to the annual reports of the Sanitary Commissioner and the Surgeon-General, are they not very useful?—I do not think they are of any material use, because our own Sanitary Commissioner deals with the local conditions on the spot.

7371. My point is that it is not a useless function to have somebody in the centre who can collect information and disseminate it?—That may be the case.

7372. So long as it is not disseminated in the form of orders?—Just so, and so long as our officers are not called upon to spend their time in tabulating special statistics.

7373. You think that the central officer ought not to be allowed to call for special statistics at all?—No.

7374. Would you allow him to correspond at all, or simply to take what he can get from the annual returns?—I would allow him to apply to the Government of India for anything he required, and if they thought it necessary, they could call upon us for the information.

7375. Then you say that local officers have no power to dispose of appeals addressed to the Local Government?—No, they must send them on.

7376. Whether they have been decided already, or not?—There are cases within my experience where I had to send an exactly similar appeal on the same facts twice, which had already been rejected by the Government.

7377. Would it not be simpler to give power to Local Governments to deal with such appeals?—I think so, unless it could be certified that there were any new facts upon which the case could be re-opened.

7378. You suggest an annual return; is that not too long a period?—It is a long time; I put it down as annual so as not to increase statistics, but half-yearly or quarterly would be quite as good.

7379. Suppose Government thought that there was something in the petition that had been wrongly withheld, it would take a long time to right the wrong, if there were a wrong?—That would be the case.

7380. Now, what happens to appeals from Local Fund and municipal servants; do they ever come up to you?—If the appointment is one which requires the sanction of Government then the appeal lies to the Government only.

7381. In the case of a subordinate of a lesser status where does he appeal to?—In the case of a servant of the panchayat the appeal is to the President of the *taluk* Board; in the case of the servant of a *taluk* Board, there is no appeal up to one rupee fine, which seems a very small limit; any fine in excess of that, or any suspension or dismissal, goes to the President of the District Board; in the case of servants drawing a salary of Rs. 50 and upwards there is a further appeal to the District Board.

7382. Does it stop at the District Board?—Yes, unless it is a case of some Government servant, such as a medical subordinate, or some one in whose case the sanction of the Government is required to the appointment; that is at present, for Local Board servants, anything under Rs. 150, and in the case of district municipalities, Rs. 50.

7383. You do not think that the appeal might lie from the executive of the Board or municipality concerned, to the general body, and stop there for servants of those bodies?—Yes, except in the case of servants lent by the Government.

7384. Why should you make that exception?—Because I think that being the servants of Government, they have the right to appeal to Government, whose servants they are.

7385. If they were dismissed, it would only mean that they would have ceased to serve the particular Board?—It would leave a stigma upon a man for life.

7386. You think that the fact that the first punishment has been in the case of Local Boards by either the Sub-Divisional Officer, or the Collector, would not suffice?—Not in the case of a special department such as the Medical Department.

7387. You make that exception?—Yes, especially with the Medical Department and of Government servants generally.

7388. You have got in your Municipal Act, section 288, which enables the Governor in Council to authorise any person to exercise any one or more of the powers vested in him by this Act save and except those mentioned in Chapter I, and the Governor may at any time and in like manner withdraw such authority. Chapter I simply refers to the constitution of the local bodies. Have you got a General Clauses Act?—Yes.

7389. What does "any person" include?—Any corporate body or other association of individuals.

7390. So that you have absolute power to delegate either to the Collector or to the Divisional Officer or to the Council itself?—That is how I interpret the General Clauses Act.

7391. There are similar provisions in sections 159 and 160 of the Local Fund Act?—Yes.

7392. So that without any further legislation the Government of Madras can practically proceed to any amount of expansion of local self-government they choose?—Yes.

7393. Have you used those sections much?—Two years ago a list was prepared of powers which should be delegated to the Collector, and very considerable powers were delegated to him in regard to minor appointments and sanctioning rates of fees, and matters of that sort.

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7394. Has any one complained about it?—No. The Collector was required to send a quarterly statement, which has now been made annual.

7395. So far as you know has there been no public complaint?—No, I do not think there has been any objection taken to it; there have been practically very few cases under it comparatively speaking.

7396. So that practically your growth in District Board or municipal self-government is very much at the stage where it was in 1884, so far as Government control goes?—As far as general Government control goes, yes.

7397. You have not been able to emancipate these bodies very much in the last 23 years?—As regards municipalities elective privileges have been given more freely.

7398. How about the elective principle in Local Boards?—At present there is no true elective principle; at present the *taluk* Boards are all nominated, and a certain number of the members of the District Boards are elected by the *taluk* Boards.

7399. Have you never had suggestions made to try the elective principle in connection with the Local Boards?—It has been considered. I understand it was not found possible to devise a really practicable scheme.

7400. How many union panchayats have you got?—382, I think it is.

7401. Are they all equally distributed over the Presidency?—There were no union panchayats until last year on the west coast, but two have now been started in Malabar. The physical features of the country are different and houses are scattered, and that does not lend itself to the formation of a panchayat. Elsewhere I should say that the numbers vary from 12 to 20 in various districts; it depends on the size and population of the district.

7402. Does it depend on the interest taken by the Collector?—Not at all. Sometimes proposals are made for a union and they are considered by the Collector, but I might say that when it is proposed to constitute a union, the people almost invariably object on the ground that they are going to be taxed. They do not like the imposition of taxes.

7403. But that is the basis of your whole structure of local self-government?—No, I think not. The Act provides for all the executive functions of panchayats, but it does not so provide in the case of the *taluk* Boards or District Boards; except that their budgets are controlled, panchayats have much freer powers and the powers of appeal are strictly defined in the Act itself; in the case of Local and District Boards the powers of appeal and so on are limited by rule.

7404. Important municipalities in the district are not represented on the District Board at all?—No; not necessarily; very often, of course, the members of the Municipal Council are also members of the *taluk* Board.

7405. Would it not promote co-operation if municipalities were represented on the District Boards?—I do not think so. The funds of both bodies are derived from totally different sources. The municipality perhaps might be allowed to send a member to the District Board, but that would require an amendment of the Act.

7406. You say you have not made very large use of these powers of delegation with regard to Collectors in the last 23 years; is that due at all to the fact that the work is all controlled from the Secretariat?—No, I do not think so.

7407. I mean you have nobody who can tour and get into touch with the truth of local self-government, and try to push it at all, and help the people to expand?—The Collectors tour a great deal in their districts and I think they are in touch with the people after they have been there for some time.

7408. You do not think it retards the growth of local self-government at all that the Board of Revenue is not concerned with these matters?—No, I do not think that that has anything to do with retarding it. Hitherto the reason has been the difficulty of working out a scheme; I am not quite sure whether you are talking of delegation of powers, or representation.

7409. In regard to the endeavour to foster and educate these local bodies and get them fit for greater responsibilities, would not that sort of thing go quicker if your controlling power was not centred in one place in the Secretariat, but was in the hands of officers who could come into personal touch with the various bodies?—I do not think it would make any difference.

7410. In regard to education, the Director of Public Instruction has now the control of the Reformatory School?—Yes.

7411. Has he any special title in connection with that?—I am not aware of it; there is a special Superintendent of the Reformatory School.

7412. Is he not described as Inspector of Jails under the Reformatory Act?—That may be so under the Act.

7413. You may take it from me that it is not necessary under the Act. Do you not think that that rather stamps the boys?—It is certainly not desirable; when they are sent back to their villages they are sent not to the District Magistrate, but to the Collector, I think.

7414. (*Mr. Meyer.*) In your capacity as Local and Municipal Secretary you have a certain amount of experience of the work within the municipalities; you have appeals from discontented persons?—Yes.

7415. Is there a tendency for the minority of the municipal Councils to appeal to Government against the decision of the majority?—Complaints are received, more in the way of petitions from private individuals and bodies.

7416. Apart from that do you get appeals of that sort or appeals by one party against another party?—Yes, very frequently, especially in regard to nominations for appointments.

7417. But in regard to the actual work of the municipality, do you find that if there happens to be a division of opinion on the Council, the minority accept the decision of the majority, or that they try to upset it by going to Government?—There have been only a comparatively few cases of protest.

7418. Have you had much to do with the proposed constitution of new municipalities?—There have been no new municipalities constituted recently.

7419. There have been proposals to constitute them?—I think there was one proposal; one or two, perhaps.

7420. Were they objected to by the people themselves?—I do not recollect; anyhow the municipalities were not constituted.

7421. A witness told us yesterday that there was a general objection to the creation of new municipalities, or new village unions, on the ground that it would mean extra taxation, is that so?—Yes, that is the case; that is my own personal experience as Collector.

7422. Another witness suggested to us that education would get on better if it were taken out of the hands of the Local Board and vested directly in the Educational Department; is that your view?—That is not my view altogether. I consider that Local Board schools should continue to be under the control of the Local Boards subject to observing the standards of efficiency and the requirements of the educational rules, and subject to inspection by the officers of the department.

7423. There was another suggestion that there might be a distribution of functions, the Local Boards taking, subject to what you said just now, the primary and the lower secondary schools, and the Government, through the Educational Department, being responsible for the upper secondary schools; would you be in favour of that?—I think that the sphere of the local bodies should be restricted, as far as possible, to elementary education.

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7424. Absolutely elementary, or to include these lower secondary schools also?—I should prefer it being restricted to elementary education.

7425. Then with regard to the municipalities, how far should their sphere go?—One or two of the municipalities have very good and satisfactory colleges. My own view is that no municipal funds should be spent on these colleges; they ought to be self-supporting; if they are self-supporting they could be under separate management.

7426. If the municipality has the money you would allow it to take up secondary schools as far as it desires?—They seldom have the money for secondary education unless it is obtained by taking it away from elementary education; all local bodies have now been relieved of the charge of grants-in-aid for secondary education, but they have not yet devoted to primary education the full amount which has been saved under that provision.

7427. The first duty of a municipality then is primary education?—Yes.

7428. Are Training Schools in this Presidency under the control of Government or local bodies?—Until recently Government was responsible for female education; now the responsibility for all elementary education, whether for boys or girls, is placed under the local bodies. There are a certain number of Government schools and Training Schools still under local bodies which have survived from the old system.

7429. With reference to the orders of the Government of India that the local receipts and expenditure shall no longer figure in the Imperial budget, was that a spontaneous suggestion of the Government of India or did it come from your Government?—That I cannot say. The question was raised last year during the time of the budget; I believe the question had been considered before.

7430. Did your Government refer to the Government of India, or did the Government of India refer to your Government and say: "We are thinking about this scheme and would like your opinion upon it"?—That I cannot say. The matter would come from the Government of India to the Financial Department. I merely saw a suggestion which was received from the Financial Department; I cannot say by whom the reference was made originally.

7431. You have complained that in time past, before this separation, the Government of India reduced your budget under the head "Local" considerably?—Yes.

7432. Are you aware of the reason for that reduction?—Probably it was on the ground that the expenditure might not be worked up to.

7433. And in the interests of accurate estimating. As a matter of fact was the expenditure worked up to?—I do not think the total expenditure of the local bodies is ever worked up to quite, except in a few cases; in some cases, there is a slight excess which has to be remitted by the Council.

7434. You complain that if a District Board is contemplating in any year expending more than the budget allotment, they had under the previous system to go to the Government of India. Was not the general rule that the Local Board spent less than it had budgeted for?—The District Board could never be certain what it was going to spend, because, owing to the existence of this rule budgets were framed so late that the Board could not take its work in hand, and the result was the undue crowding of expenditure into the last months of the year. As a matter of fact, a Board which had some urgent necessity could not say whether it could reappropriate or not.

7435. As a matter of fact the generality of District Boards, so far from exceeding their budget allotment, fell considerably within them?—I think that is so.

7436. Further, does not the practice prevail in each District Board of putting within the budget allotment a reserve for unforeseen expenditure?—hat is unforeseen expenditure which can be utilised only for special items, such as epidemics of cholera, and special matters of that sort; it could not be utilised for ordinary work.

7437. If there was no plague or cholera, what was to prevent you from transferring a few thousand rupees from the reserve to some other head; is there any order of the Government of India that prevents you from doing it?—The amount under that head is very small and quite insufficient to carry out work of any considerable magnitude.

7438. You have mentioned a certain amount of lapses and the hurrying of expenditure over the last months of the year. Is there a tendency on the part of the Secretariat here to censure officers when they have not spent up to the budget allotment?—I cannot say that there is any direct censure, but when the budgets are reviewed the question of expenditure under the various heads is also reviewed.

7439. I am speaking not of the budget, but of the administration report?—I mean the administration report.

7440. You do not make such remarks as this: "It is very unsatisfactory that out of the allotment for roads only 80 per cent. or 60 per cent. was spent within the year"?—Yes, we should do so, assuming that the figures were as stated; if the expenditure was so short Government would make such a remark as that.

7441. Does that not in itself tend to hurry the expenditure by officers during the last few months?—It might at the end of the year, but if they have had no opportunity of spending it at the beginning of the year, it cannot be helped.

7442. Is it not better not to spend than to spend hurriedly in such a way?—Quite so, but still communications have to be maintained in proper order.

7443. They could spend it the next year?—But meantime repairs would require more money because the roads would go from bad to worse.

7444. You mean a stitch in time saves nine?—That is the idea.

7445. But if your stitch in time is a very hurried one, in the last few weeks of the year, will it really be saving nine?—That is a matter of opinion; it is all left to the Local Boards, but I believe that if the budgets came out earlier than they do now, and they knew exactly what they had to spend, they would be able to spend the money to better advantage.

7446. You have stated that as regards municipalities you have had none of these restrictions that you complain of because the municipal accounts do not figure in the Imperial budget?—Yes.

7447. So far as you, as a provincial Government, are concerned, there were no restrictions; the Government of India imposed no restrictions on you?—There were no restrictions imposed upon the Local Government.

7448. But at the same time you have imposed rather a rigid restriction on the municipality. You say to a municipality, "You shall not add to your budget allotment by more than Rs. 500 without our sanction"; is that necessary?—That is not correct; they may spend up to half the balance or up to half the balance as revised with reference to the opening balance, but no individual allotment over Rs. 500 may be made without reference to the Government.

7449. No individual allotment over Rs. 500 that has not figured in the budget can be made during the year without reference to the Government?—No.

7450. What is the object of that restriction?—In order to see that there is a proper working balance retained for the next year, because the municipal balances are not so large as to be able to stand any large drain upon them.

7451. Did you not say that it would suffice if the municipality kept 5 per cent. of its normal income on the budget?—A District Board in its budget has to work up to a 5 per cent. balance;

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municipal Councils work up to a 10 per cent. balance as far as possible.

7452. You think that a 10 per cent. balance generally suffices?—It should be sufficient for a working balance unless there are any special schemes for which the municipality is reserving funds; for instance, a future scheme of water-supply and drainage would require more.

7453. Let us take the concrete case of a municipality with an income of Rs. 50,000; you would make it keep a standing balance of Rs. 5,000?—That would be provided for in the budget.

7454. But suppose its actual standing balance is Rs. 7,000, could it use up the remaining Rs. 2,000 without reference to you or not?—It may use Rs. 3.500; it may use half the Rs. 7,000 without reference to Government, provided that no single allotment exceeds Rs. 500 for any special work.

7455. Is it not quite sufficient to lay down that the municipality shall keep up a certain amount as a standing balance and shall not encroach on that standing balance without reference to you? Is it necessary to add the restriction as to the Rs. 500 sums?—The only question is this; it might be required for an important work of sanitation or something of that sort, the details of which would require further examination. Personally I see no reason why that limit should be retained.

7456. Now as regards the District Boards the Government of India will relieve you from all restrictions as to reappropriations, but you said that you would still make District Boards come up for an addition to their budget of over Rs. 2,500?—I think there should be some limit.

7457. There again, would it not suffice to make the District Board maintain such standing balance as the Government consider necessary and not to make it come up in individual cases?—No, for this reason; there is a great tendency for local bodies in any one year to incur recurring charges—charges of a recurring character which come on next year and the year after—and out of their balance they might for one year incur a charge for the maintenance of a new hospital or a new school which they could not possibly meet from their normal income. That is a very common tendency which is seldom properly looked into by the local bodies.

7458. Would it not be better if a local body did that to let it feel next year the obligation of cutting down expenditure?—It is very unpleasant and bad for the people who have been deprived of the hospital; there have been such cases in the last year or two, and expenditure has had to be reduced under certain heads for that reason.

7459. If you get somebody else to economise for you, will you become truly economical yourself?—I only express the general principle that it would cause dissatisfaction. Such a rule might be fair, but it would cause to the general body of people more dissatisfaction than they now feel.

7460. You said in connection with the municipalities that one reason for interference was their tendency to raise the pay of small appointments?—On personal grounds; if the conditions are changed and there are reasonable grounds—for instance if the market price of wages, as it were, is raised—that is all right, but to raise it on purely personal grounds is, I consider, unjustifiable.

7461. Do they tell you when they come up to you that it is on personal grounds?—Yes.

7462. You mean the personal merits of A.B. who holds the appointment?—Yes; they do not propose to give A.B. a personal allowance of one rupee; they propose to raise the pay of the appointment on the personal merits of A.B.

7463. With certain limits under each head for establishment and so forth, is not the scrutiny of the budget a sufficient general check?—It might be, but they come up for these increases outside the budget.

7464. Is it not the fact that in the scrutinies of the budget you often cut down the pay of these small appointments?—Very often, if there is no sufficient reason assigned.

7465. Your budget control is not confined to general principles and seeing that they are not spending too much money generally, but you go into the pay of a peon or a petty clerk?—The orders are as a matter of fact that proposals for establishment should be submitted separately in advance, so that they can be scrutinised and then, when the orders have been passed, they are entered into the budget.

7466. You do cut them down pretty frequently?—Not pretty frequently. There are a number of reductions, partly on financial grounds and partly on questions of principle; but if there is a real case, the additional establishments are given; they are more often given than refused.

7467. You review the municipal budgets. Do you send them on to your Member or do you deal with them finally yourself?—Some I send on, some I do not.

7468. If you have to cut about a municipal budget, would you send it on to the Member?—Yes.

7469. You would not send it on to him if you knew that the alteration was justified?—Not if they were mere trifling alterations. I go by general principles. If there is any principle involved, any question of loan for instance, it would go to him.

7470. If you are to refuse to sanction the pay of a clerk or peon, would that be a matter of principle or would you exercise your discretion?—Sometimes I would, sometimes not; but these proposals come up separately, not in the budget. The general order passed is that the provision is allowed to stand subject to formal sanction at a later stage.

7471. Does that apply also to the District Board budget proposals?—Yes.

7472. Do you find that they make the same proposals in regard to petty appointments?—Yes, sometimes.

7473. And do you disallow them as you do in the case of municipal budgets?—Yes, in accordance with the principles I have explained.

7474. The real executive control of the District Boards rests with the Collector?—It should do. Every proposal of the District Board should come from the Collector, as President, to Government. The Collector is also President of the District Board.

7475. The Collector is directly responsible for the budget though it has to receive the approval of the District Board?—It has to be forwarded through the Collector as President.

7476. As the District Board President he frames the budget and gets it passed by the District Board as a body?—Yes.

7477. The budget will include these small increases of pay?—The budget should not include them unless they have been sanctioned in advance. The proposals should come in separately; the order has been given time after time that it would prevent delay in issuing orders on the budget if the proposals were sent in separately.

7478. Is the Collector, as District Board President, primarily responsible for these proposals for increased establishment?—Not primarily. In some cases he may be responsible in connection with the District Board, and as to the *taluk* Board establishment perhaps the President of the *taluk* Board, or very often the Medical Officer, applies for increases.

7479. Do you think that the Collector has scrutinised these proposals and has approved of them?—Probably.

7480. You think he is not to be trusted in these petty matters to grant a final decision, but that the Government is bound to upset what he wishes?—There are principles; as long as fixed principles are observed orders must issue accordingly.

7481. But do you consider it a good system or not?—No; I think the President of the District Board might have control in such matters.

7482. You desire to have power to impose local and municipal taxation on railways, because you say that the railway administrations generally agree with whatever proposals are made?—They do not often disagree, but the proposals are always sent to the railway administrations for remarks.

7483. Railways are an imperial matter?—Yes.

7484. In that case would you let the Local Government decide, or would you have it go to the Government of India?—I raised that merely as a question with regard to working, not as to financial control; it was really with the object of saving time and correspondence.

7485. You spoke of giving powers to local bodies to raise loans in the local market. Would they be able to borrow in the open market on the same terms as they now borrow from the Government of India or from the Local Government?—Certainly not; if the Government will do it, well and good; but in all these District Board railway matters the Government of India have said that they will not be able to lend the provincial Governments any money for some years to come. Therefore, in order to construct railways which are important to the district it will be necessary for the District Boards to raise funds in the local market if possible.

7486. Suppose a municipality wants to build a new market or something of that sort and some loan is required; could they not do so much more conveniently by borrowing from Government?—Yes, some of them can; many loans are given by the Government, but there are many cases of small loans that have been raised in the local market under the old rules. I only raised this question because I wanted to put forward the view that time and trouble could be saved. These references to India on matters of petty loans appear to me to be unnecessary.

7487. You would eliminate reference to the Government of India on a railway loan by a District Board?—That would be a loan of considerable magnitude.

7488. Then where does it come in; you say you would allow the Local Government a free hand in regard to loans up to one lakh; your railway loans would largely exceed one lakh. I put it to you that in regard to other loans it would be much more feasible for the local bodies to borrow as they do now from the provincial Government?—If the Government can comply with their requirements there is no objection.

7489. Have they been met?—As a matter of fact the loans which have been raised have been duly met, but the provision in the provincial budget is generally earmarked for specific schemes.

7490. Then you have not yet had an opportunity of judging in practice?—I do not think so, but there are the references involved under the new rules, and that is the point to which I draw attention.

7491. You spoke of having got no real help from the Director-General of Education. Have you ever asked him for assistance in any matter that you had to deal with; have you ever asked him what has been the practice in other provinces, or whether he could give you any idea of what the past policy of the Government of India had been, and so on?—There has been no direct correspondence with the Director-General of Education.

7492. It is open to you to ask for his advice in these matters?—I am not aware of any rules on the subject; I presume there would be no objection to our asking his advice. Probably in that case the Director would be asked to make a reference.

7493. You spoke of conferences as a substitute for Directors-General; you meant especially the Educational Conference of a couple of years ago; who summoned that conference?—I cannot quite recollect whether it was under the Director-General or not.

7494. Was it not summoned by the Government of India?—I believe it was.

7495. Then there was the Conference of 1901?—That was summoned by the Government of India I believe.

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7496. Would you leave it to the Government of India to summon these conferences, or should they meet automatically at fixed periods?—There would have to be some central authority to arrange it. I think.

7497. Who would preside?—They might elect one of themselves to preside.

7498. Is there not this disadvantage that an officer having gone to a conference and got a certain amount of good therefrom, might shortly afterwards go on long leave, retire, or be transferred to other divisions?—That is always possible.

7499. You say that the Imperial Sanitary Commissioner is not likely to do any good; who is responsible for plague work?—Plague is mainly under the Collectors, under the advice of the Sanitary Commissioner.

7500. Is not plague a matter in which the Imperial Government ought to have something to say?—Yes, they are very materially interested.

7501. Might not an Imperial Sanitary Commissioner, who has toured in the various provinces and seen how plague rules are worked in each province, have considerable assistance to give to you?—He might, but I am not aware of any practical assistance that he has given in that connection.

7502. You say that you would allow the Madras Government to develop its educational policy on its own lines subject to the funds available. Do you mean that literally—would you give them an absolutely free hand?—I think so.

7503. Would you allow them for instance to withdraw altogether from collegiate education?—I do not think the Madras Government would ever do so; I take it that the Government are a reasonable body.

7504. You say, "If any special schemes involving a large outlay, which do not form an item in the provincial programme of development, are undertaken owing to a mandate from, or at the instance of, the Government of India, financial assistance should be given by the Government of India to the Local Government." Is that not exactly what the Government of India have been doing of late years?—I have made no complaint about it.

7505. But that is what they have been doing?—Yes, we have had a grant of 8 lakhs, and another of 6 lakhs for educational purposes.

7506. I take it that a great many of the schemes that municipalities undertake—drainage schemes and water-works schemes and so on—are undertaken not of their own volition but under pressure from the Madras Government?—I cannot say that that is the case.

7507. Surely as Local and Municipal Secretary you can say whether the municipalities have initiated schemes or not?—Frequently schemes are applied for; for instance, they were very anxious to get a scheme of water-supply for Salem and Coimbatore, but there are people who object to pay the tax.

7508. In cases between you and the local body, would you apply the same principle that you would in regard to cases between you and the Government of India; that is to say, if you desired a Local Board to undertake a scheme, and they did not want it, would you be prepared to give financial assistance?—No such scheme would be imposed on the local body; all such schemes have to be approved by the local body before the funds are provided. A scheme is frequently prepared and has to be given up because the Council cannot or will not find its proportion of the funds.

7509. You say that there is no material increase in the demand for statistics in the Local and Municipal Department in relation to statistics called for by the Government of India?—Yes.

7510. Can you say the same as regards statistics called for by the provincial Government?—Yes there have been a few alterations in the form

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due to alterations in the regulations, but I think the volume has not materially increased.

7511. You speak here with regard to exceptions from certain educational standards that are prescribed for the public service, and you say they are freely given in the case of specially backward places; are they given by general order or by special reference?—Mostly by general order as in the Agency Tracts; in some places, such as Bellary and the Ceded Districts they are given by special orders.

7512. Might there not be general orders there too?—It is possible, but I do not think the conditions are quite the same. It might re-act upon the efficiency of the Service.

7513. Are you in favour of tahsildars being personally graded within the district instead of by charges?—I have not considered that question; I think it might be a good thing.

7514. Suppose a District Board or municipality does not want to exceed its budget but merely wants to transfer Rs. 1,000 from head A to head B; can it do that absolutely?—Absolutely; but it must have a reappropriation statement.

7515. But it comes up to Government for sanction?—In the case of a District Board, no; I think a municipal Council does have to come up in case the amount exceeds Rs. 500.

7516. Is that necessary?—It is a sort of safeguard; it ensures that funds under one grant are not being devoted unduly to another grant; I think it is a wholesome check.

7517. You spoke of the necessity of keeping Government control over District Boards because of the considerable amount that Government contributes; was not the greater part of that amount granted by the Government of India in 1905?—Yes, 14 lakhs.

7518. And the intention of the Government of India was to increase the resources of the District Boards for dealing with the duties entrusted to them?—Yes.

7519. Was there anything in those instructions which implied that District Boards should be put under special restrictions with regard to the allocation of the expenditure of such extra grants?—As far as I recollect, the order stated that the grant was made mainly in connection with roads and bridges.

7520. Was there any implied direction that you should look after the District Boards more carefully in respect of that money than in respect of the ordinary land cess money?—No, except the general direction that it should be for roads and bridges—a direction which, as a matter of fact, has not been strictly adhered to.

7521. You get a lump allotment for certain purposes; did you distribute it to the District Boards proportionately to their income?—Roughly, in proportion to one quarter of the land cess.

7522. That is to say, each District Board gets roughly an addition of 25 per cent. to its income?—Practically it comes to 25 per cent. of its income from land cess; in the case of backward districts it is a little more; the richer districts get a little less than their proportion, and the backward ones get a little more.

7523. Suppose a municipality wants money for work of a sanitary character costing over Rs. 500, they have to come up for sanction; a District Board requires no sanction up to Rs. 1,000?—It is Rs. 500 in the case of the District Board as well, as regards sanction to *sanitary* schemes. The approval of the Sanitary Board is necessary.

7524. Is it necessary that petty projects of that sort should come up for sanction?—My own personal view is that it is undesirable; it leads to estimates being cooked, and I know from my personal experience that if a District Board had Rs. 500 available, the estimate might go up to the Sanitary Commissioner and Engineer with the result that it would be raised to Rs. 1,000. As a consequence no work would be executed, and the people instead of getting half a loaf would get no bread at all.

7525. You think that so far as regards the necessity of consulting the Sanitary Board the limit ought to be considerably higher?—I think so.

7526. Have you found that the Sanitary Board works too much for the highest results—I mean, preferring the best to what might be practicable from the funds available?—They aim at the ideal; I have always tried myself to reduce it to the practical.

7527. And you find that tendency with the Sanitary Commissioner and the Sanitary Engineer also?—Yes.

7528. What is the use of the Sanitary Board when the municipalities and District Boards have got the Sanitary Engineer and the Sanitary Commissioner to advise them fully from the sanitary point of view, and have got the control of Government from the Finance and Public Works point of view—what is the use of this intervening body?—I do not think there is really any particular use in it.

7529. You think it may be abolished?—I think so.

7530. (*Mr. Hichens.*) Does the Government make any other contribution to Local Boards besides the 25 per cent. that you allot?—There are certain contributions in fixed proportions towards the pay of Medical Officers.

7531. I mean in respect of education?—Yes, grants are made; subsidies are given to Local Boards for education, or rather subsidies are paid through the Local Boards to aided schools.

7532. That is to say they get definite contributions from the Government in respect of their own local schools?—They are not definite. This year a special grant of 6 lakhs was made by the Government of India; a certain proportion has now been given for the improvement of the scale of pay of the masters, and a certain amount has been spent upon buildings. The amount has been almost entirely swallowed up in this way, but other funds have been given to them in aid of the schools. That is an expenditure which is very rapidly expanding.

7533. Is this a final or annual grant?—It is annual. It is with reference to budget considerations and the growth of expenditure.

7534. Is it made conditional on the Local Boards contributing a certain amount themselves?—No, there is no fixed percentage.

7535. Then how do you ensure that they spend a certain amount?—It is included in the budget.

7536. But when the budget comes to you, do you cut it about fairly freely, and if there is not enough provision, say, for education, do you transfer something from roads?—When the budget comes, three principles are generally observed; first, that the prescribed minimum balance is set apart; secondly, that the proportion for works is set aside; thirdly, that the recurring charges do not exceed the annual normal income. Having observed those principles, the proposals of the Board are generally accepted, but they have to be cut about owing to the fact that there are recurring charges which often largely exceed the normal income. Perhaps a considerable balance has accumulated, and they are rather inclined to rely on these balances to incur charges which are not charges once for all, but charges which recur from year to year.

7537. Does the budget go to the Educational Department?—Not the budget of Local Boards. The Director sends in proposals stating the amount which according to funds is available to be placed at the disposal of the Local Boards, and then hitherto we have made a lump sum allotment in the total head under "Education, Local" for the allotment made by the Government of India for grants-in-aid of Local Board schools. Pending distribution, that has hitherto been put in as a lump sum; this year it will be different.

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7538. I understood from one of the witnesses that the Director of Public Instruction stipulated beforehand the amount that it was proposed to spend by each District Board in respect of education?—Yes, that is the case. Extracts from the budget in respect of education are sent through the Director of Public Instruction; extracts from the budget in respect of hospitals are sent through the Surgeon-General; extracts from the budget in regard to sanitation are sent through the Sanitary Commissioner.

7539. Every head is scrutinised?—Yes, as to whether it is sufficient or insufficient.

7540. Is it common that suggestions are made that a large grant should be given for education?—Frequently; very often it is impossible to make the grant, and sometimes even the provision made has to be cut down.

7541. You do not frequently alter the budgets of the Local Boards; the policy generally is to leave them alone?—Observing those three principles that I referred to, the policy is to accept their suggestions; if those principles are observed, the budget as a rule is not interfered with.

7542. Apart from the Government contributions, the principal source of income of the District Board is the land cess?—Yes, that comes to about two-thirds of the ordinary income.

7543. What does it amount to?—56 lakhs; in most districts it is levied at one anna in the rupee of the assessment, except in the Nilgiris and Malabar and Canara, where it is two annas in the rupee. But, as a matter of fact, the full cess is not levied in Malabar; in consequence of the introduction of the late settlement there has been a gradual reduction.

7544. Who decides that the cess is to be one anna in the rupee?—That is provided in the Act as a maximum. The District Boards send up proposals at their first meeting as to the tax to be levied and the establishment to be dealt with.

7545. But they have full power to decide that the cess shall be half an anna if they like?—They can suggest it; I doubt whether it would be accepted.

7546. Is it, as a matter of fact, generally taken for granted by the Boards that they must levy the full amount?—I think so; I think the full amount has been levied almost ever since the Boards were started, except in the case of the Tanjore District Board, where it was levied at 9 pies in the rupee until they started their railway, when they volunteered an added proportion; there are special districts where it is two annas in the rupee; it varies in the district of Malabar according to the different *taluks*.

7547. If such a suggestion came up to you, the district concerned would have to show very strong reasons why the proportion should be reduced?—They would have to show that it was largely in excess of their requirements for expenditure.

7548. Now, is a certain proportion of the land cess given to the *taluk* Board and a certain proportion pooled?—One half is bound to be given to the *taluk* Board.

7549. And the proportion that is pooled is distributed according to the discretion of the District Board?—Yes, according to the requirements of the *taluk* Board. Certain roads are District Board roads and maintained from District Board funds.

7550. But the balance is distributed amongst the *taluks* at the discretion of the District Board?—I think that is the principle.

7551. Does that in your opinion lead to a scramble?—I do not think so. My general experience as President of a District Board was that the claims of all the *taluk* Boards were considered equitably.

7552. In your opinion the principle that the richer portion of the district should pay for the poorer portion is a satisfactory one?—I think so; it is a district cess; if you take the district as the unit, it is fair.

7553. You, as Government, have never had to interfere in any way with that distribution?—No, I cannot recollect any interference with the distribution between District and *taluk* Boards. The budgets are revised; we do not go into details; when it goes back to the District Board, the District Board may have to revise the *taluk* Board budgets again.

7554. You have never had complaints that a clique of the District Board have taken all the money for themselves?—I can recollect no such case.

7555. Is the principle adopted at all, in regard to your grants-in-aid, of giving them conditionally on the work being efficiently performed?—The grant-in-aid to schools, yes.

7556. Either in the matter of schools or in the matter of roads. You say that the Government of India gave a certain contribution which was to be spent largely on roads and bridges?—Yes.

7557. Did they make any condition as to efficiency before the grant was given?—No special conditions are made. It is presumed that the money will be spent as far as possible to the best advantage.

7558. You are aware of the English principle whereby in connection with grants to Local Boards the grant is only made conditionally on the whole of the roads being properly kept up?—I am not aware of that principle.

7559. Could that be applied here?—I think generally the main roads are kept in a pretty efficient condition. There is a special District Board Engineer under each District Board, and the President and members of the *taluk* Board tour about; I do not think it would be possible to say that all roads must be efficient before the grant can be given; I think the Boards do their best to make them efficient.

7560. Would it be possible to substitute what one might call an indirect control of that nature for the rather direct control that you exercise to-day?—I do not think that the Government can be said to exercise any direct control over the actual executive operations of the various Boards.

7561. Possibly not, but the budgets are submitted to you to-day, and to a large extent you do make yourself responsible for the expenditure by approving those budgets?—Yes.

7562. You may add to the expenditure or you may interfere directly, and you do freely interfere?—We do not very often interfere with particular schemes; we sometimes suggest that the expenditure on such and such a road is too large, and with regard to the special grant we have asked the Boards to prepare a programme for 5 years; but, as a matter of fact, if any programme is approved, any modifications that they make in the programme are also approved.

7563. Would the interests of Government be sufficiently safeguarded in the matter of education and roads and so forth, if they threatened to withhold their grants unless efficiency was secured?—No, I do not think that would be sufficient; not in educational matters certainly.

7564. Now in connection with your remarks with regard to complete freedom of the provincial Government in matters connected with education; are there certain educational laws?—Rules.

7565. There are no Acts passed by the Legislature dealing with education at all?—No, not that I am aware of.

7566. At all events there are certain broad principles with regard to education about which uniformity may be desirable?—Yes, I think so.

7567. Would it be possible to pass laws, as in other countries, simply embodying certain principles and saying that within the limits of those principles the provincial Government should have complete freedom?—I do not think so; you would want one separate law for each province. The local conditions are different. The conditions even in this Presidency vary very greatly. We have our

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own body of educational rules, and then we can make exceptions in the case of backward localities.

7568. But if you could define the general principles by law you might leave their execution to the Government in each province?—It could be done, but I do not think it would apply to this country.

7569. (*Mr. Dutt.*) You have referred to the Tanjore railway, which led to the increase of the assessment from 9 pies to one anna; has there been any other scheme of that nature in any other district?—Yes; there are about 9 districts now which have imposed a cess, under section 57 (*ii*) of the Act, of 3 pies in addition to the ordinary cess; that is under that special section.

7570. In all those cases the cess was imposed according to the resolution of the District Board, was it?—The resolution of the District Board, supported by a majority of three-fourths, and reaffirmed at a subsequent special meeting as provided by the law.

7571. Was the sanction of the Government necessary and was it obtained?—Yes; in one district, Trichinopoly, the levy of the cess has been discontinued at the instance of Government, because there is no scheme sufficiently forward to justify the continuance of the cess.

7572. You said that the law as it stands vests the President of the District Board with all executive power. That is under section 33 (*i*) of the Act. That includes the appointment of all officers, does it not?—It includes the appointment of all officers, but there are rules under sections of the Act which the Government may frame with regard to the appointment of officers. Certain rules have been framed which have been embodied in the Local Fund Code.

7573. Do these rules modify in any way the general power of the President to appoint all officers?—Under the most recently revised rule the President can appoint all officers drawing a pay of less than Rs. 150; it used to be Rs. 100, but it has been enlarged considerably in the last few years.

7574. He has also power under the Act to punish and fine and dismiss all these officers?—Yes. The President has that power, subject to an appeal to the Board.

7575. In cases of fines over Rs. 5; there is an appeal up to a certain tribunal?—No, in cases of fines over one rupee by the President of a *taluk* Board there is an appeal to the President of the District Board. I think one rupee is too small, and it might be raised to five rupees.

7576. Do similar rules apply to *taluk* Boards?—Yes; instead of the appeal going from the President of the *taluk* Board to the *taluk* Board, it goes from the President of the *taluk* Board to the President of the District Board, and from there again in some cases to the District Board.

7577. The budget of the *taluk* Board is generally prepared and placed before the District Board?—Yes.

7578. Is any portion of the District Board's work made over to sub-committees formed under the Act?—The Act provides for rules being made by the Government for delegation to sub-committees of certain powers, but so far as this Presidency is concerned no such rules have been sanctioned by Government. In some districts I believe there are sub-committees at work, although they have not the formal sanction of Government.

7579. Would the creation of sub-committees for the performance of different duties lead to a greater interest being taken by the members themselves, and, generally, to the efficient discharge of those duties?—I do not think so, because I do not think the members would find time, in addition to attending meetings of the Board, to attend meetings of the Committees. Many members take simply an individual interest in their own localities; of course many of them take an interest not only in their own particular *taluk* but all over the district.

7580. Could the practice of creating these sub-committees be fostered a little more in the immediate future?—I think not; I think there would be practical difficulties in the way of their administration.

7581. Is the present system under which practically the whole of the work of the Board is done by the President, likely to encourage members to take more interest in their own duties?—The whole executive work is done by the President, but he consults the members pretty freely, and is always prepared to receive suggestions and advice from them as occasion arises.

7582. In regard to the Corporation of Madras we had evidence from a witness that appeals lie only when an officer drawing a pay of over Rs. 50 is punished, but that, in the case of officers drawing a pay of under Rs. 50, there is no appeal; is that so?—I am not quite sure what the rules in the City are; I think that the appeal lies to Government only in the case of officers appointed by the Government.

7583. We had evidence given before us yesterday that besides those unions it would be an advantage to create small panchayats in small villages; are you of that opinion?—I do not think they would do really much good.

7584. I mean for the management of small village concerns and having some supervision over village schools and so forth; in the smaller villages if panchayats were formed would they not be of some help to the administration?—I do not think it would be of any material assistance. I see no objection to the formation of such committees, but I think that one man would probably do the work better.

7585. At present the work is done by village officers, or by the village *karnam*; I mean any little work that has to be done under orders that may be passed down to the village?—I do not think they look after sanitary works or funds expended by the Board; the Boards make their own arrangements. The Boards might say to a village head-man, "Here is a certain amount of money for your two or three villages; we will give you this money and you must do the work"; that is quite permissible.

7586. When small works are given to a village, to whom is the actual work entrusted; is it given by contract?—It is probably given by contract; it would be in the discretion of the *taluk* Board.

7587. If panchayats were formed might they usefully do work of that nature?—They might if they were unanimous, but I am afraid there might be cliques among them.

7588. Evidence was given to us yesterday that unions generally were unpopular because under the Act they had the power of imposing a tax?—Yes, the house tax.

7589. We also heard yesterday that the creation of panchayats would be very unpopular if the panchayats were empowered to impose the tax in their villages?—I think they would be absolutely unpopular.

7590. Suppose it was desirable to create these panchayats, would it be possible to create them without the power to impose any tax—simply to ask them to look after their village concerns and give them some little power under the law of disposing of small disputes in criminal cases and civil cases; would it be possible to do this without giving them power to impose a tax?—It might be done; I cannot speak about the civil law; I have known panchayats in the Hill tracts most useful in settling civil disputes, but those consisted of the heads of the different villages, not selected by the villagers themselves.

7591. You have told us that the Indian Government has contributed a certain amount of money to District Boards lately to help them in their work; would that set free some amount of money from the District Board funds to be applied to village purposes, supposing that village panchayats were created?—I do not think it would set free any considerable funds; a Board might be able

to allot money, but many of them at present are rather in financial difficulties, and it is only owing to fresh grants that they have been saved from bankruptcy.

7592. (*Sir Frederic Lely.*) You said just now that the Sanitary Board might be abolished. Do you mean to say that it might be reduced to the Engineer and the Sanitary Commissioner?—The Sanitary Commissioner is not a member of the Board now.

7593. Would it not be well to make a Board consisting of the Sanitary Commissioner, as sanitary expert, and the Engineer, as engineering expert?—I think not; there would be no majority, and the Sanitary Commissioner's schemes would be altogether too ideal.

7594. It is not proposed that they should exercise any authority; they would only go about, together or separately, and advise the municipalities from their respective points of view?—The Engineer, I am afraid, would not have time to go about. His inspections must be restricted to important schemes.

7595. You do not think it would add strength to self-government to have a Board consisting of these two experts who should give professional advice to municipalities who wanted it, instead of the present Sanitary Board?—The present Sanitary Commissioner does tour about and give advice.

7596. I am suggesting that he should associate himself with the Engineer, and that they should form themselves into a Sanitary Board which would be the professional advisers supplied to the municipalities on behalf of the Government?—It is practically done at present. All proposals come to the Board through the Sanitary Engineer and the Sanitary Commissioner.

7597. But you would abolish the Sanitary Board?—Then these would remain the advisers of the Government without the intervention of the Board.

7598. You do not think my suggestion would be a good thing?—They could not go about jointly, that would be impossible; there might be an additional Deputy Sanitary Commissioner.

7599. You do not think that it would be a good re-arrangement, rather less cumbrous and more coming face to face with the people?—I think that the present Sanitary Commissioner does come face to face with the people; he is constantly touring.

7600. You recognise that there are very numerous varieties of municipalities, ranging from the best to the worst in point of size, and intelligence, and civic spirit?—Yes.

7601. You would recognise that in any policy that might be adopted?—I do not think you could make exceptions; there must be one law for them all.

7602. You would force all into the same mould?—Yes.

7603. You do not think it would be an encouragement to the civic spirit that a municipality should feel that by good management it would justify itself being entrusted with more extended powers?—That is practically the case at present as regards representation privileges and elective rights.

7604. You do not think it need be recognised more definitely that there should be various grades of treatment, and that a municipality should be placed in the grade which it could justify by its own management and civic virtues?—No, I do not think it would be desirable.

7605. I will take a municipality of the very best class; you admit that there are numerous classes; there are some towns which are much more fit for self-government than others?—Yes.

7606. The Chairman has suggested whether it is not possible to provide a *via media* between the total responsibility of the Government and the total responsibility of the municipality; you say that either one or the other must be responsible?—I say that, given the principle that Government is responsible, it must have material responsibility; abandon that principle, and the municipality must have everything.

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7607. Would it not be possible as a compromise to insist in the most emphatic way on the Collector watching the actions of the municipality, and bringing formally to notice any defect in management or any misgovernment?—That is done at present. The Collector has power to veto any resolution of the Council.

7608. But suppose, instead of that, he were bound, in the case of an excessive establishment for instance, to formally record his disapproval and send that for the consideration of the municipality?—At present any proposal for the increase in the establishment in a municipality would come from the Collector to Government, and on that the Collector would ordinarily express an opinion.

7609. Suppose if the Collector sees that the members have been playing fast and loose in favour of their relations—that they have entertained an excessive staff—you made it compulsory, and the regular thing, for the Collector to record his opinion in clear terms and send it to the municipality to be laid before them and to be considered. Would that not have a good effect?—It could be done.

7610. Do you not think in the case of the best municipalities that that security might be sufficient?—I am inclined to doubt whether it would.

7611. (*Mr. Hichens.*) Do municipalities contribute to District Boards at all?—No, in some cases there is an arrangement of the revenue and expenditure on certain special works; they are very minor items; there are no general contributions.

7612. A Collector giving evidence before us the other day explained that he was not aware of the principle on which the Government contribution was based. Are Collectors, as Presidents of the Boards, informed of that principle?—Yes, every year they are informed of the amount: they know what the amount is, and they know, or should know, what the principle is upon which it is based.

7613. But suppose as Presidents of the Board they protested against its inadequacy, would they be rebuffed?—I do not think the question could be reconsidered, because the figures will have been communicated to all the districts at the same time.

7614. Suppose district A. said, "We have not been treated as fairly as district B.," would they simply be told to mind their own business, or would the thing be gone into to see if they had been fairly treated?—The matter would be very fully considered at the time, and we should consider before the next year whether they had been fairly treated or not.

7615. But it could not be re-opened?—Not for that year, because the amount will have been communicated to all the Boards, and they will have framed their proposals accordingly.

7616. Are the powers of Collectors in the Presidency of Madras as large, or less large, or larger, than the powers of Collectors in other Governments?—I have no knowledge of the powers of Collectors under other Governments.

7617. Are the powers which the provincial Government now exercise towards municipalities and Collectors practically that which Commissioners exercise in other Governments?—I could not say.

7618. You have no means of comparison?—No, except by comparing the regulations here with those of other Governments.

7619. Have you ever done so?—I have done so.

7620. What was your view?—I only compared them with reference to election rules and representations; in each case I found the powers of other provinces were considerably greater; I mean in regard to representation there is a greater system

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of popular representation in other provinces on Local Boards than there is in Madras.

7621. Therefore, to that extent the provincial Government here stands very much in the position of Commissioners elsewhere?—No, I do not think so; I think Local Governments elsewhere by rules can delegate powers of representation which have not yet been adopted here. I do not say that the functions of Government are in any way different.

(*The witness withdrew.*)

The Hon. Mr. A. G. CARDEW, I.C.S., was called and examined.

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7622. (*Chairman.*) You are Acting Secretary in the Revenue Department?—Yes. The total revenues of the Presidency are about £9,000,000 sterling, of which the provincial share controlled by the Local Government is about £3,000,000. But in spending these three millions the Local Government's powers are limited in many ways of which the following are examples:—

(1) A Local Government cannot create any new permanent appointment of which the pay exceeds £200 a year (Rs. 250 per month). (C. A. C. 283.)

(2) A Local Government cannot create a temporary appointment for more than six months if its pay would exceed £200 a year (Rs. 250 per month). (C. A. C. 283.)

(3) A Local Government cannot revise the grades of any class of subordinates. (C. A. C. 283.)

(4) A Local Government cannot sanction any unusual expenditure which exceeds £66, even though not recurring. (C. A. C. 278 A.)

(5) A Local Government cannot waive its claim to escheated estates if the value of the estate exceeds £66. (C. A. C. 280.)

(6) A Local Government cannot sanction any expenditure on travelling allowances except in accordance with the rules of the Civil Service Regulations.

(7) Even when sanction of the Government of India has been obtained, the Local Government cannot renew it if it is not acted on within a year.

(8) A Local Government cannot sanction any expenditure (*e.g.*, from its balance) which would cause its total budget for provincial expenditure to be exceeded.

The limits thus imposed on the powers of Local Governments appear to be in some respects unduly low. I think in instances Nos. (4) and (5) above, which are cases of non-recurring expense, the existing powers might be multiplied by 10. As regards instance No. (2), the limit of time might be raised from 6 to 12 months. As regards instance No. (3), it is, I think, unnecessary to require the sanction of the Government of India to revision of the pay of grades, provided that no appointment on pay exceeding £200 a year (Rs. 250 per month) is affected, and provided the total increased charges do not exceed Rs. 25,000 a year (£1,666 a year). As regards No. (6) some power is needed to enable Local Governments to grant special rates of travelling allowances, within the limits of actual outlay, to officers travelling in special localities. Special instances occur for which no set of rules can provide. The rule in No. (7) might perhaps be abrogated altogether, or a longer limit of time, say 5 years, might be fixed.

In my opinion all borrowing is best kept under the control of a central authority.

The relaxation of restrictions imposed by law should be by means of specific amendments and not by a general Act of Delegation, such as Act V. of 1868. It would, I think, be evidently improper to empower the Government generally to delegate any power imposed by law, just as it would be improper for the Government to take advantage of such authority and to delegate many of its powers. Whatever legislation is necessary to enable such delegations as may be decided on to be carried out should be enacted in the Legislative Council of the Governor-General in Council.

The natural tendency of a Secretariat to seek after uniformity has always to be reckoned with, but we have, of late years, been lucky in the Revenue Department, and have nothing to allege against the Department of Revenue and Agriculture of the Government of India. I am not sure whether all Departments of the Government of India have been equally blameless. When I was in charge as Secretary in the Educational Department, the Home Department of the Government of India was rather given to issuing lengthy resolutions intended to inculcate uniformity in the least uniform of subjects. Recently the same Department has pressed the Local Government to adopt what is believed in Madras to be a harmful measure of centralization, on the ground that it has succeeded elsewhere; this is, the delocalization of tahsildars and their grading on a provincial list, thus removing their selection and control from the District Collector to a central body, such as the Board of Revenue. No rules will prevent the occasional occurrences of such instances of interference, and no test of when interference is justified, or the reverse, can be laid down.

As to whether the Imperial Secretariat is too dominated by considerations of expense, special attention might usefully be directed to its action and rules in regard to irrigation projects. The definition of a "productive work" which has been laid down by the Government of India is entirely inelastic, and its conditions are so onerous that it is very difficult to find a work that complies with them. The Government of India has, at the same time, shown a tendency to interfere to what seems to me an undue extent in regard to the distributory systems under irrigation projects which cannot be classed as productive, and even as to the method on which the charge for water should be calculated. It is indeed a fact, I believe, that no estimate for any of the large irrigation projects in this Presidency whose investigation was the outcome of the Irrigation Commission has yet been passed by the Government of India.

No ill-results from the action of Imperial Directors and Inspectors-General have as yet come to my notice. Whether they will be generally worth what they cost is another matter, and far better results would follow from sending the Head of a provincial Department to tour in other Presidencies and to study local methods on the spot than from employing an Imperial Director-General to come and bring him news of what is going on elsewhere. Our most fruitful movements have come from within, and not from without. Thus the idea of bringing the principle of co-operation to the aid of rural credit belongs to Sir Frederick Nicholson, as also does the idea of developing the fish-resources of the Presidency. The development of the Agricultural Department, though aided by the Government of India, has owed most of its progress to encouragement from within. The investigation of our supplies of subterranean water is largely due to the initiative of our Director of Industrial and Technical Enquiries. On the other hand, the action of the Government of India has been potent in advancement of reform in some directions. The report and recommendations of the Government of India's Excise Committee will probably have a far-reaching effect in promoting reforms in Excise Administration. It is thus impossible to lay down in general terms any opinion as to the desirability of leaving Local Governments untrammelled in regard to the adoption of reforms from other provinces.

I have not been impressed by any great necessity for curtailing existing rights of appeal, or petition. It would certainly not, in my opinion, be desirable to require an appeal to be accompanied by a certificate from the authority appealed against. My only suggestion in regard to these heads would be that appeals from officers whose salary is Rs. 100 and over but under Rs. 250 should lie to the Government of India and not to the Secretary of State.

Transfers are still too frequent. Every posting should be held to be for at least three years in absence of special circumstances.

Unless the functions proposed to be allotted to (*a*) Advisory, (*b*) Administrative Councils are clearly defined, it is difficult to form an opinion on this suggestion. It should be clearly recognized that the creation of these Councils would involve great increase of work to the Divisional or District Authorities. If a Collector has to decide whether a certain tank is to be maintained or not, or where a certain office is to be located, he reads the reports of his subordinates, studies the plans, and perhaps visits the place, and passes orders. If he had to postpone his decision until he had discussed the matter with an Advisory Council, not only would he have to go over the record at least a second time, but the discussion itself would take time, not counting the large amount of trouble involved in arranging the meetings of a Council. Again, the existence of Advisory Councils would undoubtedly tend to increase delays. Instead of the Collector being able to pass a decision immediately on the study of the papers, he would have to wait till the next meeting of the Advisory Council. This is exactly what now happens with matters that come before the District Board. I doubt whether this result would be popular. There would, no doubt, be a section of the people, especially the English-speaking inhabitants of the Collector's headquarters, who would like it, because they would hope to be on the Council and to share in the importance which that position would give. But the raiyat in a far away village, who was dependent on the tank or on the location of the office, would not be on the Council, and he would prefer prompt despatch to the very doubtful advantage of having the question canvassed by a council of headquarter vakils.

The village community in this Presidency is a very important organisation even now, though its vitality has diminished under British rule and the tendency is towards disintegration. I am in favour of encouraging the growth of independent action in the village community as much as possible. Madras Act I. of 1889 provides for village courts possessing civil jurisdiction up to Rs. 200, and Madras Regulation V. of 1816 for village panchayats, while Regulation XI. of 1816 gives some small punitive powers to village headmen. These powers might be expanded.

I consider that the control exercised over local bodies by Government is so detailed that little scope for self-government remains.

The following may be cited as instances:—

(*a*) No Local Board can employ, without sanction of Government, any permanent servant whose pay exceeds Rs. 2 per mensem. (L. F. C. 113-115.)

(*b*) No land, however small, can be alienated without sanction of Government.

(*c*) Medicines for Local Fund dispensaries and hospitals must be got from the Medical Store Department; no European articles can be bought except in accordance with article 98, C. A. C.; refunds of revenue require the sanction of Government.

(*d*) All additional allotments from general savings under any particular grant or on the estimates as a whole are prohibited.

(*e*) All plans and estimates for any sanitary work must go to the following authorities:—If it exceeds Rs. 500 (£33-6-8) to the Sanitary Engineer; if it exceeds Rs. 1,000 (£66-13-4) to the Sanitary Commissioner, Sanitary Engineer, and Sanitary Board; if it exceeds Rs. 5,000 (£333-6-8) to the Sanitary Commissioner, Sanitary Engineer, Sanitary Board, Chief Engineer, Public Works Department; if it exceeds Rs. 10,000 (£666-13-4) to the Sanitary Commissioner, Sanitary Engineer, Sanitary Board, Chief Engineer, Public Works Department, Government, Public Works Department, and usually Government, Local and Municipal Department.

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These examples, however, hardly bring out with sufficient definiteness the closeness of the control exercised over Local Boards. District municipalities are governed by a different Code; but they are also well looked after by the Local and Municipal Department of the Secretariat. There would be a considerable reduction in work if the whole of this control were removed, and if the Local Boards and district municipalities were left to manage their own affairs. Such a change would, no doubt, involve some loss of efficiency, but there would also be a great saving in delays. It would be likely to result in increased encroachments, on public streets and roads, less success in keeping roads in order, and in maintaining sanitation, and probably a considerable increase in the amount of money wasted. But the people would get some real practice in managing their own affairs. If they managed them badly they would themselves be the chief sufferers, and they would, like other people all over the world, prefer managing their own affairs badly to having them managed for them in the most immaculate manner possible.

A second direction where large reduction in work is possible is by increasing the powers of the native officials, and especially the tahsildar. The tahsildar is an officer whose pay ranges from Rs. 150 to Rs. 250 per mensem (£120 to £200 a year). Practically no officer becomes a tahsildar under 15 years' service. The district munsiff, who is the corresponding judicial officer, has ordinary jurisdiction in suits up to Rs. 2,500 (£166-13-4). As soon as a tahsildar becomes a Deputy Collector, though he may be on the same pay (Rs. 250 per month, £200 a year) he has all the powers of a Divisional Officer. The tahsildar might deal with encroachment cases and water-rate cases, which contribute a large amount of the work that has to be done at the annual settlement of village accounts known as *jamabandi*. He might appoint his own clerks and peons; at present, he cannot make any appointment other than that of a *masalchi* (servant to look after lamps) and a sweeper. He should be allowed to pass and cash his own pay-bill and that of his office. He should also have power to grant leave to village officers, to appoint substitutes during leave, and to punish village officers within certain limits. He should be empowered to sanction the sub-division of survey fields.

It may be said that this process of devolution would relax the control of the superior officers and to some extent this is true. It is a necessary result of any process of decentralization. The use of the more extended powers would, however, be safeguarded by the right of appeal. The devolution of powers to tahsildars would give some relief to Collectors and Divisional Officers, and in my opinion it is these officers who need relief rather than the Government, or the Government of India. Except in a few matters of financial control, the work which the Government now do must continue to come to them and cannot be delegated to other authority.

7623. With regard to these restrictions which you enumerate to the spending powers of provincial Governments, could all these be conveniently removed?—Not all, only those that I have enumerated.

7624. With regard to the revising of the grades of any class of subordinates, are the grades of the subordinate classes here necessarily the same as those which obtain in other provinces?—No, they are not necessarily the same.

7625. So that a larger extension of pay would not necessarily disturb, or even at all disturb, the pay of such grades in other provinces?—No, I do not see that it would.

7626. There would be no danger of your establishing a precedent for other provinces?—I do not see how it could if you retain the other limits, *e.g.*, the Rs. 250 per mensem.

7627. In practice, have the rules often to be disregarded and application made to the Government of India for sanction?—We do not often make application, because it is so very troublesome, but the fact that the restrictions exist often produces hard cases.

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7628. How many cases would there be—half a dozen in the year would you say?—I do not suppose we should have more than that.

7629. You would be able to relieve a small grievance?—Yes. We have just had a case; a man travelling in some out-of-the-way place had to take 30 coolies to carry his kit; there is no rule which would enable us to pay him what it really cost him. We do not want to have to apply in a case of that sort; it is waste of time to go into questions of that sort—I mean waste of time to the Government of India.

7630. And the man suffers?—Well, in most cases I think he does.

7631. Do these other restrictions really occupy much time in correspondence with the Government of India?—I do not think so; I do not think there is a great deal of time lost beyond what is necessary; some of these financial restrictions might be somewhat relaxed.

7632. You have got no particular reason to complain of the Government of India in respect of the Department of Revenue and Agriculture?—No, I think they have been very sensible so long as I have seen their papers.

7633. But while you were Secretary in the Educational Department you did find an enormous mass of correspondence?—The Government of India write essays on education and send them to the Local Government.

7634. Does the passion for uniformity so re-act upon the Director-General of Public Instruction that he is a hindrance to educational schemes in a province when advising the Government of India on proposals made by provincial Governments?—It is quite possible of course, if you get a man of that type of mind.

7635. Have you ever had good reason to suspect that anything of that sort has arisen in cases that you yourself have known of?—No. I have not seen any instance of undue interference; but I feel sure that much more benefit would come from, say, sending our Director round to study Bengal results and Bombay results, than letting Mr. Somebody come and tell us what they do in Bengal or Bombay.

7636. Do you remember occasions when the Government of Madras have sent their Director round?—I was Inspector-General of Prisons for a long time; I went round and got a lot of useful information; I went to a number of jails in Bengal, some in the Punjab and some in the North-Western Provinces. We had a conference of the different Inspectors-General of Prisons and I afterwards went round and inspected several jails. No man coming and telling me things would have brought them home to me in the way they were brought home to me by actually seeing the jails. I feel quite clear that that is the best plan, so far as regards the instruction of provincial officers.

7637. There is an Imperial Director of Criminal Investigation?—Yes; that is for police, not for prisons: there is no imperial officer for jails.

7638. And, notwithstanding the absence of an imperial officer, you get on pretty well?—Yes.

7639. Who presided at the conference of which you spoke just now?—The Inspector-General of Jails in Bengal, who was the senior officer present.

7640. Notwithstanding that he was not an imperial officer, did you get on well at the conference?—Oh, yes, extremely well, and we got considerable good out of the conference.

7641. Suppose that the Heads of provincial Departments were to go touring about in the way you speak of, looking for information and getting it, would that interfere in any way with the discharge of their ordinary functions?—The Director of Public Instruction could quite well carry on his work, or at any rate his Deputy could look after his work until he came back. If he went for three weeks he would see a great deal. And of course there is no comparison as to the cost of the two methods; that which I suggest is very much the cheaper—just some little travelling allowance. Then, too, there is always the danger that an expert adviser will be a man with cast-iron views of his own.

7642. On the other hand, he might be a very intelligent man, and be able to give most useful information to one province from what he has seen and learned in others?—One is sure to learn a great deal in going round.

7643. You think that, so long as a Director-General can be confined solely to giving advice, he is a useful officer?—Of course he may be.

7644. But he must be bound down very tightly not to interfere in administration?—Yes, that is so; but when it comes to advising the Government of India, he naturally advises on projects that come up, and that advice may have the effect of producing unnecessary uniformity.

7645. You tell us that you have not been very much impressed by the necessity for curtailing appeals?—No.

7646. How long is it since you did Collector's work?—Four years.

7647. Are you considering the case of officers drawing smaller pay or of officers drawing higher pay, or is it general?—I meant it to cover all the questions.

7648. You think that any curtailment of the right of appeal would produce dissatisfaction?—It would certainly produce dissatisfaction.

7649. It would cause such serious dissatisfaction, or at all events such dissatisfaction, that it is not worth while abolishing the appeals?—I think so; the native loves to have his case looked into.

7650. Are the districts here too large?—Yes, I think so, undoubtedly too large.

7651. Do you think their size interferes with good executive work?—I certainly think they do. I had a very heavy charge, much too heavy for one man; they have had a second man there now for a long time.

7652. No removal from the Collector's shoulders of the necessity of reference in small matters would really enable them to tackle one of these big districts?—I think not; and it is not only the Collector, it is the Superintendent of Police, the District Engineer, the District Board Engineer—the whole administration would benefit if there were smaller charges.

7653. And that, in this Presidency at all events, is one of the root difficulties?—It is.

7654. Have you noticed any particular evil arising from the necessity or the habit of too constant transfers?—I think I may say yes.

7655. How could that be remedied?—Take a Divisional Officer; he has charge of three *taluks*; they are all of very considerable size; if he stays in his district for three years he has a fair chance of knowing the chief people, knowing his *taluk* Board members well, knowing who is fit to go on to the Board, and also of learning the character of his subordinate officials, which is a very important point; but if he is only there six months he cannot obtain any of that knowledge. These constant transfers tend to destroy a man's interest in his work; if he is changed about from place to place every six months or so, it is only natural that he should lose interest in his work.

7656. How is it possible to avoid that difficulty?—It is very difficult to say. I can only suggest that there should be a sort of *primâ facie* rule that a man should stay for three years. Of course, it could not be a hard-and-fast rule; it could not work always; men have to get leave, men have to get promotion; it is very difficult. Personal grading has done a good deal in other provinces.

7657. You are in a different position in this Presidency?—Yes; our Collectors are not yet graded personally, so that there is extra pay attached to different districts; that means that some particular man may be appointed to a particular district so as to give him the extra pay, on the ground that he is the senior man; that is all proposed to be altered now; the proposals are before Government.

7658. You say you have not yet personal grading of Collectors?—We still have three districts where the extra pay attaches to the district, and once you send a man there you cannot very well take him away unless to some place where he will get the same pay.

7659. How long will it be before the change that is proposed will come into operation?—Mr. Meyer proposed this in 1904; a further reference came the other day from the Government of India; I should hope that two years ought to see the end of the present system.

7660. In a question of this kind why should there have been all this delay?—It is a complicated matter; I suppose there has been some reason for its detention in Simla.

7661. However, you think that the Government here is blameless?—Less to blame, I should say.

7662. You tell us that it would not be well to have Advisory Councils, because a great deal of the work might have to be gone over again. What had you in view?—The Collector would have to go into any matter pretty closely himself in order to introduce it to his Council; then he would have to talk it over with the members of his Council; then he would have to go back and pass his orders; or if he disagreed he would have to write a letter and refer the matter.

7663. As an illustration you put the case of a proposal for a tank; you say that the Collector now would study the plans, read the reports of his subordinates, and then pass his orders. Is it not possible that the actual work—not his work, but the work contemplated—has sometimes to be done twice, because it is first put in the wrong place, or something of that sort?—A mistake may be made of course; the more you consolidate, the more chance of mistakes.

7664. Does that sort of thing occur in practice?—It must occur; I cannot tell you the percentage of cases, but it must occur.

7665. Then the danger of doing work twice may exist under both conditions?—Yes, but I submit that it is absolutely certain that you must do the work twice when you have to discuss it with a Council.

7666. Would it not be better to discuss a thing twice than perhaps to dig a tank twice?—I see the point; but at the same time I fancy that the number of cases where you would dig your tank twice would be very very small.

7667. You think the first danger would be larger than the second?—Yes, unquestionably; it would be certain; it must increase work.

7668. You suggest to us that village communal life is still in existence. We have had a certain amount of evidence to tell us that the communal Council has died out?—Communal life is undoubtedly in existence.

7669. It has decayed and is decaying?—The tendency is to decay. Education of course makes a man stand on his legal right, and he goes to the courts.

7670. At any rate, it has not so far decayed that it might not be easy to resuscitate it?—No.

7671. Then with regard to these municipal bodies you say that the control exercised by Government is so detailed that little scope for self-government remains. Is that your deliberate judgment?—Yes; they cannot do very much.

7672. Is that a good or a bad result?—I think it is rather a bad result; it destroys the object of self-government.

7673. And you would like to extend the functions of local bodies?—I think so. If you are going to have local bodies you should make them a reality, and let them run their own show, and make their own mistakes and learn wisdom thereby.

7674. You think the experiment, even though it might result every now and then in financial blunders and even disaster, would be worth making?—I think so; I should be prepared to try it. The chief difficulty is about the roads.

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7675. The last witness told us that the essential condition of an increased grant of self-government must be that the local bodies should be financially responsible in every degree; would you make that same condition? The provincial Government must not be called upon to make good the financial defects and blunders and deficiencies of the local authority; do you agree with that?—It seems sound.

7676. You would also attach that same condition?—I think so certainly, just as a Corporation at home does not come down on the central Government to make good its debts.

7677. If it gets into debt or becomes bankrupt it must make good its financial liabilities?—I think so; that should be part of the idea.

7678. Has the necessity of imposing taxation for municipal purposes rendered municipal bodies in this country unpopular and even undesired?—Yes, if you can judge from the press; we have had petitions objecting to the constitution of towns as municipalities.

7679. Therefore if you gave all local bodies increased freedom, coupling that with full financial responsibility for their acts, it might be some time before such bodies became popular?—Yes. Taxation is always unpopular, and they are afraid of extra taxation.

7680. But the control of Government over these local bodies is such, both administrative and financial, that the localities do not recognise what financial responsibility means?—Yes, they do not realise it; they are told that they must raise their land tax from $2\frac{1}{2}$ to $4\frac{1}{2}$ per cent.; they do not do it of their own free will; they do it because Government tells them they must do it.

7681. Therefore it would be a long time before the extension of freedom of Government in local affairs would be popular?—I am afraid so, in most cases.

7682. However, taking the advantages with the disadvantages, you think the experiment is worth trying?—As a political one, yes.

7683. Do these questions all come to you in sufficient number to enable you to tell us whether there would be an increase of work in your department or the reverse if the local bodies were granted greater freedom of action?—It would enormously reduce the work of the Local and Municipal Department.

7684. How would it affect your work?—It would hardly affect the Revenue Department at all.

7685. You mention to us the desirability of increasing the powers of native officers and especially the tahsildars; would that decrease your work considerably?—Not my work, the Collectors' and the Divisional Officers' work; it might even increase their work, by giving them appeals instead of original orders, but that one cannot really foresee.

7686. Suppose that power of remission in cases of dry revenue was given to the Collector, would that, do you think, endanger your provincial revenue to any serious extent?—I am afraid it might.

7687. There is no limit to his powers of remission in wet land cases?—No.

7688. Could there not be some limit put to his power of remission in dry land cases, so that at any rate he might grant relief in urgent cases?—The number of units is less in the case of wet crops. We have some three million landholders, each holding under a separate title, some holding only a quarter of an acre.

7689. If the quarter of an acre does not bear crops, why should you not grant relief to persons who need it?—I mentioned that only by way of illustration. Then, a part of the difficulty arises out of the fallows. About 20 per cent. I think of the dry areas remain fallow annually. In those cases you have no means of telling whether a man has left it fallow because he wanted it to be fallow, or because he wanted to graze his cattle, or whether it was owing to the failure of rains that he could not grow anything.

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7690. How many villages does a revenue inspector have to overlook?—An average divisional charge is 595 villages; a *taluk* charge is 246 villages; a revenue inspector's charge would be about a quarter of that, about 60 or 70.

7691. Would not a revenue inspector who knows his district pretty well be able to tell whether a dry field had been left fallow for grazing purposes or whether the crop upon it had failed?—I do not think so; the field may be very very small. I am not quite sure what the average number of fields would be in a revenue inspector's charge, but it would run into many thousands.

7692. At all events, you think that it would be impossible to permit a Collector to have any discretion in regard to the remission of dry revenue?—In ordinary years; of course he has it in cases of famine.

7693. If it is possible to entrust him with that discretion in famine years, why is it not possible to trust to his discretion in ordinary years, and if he fails, pull him up very severely?—In famine years he does not give any remission on a field; he is obliged to give it by a whole tract of country, because of the difficulty of discriminating between field and field in dry land.

7694. You would not compel the Collector to give remissions; all you would do would be to allow him to give it where the circumstances justified it; you would not give him that discretion?—I am afraid it might be very disastrous indeed.

7695. (*Mr. Hichens.*) Is it the fact as to remissions in respect of wet crops that the principle is, so to speak, cut and dried, that the rules and regulations are so clear that it is really a question that can be decided by anybody who is on the spot?—If you know the facts; the difficulty is to know whether there was water in the tank.

7696. It is one of those questions where the personal equation does not come in?—It comes in a great deal in judging the evidence as to the facts. You have a certain amount of information as to whether there was water; you have to apply that information; some men take a favourable view of what amount of water is required for the crops, some take another view.

7697. But the personal equation would come in as much in connection with wet crops as in connection with dry crops?—I think so; it comes in a great deal undoubtedly.

7698. You have said that the Collector is at the present time over-worked?—In many districts.

7699. And in order to ease him, in the first instance you propose to give him somewhat wider powers, to remove a certain amount of routine work from him—that is to say, to prevent references from Government?—Yes.

7700. Would that help very much do you think; speaking broadly, if your suggestions were carried out, would he be really appreciably better off?—I daresay you could save 10 per cent. of his work.

7701. As much as that?—I should think so, by taking all these minor things and deleting a lot of other things which could be cut out no doubt by careful scrutiny. Court of Wards' work is very heavy; I do not see why we should not take up that point and get the Court of Wards to delegate a lot more power to Collectors.

7702. Would the Collector have a clerk in his office who could draft all the letters for him in regard to these points and he merely have to sign them; would it involve much personal work on his own part referring them to Government?—Yes, I think the Collector often takes more trouble over letters to Government than over letters to anybody else.

7703. I take it that the more substantial suggestion you would have to make would be the reduction in size of the district?—Yes; in the direction of better administration that is, I think, the most important.

7704. Would the reduction in your opinion have to be pretty considerable?—It would have to be so to give any great relief.

7705. Roughly, would you double the number of districts?—I never regarded that as within the range of practical politics; I think we proposed to create 3 new districts.

7706. You think that would be enough?—That would relieve the heaviest charges at present.

7707. There are something like 24 districts now, and to create another three is roughly the idea you have in your mind?—Those are the proposals already before the Government of India.

7708. That is enough you think to achieve the object of relieving the Collector and giving him the time he wants?—No, I do not think so; it is only the barest first step towards relief; I should double that number.

7709. You would want 6 or 8 more at least?—Quite.

7710. That would to some extent have the effect of increasing the work of the central provincial administration?—Slightly perhaps, but not much.

7711. You would have 6 or 8 additional Collectors?—Yes, you would have more sets of returns to be tabulated, and so on.

7712. If you had a larger number of districts as you suggest, would it be advisable to create some intermediary authority between the Collector and the central provincial Government?—No, I do not believe in intermediate authority very much.

7713. I mean a Commissioner?—Of course we have got the Commissioner in collective form.

7714. The Board of Revenue you mean?—Yes.

7715. But if you had smaller districts it would to some extent reduce the importance of Collectors?—Yes, there would be more of them.

7716. And they would have smaller charges?—Yes.

7717. Would it be desirable under those circumstances to create an intermediate local authority?—No, I think you would only get a post office probably, and if you did get a man who was not merely a post office, at any rate it would only be putting a fifth wheel in the coach.

7718. You do not think that what you call the collective Commissioner, that is the Board of Revenue, would have the same tendency?—Well, there are only two Land Revenue Commissioners, and they have the whole 24 districts to deal with; if you had a Commissioner in each division I think there would be a tendency to refer to the Commissioner for orders.

7719. You would not favour that?—Not at all.

7720. (*Mr. Dutt.*) You have said that if there is relaxation of the restrictions imposed by law, the relaxation should be given by specific amendments and not by a general Act of Delegation. I suppose if a general Act of Delegation was passed there might be a tendency to delegate powers too often?—There might. I think it is improper to say that the Governor-General in Council may delegate whatever he chooses. If the discretion were exercised in an unwise way it might cause improper delegation.

7721. There might be a danger of a break in the continuity of policy from time to time?—Yes.

7722. So that on the whole you are strongly of opinion that if any relaxation was allowed it ought to be allowed by specific amendments?—I think so; I think it is best to say, "These are the powers you want, you shall have them," rather than to take the power of giving everything.

7723. You say that in some cases improvements have been brought about by the Local Government and in other cases they have been brought about by the Imperial Government, but, in some large measures of administration like the creation of Local Boards and the creation of elective municipalities, have they not been the ideas of the Imperial Government?—It would differ in different provinces. I think we had Local Boards down here before the Imperial Government took the matter up.

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7724. Not elective Local Boards?—No; probably a movement like election would come from the Imperial Government.

7725. With regard to the creation of Advisory Councils, you say it would add to the work of the Collector, and also in some cases cause delay in work; are there not some matters in which it is worth while that there should be a little delay in order that the opinions and the views of the people might be ascertained?—Yes.

7726. Would you give me some instances in which it would be worth while in your opinion to delay a question for a fortnight or a month in order to get the views of the people?—Take one of the questions that do come up before the District Board, the question of whether or not to put on a railway cess to make railways.

7727. But take matters which do not come up before the District Board; the Advisory Council might be called upon to consider matters like plague measures?—In the case of plague measures it would be rather difficult; they would advise you to take no measures, then what would you do?

7728. In the matter of segregating patients and the examination of women and so on, would not the Collector get valuable advice from his Advisory Council?—That is so probably, but you would only want two or three sensible fellows to do that.

7729. The Advisory Council might consist of two or three or more?—The fewer the better.

7730. In certain matters would it be worth while to delay operations in order to get the advice of really sensible men?—I cannot give a negative answer to that.

7731. Would that also have the effect of associating the people with the Collector in matters which really concern their own interests?—I do not think it would associate the people very much, because you would have to have a very small number to make it a working thing, and the Collector would consult 3 or 4 of the prominent men who formed his Council. They would of course be individuals who would speak only as individuals; they would not have any representative power.

7732. You do not think it would be possible to get on the Board men who would represent the views of some of the communities?—Would you have anything bigger than a panchayat? The native idea is the best; you might have five and not go further; as soon as you get more it would be a mere matter of speeches.

7733. I was only asking your opinion on the general question whether to some extent it would not associate representative men with the Collector in the work which really concerns the people themselves?—It would of course.

7734. You speak of giving the village courts civil jurisdiction up to Rs. 200, and you call attention to the Regulation XI. of 1816 which gives some small punitive powers to the village head-man. If you advocate the creation of village panchayats, would you still keep these civil powers in the village *munsiff* or would you transfer them to these village panchayats?—I would not deprive the village munsiff of his powers, because he does an enormous amount of useful work, and to root up what you have got in order to put down something better is a mistake.

7735. In any village having a panchayat for the first time you would be inclined to try the experiment of giving some small civil powers to such a panchayat as a body, instead of investing any particular man with those powers?—Yes, I think the Act provides for that.

7736. Also, you would be inclined to invest them with some small powers to dispose of petty suits and so on?—Yes, I think in those matters where you want a decision the panchayat does very well —where you want an adjudicator, not executive action.

7737. Under the present Act a large amount of the executive power is vested in the President of these Boards and municipalities alone. Would you favour the idea of creating little sub-committees and transferring to them certain branches of administration, like the inspection of schools?—I am in favour of their doing it, but I would not favour amending the Act.

7738. The Act provides it, but would you be in favour of following it up and doing it?—Certainly, if you can only get them to work in that way.

7739. If you did create these little committees, might there be a chance of making them take more interest in their work?—The only way of getting a man to take interest is to give him something concrete and definite, and let him work at it; at present that has not been done very much.

7740. (*Sir Steyning Edgerley.*) You say you are opposed to borrowing by Local Governments?—I am not an authority on the subject, but it does not seem to me workable.

7741. Not for small local purposes in rupee loans?—You mean on behalf of local bodies?

7742. Not necessarily?—Then whose credit would be pledged? Would the local provincial credit be pledged? That is the difficulty that strikes me. You either pledge the imperial credit, or not. If you mean only to pledge the provincial revenues, which the Imperial Government can withdraw by a stroke of the pen, you would have to pay a great deal more. No one would lend to a man whose resources might be taken away.

7743. Are not the provincial settlements permanent now?—Our own is just under revision. I do not think you can call a provincial settlement permanent.

7744. The only purpose for which I suggested the question was, if you have a big public works which you see is very advisable, and it is a little bit beyond your current revenue, and the people of the district are interested in it, could you not tap capital that the Government of India would never reach?—You ought to, but, somehow, apparently you cannot.

7745. It has never been tried?—It has not been tried in that way.

7746. You would be opposed to that sort of thing?—Only because I think you would pay more; you would have to offer better rates.

7747. But the Imperial Government cannot always increase their own borrowings sufficiently to meet the demands all over India?—I am not qualified really to give an opinion on those points about borrowing.

7748. As to the procedure for delegation, you say you think it is improper that it should be done except by means of specific legislation. Of course that is the *a priori* view, but do you consider it entirely a question of principle, or is it a question of expediency?—There is a risk, of course, of a general power not being wisely used.

7749. We hear it often called giving a blank cheque to the executive; that is the argument, put in a few words?—I can conceive an indiscreet use being made of it very easily.

7750. By the provincial Government?—I think so.

7751. In this Presidency, you have got certain provisions of the law which are based on that principle. There is a provision in the Court of Wards Act, section 8, and there are provisions in your Municipal Act?—We also have a provision which I think is rather an improper one, in our Excise Act; it is very sweeping.

7752. And in the Local Boards Act too, section 160?—I think you are not quite correct. However, there are a few instances of the other principle.

7753. Are you at all acquainted with the codification of the Civil Procedure Codes in India?—Very slightly.

7754. We may take it that the Act of 1859 and the Act of the seventies and the Act of the eighties, were all instances of specific legislation?—Yes.

7755. You are aware that the Government of India has amended that principle in this new Bill?—Yes

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7756. Do you think that that is improper?—It is convenient; I hardly approve of it; it is legislation by rules.

7757. Do you not think it is rather a question of expediency than principle?—But in this case there is no great expediency. I think it is a question of principle.

7758. Do you know the English Public Health Act at all?—No.

7759. That, of course, was specific legislation. Do you know that they had to induce the legislature to pass a much more general Act to help them through in particular instances?—Yes.

7760. So that specific legislation in certain instances may be ineffectual and unsuitable?—I understand that there are such examples.

7761. In the case I put from England it was found to be so, and it has evidently been found to be so in the Indian Civil Procedure Code?—Yes.

7762. Suppose for the purpose of transferring powers from the Central Government to the Local Government, or from the Local Government to subordinates, you say that all the legislation must be in the Viceroy's Council?—I thought it would be more convenient; it is only a question of convenience.

7763. Then the result would be that if you proceed by specific legislation you will want in the Legislative Council as many Acts as there are provinces?—I do not see that.

7764. The circumstances of all the provinces are different?—You could have a schedule.

7765. Then you would have to have as many schedules as there are provinces?—Yes, schedules in one Bill.

7766. How long do you suppose it would take to pass such an Act with 8 or 10 schedules, taking your experience of imperial legislation?—One season I should have thought.

7767. That is to introduce it into Council, but I mean to carry it through Council?—Each Local Government would have to check its schedule.

7768. Then would you not have to come again two or three years later, on the experience of the English Public Health Act, and have to do the whole thing over again?—There is that possibility, no doubt; that is the main reason in favour of a general Act.

7769. To save delay and difficulty and constant trouble?—No doubt there is that danger; it is a question of expediency.

7770. I suggest to you that the question of expediency arises pretty strongly?—Yes.

7771. Now, you have got these general powers here in the Municipal Acts, the Local Boards Acts and the Court of Wards Act, and you say that the great risk is that they will be too frequently used?—Indiscreetly used, I said.

7772. I thought you said also too frequently used?—I do not lay stress on the word "frequent." It was suggested to me that it might produce fluctuations in policy; I do not think that is very likely.

7773. You have got these very general provisions here; have you ever heard of any public complaint about their abuse?—No, I do not think we have so far.

7774. You know that there is a similar Act on the other side of India, in Bombay, which has been in use over 40 years?—I thought there it was a very special case; you had a Commissioner who was a little Local Government.

7775. Then you suggest that it is impossible to lay down any principle as regards the relations between the Government of India and the Local Government in administrative matters. Are not the Government of India capable of following suitable principles if they could be enunciated?—Certainly, if they could be enunciated.

7776. Would it be very difficult to enunciate principles that might be workable as to the relations between the provincial Government and the Imperial Government?—In administrative matters it would be rather difficult, I should think.

7777. In 1870 the Government of India published a self-denying ordinance that they desired "to confine the interference of the Supreme Government of India, in the administration of the provincial service, to what is necessary for the discharge of the responsibility which the Viceroy in Council owes to the Queen and her advisers" (that is one principle) "for the purpose of securing adherence to the financial conditions now prevailing" (that is a second principle) "and to the general policy of the Government of India" (that is a third principle). Do you not think that those cover the ground very carefully?—I should think that they would be almost quite useless. I do not think it would give you any criterion in a particular question—say remissions of revenue.

7778. Take it in regard to this question of the delocalization of tahsildars' appointments. If principles of that sort were really followed the Government of India would at once see that a question of that sort was altogether outside their sphere of influence? I mean, it is entirely outside those three principles?—Those principles are so very vague that I am afraid they left very little impression on my mind.

7779. You can hardly say that a particular thing like that comes within either the question of the maintenance of financial conditions, or the question of general policy, or a question as to which the Viceroy is reasonably responsible to the Secretary of State?—Yes, I agree to that.

7780. So that you might perhaps erect barriers behind which either department or Government might have a clear field, and an understanding of that sort might be useful?—Yes.

7781. Are you in favour of no delocalization of tahsildars?—I am in favour of making the grade personal within the district.

7782. Only within the district?—I think only within the district.

7783. For instance, you would not make it personal within linguistic groups—Tamil and Telugu?—No, because you take control away then from the local officer, *i.e.*, the Collector; you would have control from headquarters: the Board or the Government here would have to control it; Government would not know one man from the other.

7784. You think it would be a disadvantage perhaps?—Yes, I do not think it would be sound.

7785. Then as to the Directors-General?—I said I thought that they might be harmless. I only come into contact with the Directors-General of Agriculture and Forests.

7786. Do you not come into contact with the latter except on invitation?—He is coming here immediately to make a tour. They wrote and asked if we would like him to come, and the Government here said they would be very pleased if he would come.

7787. Have you found the Director-General of Agriculture very useful?—Yes, I think he is rather useful.

7788. He does not attempt to give you any orders?—Not a bit; we have had no kind of complaint against him.

7789. He does not call for statistics or returns?—I do not think in matters of revenue there have been any calls of that sort; I understand there have been in other departments.

7790. Then he has a centre of research under his control at Pusa?—Yes.

7791. It is an advantage that your centres of research should be in contact with that?—Yes.

7792. Also he has periodical conferences with your Directors and experts?—Yes.

7793. All that is very useful?—Yes, I think that is very useful, certainly.

7794. May we say that the collection of information and research and the dissemination of information after research are very advantageous?—Yes.

7795. You are rather doubtful about the question of advice to the Central Government?—I only think that it might become a source of danger; I do not say that it is, in my limited experience.

7796. Is not the great danger direct administration on the advice of the Director-General?—My idea was that he would advise the Government of India to reject or modify schemes sent up, or insist upon some scheme of his own.

7797. That is, direct administration by the Central Government on the advice of the Director-General instead of on the advice of the provincial Government themselves?—Yes.

7798. So long as that danger is avoided you think there would be much useful work?—Yes.

7799. And you think that no measures are really too strong to avoid that danger?—It is hard to see what answer I could make to that.

7800. Would you cut off entirely any right of correspondence from the Director-General?—He has no right really of correspondence except upon purely technical matters.

7801. That is very apt to expand into orders?—You cannot practically prevent his writing, if it is only demi-officially.

7802. He cannot convey an order demi-officially?—He can convey information and instructions.

7803. Still it is always possible to disregard them?—He writes direct to the local head of the department and says, "My view is"—so and so.

7804. Would there be the danger, which you thought existed, of a general tendency to pass from correspondence and criticism into the conveyance of orders?—I have seen no evidence of such a tendency at present.

7805. Your evidence complained of the over-control of local bodies. You say that there is little scope left. Do you not think that over-control must always result where a central authority at a distance tries to administer in detail?—Yes, in detail.

7806. And you say that the endeavour to administer such local bodies has resulted in that way?—I think so.

7807. Would you be in favour of taking all that work out of the Secretariat?—Do you mean giving it to some non-central body?

7808. It would be an improvement even to give it to the Board, because the members of the Board tour?—I do not see much improvement in giving it to the Board; it was in the Board formerly.

7809. It has been taken from the Board?—It was taken from the Board, I think, in 1883; it would be only substituting one scheme for another.

7810. Do you think you would ever get much improvement so long as it is in a non-touring centre like Madras—I mean improvement in the expansion of local self-government?—My idea was to relax control altogether so far as it could be relaxed—perhaps subject to careful audit.

7811. Local self-government here is really in its infancy? What was the date of your Act?—Our Act was in 1871.

7812. I was thinking of the elective principle which you have never used?—In municipalities we use it.

7813. But not in the local bodies?—No.

7814. So that it is in its infancy?—Yes.

7815. Do you not want rather more than the absence of control; do you not want sympathy and help and fostering care for local self-government?—I would give it I think through the local officer and not through the central authority.

7816. But my point is that it is quite impossible to foster it as long as all control is vested in the Central Government?—Probably that is so.

7817. Can you suggest any sort of substitute for it?—No, the only substitute is the action of the District Officer, and he too should be outside—I have no scheme at all. It is a very difficult problem.

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7818. Do you think that the conversion of the Board of Revenue into territorial Commissioners with direct responsibility for a definite area in the Presidency for all departments would be likely to help local self-government?—It might. I have so little experience of what a Divisional Commissioner does that I can hardly realise it. It might help local self-government a little.

7819. I am thinking of a Commissioner with nothing else between the Government and himself, he having the whole responsibility for his tract of country, able to cope with much more detail, and having much more leisure than he can have at present to cover his work all over the Presidency?—It might do. Of course you would want a good many Commissioners in a big area like this.

7820. (*Mr. Meyer.*) You are apparently still in favour of going to the Government of India in regard to the creation of new appointments above Rs. 250 a month?—It does not affect officers very much here. With Deputy Collectors, for instance, our top grade is Rs. 250, so that we are not tied down by the Rs. 250 limit. It might be better to put the limit up to Rs. 500.

7821. Are you aware that the Government of India has been given power recently to make new appointments up to Rs. 500, with the exception of appointments held by persons recruited in England?—No, I was not aware of that.

7822. As the Government of India's power has been enhanced, do you see any objection to the provincial Government's power being enhanced in like measure?—Not at all; I would draw the line at any point; Rs. 500 might do.

7823. You say the present limit enables you to make a new Deputy Collector; it does not enable you to re-grade the Collectors?—No, that is the difficulty.

7824. You would like a larger limit for that reason among others?—Even the limit of Rs. 500 would not do that.

7825. The Government of India have also received power to raise the pay of existing appointments, save those ordinarily recruited in England, up to a limit of Rs. 750 a month. Would you ask for the same powers for provincial Governments, always (of course) in regard to appointments that are paid for wholly or partly out of their own revenues?—Yes, I do not think there would be any real objection to the Rs. 750 limit.

7826. Would you ask for larger powers in regard to temporary appointments and deputations than you have at present?—If you make Rs. 500 or Rs. 750 the limit, I think you might extend the period for 12 months; beyond that I do not think they would be needed.

7827. Have you found the rule in Article 81 of the Civil Service Regulations, which restricts deputation now to 20 per cent. of the man's normal salary, to be inconveniently restrictive?—Most inconveniently restrictive; I ought to have mentioned that.

7828. Have you any proposal to make as to that?—The rule is most inconvenient; we have had to exempt a whole lot of classes of people.

7829. A deputation cannot now, without the sanction of the Government of India, exceed 20 per cent. of the salary the man would ordinarily draw. You would regard that as an inconvenient limit?—A very inconvenient limit.

7830. Have you any proposal to make on that score?—I should allow the Local Government power to give him any allowance within its limits of creating fresh appointments. You create an appointment at Rs. 100; you put in a man at Rs. 60; he can only get 20 per cent. of the Rs. 60; I do not see why you should not give the Local Government power to give him the full Rs. 100.

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7831. You put a man at Rs. 1,166 on special duty; you want to give him more than the 20 per cent. on the Rs. 1,166; would you recognise that as a case in which you think you should have to get special sanction?—I do not think it much matters when you get so large a pay.

7832. In regard to smaller appointments the Local Government you think might have a free hand?—Yes; it is a great nuisance having to go up for sanction.

7833. As regards your proposal about travelling allowances, you do not complain of the general travelling allowance rules, but you think the Local Government ought to have reasonable power to make exceptions in special cases?—Yes.

7834. You now have to go up to the Government of India about everything?—About any exception outside the rules.

7835. Now, as to the separation of local from provincial and imperial finance. You say the separation was advocated in the Madras Government letter of the 21st December 1906 and that then came the resolution of the Government of India of the 19th November 1907. Do you mean to imply that the Madras Government initiated the proposal?—We do not know who initiated it in the minds of the Government of India.

7836. I put it to you that your letter of December 1906 was in reply to a proposal made to you by the Government of India?—You are quite right.

7837. The initiation, so far as you are concerned, came from the Government of India?—Yes.

7838. As regards local borrowings in the open market. The only example you have had on any large scale was the case of the Tanjore District Railway?—That is the only case I remember.

7839. And there were a few loans of the Madras municipality?—I think so.

7840. Have you found there that the response to applications for such loans has been of such a character as to enable one to anticipate that local patriotism will induce subscriptions to provincial Government loans which would not be made to imperial loans?—I am afraid not; it is a pity, but I am afraid that there is not much response.

7841. And if that advantage was obtained you might have the countervailing disadvantage of having to pay higher terms?—I think you would; I think the Ootacamund Municipality pay 6 per cent.

7842. When it might have borrowed under the Local Loans Act at 4 per cent.?—Yes.

7843. As regards the power of general delegation, is your position that there are a number of powers which existing laws have placed in the hands of Government which might really without harm be given to subordinate authorities, but that there are other cases in which the public learned when the law was passed that the power would be left in the hands of the provincial Government or the Imperial Government as the case might be, and that they would condemn it as a sort of breach of faith if there were fresh general legislation transferring the power to the local authorities?—Yes. Perhaps the public might think it a breach of faith, and I think too that in such a case as making rules, which is a very large power, we ought not to be able to delegate it to the Board of Revenue say; there are rules creating criminal offences; there are dozens of such cases.

7844. But in other matters which do not affect the liberty of the subject, you would see no special objection to a general power of delegation, perhaps?—I should not like to commit myself to an affirmative reply as to whether in all other cases a general delegation might be given.

7845. You do not see your way to make a distinction between things essential and things non-essential, in the matter of delegation?—It is so difficult to define the difference.

7846. You would have to go to each Government and see how far the powers could be delegated or no?—You must do that, of course, and I think it ought to be done by the Legislature.

7847. You say that "The Home Department of the Government of India was not long ago rather given to issuing lengthy resolutions intended to inculcate uniformity in the least uniform of subjects"; what special case had you in your mind?—Some of the educational resolutions which were issued 3 or 4 years ago; I do not know that I can refer to precise instances.

7848. The resolution of March 1904 for instance laying down the general lines of educational policy?—That is a little later than anything I could have referred to; I was at home about that time.

7849. But education is the only department in which you have had special complaint to make?—In connection with these irrigation projects we are rather afraid that they are going to interfere with our system; that is the only case I know.

7850. You spoke of the Government of India requiring the Government of Madras to delocalise the tahsildars and grade them in a provincial list. Was that an order, or was that merely a suggestion made by the Governor-General in Council?—It was a suggestion which I think was intended to be something equivalent to an order.

7851. The Government of Madras has the opportunity of showing cause against it?—Yes.

7852. In view of the fact that such provincial grading is carried out in most other provinces, whether the suggestion of the Government of India be right or wrong, might it not come within their general sphere to ask you why you should not do in Madras what has been carried out with success, as they think, elsewhere?—I do not know the correspondence well, but my impression is that it was in answer to a previous letter from this Government in which we had already rejected the suggestion.

7853. In principle, take the grading of tahsildars or anything else; might it not be legitimate for the Central Government to ask Madras or any other province whether the system that they had found to be successful in other parts of India might not be advantageously adopted in the province of Madras?—Of course there is no objection to their drawing attention to what has been found successful elsewhere.

7854. And asking the provincial Government to consider whether it should not be adopted in Madras and to show cause against the suggestion?—Yes, but I think in this case it was intended as almost an order, if not quite.

7855. The letter, in fact, was on that scheme of mine for the reconstitution of districts which has been under discussion as you say for some years?—Yes.

7856. In nearly every case the suggestions of the Government of Madras were accepted in that letter so far as the Government of India could accept them?—Yes, I think so.

7857. There may have been some slight alterations in grading, but, against several proposals of yours that were absolutely accepted, this is the one proposal which the Government of India did not quite see the force of and they asked you to reconsider it?—Yes.

7858. You have indicated as a possible objection to the Directors-General and Inspectors-General that their advice may tend to undue uniformity; you admit that, under financial or administrative rules or otherwise, a certain number of cases must go up from the provincial Government to the Imperial Government; you must have a certain control?—Yes.

7859. Under the present system, the Member of Council or the Secretary who deals with these matters in the Government of India is generally a Civilian taken from a particular province, is he not?—Yes, I believe so, generally.

7860. He has had his whole training before he went to the Government of India in some one province?—Yes.

7861. Would there not be a tendency on the part of such an officer to think that what was suited to his old province was suited to other provinces?—I am told so.

7862. Might not that be corrected by an Inspector-General who had been around the different provinces and who was able to say, "I can assure you that what is suited to Bengal is not suited to Madras because the conditions differ altogether"?—Yes, or he might come from the same province and aggravate the tendency.

7863. But if he had been around himself might not his visits shake any doctrinaire ideas that he had formed from one particular province?—No doubt there is some experience obtained by the Directors-General.

7864. You said it would be much cheaper for your Director of Public Instruction, for instance, to tour round the other provinces than for an Imperial Director-General to be appointed; but it would be necessary for seven other provinces, at least, besides Madras, to send their Directors of Public Instruction touring around; if you added up the cost of all these officers and the loss of time caused by the provincial Directors being away from their duties, would there not be a considerable balance on the other side?—I doubt it very much—no, I think not.

7865. You think it would still be less expensive?—Yes; there is the matter of pensions and so on; it is much more expensive of course to have an imperial specialist.

7866. You spoke of material benefit that you had derived from the conference on jails that you attended; was that conference initiated by the Government of India?—Yes.

7867. If you had formal and regular conferences, would you have them meet at automatic periods or only when the Government of India thought fit to decide?—When the Government of India thought fit; I hardly think it is necessary to have an automatic period.

7868. Some time after you attended that conference and got, as you say, much valuable information there, you ceased to be Inspector of Prisons?—Yes.

7869. And all that valuable knowledge was lost to your successor?—Yes, that is perfectly obvious; men must change, and experience goes with them, not only in that case but in others, *e.g.*, the imperial experts themselves.

7870. You say that the initiative in bringing the proposal of co-operation to the aid of rural credit belongs to this province through Sir Frederick Nicholson. Sir Frederick Nicholson of course submitted a most valuable report, but had the Madras Government done anything special upon it prior to 1904 when the Government of India passed their Agricultural Credit Societies Act?—No, nothing I think.

7871. Therefore, though credit for the immediate initiative belongs to Sir Frederick Nicholson, the credit of the Government initiative belongs in a way to the Government of India?—Yes.

7872. You spoke of reforms very likely to be carried out on the report of the Excise Committee; you have studied that report of course?—Yes.

7873. Was it not one of the findings of that Committee that the provinces had worked far too much in water-tight compartments, as they expressed it?—Yes.

7874. And in several special cases Madras was held up to other provinces?—Yes, or Madras methods.

7875. And on the other hand Madras itself in some minor respects was criticised?—Yes.

7876. Might not the work of that Committee have been saved and to a certain extent anticipated if you had had an Inspector-General of Excise travelling about the provinces and communicating with the Government of India?—Yes, it might; but I think it would have done more good by sending the Excise Officer of Bombay, say, here to Madras to study our methods.

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7877. An Excise Officer did come down from the United Provinces to study your methods some time ago?—Yes.

7878. Do you gather from the evidence afforded by the Excise Committee's report that his visit had any practical effect in the United Provinces?—I do not know what effect it had.

7879. You spoke of the number of transfers and of the personal grading of Sub-Collectors and Head Assistants as a great reform in that direction. Was that measure adopted by the Madras Government or was it ordered by the Government of India?—I do not know.

7880. As regards the transfers of Collectors, are they not caused a great deal by the strict regard to seniority in the matter of acting appointments?—I do not think that is so much the case now as formerly.

7881. If a Collector took anything more than 3 months' privilege leave would they put in the senior Civilian Divisional Officer in the district, or would they put in another man who was say a couple of years senior to him from outside?—They would probably bring the man from outside if it was more than three months' leave.

7882. Does that not in itself make a certain number of transfers from district to district?—Yes.

7883. I am not speaking of permanent promotions, but might it not be advisable in the way of acting promotions to take the man on the spot if he was fit?—I agree.

7884. Is sufficient regard to language paid in making transfers, or is a man moved from a Tamil district to a Telugu district, or from a Telugu district to a Tamil district?—I should be inclined to keep men entirely inside the Telugu country or the Tamil country as far as possible.

7885. But is it done at present at all?—I think not; I do not think it is done as much as it might be.

7886. Would you be in favour of passing over unfit men as Collectors?—Yes.

7887. Without reference to any particular persons, do you think that hitherto there have been some men made Collectors who were not really fit to be such?—Yes.

7888. You yourself, you said, were in favour of the creation of some 8 districts more; that would make 32 districts in all?—I do not tie myself down to that number; I only suggested, or rather it was suggested to me, that there might be 8 more.

7889. Do you really think that 32 districts could be managed directly by the Board of Revenue; it would be rather a large team to drive?—I do not see that there would be any greatly increased difficulty.

7890. There would be 32 letters and references instead of 24 on subjects of general reference, and reports and returns; and in the Government Departments in the same way they would have to deal with 32 districts instead of 24; do you not think that that would over-burden headquarters?—I do not think so.

7891. You say that Collectors are overworked and can only be relieved by this considerable increase of districts; at the same time you are against giving larger powers to the Divisional Officer?—No, I did not mean to convey that impression; on the contrary, I would give them powers in many cases.

7892. I gathered that your real devolution of power was to be to the tahsildar and not to the Divisional Officer?—I did not mean to convey that.

7893. If you gave further powers to the Divisional Officer would you not reduce the Collector's work a great deal?—Yes, his work would be reduced in proportion.

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7894. You spoke of the delay that would happen if the Collector had an Advisory Council to consult. Does not a Collector consult Indian gentlemen at present in regard to various matters with which he has to deal?—Occasionally perhaps.

7895. Would it not be rather a case of having a Board of recognised advisers instead of advisers whom the Collector varies at discretion and whom a new Collector might find some difficulty in selecting?—It would be a good deal more than that I think.

7896. As regards the giving of larger functions to panchayats, you have served in Madura as Collector; there were very serious feuds there between the Shanars and other Hindu castes?—Yes.

7897. Suppose you had a considerable number of high-caste people in a village panchayat, they would not be likely to be very tender to the Shanars?—In localities where you have that very bitter feeling there would be that danger; you might have a little trouble.

7898. Would you not have to restrict the powers of the panchayat in such cases, or how would you meet that difficulty?—I think you would have to restrict the powers of the panchayat in those localities where you have two races on such bad terms.

7899. You would have to have some guarantee for the protection of the minority?—Yes.

7900. The present Secretary in the Local and Municipal Department told us finally that he thought the Sanitary Board did not serve any useful purpose; that the scientific advice required could be obtained from the Sanitary Commissioner and the Sanitary Engineer, and that such central control as was required could be got from the Government. Do you share that view?—Yes.

7901. The Sanitary Board as at present constituted you think is unnecessary?—Perfectly useless I think.

7902. Would you see your way to giving the Collectors a power of control, over the lesser municipalities at any rate, that is now kept in the hands of Government; might not the Collector review the municipality's budget, and pass it, and deal with the administration report, and give such sanctions as the Government now requires to come to it?—Yes, if you have your 8 extra districts and relieve the Collectors materially in other ways, so as not to utterly break their backs.

7903. But how does this affect the work of the Collector; he is now passing the things on to Government; therefore, instead of writing a report to Government he would write his sanction or order; would it not rather diminish his work?—I do not think so in practice; at present he writes an endorsement which is not very long; he does not feel any great responsibility; he has no power except to offer an opinion.

7904. As a matter of politics, you think the Collector might do it?—I am not in favour of it; I think the proposal should be to leave municipalities alone—to give them a free hand.

7905. There must be some control or would you give them an entirely free hand?—There should be an audit I think.

7906. Suppose a municipality neglects its sanitation and becomes the centre of disease, might it not be best for Government to take steps?—Only I think in case of plague; I would not in other respects.

7907. Or cholera?—No, I should be inclined to give a free hand there.

7908. Suppose it was thought desirable that Government should exercise some control, might it be expedient to entrust it to the Collector instead of to the Central Government?—Yes, I think that would be a very good devolution.

7909. You say that the difficulty about dry remissions is that one field might have been left fallow and so on?—That is one difficulty.

7910. Is there not also some similar difficulty about wet remissions? For instance, a remission is not to be granted when there is either no crop on a wet field, or the crop has failed, owing to the raiyat's own neglect; is not that a principle of the remission rules?—Yes.

7911. And is it not also a principle that, where the season has been such that although it was not possible to raise a wet crop it was possible to raise a dry crop, only the difference between the wet and the dry assessments should be granted?—Yes.

7912. Consequently you have gradations of remission even in regard to wet fields?—You only give the difference, as you say. You have varying circumstances to consider.

7913. Then I do not quite see the distinction in principle between the wet and the dry crop. For instance, if a Divisional Officer or a Collector can be trusted to discriminate between the fields in which there has been no crop owing to the neglect of the raiyat, and those in which there has been no crop owing to circumstances over which the raiyat had no control, might he not also discriminate roughly in regard to dry crops between lands in which the crop had failed from causes beyond the raiyat's control and fields which would ordinarily have been left alone?—I think there is a distinction. In the case of the wet land you have an appeal to a fact—as to whether water was available—but in the case of the dry land how are you to tell whether there was a shower on the field sufficient to enable a dry crop to be raised?

7914. I do not think it has been suggested that there should be the same remission on dry crops as on wet crops, because your dry assessments make a large allowance for bad seasons which the wet assessments do not?—That is another point of course.

7915. The point is, when circumstances are so bad as to justify dry remissions, should you not give the Collector some discretion in the matter?—I think not in the case of isolated fields; there are the other objections which you allude to, such as that the settlement involves an allowance of 10 to 25 per cent. which is intended to cover those very vicissitudes of season.

7916. Would you give any larger powers to Collectors in regard to the granting of agricultural loans?—Yes; I think one of the proposals of the Government of Madras is to increase the power of the Collector; it is proposed to raise it I think to Rs. 5,000.

7917. (*Chairman.*) How much of the work of the office which comes through you do you settle yourself without sending up to the Member?—A very small quantity—only with regard to unimportant work.

7918. About a quarter should we say?—Yes. I should not put it at more. I put it even lower, say a fifth.

7919. With regard to that amount of work which you could settle yourself, which probably comes to you from officers of either the same, or greater experience than your own, do you not think it would be possible and desirable to delegate power to deal with that correspondence to other officers?—Yes, there are certain cases in which we do propose either to do it, or to ask the Government of India to do it, which will cover that class of work—things like applications, and so on.

7920. Could you get for us the actual cost of the Board of Revenue shewing it under the head of each department?—Yes; you mean including establishment?

7921. (*Sir Steyning Edgerley.*) You said you thought that you might give delegation of powers subject to the submission of returns. For instance, the authorities which were immediately subordinate might be given considerable authority subject to reporting at intervals, monthly or quarterly or whatever you might think it ought to be; have you thought that out at all, or would you be prepared to do it?—I do not like the principle of returns very much except to shew that the total is not excessive.

7922. There are certain powers which you reserve over the Board of Revenue. Suppose you say to the Board "You may exercise for a given time any powers you like subject to a monthly return to us of what you have done"; you would then on that return get that information. I suppose you have that system in the Secretariat?—Yes, we have.

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7923. Could not that system be extended between the Government and other officers?—I think it exists.

(*The witness withdrew.*)

Mr. Walter Francis was called and examined.

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7924. (*Chairman.*) Will you state your present official position?—I am a member of the Indian Civil Service, at present officiating as Collector of Malabar. Overwork is by far the most important obstacle to personal contact between the people and the Executive Officers. An officer who can only just get through his papers by 8 hours' steady work a day has little inclination to spend time in conversing with the people or visiting remote villages. Something should be done to lighten Collectors' work by giving them the extended powers in matters relating to revenue, general administration and the Court of Wards, by giving them wider financial and other authority, and by lessening the existing restrictions imposed upon them in their capacity as Presidents of District Boards. Collectors might be given lump allotments, based on the actuals of previous years, for expenditure on their own authority on the many petty miscellaneous matters which now have to be referred to Government for specific sanction. For example, if more than Rs. 2 is expended upon burying a destitute pauper, Government have to sanction the outlay; a few annas spent upon caring for a child deserted by its mother needs Government sanction; one of the sub-jails in Malabar is far from any Local Fund hospital, and every time a prisoner is sick the Hospital Assistant from a neighbouring Medical Mission is called in, and every time Government have to be specially applied to for sanction to his fee of Rs. 2. Instances might be multiplied almost indefinitely. They are specially numerous in estates under the Court of Wards.

In the case of municipalities, again, a Collector has to exercise much detailed control; certain classes of correspondence between the Council and the Government pass through him and he is expected to give an opinion on each file. It is open to discussion whether this close supervision, though it undoubtedly improves administration for the moment, does not kill the Council's sense of initiation and responsibility and check the growth of public opinion on municipal shortcomings.

Presidents of District Boards are hampered by the Local Fund Code, which looks at matters from the Auditor's, rather than the Executive Officer's, point of view. The correspondence it occasions is out of proportion to the funds expended, and is so heavy that most Collectors hand it over, except where important, to their Vice-Presidents—usually the Headquarters Deputy Collectors. A President has to obtain sanction from Government to the levy of all fees under the Act—such as *pandal*, market, cart-stand and other fees; to the establishment of tolls and ferries, even temporarily; to the extension of compulsory vaccination, and to the opening and closing of markets; and *previous* sanction to certain classes of charges, 31 in number, among them allotments from general balance and transfers of funds from District to *taluk* Boards. All these restrictions hamper work. If a flood damages roads and bridges, and emergent repairs are needed to prevent the damage spreading, but the Board has no funds except under general balance, it must watch small breaches becoming big ones and tottering bridges collapsing while it obtains Government sanction to expenditure; or if plague breaks out and a *taluk* Board has no funds, a plague staff cannot be organized until Government have sanctioned an allotment from District to *taluk* Board funds.

Even if these restrictions were withdrawn and the greater part of the reports and returns to higher authority, about which there is so much complaint, were abolished, no sufficient relief would be experienced by Collectors personally, nor would they be much nearer to the attainment of leisure to move among the people. Returns and reports are mainly compiled and written by Collector's offices, and not by Collectors themselves; moreover, the abolition of their submission to Government and the Board would not always render their preparation unnecessary, for even if the Board and Government no longer controlled Collectors in such detail as at present, Collectors would still need to control their own districts, and such control cannot be exercised without a certain number of reports and returns. It is little more trouble for a Collector to forward the returns to the higher authorities than to scrutinise them himself, and as his outlook and information is confined to the limits of his own district he is less fitted to criticise them usefully than those who are in possession of particulars enabling them to compare the progress in one district with that in others similarly circumstanced. What crushes Collectors nowadays is not so much the reports and returns they have to send in, as the multiplicity and complexity of the numerous departments of which they are supposed to be the heads and for whose smooth and efficient working they are held ultimately responsible. In addition, the standard of administration in several matters—such as sanitation in all its branches, vaccination, education, medical relief and roads—has been very much raised of late years, and several entirely new departments of work—such as Land Records maintenance, Civil Veterinary effort and Archæology—have been invented. The latest straw is the Agricultural Associations, which, though not officially part of a Collector's duties, usually depend upon his personal efforts for such vitality as they possess, and, being but indifferently organised and staffed, require more individual attention from him than many of the recognised branches of his work.

Collectors should be given smaller charges and so less work. An objection, no doubt, is that the Board of Revenue and Government would then have a larger number of officers to correspond with. If, however, the control they exercise were at the same time relaxed in as many ways as were safe, there need be no great increase in their work. One means of doing this would be to cut some of the departments more adrift from the Collector and no longer hold him so entirely responsible for their efficiency. This has already been done in the case of Civil Courts, Posts and Telegraphs, Registration, Jails, Sea and Land Customs, and might be pushed further than it has so far gone in the case of the technical side of Excise, Forests and Ports.

In the case of forests, the District Forest Officer has at present hardly any powers independently of the Collector and the Conservator. His correspondence, except that with his subordinates, goes out in the Collector's name, and the Collector is responsible that mistakes are not made in it. It naturally embraces many technical matters with which a Collector can be but imperfectly acquainted, and which he has to endeavour to master. The District Forest Officer might also be given more power over his subordinates. At present appointments and promotions in the district forest, subdivisional and range offices are subject to the Collector's approval; so are the appointments of forest guards (of whom the Collector can know almost nothing); while the transfer of such guards has to be effected in communication with the Collector. It would seem better to put the District Forest Officer into the position now occupied by the District Superintendent of Police.

I am opposed to the creation of Advisory or Administrative Councils. I can think of no branches of work which they could well take entirely off a Collector's shoulders, while if they had

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powers to refer to Government matters on which they differed from the Collector, the latter would need to spend much time giving his reasons in writing for his opinions and actions. Nor would such Councils be of practical utility. At present I learn more about District Board matters in informal conversations with District Board Members than from anything which is represented at the Board's meetings themselves.

Similarly, I am opposed to investing District Boards with powers of control over municipalities. This would only mean that the Collector, as President of the District Board, would be more than ever responsible for their smooth working.

For similar reasons I would not give village communities greater powers. I do not think that they could be entrusted with them without supervision, and the supervision of honorary bodies would be more delicate and difficult than the administration of the existing paid official agency. The present benches of magistrates in towns do not usually work with enthusiasm, and such "village sanitary associations" (sweepers controlled by the villagers but paid from local funds) as I have known have generally been failures.

7925. We have had evidence that there was a distinct disinclination on the part of Collectors and Divisional Officers to mix with the people amongst whom they worked. I gather from your statement here that the lack of intercourse, if that exists, and where it exists, is not due so much to disinclination as to inability?—Certainly.

7926. That is the point of view you wish to emphasise?—Very much.

7927. As President of a District Board, you nominate the members of the District Board?—Yes.

7928. Is that, or might it be, one reason why you find you get better work out of the members of the Board out of the house, when you meet casually, than when you are present at formal meetings?—No, when they meet me informally they talk with more freedom than they would with 30 or 40 people, the whole Board, listening to them.

7929. You think there is a certain amount of reluctance on the part of individual members of the Board to speak to you when their neighbours can hear what they are saying?—I think so; I think they talk with more confidence with me informally than in speaking at the Board.

7930. Would that be due to their not being accustomed to making a formal speech?—Yes, I think it would be due largely to shyness. I do not think the fact that I nominate them causes any restriction in their speaking.

7931. We had it from a gentleman yesterday that he did feel himself under some obligation to the official who had nominated him to the Council?—They are not all nominated, some are selected by the *taluk* Boards; I notice no difference between those who are selected by the *taluk* Board and those who are nominated by me.

7932. This witness was nominated for a period and then ceased to be a member and then became elected as a member of the *taluk* Board. While he was nominated he told us that he felt under some restriction as to speaking; when he became an elected member he said he was freer. Have you noticed that?—Never.

7933. A great deal of the work of your District Board you hand over, you say, to your Vice-President?—Yes.

7934. Because you cannot do it yourself?—I cannot do it.

7935. Under those circumstances, is it a good thing for the Government of Madras to continue to nominate you as the nominal President of a Board?—I see all the important papers; I do none of the routine work; the Vice-President passes every kind of bill and every intermediate reference, but he has nothing to do with large matters; all those come to me.

7936. Who is your Vice-President?—He is my Headquarters Deputy Collector.

7937. Did you nominate him?—No, he was nominated before I was there.

7938. Would it not relieve your staff if you could hand over your work to a Vice-President—not nominated by the Government, or a gentleman who is not necessarily an official?—No, I would much rather have an official; he is used to official ways and official methods; you get less correspondence and papers when you have a man who has been all his life trained as an officer under you than if you had a non-official.

7939. You think that a non-official would never be so qualified?—I do not say never; I know one useful non-official Vice-President, but they are rare; they have not had the training.

7940. You do not think that a man gradually accustomed to take part in local affairs, first as a member of a sub-committee, then perhaps as Vice-Chairman and finally as Chairman, would gradually get that knowledge of affairs and public documents which would enable you to trust him with the control of this routine work?—He would not relieve me any more than the present Vice-President.

7941. But he would relieve the staff?—He would relieve the Headquarters Deputy Collector to that extent.

7942. Again, he would take some official work off your shoulders?—Yes.

7943. So that in that way it would be relieving you of some of the less important of your duties?—Yes, if it was possible to get a non-official who could do the work.

7944. It would take time, but still you think it might be done?—I think it might be possible to find a non-official; he would have to spend some hours a day on it; it would be a thankless post.

7945. You suggest that you should have some freedom with regard to the spending of your District Board's Funds?—Yes, it is not so much the spending, as the restrictions in smaller matters, that causes a great deal of correspondence that the Vice-President has to dispose of; there is a Code several hundred pages thick; there are rules in every direction as to what may and what may not be spent, and an immense number of references are necessary under the terms of that Code. I should like to see that simplified.

7946. The necessity for constant reference to headquarters involves a constant turning up of this Code and occupation of your time in getting at the proper references?—I leave the office to do that.

7947. Somebody has to do it?—The Code cannot be all carried in one's head.

7948. So that it would be a double relief; you would not have your time occupied, and your staff would not have so much to do?—Just so.

7949. Are you satisfied that a great number of the returns which you have to send in are accurate. You send all sorts of returns—vital statistics, crop statistics, and so on?—Yes, a great many are sent in. I think they are fairly accurate.

7950. Would there be a variation of some 10 per cent. from accuracy?—It is impossible to say; I have never accurately verified one down to the bottom.

7951. Perhaps I should not be far wrong in saying that there was 5 per cent. or 10 per cent. of inaccuracy?—At a guess, no.

7952. Then you tell us that within the last 10 or 12 years there have been no less than 11 local and 13 Imperial Acts which have added to the amount of your work?—Yes.

7953. You say also that the standard of administration has been greatly raised?—Yes.

7954. If you delegated powers to these local bodies would there be a great falling off in the standard of efficiency?—Powers in what direction?

7955. Suppose greater powers in regard to the spending of money; suppose they took over in the case of municipal and District Boards the whole

responsibility of spending the funds, free from Government control?—I do not think there would be in the case of District Boards, because they are in charge of trained officers; I think there would be some falling off in the case of municipalities, which are often managed by amateurs.

7956. Would that right itself in time?—I should like to see it tried.

7957. It might be tried in certain selected cases perhaps?—Yes.

7958. Not necessarily a general delegation all over the Presidency, but in certain places in order to see how it works?—I would not delegate them absolute powers; I would delegate them more powers than they have at present.

7959. You are aware that there are a great many powers that might be delegated which are not so delegated at present?—Yes.

7960. I see that you suggest that the forest officer might be relieved very much in many ways from his dependence upon you?—I would transfer his dependence upon me to a dependence on the Conservator; that is what I meant to imply.

7961. Would that be merely a transference of this kind; that an over-worked Collector would transfer part of his burden to an already over-worked Conservator?—I do not think Conservators are over-worked.

7962. At all events not so over-worked as the Collector?—No.

7963. Then, might not more things be put on the forest officer?—Yes, I have proposed that too—that he should have more power of appointment and not be bound to refer everything to me.

7964. You think that the forest officer would be quite capable of taking up these things?—Perfectly, I think—the officers I have met.

7965. You suggest that that should be done principally with regard to the appointment of subordinates and small matters of consultation?—Yes, the appointment of subordinates and technical matters; he should have more power in regard to technical matters.

7966. And in regard to the general discipline of those under him he would occupy pretty much the position of the District Superintendent of Police?—That is the position I should like to see him in.

7967. (*Mr. Meyer.*) Before you took up your present post you had been for some years first Superintendent of Census in the provinces and then Superintendent of Gazetteer Operations?—Yes.

7968. During those years you toured through all the districts, and from beginning to end you spent considerable time in them?—Yes.

7969. Therefore you are in a position to look at matters from the point of view of the province generally. You have advocated a large increase in the number of districts. If that took place would it be possible to continue the direct control of the Collectors by the Board of Revenue?—I think so, I see no reason why it should not be done.

7970. You have been Secretary to the Board of Revenue yourself in one branch for some time?—Yes; for four months.

7971. You know that the Board now has to deal with 24 Collectors?—Yes.

7972. The last witness suggested that that number might be increased to 32, or so; would that be about your idea or would you go further?—I have never considered how many new districts would be necessary; I was talking from the point of view of my own district only.

7973. Only of Malabar?—Yes, I have not considered how many would be necessary throughout the whole Presidency.

7974. Upon this point of largely increasing the number of districts, have you considered that it would alter the system of control over the Collectors; if you have a large number of districts, say 30 or 40, they could not be adequately controlled by the Board of Revenue in regard to the Collectors' work as such, or by Government as regards magisterial work, and you must come to the system prevailing in other provinces of territorial Commissioners; have you thought of the matter from that point of view?—Yes, I have. I do not see that because the districts are increased the number of references would necessarily increase; where you have now one officer writing two letters you would have two writing one letter each; the number of points coming up would not necessarily largely increase.

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7975. In all matters of Government references you would have 32 reports instead of 24?—Most of those are routine, and in cases where Government refers a question for the opinion of the Collectors it would be much better to select Collectors and District Magistrates than to refer them to every District Magistrate.

7976. You call the tabulation of statistics and so on routine matters?—Yes.

7977. You think you could increase the number of districts without any alteration of the present system?—I think so, if the number of references on routine and unnecessary matters were at the same time reduced.

7978. Do you think that a large number of new districts ought to be made, or do you confine your proposals to your own particular districts?—I have not considered it with regard to any other districts.

7979. You are aware that there is a scheme that has been sent up by the Government of India, the idea of which is that in the particular circumstances of Malabar it would be necessary to give the Collector a Special Sub-Collector as his Assistant at headquarters to relieve him of a large part of his work?—Yes.

7980. You would prefer to split the district up?—Yes.

7981. You spoke of the nominated members of the District Board; they are not appointed by you?—No, they are nominated by me and appointed by Government.

7982. On your nomination practically?—I have never known Government to over-rule a nomination.

7983. Might the power of appointment be given to you?—Perfectly well.

7984. And in regard to the *taluk* Boards also?—Yes, at the present time they are nominally appointed by Government but practically by me.

7985. Government still keeps that power in its own hands?—Yes.

7986. Do you think that the Collector might control the municipalities—take the place of Government in passing their budgets, and so on?—It would mean a great deal of extra work; he could do it, of course.

7987. Do not the papers pass through you now?—Not all of them. A municipality goes straight to Government in certain matters.

7988. For instance?—I think that in the Code there is a schedule of the matters on which they may go straight to Government.

7989. The more important matters pass through you?—Yes.

7990. It might be possible in a great many matters to give the municipality full power without reference to anybody?—Yes.

7991. And with regard to those that are left they would be of a character that would pass through you in any case?—Yes.

7992. Is it not just as easy for you to pass final orders without having to refer the matter on to Government for your remarks?—Not always. As to sanitary questions I am not in a position to advise; at present I refer to Government, and Government thresh them out with the Sanitary authority; if I have the final authority I must myself thresh them out with the Sanitary authority, and I must consider with much greater care than I now do the possibility of carrying them out.

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7993. The last witness suggested that there should be no restriction of that sort on municipalities except in the case of plague; are you in agreement with that? He was for giving municipalities a free hand practically and letting them do what they liked. I put to him the possible case of pestilence arising in the municipality, which might spread; he said that in the case of plague he would intervene, but not otherwise. What is your idea as to that?—I would not go so far as that, but I think that the system under which the municipalities are kept in order by the Collectors and Government deadens their sense of responsibility; the Councillors regard the administration as a matter between the Chairman, the Collector and the Government, and as one that does not concern them.

7994. You spoke of the returns being possibly inaccurate to the extent of 10 per cent.; is that so in the case of all returns; you have a good many returns dealing with public monies; do you mean to say that they are inaccurate?—Oh no.

7995. I may take it that they are absolutely accurate?—Absolutely accurate, I think.

7996. And what would you say of vital statistics?—I was referring to vital statistics, cattle statistics, crop statistics and so on.

7997. And cultivation returns?—Yes.

7998. Are the cultivation returns from the ordinary *raiyatwari* area very inaccurate?—In some respects they are inaccurate. In my district, for instance, I do not send out my returns with any confidence; they are not very accurate.

7999. You have spoken about the district forest officer; you desire that his position should be analogous to that of the District Superintendent of Police; would you say the same with regard to the Executive Engineer?—No.

8000. You would leave him independent as he is now?—May I say that I have never been in a district in which there has been any great quantity of irrigation, so that I have not seen anything of the matter which causes the greatest difficulty, that is to say the distribution of water in big irrigation schemes; I have not been in a district where that is done, and I have no personal knowledge of those particular difficulties.

8001. Is there not another consideration; might not the Collector require something to be done and the District Engineer decline to do it on the ground that he must spend his allotment otherwise?—I have not met such a case.

8002. So far as you are concerned you see no necessity?—I see no necessity in Malabar. In Malabar irrigation is really a very minor factor.

8003. (*Sir Frederic Lely.*) You were speaking of over-work as a great obstacle to more intercourse with the people. Does this over-work not result very often in mere mechanical routine? Take for instance the *jamabandi*; is that carried out according to the spirit of Government orders would you say?—In Malabar *jamabandi* is rather peculiar; none of the villagers ever attend the *jamabandi* at all.

8004. Why do they not attend?—I think it is because it is not the custom to attend; they never do.

8005. If the Divisional Officers sent for them they would attend?—Of course, they would come then because they were told to come, but I do not think they have any reason for being told. Matters which used to be disposed of at *jamabandi* only, are now disposed of by petition throughout the year; consequently, at *jamabandi* itself there is not the crop of petitions for disposal which there was in the old days.

8006. Then *jamabandi* no longer means what it did?—Not in Malabar.

8007. It does not mean a thorough enquiry into the condition of the villages—getting the people together and listening to what they have to say and enquiring into their general circumstances and their progress or retrogression during the year?—Not in Malabar; it merely means that the accountant deals with their accounts and the heads of the village appear with their accounts; these are scrutinised by the officers and orders upon them are passed.

8008. It no longer means a link in intercourse between the Divisional Officer and the people?—I think not.

8009. It must be a great loss to the administration under a *raiyatwari* system?—I think not, because I think that the matters which used to be brought up at *jamabandi* are now brought up when they occur throughout the year; instead of a crop of petitions to be disposed of at one part of the year, the disposal of them goes on throughout the year.

8010. But without personal contact with the people?—I think the Divisional Officer, instead of having a hundred petitions at one time, can better deal with them individually as the year goes on.

8011. But are the petitions then brought up to him personally?—Yes.

8012. Then you do not think there is much loss to administration by the change which has come about in *jamabandi*?—I do not think so.

8013. Have you any wards' estates in your district?—Two.

8014. Do you consider that you have sufficient personal power in the management of them?—I have not sufficient financial power; I mean there are financial matters on which I have to write what I consider unnecessary letters.

8015. You think that you ought to have more power?—Yes, larger financial power.

8016. We will not go into the actual financial powers; but is it your opinion that it would be for the good of the estates themselves if the Collector had more power of initiative?—No, I have ample power of initiative when I frame the budget, but the rules forbid me to sanction expenditure on unusual charges. "Unusual charges" on these estates are constantly occurring, and, therefore, I have to write letters to get small sums passed.

8017. If you wanted to make a small crop experiment you could not get the small sum you wanted without writing?—I have an experimental farm attached to one of my estates, so that that is one of the things I can do; there is a special allotment.

8018. You have personal supervision of the roads?—Yes.

8019. How many miles of road have you to look after?—About 1,300.

8020. Have you any sufficient staff for that purpose?—Yes, a Local Fund Engineer and three Assistant Engineers.

8021. You are able to trust them?—Yes.

8022. You do not feel that any special burden upon you?—I would not go so far as to say that.

8023. You have to sign all estimates?—I have to pass the estimates.

8024. As to the measuring up work you trust to the Engineers?—Yes, I must.

8025. Are you satisfied with them?—Yes; the only part of the work I would not trust to them is the general distribution of the funds which are put at their disposal; I do not think they would always allocate them wisely.

8026. Do you consider that you have any real personal control over this work or are you obliged to leave it practically to your Local Fund Engineer?—No, I consider that I have a very real control.

8027. Who does the criminal work mostly of your district?—In trying cases the Divisional Magistrates take the first-class work; the rest is done by the sub-magistrates.

8028. What class of officers are they; what is their salary?—Rs. 100 to Rs. 120 a month.

8029. Are they reliable; what sort of training have they had?—They are mostly promoted clerks.

8030. Except the first-class cases, they have all the magisterial work of the district?—Yes.

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8031. They take all the second-class cases and sessions committal cases?—Yes.

8032. You receive the calendar of every case?—Yes.

8033. Do these calendars amount to some thousands in the year?—Yes.

8034. You are supposed to examine them?—I am supposed to read them all.

8035. Is that examination a real thing?—In practice, it is chiefly done by the Divisional Officers; I do not think any Collector of Malabar could possibly read all his second-class calendars; he reads his first-class calendars, and he very largely trusts to the Divisional Officers to scrutinise the others and refer to him if any case requires it.

8036. You take it from them?—Largely; I have not time to do it otherwise.

8037. The work is not done by clerks in your own office?—Oh no.

8038. Now, about income tax work; do you hear appeals?—Yes.

8039. Who are the original assessors against whom the appeal comes to you?—The tahsildars and Divisional Officers up to certain amounts, and myself in cases above Rs. 10,000.

8040. Most of the appellate work comes to you?—Yes, the Divisional Officers have some and I have some.

8041. Do you examine the accounts also yourself on appeal?—I examine all the English firms' accounts; the others are often in languages such as Gujarati and Mahrati which I cannot read.

8042. They go up further on appeal?—Now and then they go to the Board.

8043. Are you of opinion that the appeal should stop there?—I think so; there should be no second appeals from me in income tax matters.

8044. Is not a second appeal, if it involves going over the same ground again, waste of time?—I think so.

8045. Would a typewriter and shorthand-writer be of any practical use to the Collector in getting through his scriptory work?—No, I do not think so; I can use a typewriter, and have done so. As to a shorthand-writer, the Collector very seldom has any long proceedings to write. His work consists of notes down the margin of papers rather than orders written out at length on foolscap paper, and neither a shorthand-writer nor a typewriter is of much use.

8046. Then as to the Forest Department; when you say that you wish to transfer some of your connection with the forests to the Conservator, do you think the Collector should have less connection with forestry than he has?—Less connection with the technical side of forestry.

8047. But he has not much as it is?—A good deal; I am supposed, for example, to pass the budget.

8048. Now as to the Advisory Council. We are told that you might get a few men together to form the Collector's Council; as a matter of fact an average Collector does that now?—Yes.

8049. Do you think that to formalise, we will say, that advice into a Council would have any effect; would it make any difference either for good or for bad?—It depends upon what powers you propose to give the Council.

8050. It is not proposed to give them any powers; the Collector may summon them, and they come together and give him advice. Would it have a deteriorating effect on the intercourse of the Collector with the people or not to formalise it in that way?—Yes, I think it would.

8051. Would it be rather likely to dry up the personal feeling between the Collector and his people and make it less cordial and less personal?—Yes, I think it would.

8052. (*Mr. Dutt.*) You tell us that in very heavy districts now the Collectors are over-worked; would you suggest to us any way in which the Collector could devolve any of his work to the members of the District Board so as to relieve himself of his great burden of work—either to individual members or by the formation of committees to look after different departments of work?—No, I can think of no way in which they could be entirely entrusted with the work of any departments so as to take it entirely off the Collector's shoulders.

8053. You cannot suggest any way in which they could take a part of the heavy work that the Collector now has, other than what you have already suggested?—No; that and the delegation of powers is all I can think of.

8054. The Local Boards Act has been in operation for a good many years now?—It was passed in 1884.

8055. You do not think that the time has come for making any real advance in devolving powers on the people so as to relieve the officers?—It is the practical difficulties which I do not see how to overcome.

8056. Could the practical difficulties be overcome so as to take advantage of co-operation on the part of the people and thus relieve the overworked Collectors?—I cannot think of any departments which they could take completely off a Collector.

8057. So you do not think it is possible now to make any advance in that direction?—No, I think not.

8058. I understand that under the Act it is possible to have the members of the *taluk* Boards elected; the Act provides for that?—Yes.

8059. Has that been done in any district or any *taluk* in this Presidency?—I believe not.

8060. Do you think the time has come when the experiment should be tried in some advanced *taluks* in this province?—Judging from the result of municipal elections, I should say not. In the Calicut municipality a Councillor was elected although only two votes were recorded; those were in his favour.

8061. I do not refer to such cases, but to some advanced districts where the conditions might be more suitable?—I have never thought it out.

8062. Is there much complaint about forest administration?—There is none in Malabar.

8063. Have you had much experience in other districts?—I have never had experience in any district in which forestry was a very burning question.

8064. You did not as a matter of fact in Malabar receive any complaints from the people about forest matters—the want of grazing fields, for instance?—No.

8065. Are you generally satisfied with your tahsildars; do you think their work is fairly well performed?—Yes.

8066. Are you of opinion that the class might be improved by requiring somewhat higher educational qualifications from them before they are appointed? Some witnesses have told us that latterly there have been more graduates appointed than in previous years?—I think some of the best tahsildars I have known have been men of the lowest educational qualifications.

8067. You do not think that to require higher qualifications before appointment would improve the class of tahsildars—that if we only or mainly appointed graduates the class of tahsildars would be more reliable and efficient?—I do not think so; I think the tahsildar's powers depend very much upon personal qualifications.

8068. You think it a healthy system to recruit them from clerkships?—I think so.

8069. Now about the assessment of income tax; does the tahsildar consult the panchayat or leading men before making assessments on income?—Not publicly; of course, it would be no use to consult them publicly, they would not speak out; but he consults them privately.

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8070. From the appeals which you have decided in income tax matters, do you think the assessments are generally fair, or could you suggest any way of improving the method of assessment?—I think many unfair assessments occur, but I can think of no way of improving matters.

8071. It is one of those subjects which are very difficult to ascertain—the exact or approximate income of a man; it is more or less guess-work?—It is extremely difficult.

8072. Therefore, do you not think that in that matter a second appeal is a safeguard, and that it would be dangerous to restrict the right of appeal in matters of income tax?—The second appeal proceeds on precisely the same evidence as is recorded at the first appeal; the second Appellate Court has no more to go upon than the first.

8073. But the second appeal is before a more experienced tribunal than the first and before an officer of riper judgment?—Experience I do not think would help it. The first Appellate Court has the accounts before it; it examines the man himself and examines the accounts, and has the power to see whether those accounts are trustworthy. The second Appellate Court proceeds on the mere record.

8074. Have you had experience how far second appeals result in modification of assessment?—I have no figures with me—it is difficult to answer; they are modified sometimes, no doubt.

8075. Seeing that that is so, would you still adhere to the opinion that second appeals ought to be abolished?—Yes, I think that one appeal is sufficient in income tax matters.

8076. (*Mr. Hichens.*) Is there any local sentiment attaching to districts, which would require to be considered in any revision of the size of the districts that might be made?—Yes, it would be possible to go against local sentiment.

8077. Do the people look upon the district as something more than a fortuitous aggregation of persons?—In some cases they do; in the case of my own district they do, but that is an isolated district speaking its own language. I should not say that that is generally the case in the Tamil or in the Telugu country; I do not think the people would care at all if a *taluk* was transferred from one district to another.

8078. Are there any large divisions in the Presidency of Madras that you would say correspond to some local sentiment, divided either by language or some other definite consideration?—There is Malabar, South Canara, and perhaps the Uriya people in Ganjam—those are people who have a sentiment of that kind.

(*The witness withdrew.*)

Mr. J. W. BHORE was called and examined.

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8079. (*Chairman.*) You are a Sub-Collector?—I am Head Assistant Collector. I have been in the service five years. Before this I had temporary charge of a headquarters division in the Kistna District.

8080. So that you have only been in two districts during your five years?—Both charges were in the same district as I am in now.

8081. What vernacular languages are you acquainted with?—My own, which is Mahrati.

8082. I am speaking as far as this district is concerned?—Telugu and Tamil, but I know very little of the latter.

8083. Do you find as a fact that your not knowing the vernacular generally spoken in your district restricts your acquaintance with the people of the district?—I think to some extent it does.

8084. Can you from your own point of view suggest any means by which any greater vernacular acquirements could be obtained?—I think that the trouble comes from the Divisional Officers not having sufficient time to tour sufficiently in their districts; I think that is the reason why they do not get acquainted with the vernaculars. It is not merely a question of examinations. I notice that Civilian Settlement Officers who have passed practically the same educational examinations as the ordinary Divisional Officer, are almost without exception, as far as my knowledge goes, able to speak the vernacular with extreme fluency. They attribute it to the fact that they have very little office work to do, and that they are constantly moving about among the people. They say that that is the cause of the fluency with which they can speak the vernacular, and I think that there is a great deal in that.

8085. Do you, being a native of one part of India now serving in another part of India, find that the customs and social etiquette of the people in Madras are very different from those of your own native part?—They do differ.

8086. Differ very greatly?—To a large extent I think they do.

8087. Do you think the difference in these practices and social customs is so great that it would be very difficult to instruct British officers coming from England to this country, before they actually become officers, in knowledge of the practices and social customs and etiquette?—I think they could be given a general idea of these things in a very short time.

8088. At home?—I think so, or when they first come as Assistants in districts.

8089. Were you yourself given any such instruction?—No, I was not.

8090. Would it have been useful to you if you had?—I think it would.

8091. And it would not be difficult perhaps to put together some little work appropriate to each Government which would give new officers some insight into the social habits and customs of the people under that Government?—I should think not.

8092. Would that prevent difficulty and friction in many cases?—I think it would.

8093. Do such causes of friction occur now without any intention on the part of one side or the other?—I have never heard of them, but I can quite imagine cases in which friction might be caused.

8094. (*Mr. Dutt.*) You are a Christian?—Yes, I am.

8095. Does that fact make any difference in your mixing with the people?—I have not found it so.

8096. Barring your official work have you occasion to mix freely with the people?—When I go into camp I always mix with the people.

8097. And you are sufficiently acquainted with the language to be able to speak in Telugu to the people?—I speak with them in a fashion—not as well as I should like to.

8098. Can you suggest any way in which officers like yourself could have larger opportunities of mixing with the people?—I think by reducing their charges; the opportunities that an ordinary Divisional Officer has for moving about among the people are limited to a great extent; he is supposed to spend 5 months in the year in camp, but in fact the mere time he spends out of headquarters is no criterion. Much of the time of an officer away from headquarters is spent magisterially and in court matters, and he has very little time for mixing with people.

8099. You say that he has larger opportunities of moving about among the people when he is in camp than at headquarters?—Yes.

8100. Do you do *jamabandi* work?—Yes. I have dealt with two *jamabandis*.

8101. On those occasions did you mix with the people pretty freely—with any large numbers of them?—To the best of my knowledge I think on both occasions there were large numbers of petitioners; of course only a few centres are fixed in a single *taluk*, and it is not possible to go from village to village.

8102. But you found that you had a large number of petitions?—Yes.

8103. Then I suppose you had occasion to speak to large numbers of people; you discussed with them the points involved?—Nothing beyond their petitions; of course I instituted inquiries into their petitions and asked them questions, but I do not think, as far as I remember, anything beyond that.

8104. Do you find the tahsildars of your division experienced men and fairly able to do their work?—I think so.

8105. Are the tahsildars generally considered reliable?—All the tahsildars that I have had to serve under me I think were men who might be relied upon.

8106. Is there a fair proportion of graduates among them?—Yes.

8107. Do you find the graduates more reliable than men of the other class?—I should not like to commit myself to a statement as to that.

8108. Do you think that the class of tahsildars would be improved if a rule was made that generally only graduates should be appointed to the post of tahsildar?—If exceptions were allowed to be made, I should think so.

8109. (*Mr. Meyer.*) Are not most tahsildars graduates already?—A large proportion of them are graduates.

8110. An increasing proportion?—That I cannot say.

8111. At present a tahsildar begins in quite a low grade with a salary of say 15 or 20 rupees, and works his way up finally to tahsildar?—Yes.

8112. Possibly some men have acquired bad habits during their earlier stages; would it in your opinion improve the *morale* of the tahsildar service if, as happens in some other provinces, young men of good education and good family were appointed direct, beginning as tahsildars at 80 to 100 rupees a month?—I think so.

8113. You speak of the large amount of time that is taken up by a Divisional Officer in his work; is that not due to a certain extent to the immense facilities for appeal that exist?—To some extent it is.

8114. If appeals were curtailed, to that extent the Divisional Officer would be more free to mix with the people?—To a slight extent.

8115. Are you in favour of the curtailment of appeals?—Except in cases of very severe punishment, as for instance dismissal.

8116. I would like to divide it into two categories, first administrative action such as *darkhast*, revenue assessment and so on, and secondly, disciplinary measures against public servants. In the first place as regards administrative actions, are you in favour of a curtailment of appeal facilities?—I should think one appeal ought to be sufficient.

8117. And in regard to the second category, disciplinary actions against public servants?—I think in some cases officers ought to have summary powers of punishment; they might fine summarily up to a small limit and from such punishments there should be no appeal. Except in very severe cases one appeal only ought to be allowed, and in cases of dismissal possibly two appeals might be allowed.

8118. Would you apply that to the village servants also?—Yes.

8119. To all village servants or only to the village headman and *karnam*?—Not in the case of village servants; only in the case of village officers—the village headman and the *karnam*.

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8120. By the village servants you mean the menial establishment, the watchman and so on?—Yes.

8121. (*Sir Steyning Edgerley.*) As to court work, have you received a dispensation to do your work in English?—Not that I am aware of.

8122. Your language is the vernacular; is the record of your cases in the vernacular?—No, my record is in English. In my particular instance I have been allowed the power of taking down the evidence in English in my own hand; that power was granted by Government.

8123. Do you take evidence yourself direct from the witnesses, or is it all interpreted?—It is interpreted in order to make sure that no errors creep into it.

8124. Do you put your own questions in the vernacular?—Sometimes I do.

8125. Generally they are interpreted?—Yes.

8126. Does that system militate against facility in the vernacular?—Yes, to some extent it does.

8127. If you put your own questions in the vernacular to the witnesses, would that lead to much delay in the disposal of cases?—I certainly think it would.

8128. How would it lead to delay?—In this way: I do not think that in many cases a Magistrate who has learnt the language after coming to the Presidency would be able to express himself in the way in which the ordinary class of witnesses that he gets would understand; I mean to say he might possibly use language and words which the ordinary uneducated witness—and they form the bulk of the witnesses—might not be able to understand.

8129. How would that take longer than putting the questions through an interpreter and having them interpreted?—Because it would have to come back through the interpreter again.

8130. Your service is what?—Very nearly 5 years.

8131. When does Government give a dispensation about taking down evidence in English in your own hand?—After the second standard examination has been passed and after first class powers have been conferred.

8132. Does it come practically with the first class powers?—It comes with the charge of a division generally.

8133. Without any reference to whether you are thoroughly proficient in the language or not?—As far as I know; I do not know what reference is made to the Collector or to the District Magistrate.

8134. You spoke of having done two *jamabandis*?—Yes.

8135. About how many villages did you take the *jamabandi* of?—I should say about 400.

8136. Each time?—Two hundred on each occasion possibly, each year.

8137. Do you examine the criminal calendars of Magistrates' cases?—Every one.

8138. All those of the second-class Magistrates under you?—Yes, they pass through me to the District Magistrate.

8139. You examine them yourself?—I examine them myself.

8140. Have you passed the Higher Proficiency test?—No, I have not.

8141. How long ought it to take an officer before he is thoroughly proficient in the vernacular?—Counting from the time he first sets foot in the place, if he is not moved from the group of districts where the same vernacular is spoken, I think 6 or 7 years—say 6 years.

8142. And not until then is he really master of the language?—No, I should not call him a master of the language till then, but he certainly has a working knowledge of the language in 2 or 3 years' time.

(*The witness withdrew.*)

The Rev. LEWIS B. CHAMBERLAIN was called and examined.

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8143. (*Chairman.*) Where do you live?—At Madanapalli in the Cuddapah District.

8144. Have you been there some time?—Yes, I have had my service of 16 years there in the main; I have been away a few years. I am an American Missionary.

8145. You have no doubt an intimate acquaintance with the locality?—Somewhat so.

8146. And you are in touch with most classes of the community there?—Yes. I have pleasant relations with them all.

8147. Have you served on any District Boards or *taluk* Boards?—I was on the Local Fund Board for a number of years, but dropped it and declined election to the District Board because I did not think it was worth while.

8148. You thought it was not worth while because there was really not enough for the Board to do?—Yes—that there was really no valuable work being done by the Boards as such, so far as I could judge from the Local Fund Board.

8149. Was it that the Board itself was not doing much good, or that while the work was being done in the name of the Board it was not done by the members of the Board?—It did not seem to be expected that the members should do much.

8150. But did the Board itself, although through the President, do good work; you see the distinction I wish to draw?—Yes; there was no fault to find with the work, so far as I think, at the time.

8151. There was plenty for the Board to do and you would have remained on if the work had been done through the members instead of being solely done by the President, is that your position?—Yes; I would not say that it was solely done by the President, but there were not enough real functions in the hands of the Board to make it worth my while to stay on.

8152. If the Government had, as it appears they have legislative power to do, delegated authority to the Board, would that have brought home to the members a larger sense of their responsibility?—I do not think the fault lay entirely with Government. I think the members themselves are at fault; they do not take the position as one involving responsibility; they have no authority which makes them feel any responsibility, and they take it as more an honorary position.

8153. Were the members of your Board gentlemen who commanded respect in the neighbourhood?—So far as I remember, at the time and since.

8154. Were they all the kind of members which you, as a resident in the locality, would have wished to see on a Board having authority?—No. I think they were very largely men who could afford the time or were perhaps free for that sort of function; I should like to see some who were more thoroughly representative of the rural community upon such Boards.

8155. Are you speaking of the municipality or the District Board?—I am speaking of the Local Board only, the *taluk* Board; we have no municipalities in our district.

8156. Were the country districts not represented on the *taluk* Board?—There was one representative of the country gentry as I may say, that I recall, on the Board—no other.

8157. Was that because of this absence—in the district covered by the Board's jurisdiction—of suitable members, or simply because the town members were of a more pushing disposition?—I cannot say, I do not know.

8158. You know the *taluk* Board pretty well?—I did at that time.

8159. Were there other gentlemen in the country districts who would have made suitable members of the Board?—I should think so.

8160. And would that be so now?—I think so, now more than then.

8161. (*Sir Frederic Lely.*) Do you mean to say that there are now gentlemen who would be suitable representatives of the rural population and who would be willing to act on the Board, but they do not do so because they are not asked, or why?—My impression is that there has not been enough emphasis laid on the advantage of these Boards to the community—on the one hand by the Government, and on the other hand the community at large itself does not appreciate the value of such functions as are given to the *taluk* Board, or as could be given; they do not appreciate the conditions.

8162. And, therefore, the seats fall to men who are most forward to get a seat for other reasons, rather than to the really representative people, is that so?—No, I think quite a large number of those who are on the Boards are representative, but that it would be more valuable if there were still a large number of those selected by the people themselves.

8163. I understood you to say just now that the majority of the members of the Board were not representative of the rural population?—I recall but one member who was.

8164. Do you think that during your 16 years of residence in India the relations between the people and the Government officers have improved or deteriorated, or have remained about the same?—About the same. I think that people appreciate their rights better—that they realise that they have been gaining. We see now for instance the use they make of the hospitals; formerly they were afraid to use the hospitals or to use them freely; then there is the use they make of appeals in litigation. All that shows that they know their rights and are more ready to call for them.

8165. Would you say that there is a cordial feeling between the people and British officers?—It depends very largely on the officer I should say.

8166. In what way?—The personal element is what I refer to. Our present Collector is, I think, rather well liked by the people and trusted; some of his predecessors have not been known much by the people nor did they feel sure about them.

8167. As a matter of fact they do not come into contact much with the Collector, do they?—They do not come into contact with him as much as they ought to.

8168. Do your own people ever have occasion to make petitions to Government or to lay statements before the authorities?—You refer to the Christian community?

8169. Yes?—They do slightly.

8170. Do they find any difficulty in getting access to the authorities?—No, I think not; they have a little more courage perhaps, because they are accustomed to deal with a foreigner.

8171. You live in a village where there is a village union. Has that been a success?—Relatively, yes.

8172. Does it do any public work?—I think largely under the guidance of higher officers—superior officers—the union has recently done a good deal, but it was subsequent to the plague and under distinct pressure from the Sub-Collector.

8173. Would you recommend a continuance of these unions?—Yes, I think so.

8174. Are they the best exponents of village feeling, or would you recommend entrusting powers to a village panchayat?—Well, I like the idea of resuscitating the panchayats in the villages, but we must remember that the union we already have there; some of the villages partake of the nature of a town, but in the smaller villages I think it would be well to revive the panchayat.

8175. Would it be possible?—Quite possible.

8176. Would a panchayat, for instance, deal fairly by native Christians?—I think that the panchayat, like most other forms of Government, would have to have its checks.

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8177. What checks would you propose?—I should think there should be some opportunity for reviewing what they do, and if they are misusing their authority they should either forfeit it, or have it restricted for limited periods—not done away with altogether.

8178. You would give them power for a time and see if they misused it, and if they did misuse it, you would let them know it?—Yes.

8179. (*Mr. Dutt.*) Were the members of the Local Fund Board of which you were a member nominated by the Collector?—I cannot say positively; it was ten years ago; I presume so; I was so put in.

8180. Are the members of the *taluk* Board elected or are they nominated by the Collector and appointed by Government?—They are appointed I believe; there is a desire for election.

8181. Would you recommend the system of election?—I would have it with regard to a certain portion, say half to start with; I believe in experimenting.

8182. Have you any special reasons for recommending election?—I think it would greatly increase the interest in the work of the *taluk* Board; it would increase its sense of responsibility; the membership would be improved; no doubt some who were merely electioneering might get in until there were opportunities of putting in more thoroughly representative people.

8183. You think you would get better men?—I think we should in the end.

8184. You said that in small villages you would recommend the creation of panchayats. Can you indicate to me the kind of work you would entrust to these panchayats?—I am afraid I am not sufficiently acquainted with the various functions to answer that.

8185. Could not small public works—sinking of drinking-water wells in the village—be entrusted to the panchayat?—Yes.

8186. And the disposal of petty disputes in the village might be entrusted to it?—Yes.

8187. Would you entrust to it the settlement of civil cases?—To a limited extent; it depends on the amount involved.

8188. You say that you would have some one to review their work, now and then, and see that they were going on straight; how often would you propose that such a review should take place?—Records would, of course, be kept; those records would be open to any of the District or Government Officers, and experience would show how often it was necessary for some one to look into things.

8189. (*Mr. Hichens.*) Do you mean that there should be a power of appeal from the panchayat, or do you mean that the Government should merely inform itself subsequently for its own information?—It seems to me that there might be some limit to the things in regard to which it might be worth while to have an appeal, but in the main there should be at least one appeal in every case, whether from the panchayat or the village magistrate, or any one else.

8190. Would you be prepared to grant them final powers in any case?—Not at first; let them prove their worthiness.

8191. But can you really teach them responsibility unless you give them responsibility; is not the way to make them give a sound decision to let them give a decision?—You have hit what I consider the weakness of the present *taluk* Board system; they have not authority at present; I would give them some; start with the little and go on to the more, and let them prove their fitness. In certain advanced villages let them have more power and authority than in the backward regions.

8192. (*Mr. Meyer.*) You spoke of the *taluk* Board being elected or a portion of it. Would you have the election by the village panchayat or would you have a direct constituency, or what?—I like the election by the constituency, limited in some such way as the municipal elections are by educational or property qualifications until the people prove themselves more generally competent to do the work; there are not many who would.

8193. Do you come from Madanapalli?—Yes.

8194. That is a large division, with 4 *taluks*?—Yes, it is a large district—too large.

8195. Do you think that direct election would work over such large areas?—With limitations of property and education; the numbers could be restricted. I doubt whether at first all who were voters would use their right, but I believe the right would be on the whole properly used.

8196. You prefer that to the village panchayat sending up delegates and their voting?—That would be cumbersome, I think.

8197. Has the Sub-Collector in Madanapalli been frequently transferred during your experience?—We have just had one for five years, and we have been so pleased with the result that we wish we could have more; we have had frequent transfers—eighteen in sixteen years.

8198. I suppose the gentleman who was there for five years was able to speak the language, and go round the villages and talk to the people, and to know the *taluk*?—He knew the division; he went round the villages, but he did not know the language specially well.

8199. Have you been present when a Divisional Officer has been going his round of the village and interviewing the people?—Yes, as our camps happened to cross; that is all; but I have been with various officers when they have been out in the country.

8200. It has been asserted by one of the witnesses that on several occasions a Divisional Officer will not hear a petitioner unless he presents a stamped petition; is that your experience?—I think it depends on the man; some of the officers are very accessible, others are not.

8201. You mean some would insist on the formalities of the law and require a stamped petition and all the rest of it, but others would speak to the people and not worry about formalities?—Yes.

8202. Which are the majority?—I think the emphasis has been so much on the clerical side, the office side, that the majority have perhaps erred in that way; they have not been accessible; but it is not the individual, it is the system, that is to blame.

8203. And if they were given more latitude, if their orders were less subject to constant appeal, would their administration not become less rigid?—I think so.

8204. It might become more sympathetic in that way through the officers feeling themselves less bound by cast-iron rules?—Yes.

8205. (*Chairman.*) You said that the district was too large. Were you thinking of the *taluk*, or of the division, or of the district?—I should say both. The Divisional Officer's charge is too large; it is about 3,000 square miles; and the district itself, Cuddapah, is too large; it is the size of Wales, I believe.

8206. And it is essential in a large district of that sort to keep an officer for a long time?—I should like to have it made smaller and to keep the officer longer—both.

8207. Supposing you could only get one of your desires, if the district has to be left at its present size, it is essential for its good government that the officer should stay a long time?—I think so, and I think we have results to prove it so. When officers have stayed longer they have left the district in better order and with a better name behind them in the minds of the people.

8208. With regard to the officer who did not know the language well in spite of his having been there five years in the district, do you know what has happened to that officer; has he gone on leave or has he been transferred to another

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district?—He was promoted to a Collectorate elsewhere.

8209. Do you know whether the Collectorate to which he was promoted is one in which the same language was spoken?—No, it was a different language.

8210. Have you any general suggestion within our reference which would make the path of Government, both provincial and local, work more smoothly than it does at present, speaking from your experience of a long residence here?—The most important thing to my mind is that emphasis should be laid on officers getting into closer touch with the people, developing a knowledge of the vernacular; that necessitates being relieved from considerable office and routine work, either by the staff being increased or by the amount of work being cut down; then, the impression should be removed, that I am afraid exists, that the administration is for Government and not for the people; that revenue matters rule rather than the needs or the condition of the people. That is often mistaken, but where there is so much smoke there must be some fire, to my mind.

8211. Is that an idea which is very prevalent in the minds of the people of your district?—Very prevalent, and it could be removed by a few little concessions to show that it is not the intention of Government to put one in front of the other.

8212. What sort of concessions would you suggest?—A large authority being given to Divisional and District Officers, say, in regard to remissions on dry lands. The mere hard-and-fast rule is interpreted unfavourably to Government by the raiyats and by the people at large. There should be some liberty by which the personal element can come into play more, by which the officers can show favours in their personal relations.

8213. Have you seen among the officers with whom you have been brought into touch, officers of Government of all ranks, any discourtesy towards the people amongst whom they lived and worked—intentional discourtesy I mean?—Not necessarily as officers; just as men, yes.

8214. But not as officers?—I think not; it is merely human nature, just as we have discourtesy among people of our own nation.

8215. You have never seen any discourtesy or anything of that sort?—I think not; there are some who are impatient of interruption in their offices, and rather rough or abrupt when people come to the wrong place. The machinery is all right, but it needs a little re-adjustment.

(*The witness withdrew.*)

Adjourned.

NINTH DAY.

MADRAS, *Monday, the 2nd December*, 1907.

PRESENT:

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

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

Mr. H. E. CLERK was called and examined.

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8216. (*Chairman.*) You are a Joint Secretary to the Government of Madras and Officiating Chief Engineer for Irrigation?—Yes.

8217. Will you state briefly the organisation of your department and the nature of your duties?—The Chief Engineer for Irrigation and Joint Secretary to Government is assisted in the management of his office work by the Assistant Chief Engineer for Irrigation who is generally an officer of the rank of the Executive Engineer. The entire Engineering staff of the Presidency, which also looks after irrigation works, is generally placed under the control of the Chief Engineer, Public Works Department. The main duty of the Chief Engineer for Irrigation and Joint Secretary to Government is to scrutinise thoroughly every irrigation project as it is received from Superintending Engineers, and place it before Government with such a review of it by himself, in all its details, as will assist the Government in arriving at a decision regarding its character both from a professional and fiscal point of view. He exercises supervision over the investigation and execution of all irrigation works in the Presidency and controls expenditure over them. He also prepares the irrigation budget and the Administration and the Triennial Reports, and exercises all other powers referred to in paragraphs 251 to 272 of the Public Works Department Code in respect of irrigation matters.

Irrigation works in this Presidency are divided as follows:—

Class.	Fund.
I. { Protective ...	Imperial.
{ Major (Productive)	Imperial.
II. Minor Works and Navigation.	Provincial. Works for which capital and revenue accounts are kept.
III. Minor Works and Navigation.	Provincial. Works for which neither capital nor revenue accounts are kept, but for which continuous records of expenditure are maintained individually.
IV*a*. Minor Works and Navigation.	Provincial. Works for which capital and revenue accounts are not kept, in charge of the Public Works Department.
IV*b*. Minor Works and Navigation.	Provincial. Works for which capital and revenue accounts are not kept, in charge of the Revenue Department.
V. Minor Works and Navigation.	Provincial. Agricultural works.

Funds for the construction and maintenance of Class I works are provided by the Imperial Government and for all the remaining classes by the provincial Government.

The following are the areas irrigated and the revenue derived from the various classes of works. The figures are taken from the last Triennial Report for the three years ending 1904-05:—

—	Capital cost. Rs.	Area irrigated. Acres. Average of 3 years.	Net revenue. Rs. Average of 3 years.
Class I. { Productive	7,18,66,138	2,865,273	36,38,350
{ Protective	50,05,836	93,596	34,032
Class II.	1,15,10,888	568,617	6,75,358
Class III.	—	222,784	7,52,644*
Class IV.	—	3,100,398	76,50,917

* After paying interest charges. The net revenue before deducting this is Rs. 62,61,450.

Paragraphs 2206 and 2207, Public Works Department Code, lay down that capital and revenue accounts should be kept for all new minor irrigation works, the estimated capital outlay of which is more than Rs. 50,000, but that if for any reason a project costing more than that sum is considered of insufficient importance to justify the maintenance of a capital account it may, with the approval of the Government of India, be classed as a work for which only revenue accounts are kept, or as a work for which neither capital nor revenue accounts are kept. I consider that more latitude and discretionary power should be vested in the Local Government to remove works from the list of capital and revenue account works, when they consider no useful purpose is served by keeping their accounts in such detail.

The only Inspector-General with whom this Department has any dealings is the Inspector-General of Irrigation, whose duties are confined to the scrutiny of projects and designs for works carried out from Imperial funds. He would also advise when necessary regarding the execution and maintenance of works of this class. I do not consider that there is any tendency on the part of this officer to acquire administrative authority. There is a tendency to impose too rigid rules based on experience gathered in other parts of India when the local conditions render the application of these rules unsuitable and unnecessary. Business would be greatly facilitated were the responsible opinion of local officers in matters of detail more readily accepted. The Inspector-General performs a very useful function in bringing to the notice of the various provinces the best practice existing elsewhere, thereby increasing the general standard of efficiency. This purpose could not be equally well attained by conferences or consultation between local Heads of Departments. The advantages conferred by the Inspector-General of Irrigation decidedly outweigh the disadvantages likely to be connected with such an office.

The powers of Superintending Engineers are very unequal at present; they are summarised in paragraph 311, Public Works Code. I would recommend that all Superintending Engineers should be empowered to sanction up to Rs. 2,500 and selected officers up to Rs. 10,000 (at present in Madras powers beyond Rs. 2,500 are not given). The sanction here referred to is the actual sanction of estimates. Administrative sanction to any scheme would first be given by the Local Government for all works costing above a certain sum.

At present Superintending Engineers have no powers to appoint temporary establishment chargeable to work. Executive Engineers have powers to appoint temporary work-establishment for which provision has been made in a sanctioned estimate up to Rs. 99. I would give Superintending Engineers similar powers up to Rs. 250, the limit now imposed on the Local Government in this respect.

I would increase the limit of powers for the purchase of furniture to Rs. 300 in each case and allow the purchase of live stock to the same limit.

8218. You tell us that one of your chief duties is to scrutinise every irrigation project as it is received from the Superintending Engineers. I think we have had it that the Superintending Engineers can dispose of all cases up to a value of Rs. 2,500?—That is the case for all estimates paid for from provincial funds; as to estimates charged to capital accounts for major productive works they have no powers. Such estimates come to me.

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8219. Have you any limit or are you obliged to send on all imperial works?—The Madras Government limit for productive works is Rs. 25,000. I have practically no powers of sanction as Chief Engineer.

8220. Suppose a major irrigation work comes up which has already been sanctioned in principle by the Government, can you sanction the estimates?—Up to the limit of Rs. 25,000. Above that, it has to go to the Government of India.

8221. Who is the Government of India in those cases?—The Government of India is the Secretary to Government in the Public Works Department.

8222. Having obtained the sanction of the Government of India to the principle of the creation of a particular productive work, might your powers of sanction to the detailed estimates reasonably be raised to above the Rs. 25,000 limit, or do you think that it is necessary that the Government of India should keep the control?—The limit might be slightly raised, not very largely.

8223. How high might it go up to?—I think it might be doubled; it might be Rs. 50,000.

8224. What are the triennial reports that you speak of?—I have one here; we publish these every three years, giving the results of the operations of the Department for those periods, comparing them with the previous triennium.

8225. The administration report is annual?—Yes.

8226. Is it necessary every three years to summarise the administration reports; as an Executive Officer is it necessary to have what apparently is a summary every third year of the annual administration reports?—I think we could do without the triennial reports if we amplified our annual administration report. At present our annual administration report is very meagre.

8227. Too meagre?—It is not too meagre if you have a triennial report.

8228. Which would be most advantageous, to do away with the annual report or to amplify the triennial report?—Personally I would prefer to revert to the custom which we had previously in this province of having an ample administration report every year and not having a triennial report at all.

8229. Would that lessen the clerical work?—Not appreciably.

8230. To a certain extent?—I do not regard it from that point of view; I was considering which would be the more useful work for reference.

8231. When was the triennial report instituted?—Speaking from memory, about 6 years ago.

8232. I understand that a modification has been suggested of the rules with regard to the construction and maintenance of Class I. works; who proposed that modification?—It was proposed by the Government of India in connection with the provincial contract.

8233. What is the arrangement now proposed, briefly?—The arrangement is that instead of the Government of India paying for all major works, the Madras Government should share the cost with them; but it is connected with the financial settlement.

8234. It is a financial re-arrangement and not a Public Works Department re-arrangement?—I think I may say so.

8235. What sort of accounts are kept for works for which neither revenue nor capital accounts are kept?—They are lumped together under provincial minor works; accounts are kept for the estimates as sanctioned, but no continuous record of them is kept; there is no separation between capital and revenue.

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8236. You consider that more latitude should be given to the provincial Government to remove works from the list of these capital and revenue account works with a view to saving a certain amount of clerical labour?—Yes, and also to prevent our returns becoming very bulky. We have 40 works now in our list, and they are being added to year by year as small projects are sanctioned.

8237. How many major productive works have you?—Eight.

8238. And protective works?—One, in operation.

8239. How many minor works have you?—Thirty-four.

8240. With regard to the Director-General, you think he is a useful officer?—Yes, I do.

8241. Does he, as a matter of fact, now advise regarding the execution of works in progress?—So far as I am aware he has not done so, because no occasion has arisen for him to do so.

8242. No occasion has yet arisen for his coming to Madras?—He has come to Madras several times, but his investigations have been confined to the scrutiny of large projects, which have been under investigation in Madras.

8243. You say that there has been no attempt on his part to assume administrative importance?—No.

8244. Are the officers of your department at all inclined to look to him as their professional head rather than to yourself?—Not at all.

8245. You say there is a tendency to impose too rigid rules. Who imposes the rigid rules?—The Inspector-General.

8246. Then is that not a tendency towards assuming administrative importance?—He mostly advises with regard to the design for projects submitted to the Government.

8247. What you mean is that he does not interfere with the interior economy and discipline of your subordinates, but he is rather too fond of uniformity in design?—Exactly.

8248. That you think is detrimental to your department?—I think it delays the sanctioning of useful projects.

8249. Do you think that it affects his judgment when he is advising the Government of India with regard to schemes which are submitted by the provincial Government?—In his criticism of the projects he is inclined to be too uniform, or inclined to rules based on his own experience.

8250. However, you think that, balancing the good with the bad, the Government of India have done right to create such an appointment?—I might explain that there has always been an Inspector-General of Irrigation, but his office was combined with that of Secretary to the Government, and when he was Secretary to Government he had very little time for the detailed scrutiny of estimates that now takes place. Of recent years, owing to a large number of projects having been prepared all over India for irrigation works, a special officer has been appointed as Inspector-General.

8251. Have you submitted any large schemes of late years to the Government of India?—We have submitted several very large schemes.

8252. Have the estimates which you have submitted originally been very largely exceeded when the total cost has been reckoned up?—No estimate which has been submitted of recent years to the Government of India has been carried out.

8253. When was the last time that you submitted estimates for the carrying out of a large work in Madras?—We have submitted several within the last three or four years, or say five or six years.

8254. Have they been carried through?—They have nearly all been returned.

8255. For what reason?—For reconsideration and alteration.

8256. Reconsideration of design, or of cost?—Of both.

8257. When was your last work completed?—The completion estimates were sent in for the Periyar project, say, ten years ago.

8258. Do you recollect the original estimates for those?—I am afraid not, but I know the original estimate was considerably exceeded.

8259. Do you know by what percentage?—36 per cent.

8260. Do you recollect whether in that particular work the original estimates of the Government of Madras were much smaller than the estimates subsequently sanctioned by the Government of India?—I do not think they were; I do not think there was any material difference.

8261. You say the powers of sanction of Superintending Engineers might be increased up to Rs. 10,000? Has the Government of Madras power to do this now?—Yes.

8262. It has not done it?—It has not done it.

8263. When either a Collector, or a municipality, or a District Board, desires an irrigation project, what is the process by which that finally reaches the provincial Government?—If the local officers propose any but the most insignificant irrigation projects, they send up a preliminary report to the Chief Engineer for Irrigation.

8264. Do those projects spring from them, or from the District Board Officers?—Nominally from the District Board Officers. A preliminary report is sent up giving very roughly what the probable cost will be; the question is submitted by the Chief Engineer for Irrigation for the orders of the Local Government.

8265. Which branch of the Local Government?—It is sent to the Member in charge of the Revenue Department, and afterwards to the Member in charge of the Public Works Department. If the investigation is sanctioned, an estimate is then sent up, and when that is sanctioned, the detailed investigation is carried out.

8266. Is it in your office or is it in the Superintending Engineer's office that the estimates are finally framed?—In the case of large projects they are framed by a special establishment detailed for the purpose; in the case of moderately small projects they are framed by the local officers, the Executive and Superintending Engineers.

8267. Then comes in the process of sanctioning up to Rs. 20,000 or Rs. 25,000, as the case may be?—Yes.

8268. You wish to say something regarding the relations between the Collector and the Executive Engineer?—Yes. I understand that witnesses have suggested that Collectors should be empowered to issue orders directly to Executive Engineers, mainly in matters connected with irrigation, in order that their wishes may be promptly carried out. One witness (if reported aright) considers that not only should this power be given, but its bestowal would connote the power of the Revenue Divisional Officers to issue orders to subordinate officers of the Public Works Department.

Such a proposal would be subversive of discipline, in that an Executive Engineer would have two masters who would not improbably take very different views of the right course of action in various circumstances. If an Executive Engineer for any reason quarrelled with his departmental superior he could at once shelter himself behind the Collector. The position of the Superintending Engineer would thereby be rendered analogous to that occupied by a Conservator of Forests, viz., he would become an advising and consulting officer with no power to enforce his orders if his Executive Engineer wished to oppose them and could persuade the Collector to agree with him. In this respect the proposal is a thoroughly retrograde one, and runs counter to the policy now being adopted by the Government of India of giving greater powers and responsibilities to Superintending Engineers.

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The points on which Collectors wish to issue orders are ones on which they are not competent to speak. They are, broadly speaking—

(*a*) Distribution from irrigation works.
(*b*) Repairs to irrigation works.

As regards (*a*), distribution from small works is already in the hands of the Revenue Department, and it is only distribution from large works where Collectors want enhanced powers. For the purpose of distribution of water in large systems we have a special staff, whose sole duty during the irrigation season is the distribution of water. They are, in practice, never transferred to other duties, and are kept in one place unless special reasons arise for their transfer. They are well acquainted with the needs of the people. I do not believe that they are more dishonest than revenue inspectors and other comparatively low paid officials with such opportunities would be. The officers of the Public Works Department, generally speaking, inspect regularly, and succeed in seeing that water is equitably distributed. The Collectors do not often interfere. When they do, their requests are, generally speaking, not the result of their personal knowledge, but are based on the recommendations of a tahsildar or the complaints of an influential raiyat. If complied with, they would be liable to upset a well-thought-out scheme of distribution and inflict hardship on other landholders who were not lucky or influential enough to be able to bring their claims forward. Occasionally there may be delays in setting right real grievances. The reason of this is that the tahsildar receives a complaint. He forwards it to the Revenue Divisional Officer, who sends it on to the Collector, who transmits it to the Executive Engineer, who has to send it to his sub-Divisional Officer, who enquires into the matter or even passes it on to a subordinate. This is very unsatisfactory.

With rapidly rising prices the economical use of water becomes yearly more important. This has until quite recent years been greatly neglected in this Presidency. A great deal of thought and trouble is now being devoted to this important object, which can only be attained by well-thought-out arrangements, founded on a scientific basis and steadily adhered to. If Collectors were empowered to issue such orders as they please on the subject, it would be impossible to introduce any improvements in this respect. Many Collectors fail to understand and grasp the importance of our aims in the matter of equitable and scientific distribution of water.

As to repairs, a Collector is always consulted in the preparation of the budget estimate of repairs of irrigation works, and any work which he thought required repair would certainly be put into the budget and pushed on if he regarded it as urgent.

Certain repairs which Collectors sometimes consider urgent are not only not urgent but absolutely useless. A frequent demand is for clearing sand from irrigation channels. It is in most cases impossible to tell by inspection whether a channel requires clearing in this way or not. In many cases where there have been loud demands for clearance, running a line of levels revealed the fact that, far from wanting clearing, the channel bed was in many places too low. A very great deal of the clearance of sand in minor works in charge of the Revenue Department is not only useless but harmful. Similarly, suggestions are often made that scouring sluices should be constructed in places where flood levels show that they would be absolutely ineffective, and such works as deepening tanks, the cost of which is absolutely prohibitive, embanking rivers and streams which increase the evils they are designed to prevent, &c., are often asked for.

Any wishes Collectors have in the matter of irrigation works can only be the result of representations from their subordinates. The idea that improvements would take place under their control is a natural one but illusory. The Public Works Department is not perfect, but, broadly speaking, it does its best, and that best is not likely to be improved in any way by the alteration suggested. To be frank, the motive which has given rise to the proposal under discussion is really a sentimental one, viz., that the Collector dislikes the idea that there should be in his district any officer to whom he has not the power to issue direct orders.

The preparation of an estimate for the improvement of an irrigation work or the device of a method to end an irrigation dispute is not always a simple matter. It involves taking many levels and the collection of revenue particulars, so that the time taken in disposing of a reference of this kind is really only reasonable although it may seem to a layman excessive. Revenue Officers are very much inclined to accept the opinions of the officers of their own department in defiance of the opinions of Engineers, and the grant of increased powers to Collectors in this respect would be likely to lead to serious injury to existing works and the waste of money by the execution of small projects which are technically unsound.

It has been suggested that Collectors should only be empowered to issue orders on non-technical matters. It is almost impossible to discriminate between technical and non-technical matters, and the distribution of water from our large irrigation systems with regard to which especially enhanced powers are demanded in the Revenue Department is an eminently technical matter of extreme difficulty. Originally all water distribution was in the hands of the Revenue Department, and although it is some time since my department undertook the distribution of water, the raiyats still look to the Revenue Department to remedy any grievance. That department undoubtedly has greater prestige with the raiyat, and has the advantage of being the department that assesses the revenue. Many of the delays complained of would be obviated, were the raiyat educated to apply in the first instance to the right person, i.e., the nearest Public Works Department Officer with sufficient authority to decide on the question. I believe that had the Officers of the Revenue Department taken that view, and had instructions been issued to the subordinate officials of that Department to refer petitioners in the first instance to the proper Public Works Department Officers, the vast majority of real grievances would have at once been set right.

I believe that wherever Collectors take a sympathetic interest in the aims of the department there is now little or no friction, and I would only plead for a little more trust and sympathy, without which it is unfair to lay the blame for disagreements on Executive Engineers. It has always been held that the officers of the Public Works Department must thoroughly recognize that the Collector is head of his district, that his wishes are in every respect to be carried out unless there are real reasons why this cannot be done, and in such cases the reasons must be clearly explained to him. Similarly, the Executive Engineer must always be prepared to give every assistance in his power to the Collector when required to do so. There are recognized rules and they are, I believe, almost universally acted up to, but it is generally difficult to get a Collector with sufficient knowledge of his district and time at his disposal to discuss engineering matters.

8269-70. Really your case in brief is this, that the distribution of water is a technical matter and that the interference with your subordinates in the distribution of water raises questions which no Collector can have real knowledge of; is not that it?—That is so as regards the distribution of water.

8271. And also with regard to repairs to irrigation works; do you hold that as strongly?—Yes, I hold it quite as strongly, because I believe that every attention is given to any wishes that the Collectors express.

8272. Do Collectors, as a rule, get their ideas upon all these subjects not from their own personal observation, but from representations made to them

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by their subordinates, the tahsildars. and so on?—That is so.

8273. Very possibly if the Collector had seen the matter in question, he would have formed a different opinion from that which he represents to you as his opinion?—Yes, if he had seen it in consultation with the officer of the Public Works Department, who could explain to him the facts of the case.

8274. Suppose the question of the distribution of water arises; it is very necessary if you are to give the supply of water to give it at once?—That is so.

8275. The Executive Engineer is not always at hand, whereas the Collector may perhaps be passing through the district at the time?—The Sub-Divisional Officer is always at hand.

8276. But he has no power of himself to do anything?—Yes, he has powers.

8277. Would he not have to refer to the Executive Engineer?—No. There are various arrangements in the various districts, but it is always so arranged that an officer on the spot can make any modification if it is necessary.

8278. Does it not in fact have to go to the Executive Engineer?—I do not think so.

8279. Therefore, what you feel is that, while the Collector should not have power to order the Sub-Divisional Officer, as a matter of fact the Sub-Divisional Officer is always at hand to give advice to the Collector?—Yes.

8280. And that being so, you desire no alteration in the present position?—That is so.

8281. (*Sir Frederic Lely.*) What is the position of the Sub-Divisional Officer; what is his pay?—It varies enormously—anything from an Assistant Engineer on Rs. 500 a month, down to an Overseer on Rs. 100 a month.

8282. He might be then even inferior to a tahsildar?—As a matter of fact, in the large districts, where distribution is of importance, the Sub-Divisional Officer is almost always an Assistant Engineer, or a very senior upper subordinate.

8283. Generally a native officer?—More often a native than a European.

8284. He would be presumably as ignorant of the conditions of the people and the state of things from the revenue point of view as the Collectors' subordinates would be of the state of things from the Public Works point of view?—I do not think so; I think he mixes with the people; he goes about and he sees what is going on, and he inspects the fields.

8285. At what stage does the Government of India Inspector-General of Irrigation intervene in case of major irrigation works?—All original ideas hitherto have been originated by the Madras Government.

8286. Would the preliminary working out of the project be done by the Madras Government without communication with the Government of India?—Yes, when the investigation is completed the projects are sent up, but the Inspector-General also makes tours, when, if convenient, he inspects the project which is in course of investigation and gives advice and instruction.

8287. As a general rule the complete project would not be taken in hand until the Inspector-General had visited the place and given an opinion upon it?—As a matter of practice hitherto, the projects have been previously completed, because the appointment of Inspector-General dates from such a short time back that, so far, he has not had time to investigate the projects.

8288. Then the provincial Government would consider itself at liberty to complete a project without the preliminary sanction of the Inspector-General?—The larger projects which we have investigated have been investigated under the instruction of the Government of India on the recommendation of the Irrigation Commission.

8289. But the intervention of the Inspector-General of the Government of India does not become absolutely necessary under the present system until the project is completed and sent up for examination?—Not necessarily.

8290. It merely comes to the supervision of one high engineering expert of the work done by another, that is to say, by the provincial expert?—That is so.

8291. Do you think that in the case of most works the provincial experts would not be competent to deal with them?—I think they would be competent in the case of most works.

8292. Is the delay of a reference to the Government of India sufficiently compensated for by the additional security that is given by expert advice and supervision?—The Government of India provide the funds, and I think they have the right to exercise all supervision.

8293. Did you say that your Sub-Divisional Officer has as good means of knowing the condition of crops and the wishes of the people as the Collector?—He certainly has as good means of knowing the condition of the crops; I will not say that he has as good means of knowing the wishes of the people.

8294. If they wanted anything the people would more naturally go to the tahsildar or the Collector than to the officers of the Public Works Department?—They do so, and that is exactly what I wish altered.

8295. But the Collector is the authority who has to consider cases of remission when the crops fail or water is not supplied?—Yes.

8296. That being so, suppose the Collector expresses a wish about letting in water, or stopping water, would you not devise some way in which his wishes should be carefully considered, and, if possible, carried out by the Sub-Divisional Officer?—I believe such is the case now—that every consideration is given to his wishes and it is always done if possible.

8297. And where there is a disagreement in opinion what is the result?—I fancy the result is that things go on as they are, and there is acrimonious correspondence afterwards.

8298. Has the Sub-Divisional Officer to refer the matter to the Executive Engineer?—If the Sub-Divisional Officer had reasons for not complying with the Collector's wishes he would report the matter to the Executive Engineer.

8299. Would he send a copy of his report to the Collector?—That I do not know.

8300. Would you have any objection to his doing so?—Not the slightest.

8301. You spoke about the rigid rules which have been framed for the consideration of schemes submitted to the Government of India. Do you not think that those rules are necessary for the sake of securing uniformity in all schemes which go up from different provinces to the Government of India?—The rules which I allude to are the rules with regard to the designs of engineering works, and conditions vary so in various parts of India that rules which are suitable for one province are unsuitable for another.

8302. Has this been suggested to the Government of India?—It has. When I say it has been suggested, I mean that the Government of Madras in dealing with individual cases have suggested that greater latitude should be given to local officers to settle details.

8303. But on general principles you agree that in those schemes which are to be submitted to the Government of India, the Inspector-General must have some sort of scrutiny?—Yes.

8304. And they must proceed on certain rules with a view to uniformity in all the different provinces as far as possible?—I have perhaps used the word "rules" wrongly; it is hardly the word I should use; I would substitute "principles of design" for the word "rules."

8305. With regard to principles of design, would not the Inspector-General be justified in laying down certain principles as far as possible with a view to uniformity in all the provinces?—No, certainly not.

8306. (*Mr. Hichens.*) Have you got a large number of major productive projects on hand for which you can get no funds from the Government of India?—No, generally speaking, we get all the money we want.

8307. Does the provincial Government have to pay interest on the capital sums advanced prior to the completion of the work?—The works for which we get a grant from the Government of India are at present financed by the Government of India entirely.

8308. (*Mr. Meyer.*) You said that the Government of India, as far as your department is concerned, was the Secretary of the Public Works Department of the Government of India; is that correct?—I think I am right.

8309. Is there not a member of Council in charge of Public Works?—Yes, there is a Member of Council.

8310. Are you aware also that in any case in which it is proposed to overrule the provincial Government the special sanction of the Viceroy must be obtained?—No, I was not aware of that.

8311. You said that the limit of the provincial Government in regard to sanctioning estimates for productive public works was only Rs. 25,000; there you refer to supplementary works undertaken after the original project had been more or less completed?—That is so.

8312. But the estimate for the original project must go up to the Government of India, although the Government of India had approved of it generally?—Yes.

8313. The estimates for productive works are generally pretty large amounts?—Yes; generally a good many lakhs.

8314. You said there were 8 productive works in this Presidency; you meant 8 large systems?—Yes.

8315. For instance, you would call all the works in connection with the great Godavari system one work?—Yes.

8316. Productive works are constructed entirely by the Government of India from loan funds?—Yes.

8317. The amount the Government of India can raise for this purpose is limited?—Yes.

8318. And it has to be distributed over the whole of India?—Yes.

8319. As regards protective works, can you tell us how they are financed?—Protective works are financed by a proportion set apart from the Famine Insurance Fund.

8320. Which is also imperial?—Quite so.

8321. And the Government of India again has rather limited means, which it has to dispose of throughout the whole of India?—Yes.

8322. From that point of view is it not desirable that there should be an Inspector-General who should go round and compare one scheme with another and deal with each on its merits?—I think it is.

8323. And in dealing with the merits there may be a question of whether the estimate is possibly extravagant or not?—There may be.

8324. You have a big protective project here in conection with the Tungabadra, have you not?—Yes.

8325. The Inspector-General came down about that?—Yes, two years ago.

8326. Did you find his advice was of value?—Yes.

8327. You spoke of rigid rules and you explained what you meant. Are there not a great many rigid rules in the Public Works Codes?—Yes.

8328. Rules that unduly hamper the discretion of officers?—I do not think there are very many; I am not prepared to recommend modifications offhand.

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8329. What power has your Executive Engineer, who is your chief officer in a district, to sanction works from provincial funds?—Up to Rs. 200, which may be extended to Rs. 500 in the case of selected officers.

8330. Up to what service may an officer be an Executive Engineer?—Up to 25 years' service.

8331. Do you think that these powers might not reasonably be extended?—They might well be extended to selected officers. Not to all.

8332. You spoke of giving additional powers to Superintending Engineers. Their powers are very limited, too, are they not?—Yes.

8333. Are they not supposed to be selected senior officers in the department—the best men next to the Chief Engineers?—Yes.

8334. Might they not have much larger powers?—I have made recommendations that they should.

8335. There was a letter the other day from the Government of India on the subject; were their suggestions the same as yours, or have they gone beyond them?—They have gone far beyond mine; I think they go up to a lakh.

8336. Are you prepared to go as far as that?—Not at once.

8337. Upon that subject you would not decentralize so far as the Government of India is prepared to decentralize?—Not as far as regards those suggestions that you refer to. I may add that I would not do it at once, because it would necessitate an alteration in the status of the draftsmen and other officers in the Superintending Engineer's office, and I would go slowly in a matter of that sort.

8338. Your present position is that of adviser to the Government of Madras in respect of all large schemes?—Yes.

8339. Does it not militate against your usefulness in that capacity to have your time taken up by the constant scrutiny of petty projects?—Yes.

8340. You spoke just now of making a discrimination between certain Executive Engineers and certain others as to powers; is not that rather an invidious matter?—The distinction is now made in that respect.

8341. How is the distinction made; is it on the ground of seniority?—It is generally on the ground of seniority.

8342. Not of personal ability?—As soon as the Executive Engineer has a certain amount of experience as Executive Engineer, unless he has shown that he is not likely to prove competent, he is invested with additional powers.

8343. Your idea is that an Executive Engineer should serve an apprenticeship in that grade and then get larger powers?—Exactly.

8344. But you do not favour the idea of discriminating between officers of the same grade and saying that A shall have the power and B shall not?—It would depend very much on the extent to which the powers were given; if they were given very large powers I might even extend my discrimination as far as you suggest.

8345. As far as the Executive Engineers are concerned, you might extend their very small powers considerably simply on the ground of seniority—you might give it to them after they had served a few years, is that your position?—Yes.

8346. You say that if the Collector had the control over the Executive Engineer in matters affecting the people, that would amount to a divided control over the Executive Engineer himself and would be unsatisfactory. That is the system that is carried out in the Forest Department?—I believe it is.

8347. Suppose the Executive Engineer retained his present power of control in technical matters, in all estimates and construction, and that the

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control of the Collector was merely as regards what works should be undertaken and what was the best time to repair certain works having regard to the needs of the raiyats, would you object to the Executive Engineer being under the Collector so far?—I should, certainly.

8348. You say you recognize the Collector as head of the district?—Certainly.

8349. Is that always the position taken up in your department?—I think it is almost always.

8350. You speak in your memorandum for instance of the Collector and his people as "the Revenue Department"; does that not imply that the Collector is merely concerned with the collection of revenue and that he is on an equality with the Public Works Department?—I am sorry if I have given a wrong idea; I fully recognize that the Collector is the head of his district.

8351. And that he has many things to consider besides mere revenue matters?—Quite so.

8352. You say that under the present system the Collector has a full opportunity of seeing the budget allotment for his district and making his remarks thereon?—Yes.

8353. Was that system always in vogue?—Always so far as I know.

8354. Was it not introduced about the year 1892?—I cannot say; I am under the impression that it was always in force; however, that would be since 15 years.

8355. On one occasion when I was serving in this Presidency, the Superintending Engineer omitted to send the budget to the Collector at all; would you consider that proper?—Certainly not.

8356. You spoke of the Collector being able to correct matters in conjunction with the Executive Engineer; if the Executive Engineer said he could not come, would you consider that proper?—Not unless there were very urgent reasons.

8357. If a Collector says that he finds that a particular tank might be repaired with advantage, or that a certain weir is out of order, or something of that sort, and the Executive Engineer says that there are no funds, would you consider that a proper disposal of the case?—He should put it in his budget the next time.

8358. You implied that the Collector is a purely sedentary officer who could only act on reports from his subordinates?—I wished to imply that the Collector is a very hard-worked officer and that he has no time to go into details.

8359. Does he not travel about the district?—Yes.

8360. Does he not do the *jamabandi* for a large portion of the district every year?—Yes.

8361. Has he not to deal with remissions for irrigation?—Yes.

8362. And does he not find out in that way whether the irrigation is in good order or bad order?—Yes.

8363. Do you know the Godavari district?—I have not known it for a long while.

8364. The distribution of water to the villages there rests with a class called channel superintendents, officers of your department, a low paid class of men?—Yes.

8365. Has it been alleged that they have been bribed?—Yes.

8366. Do you think that there is any truth in that?—Yes.

8367. It is an allegation frequently made in the district that if a certain channel superintendent did not receive a sufficient *douceur* from the raiyat he would close the channel leading from that village; is that so?—It would depend whether he thought he could do it with impunity.

8368. Then it would all depend on the degree of supervision exercised over him by the Executive Engineer?—Yes.

8369. And the Executive Engineer has a large range?—Yes; he has a Sub-Divisional Officer under him.

8370. (*Sir Steyning Edgerley.*) As regards the Inspector-General of Irrigation, you are glad of his advice, and you think that the dissemination of information from other provinces which he facilitates is a very good thing?—Yes.

8371. You say here: "Business would be greatly facilitated were the responsible opinion of local officers in matters of detail more readily accepted." You attribute that to the Inspector-General's tendency not to accept them?—Yes.

8372. In so far you would say he is entering a sphere where he is injurious?—In that respect, yes.

8373. You say you have had 5 or 6 works as the result of the Irrigation Commission which have been sent up to the Government of India and have come back?—Yes.

8374. They have come back with memoranda by the Inspector-General?—Yes.

8375. A single memorandum or two memoranda?—One project at least has come back more than once.

8376. But I mean, one memorandum or two memoranda together?—Only one so far as I am aware.

8377. On technical matters?—Yes.

8378. Solely?—No; there are also discussions on revenue matters.

8379. That is to say, the Inspector-General after visiting a work takes up the revenue aspects of the work and so on?—Yes.

8380. Before the project goes up to the Government of India and comes back to you, has the Board of Revenue had an opportunity of reporting upon it?—Yes, before it goes to the Government of Madras.

8381. Before it goes to the Government of India at any rate?—Yes. At some period in the course of the project the Board of Revenue submits a report on the revenue aspects of the project.

8382. Do you consider that the Inspector-General's criticism is useful in that regard?—It is a point which goes rather beyond my sphere of work, but I should say on the whole it is.

8383. Suppose the Inspector-General certifies that a project is sound and desirable, do you think that he might usefully further enter into the revenue results?—It does not come within my sphere of work to give an expression of opinion on that point.

8384. If it does not come within your sphere of work, would you feel competent yourself to criticise for the Government of Madras?—No, I would not.

8385. Then do you see any reason why the Inspector-General of Irrigation should feel competent to discuss that with the Government of India?—No; on the whole I should say he is not.

8386. You think he is going outside the sphere of an Inspector-General in that sort of thing?—Yes.

8387. And that the opinion of the Local Government based on that of the Board of Revenue is probably the more valuable of the two?—Yes.

8388. That is assuming the soundness of the project technically?—Yes.

8389. (*Chairman.*) Have these 5 or 6 schemes that have come down from the Government of India come down on general points or on technical points?—Mainly on technical points.

8390. You see a very large number of small schemes that come up to you?—Yes.

8391. Have you laid down for yourself certain general principles which you apply to these schemes?—Yes.

8392. Do you think there is any chance, in the view of your subordinates, of these principles which you have laid down as applicable to different parts of the Presidency being too rigid?—I do not think so.

8393. You think there is sufficient likeness throughout all parts of the Presidency to enable you to apply these principles generally?—I think I have sufficient knowledge of various parts of the Presidency to modify my principles in accordance with local conditions.

8394. Do you modify your principles?—Principles of design, yes.

8395. You do not think you apply in the case of your subordinates the view which the Inspector-General of the Government of India applies to you?—No.

8396. Is your department very much tied up by office work?—I think it is on the whole.

8397. Have you any general recommendations with regard to small matters that you think might be left to the decision of subordinates?—The only thing I can think of in connection with that is that there are a large number of small rules framed by the provincial Government, which are individually so insignificant that I do not think it worth while to bring them to notice, but which collectively do delay business.

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(*The witness withdrew.*)

M. R. Ry. P. VENKATAPPAYYA was called and examined.

8398. (*Chairman.*) You are the Vice-President of the District Board of Kistna?—I have been so for six years. I am a pleader, a native of Masulipatam, and I was also a municipal Chairman for seven years.

8399. Are you also a member of the *taluk* Board?—I am a member of the District Board and I am a member of the municipal Council.

8400. Do you as a matter of fact have handed to you by the President of the Board all the details of the budget?—Yes, I look into the budget.

8401. Do you, under the general control of the President of the Board, practically arrange all the work of the Board?—Yes.

8402. And you have a pretty free hand in doing that?—Yes, so far as office work is concerned I have a pretty free hand; in the matter of administration certain powers have been delegated to me.

8403. What sort of powers?—Powers of overlooking the work of certain subordinates in certain departments and so on.

8404. Is there any pay attached to your office?—None whatever.

8405. How many hours a day of your time do you find that the work occupies?—About three hours every day, sometimes more. I happen to be a pleader also, and if any questions connected with the law arise that have to be decided by the Board I generally look into them; when such questions come up a trifle more time is occupied.

8406. Do you get any of your colleagues to assist you in your work?—No. No doubt there are provisions in the Local Boards Act that committees could be formed of the members of District Boards, or partly of such members and partly outsiders, in order to supervise certain branches of the work. Such committees do not exist; the Act is not put into force. If these provisions were put into force and committees of a few members were entrusted with looking after certain branches of the work, the President would be a good deal relieved. The President, as it is now, looks after the whole of the executive business, barring that which he has delegated to the Vice-President. This is not as ample as it might have been. In several districts of the Presidency it is only official members who are Vice-Presidents. There are men in every district who would willingly take up a large amount of work, and if these non-official gentlemen were entrusted with the work it would relieve the President from a great deal that otherwise he has to do. So long as it is simply a matter of honour to sit with the Collector as President and simply say yes or no, the members look upon it from the honour point of view, but if the members of the Board are given real work to do, the choice of members would be more careful on the one hand, and the members themselves would be unwilling to accept such a position unless they thought themselves equal for it. The improvement of the constitution of these Boards would have a wholesome effect all round. In municipalities this is done now to a certain extent.

8407. May I take it that there is a general power of delegation under the Act of 1884 which has not been exercised?—Not exercised fully except in the case of the Vice-President, where, too, it has been exercised very sparingly; that is the point.

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8408. You would like to see a much larger exercise of these powers of delegation than at present is practised?—Yes. Then, in the case of municipalities, there is no doubt that under the ward system the members do take some part, but there too there is much room for improvement and much greater scope for members being invested with further powers and further duties. The sanction of Government has to be obtained upon a great many points in connection even with minor matters. I think that the necessity for reference in regard to some of those points might be dispensed with, with advantage to the Government as well as to the Board.

8409. Do you desire to say anything about Advisory Councils?—There ought to be an Advisory Council in the district, not only to advise the Collector as the head of the district, but also to advise the Executive Engineer (especially as to irrigation and the distribution of water) and the Forest Officer and the District Superintendent of Police. It is very necessary to have Advisory Councils for these purposes. Such Councils might be constituted in one of two alternative ways; one method is by the election of competent men from various parts of the district to represent the various classes and interests of their parts of the district. There are already well-constituted and well-conducted District Associations, *taluk* Associations, and People's Associations; representatives from these might also be chosen to be members of the Advisory Council. At least a large proportion of the members should be taken by means of election; a few of them might be nominated by the Collector also. Constituting them in that way, we might have Advisory Councils for the District Boards and Advisory Councils for the *taluk* Boards also, sitting side by side with those Boards. Or if this is open to the objection that there will be a multiplicity of assemblies and a multiplicity of correspondence, I think there is a way of converting gradually, in course of time, the District Boards and *taluk* Boards themselves into Advisory Councils, by changing the constitution of those Boards. This is an alternative method.

8410. Of how many members do you think the Advisory Council should consist?—About twenty persons.

8411. Would it be difficult to find twenty responsible persons to represent all the different interests of a district?—I do not think so.

8412. How many members are there on your District Board?—About forty.

8413. How many different interests are represented between those forty; how many lawyers are there?—There are five lawyers.

8414. How many landowners?—Some seventeen or eighteen.

8415. Are there any traders on the Board?—Two.

8416. Are there any raiyats on the Board?—Yes.

8417. How many?—Some 10 or 12, included in the seventeen or eighteen landowners.

8418. You think it would be perfectly easy, in addition to those who now sit on the District and *taluk* Boards, to find twenty other men who would represent these classes on the Advisory Council?—Some of the members of the District Boards may sit on the Advisory Councils also.

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8419. You want them to re-appear on the Advisory Councils?—I do not see any objection to that. I think there are many other persons also who are equal to the task.

8420. Do you think that the District Boards do good work now?—Yes, according to the rules and regulations under the Act.

8421. We had a native gentleman here the other day who told us that he thought that District Boards ought to be abolished; do you agree with that?—I think there ought to be some central Board for the whole district.

8422. You think it would not do to change a more or less small District Board into a large number of more powerful *taluk* Boards?—There would be a lack of central power and a want of uniformity; there would be some difficulties.

8423. You think it would make more work?—Yes. I want to see the District Boards gradually converted into Advisory Councils.

8424. In addition to the District Boards and *taluk* Boards, what you want to see is about twenty people besides those forming an Advisory Council to the Collector of the district?—Yes.

8425. And, from your point of view, to the Engineer of the district and also to the Forest Officer of the district?—Yes, and also to the Superintendent of Police if necessary.

8426. (*Sir Steyning Edgerley.*) About your system of having sub-committees in the District Boards; how long have you held these views?—A long time.

8427. I suppose you are trusted by your Collector?—Yes.

8428. Have you ever put a scheme before him?—No.

8429. Do you not think it would be a good thing to work it out and put it before him and try to introduce it in your district and see if it would work?—I should think so.

8430. You are in favour of election to *taluk* Boards?—Yes, to some extent.

8431. Have you ever tried to work out a scheme for the Kistna district?—There has been a scheme in force; I have not myself brought it out.

8432. Is there election in force?—Yes, from *taluk* Boards to District Boards.

8433. But there is no system of election to *taluk* Boards?—No.

8434. Would that be a good thing?—Yes.

8435. Have you ever tried to put forward such a scheme?—No.

8436. I suppose, as you have been Vice-President six years and have had various powers delegated to you, we may take it that you are thoroughly trusted by your Collector?—I am, I believe.

8437. Would he not consider a suggestion of that sort if you make it?—I think so, yes.

8438. Might you not carry it out in your own district if you tried?—I have not tried it.

8439. But there is ample power under the Act to try it?—Yes, but then there must be better members in the Board before I do that.

8440. Whether you got better members would depend on what scheme of qualification for election of members you propounded?—Of course all selected members are qualified according to the rules, but they should be elected according to their competency. Some of the members are competent, but others are not up to the task.

8441. Would those be likely to be elected by the people?—I think the people would elect competent men.

8442. If you have a system of election you think that that difficulty would be lessened?—If you have a system of election on the one hand, and if you have also the system of letting these members do substantial work.

8443. (*Mr. Meyer.*) Although the Act permits the election of a portion of the members of the *taluk* Board, it would be necessary to get the sanction of Government to the application of that section in your district?—Yes.

8444. You wish that the Collector should remain President of the District Board, though there should be a non-official Vice-President?—At least for some years to come, perhaps for many years to come.

8445. He should keep only important matters in his own hands and delegate routine work?—Not only routine work; he might delegate other matters, such as the management of roads.

8446. But when it comes, for instance, to a scheme of roads, he must deal with the matter?—Yes, he must have general control.

8447. It has been suggested to us that if the District Boards received a freer hand, of which I understand you are in favour, it might be of advantage to give such outside control as is necessary to a member of the Board of Revenue instead of to the Government direct; would you be in favour of that?—I have not thought out the matter.

8448. Would you be in favour of giving the Collector control over the lesser municipalities in the district, instead of making them go up to Government?—I think matters must go up to Government as they now do.

8449. You spoke of Advisory Councils for several officers, the Forest Officer, and so on; do you mean that each should have a separate Advisory Council, or that there should be a committee of the general Advisory Council?—Only one Advisory Council for the whole district.

8450. With committees for forests, public works, and so on?—Yes, either with committees or without them; all the members might be consulted.

8451. (*Mr. Dutt.*) Are there many other non-official Vice-Presidents of District Boards in the Madras Presidency?—I fear that there are only three or four others in the whole province.

8452. You say that under section 34 of the Act it is allowable to have committees for the performance of particular branches of work?—I think that is in clause 5 of that section.

8453. That section speaks of the management of educational institutions, hospitals and dispensaries, and other institutions maintained by the Board?—Yes.

8454. That section does not permit of a budget sub-committee, for instance, being formed, or of committees for any other work besides those mentioned?—No.

8455. So that if it was necessary to form a budget sub-committee it would be necessary to modify this Act?—Yes. I should also submit that it should be so modified, if it should be modified at all, as to include power on the part of the sub-committees to superintend the carrying out of public works, for instance, roads; there are many things with regard to roads and communications that they might undertake when the President or the Engineer are absent in other parts of the district.

8456. With regard to Advisory Councils, you have suggested that the Advisory Council should not only advise in revenue matters, but give advice in police, irrigation, and forest matters?—Yes; it might be through the Collector.

8457. The District Superintendent is under the Collector?—Yes.

8458. And therefore you suggest that the advice should be conveyed through the Collector?—Yes.

8459. And the same with regard to forests?—Yes. As to the Engineer, I suggest that he be placed under the Collector in connection with the distribution of water. I know something about the distribution of water, because there is plenty of irrigation in my district, and I myself have wet land.

8460. Have you any idea as to how many members of the Advisory Council ought to be elected and how many ought to be nominated?—I think two-thirds ought to be elected and one-third nominated.

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8461. Besides these suggestions have you any others to make?—I should submit that it is not desirable to increase the number of districts, which would involve a very large expenditure; there are now very good roads in the districts, so that touring is not very difficult.

8462. Is not the area of some districts at present very large as compared with the area of the average Madras district?—Yes, one or two may be so.

8463. In those cases could not the districts with advantage be divided?—Perhaps a bit might be taken off some of the larger ones and put on to smaller ones; there might be some adjustment of that sort.

8464. Have you anything further to say?—I think it is very desirable to have village panchayats, at least for some of the larger villages at first, and gradually extend them to smaller villages. They would be of great use in inspecting crops along with the *karnam* and seeing whether remissions were necessary; they would be useful generally in matters like sanitation, watching, education and so forth.

8465. Would you organise these panchayats in those villages where there are already unions, or only in places where there are no unions?—I think they are quite a different body from the village unions; I would originate them in all places.

8466. Have you any idea as to how funds may be supplied for the carrying out of the duties imposed upon them?—That might be done by the transfer of some funds from the *taluk* Boards or District Boards; also in course of time, as the people came to appreciate the benefits of self-government, it might be done by some small taxation, and they might be trusted with the spending of the money.

8467. You would not recommend that now?—Not the taxation.

8468. Is there any other subject that you desire to touch upon?—I think the rights of appeal now granted are not too liberal, and they should be allowed to stand as they are. A careful reading of the rules shows that they are already curtailed to the extent to which they may be legitimately curtailed. Then, in the matter of remissions, the rules are very stringent and extremely rigid. Only on the loss of the total crop are remissions permissible. I think the extent of the loss of crop should be taken into consideration; account should be taken of the portion of crop recoverable, and the value of that portion, and if that value does not exceed the cost of cultivation of the whole, remission should be granted. At present the rules are so rigid that very little discretion is left to the local officers, and consequently there is a great deal of hardship.

8469. (*Sir Frederic Lely.*) You say that two-thirds of the Advisory Council should be elected. I want you to tell me, as an Indian gentlemen, whether it is, or is not, true that the soliciting of the votes of inferiors is altogether repugnant to the best classes of Indians in the rural districts?—There is no doubt some degree of repugnance about it, but gradually, in course of time, the need for such sort of soliciting would disappear; the system will not be worse than it is now.

8470. I am speaking now not of the urban population, but of people of better social position in the rural areas. Do you think that, as a matter of fact, they would stand as candidates at an election?—I think they would.

8471. Do you think, as a matter of fact (I am not saying whether the feeling is right or not) that they would think that they could not do so without loss of self-respect in the eyes of their neighbours and of themselves?—I think not, because the people themselves will try to elect men who are capable of doing the work, if the bodies are entrusted with real duties.

8472. But do you think these men would stand?—Yes; they would hope to be elected upon such a body.

8473. Suppose their election was doubtful, do you think they would stand?—I think there will be no great difficulty about that.

8474. (*Chairman.*) Having been Vice-President of a District Board for some six years, have you found any delay arising in settling questions as between the District Board and the *taluk* Board? I understand for instance that the budget of the *taluk* Board comes up through the District Board, and therefore there must be questions which are referred from the *taluk* Board to the District Board. Is there any undue delay in settling these questions?—There is not any very great delay.

8475. Is there any removable delay?—I do not think there is any removable delay; the delay so far as it takes place is unavoidable.

8476. You are familiar with all the accounts of the *taluk* Board?—To some extent.

8477. Are there too many forms which you have to fill up?—I do not think so, except that I wanted to mention this. There is some correspondence with the Government that might be cut down if greater power were conferred on Boards, but so far as the forms are concerned I think they are not too complicated. May I add that in case the Collector has to be relieved of his burden of work it might be done by a larger employment of tahsildars and Deputy Collectors on the one hand, and also by the separation of executive and judicial functions on the other.

(*The witness withdrew.*)

M. R. Ry. VEERASAMI IYENGAR was called and examined.

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8478. (*Chairman.*) You are a landowner in Tanjore?—Yes. As for extending the powers of the District Officers in matters concerning the collection of revenue, I should suggest that the *kist* must be made to be collected within a period of four months from the 1st of March to the end of June. This system of collection would fetch high price for the raiyats' produce. If anyone fails to pay the *kist* within a period of 30 days after the expiry of the time, the land becomes the property of Government, and it might be sold in auction. This system would save much trouble.

The number of officers may be increased, inasmuch as the officers at present very often complain of want of time to attend personally to many important cases. The area of districts may be curtailed or the number of officers may be increased.

Officers connected with the Irrigation Department ought not to be transferred very often, but they may be transferred once in five years.

The municipal Councils and District Boards are not doing good work, inasmuch as the members happen to dispose of most of the matters not personally understanding them. Until they take to division of labour among themselves no improvement can be made, as it is now.

Such Councils must be organised. Selection of members ought to be made among those who belong to the middle class and who would be prepared to go out, and learn matters and give good and useful counsels.

It is possible and quite necessary to have councils in village communities, but such committees are not in existence, in the absence of which the loss is inevitably occurring to the Government and to the raiyats, to a very large extent, in each village. The selection of the village Council members must be made in accordance to the amount of *kist* paid by them individually. The village munsiffship must be made honorary and that post must be given to the Presidents of such committees. The village *karnams*, *manigars*, and *thoties* may be (as they are now) Government servants, under the guidance of these Councils. The Council should see that the revenues are properly collected and

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matters referred to them by civil and revenue officials properly disposed of. Any advice that the Council may ask must be given by the district officials. Power to enforce the *Kudimaramat* Act must be given to the Council. Everything pertaining to the safety of the villagers should be managed by the Council having funds collected if the villagers were prepared to give voluntarily. Power to spend one-sixth of the Local Fund Cess Fund collected in the village must be given to them wherever access to the main roads is impossible.

8479. You wish to say something about the frequent transfer of officers who are connected with the Irrigation Department?—Some works which are to be sanctioned and executed at once have been delayed for 30 years on account of these transfers. When a scheme is projected the officer in charge frames an estimate; before the scheme that is projected is carried out another officer comes along with entirely different views. There are irrigation works in respect of which very considerable loss would be caused to two or three villages if a channel was left unopened, and matters of that kind.

8480. You say that owing to the change of Public Works Officers necessary irrigation works have been delayed?—Yes, involving a loss of several lakhs to the people, both to the cultivators and to the Government.

8481. Do you live in a country district?—I live half my time in Tanjore and the other half in my own village.

8482. Besides being a landowner have you any other occupation?—Not now; sometimes I am engaged as an expert witness to give advice on irrigation points as to the distribution of water and so on.

8483. Do you suggest that if there was transfer of authority from the Executive Engineer to the Collector, the distribution of water would be more satisfactory or easier?—At present the authority is supposed to be in the Collector and in the Engineer. There are principles already laid down —that such and such channels shall be made and that such and such places shall receive so much water when there is so much in the river; distribution rules are laid down and the Collector acts according to them; if the Engineer and the Collector agree they may extend the boundaries of an area or alter the distribution of water.

8484. You live in a small village?—There are two or three villages together, with one irrigation channel for 8,000 people.

8485. Do you think that in such a village, or group of villages, you could usefully get a village panchayat?—Yes.

8486. You speak of your being employed as an expert; have you been in the Irrigation Department of Government?—Yes, as a supervisor.

8487. Have you had many years of Public Works experience?—From 1870 to 1903 I served in the Public Works Department in various capacities up to supervisor. I should like to say that in my opinion there is no safety for life or property in the villages at the present time. I have been in a village for six consecutive months and have never seen a policeman; a policeman has never come unless somebody has sent for him, or brought him.

(*The witness withdrew.*)

The Rev. Dr. D. DOWNIE was called and examined.

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8488. (*Chairman.*) You have been some time in India?—Thirty-four years as a Missionary.

8489. During that time you have mixed, as I understand, with all classes of the community out here?—Yes. I have been a resident of Nellore since 1873 and have travelled extensively over the district both as missionary and as Chairman of the Primary School Examination. I have been for many years a member of the District Board and the municipal Council and for some years a member of the *taluk* Board.

I do not know of any distrust of, or of opposition to, the Government on the part of the mass of the people. The recent disturbances in Bengal and the visits of one or two agitators to Nellore have caused some little "unrest" among a few of the educated and professional classes, but even that has not been of a serious nature. But there is less contact and sympathy between the officials and the people now than there used to be. I have known of a Collector who at the end of a year's residence in Nellore did not know where the oldest high school in the district was located, although it is situated in a prominent part of the town, and he never saw the largest girls' school in the district. This may be due partly to the press of office work, but my impression is that it is due more to a want of real sympathy with the people and their welfare. The frequent changes of Government officials, especially Collectors, has much to do with this want of sympathy between the Government and the people. In my time I think we have had at least 20 Collectors, of whom I think 12 were permanent Collectors. That would give little more than one and-a-half years as the average term. Collectors cannot get sufficiently acquainted with their districts or the people in that time. It frequently happens that the Collector is not sufficiently acquainted with the Telugu language to communicate with the people. This is a serious barrier between the Collector and the people. If they approach the Collector at all, it must be through the mediation of some subordinate, and it will depend largely on the latter whether the case be correctly represented or not. If the intermediary happens to be a Brahman, as is very likely to be the case, and the petitioner a non-caste man, the latter's chances of a fair hearing or a fair reply would, or at least might, be rather slight.

The District Board consists of 32 members, of whom five are members *ex-officio* and three are really *ex-officio* though appointed by the Collector, making eight *ex-officio* members. Sixteen are elected by the *taluk* Boards, but there is nothing to hinder every one of them being officials, and, as a matter of fact, many of them are. The other eight are nominated by the Collector and appointed by Government. They are non-officials. The Board, therefore, is largely official and is controlled by a very small number of the members. It is safe to say that the work of the Board is done by not more than half a dozen out of the 32. The average attendance is about 20, and the most of them do little more than vote. The official members, such as tahsildars, draw double travelling allowance of non-official members. I know at least one tahsildar who draws some Rs. 35 travelling allowance while his actual travel can hardly cost more than five or six. A much smaller Board and greater care in the selection of the members would contribute to its efficiency.

An Advisory Committee or Council, composed, it may be, of members of the Board, but representing the different communities who would be consulted as to the budget and other important matters, would be an advantage. At present the budget is prepared by the President and a few of his subordinates, and the Board does little more than approve what is done.

I do not think the town of Nellore has improved in any respect since it became a municipality. The Council consists of 18 members. Six of these are elected and 12 are appointed by Government. The Collector nominates these 12 members, but he is guided largely by the headquarter Deputy Collector, who is a member of the Council. The Chairman is usually a Brahman and often a vakil. When matters of importance are to be discussed, there is usually evidence of rivalry between the Brahmans and other castes. The Chairman ought to be a European, either a non-official or the

Assistant Collector. Encroachments are frequent, and I know of some that have existed for 18 years which are known to be encroachments and yet are allowed to stand. The sanitation of the town is far from satisfactory, and the roads are frequently in very bad condition. Neither the roads of the district nor the municipality have ever been in as good condition since they were taken over by the local bodies. My opinion is that the people are not prepared for local self-government.

The new education rules are no doubt intended and calculated to improve education. With the scheme for elementary education I have no complaint to make, except that it puts too much power into the hands of the inspectors. All that Government now promise in the way of ordinary grants-in-aid is one-half the excess expenditure over the fee income. It seems to me that the policy of the Government in regard to secondary schools is to increase the restriction and decrease the aid. The effect will be to close up many private schools and restrict higher education to the well-to-do classes. If the Government are prepared to undertake the entire primary and secondary education of the country, I for one would have no objection. It would be in accord with what I regard as the best public school educational system in the world. In that case Government ought to allow Mission and other private schools to follow their own schemes and be permitted to send up candidates for Matriculation on their own merits, irrespective of where or how they were prepared. But I seriously question whether the people are able to bear the additional taxation that this additional burden would involve. In any case Mission schools will probably continue, but in view of the large amount of aid given to Government in its educational work by the Missions, it seems to me they deserve more generous treatment at the hands of Government.

If the partnership between the Government and private school managers is to be continued, I think there ought to be some sort of Advisory Council, composed of representatives of the Educational Department and a proportionate number of educational experts from representative educational institutions. Though its powers would only be advisory, it should be understood that the advice of such a body should be heeded, and not simply one to hear and approve what had already been determined upon.

8490. You are of opinion that the Collectors, and, I suppose, the Divisional Officers, do not mix as much as they could, or as they ought to, with the people amongst whom they reside, and over whom they have jurisdiction?—Yes.

8491. That is partly because they are deficient in knowledge of the vernaculars?—It is very largely owing to the brevity of service in a given district; it is owing to the frequency of changes of officers.

8492. Have you noticed any improvement as to the length of term lately?—No, changes are more numerous. In the early part of my residence in Nellore the terms of service for Collectors, for example, were much longer. Mr. J. Grose was there for two terms—five years the first time and two years the next time—before he went to the Board of Revenue. Mr. Vans Agnew, who was Collector when I came, was, I think, some five or six years in the district; Dr. McLeane was some five years, I think, in the district; since then the term has been less.

8493. It has been less within the last 10 years, shall we say?—It has been less since Mr. Grose left; that was ten years ago, I should think.

8494. Owing to the factions amongst the people in a district is it difficult for them to approach the Collector?—It is difficult for the ordinary or common people to get near the Collector; I do not think difference of caste or religion is the only reason. The Collector usually receives such people through the intermediary of some of his subordinates; it is difficult for an ordinary raiyat, for instance—for a non-caste man or a Christian—to approach the Collector except through these intermediaries.

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8495. Does that obtain in the case of the Sub-Divisional Officer?—I think so.

8496. And in the case of the tahsildar?—Of course, it decreases as you get lower in the scale, but I think in the case of a tahsildar, for instance, it would be very difficult for a *Pariah* to get near him.

8497. Practically impossible?—I would not say that.

8498. Possible if he paid enough?—Well——.

8499. You have been for some time a member of the District Board. As a member had you sufficient opportunities of taking part in the work of the Board?—In all the meetings of the Board I have ample freedom.

8500. Ample freedom of criticism and speech?—Yes.

8501. But you have not ample executive freedom?—In the preparation of budgets and that sort of thing we have nothing to do except to approve what has been done. We can criticise, of course, and budgets are prepared and brought before the Board; but as a rule they are passed as they are presented.

8502. Are you consulted before the budget is framed?—No.

8503. Is it desirable that you should be so consulted?—I think that in the preparation of budgets and other important matters there should be a Committee or a Council.

8504. And they should help the Collector in drawing up the local budget?—They should have some part in drawing up the local budget.

8505. May I take it that the very fact that you have been unconsulted in the preparation of your budgets causes you to be ignorant of the way in which your financial resources are arrived at?—Yes, that is largely the case.

8506. Do you think the District Board should be abolished and that *taluk* Boards with rather larger powers could take their place?—I do not think so, I would not advise it.

8507. You regard the District Board as an essential part of the framework of Government?—I think so.

8508. But you think that it ought to have larger powers, or, at all events, shall I say that it ought to exercise its powers through its members instead of through its Chairman?—That is right.

8509. You do not think the powers should be increased?—No, I do not.

8510. Do you get a fairly satisfactory class of members on the District Board?—I do not think so; it is a fairly satisfactory class; but I do not think they are sufficiently representative.

8511. Take your own Board, for instance; what classes are represented on it?—It is largely official and very largely Brahman.

8512. Are there many Christians in the Nellore district or represented by your Board?—About 15,000.

8513. What is the population of the district?—It was a million and a quarter; I am not sure about the present population; the district was divided two or three years ago.

8514. Are there Muhammadans?—Yes, there are a good many Muhammadans.

8515. Is there either a Christian or a Muhammadan member of the Board?—Both; that is to say, there is no native Christian member, but there are Missionaries representing the native Christian population.

8516. Is the Hindu representation fairly divided as between caste and caste?—I should think not; I should think the Brahmans predominated.

8517. If, as some witnesses have suggested, election took the place of selection, would the compo-

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sition of the Board differ greatly?—I do not think that it would be an improvement, but, of course, it would differ.

8518. Would there be a greater representation of different castes?—If the selection was left to the people I do not think you would get so fair a distribution as there is now.

8519. Would the higher caste element shut out the lower castes?—Yes, it would very largely, I think, consist of Brahmans and merchants.

8520. You think that the composition of the Board, although, perhaps, not perfect, is pretty fair?—It is fair, but there is room for improvement. I think the majority of the members of the Board take no part whatever in the work of the Board. They are members and they attend the meetings and they draw their travelling allowance, but that is the end of it; I do not think they have any interest in the work of the Board; I am speaking of the majority. Of the 32, half a dozen members of the Board do the work.

8521. Have you any experience of either American or British representation; have you ever been a member of a District Council in England or a member of whatever the corresponding body would be in America?—No.

8522. Are you aware that in nearly every municipal district in England, at any rate, there are only about half a dozen members of the body who do the work of the body?—I presume that is true.

8523. So that what happens in one country happens in another?—What I mean to say is that if the District Board was smaller and a more careful selection was made of its members, the work would be done more satisfactorily.

8524. Do you think it would be well to have subcommittees?—I do.

8525. To sum it all up, you think that the Madras Government would do well to delegate some of the powers which under the Act of 1884 it can delegate?—Yes.

8526. (*Mr. Hichens.*) I understand you to say that you advocate committees of the Board?—Yes.

8527. Have not many members of the Board to come from a good distance?—Yes.

8528. Would there not be any difficulty in getting them to come for committee meetings as well as for Board meetings?—No, except that it would cost something, that is all.

8529. If you had, for instance, a budget committee, that would want to sit a good long time?—No doubt.

8530. You think they would be prepared to give up their time to it?—Yes, I do not think there would be any difficulty about that.

8531. When the budget is before the Board, does the discussion usually end at one sitting?—There is some little discussion now and then, but usually it passes as it is presented to us.

8532. You do not take each item separately and discuss it?—Yes, we do.

8533. Are the estimates presented in some detail?—Yes.

8534. For example do they specify how much is going to be spent on individual roads?—Yes. One-half of the budget goes to roads; that is divided into individual roads, and we decide what roads shall be made, or what provision shall be made for a given road.

8535. Are you in favour of panchayats being formed?—Yes.

8536. (*Mr. Dutt.*) Would you have nomination or election?—I would have nomination there, too, rather than election.

8537. You do not think it would be safe in that case, where you have got a definite unit, to have the elective principle?—No.

8538. You have suggested that there ought to be a committee for the preparation of the budget. Do you think that it would be also useful to have similar committees for superintending some other departments of the Board's work, like public works or schools?—Yes, I agree with that.

8539. You have mentioned that at present the Brahman element and the merchant element predominate in the District Board?—No, I do not think I said that.

8540. You said that many members were Brahmans and merchants?—I think that is the case in the municipal Council, but I do not think it is the case in the District Board.

8541. Can you suggest any reason why the Brahman element predominates?—I do not know unless it is this; I am inclined to think that the selection is usually made nominally by the Collector, but practically by his *sherishtadar* or his head Deputy Collector—some one of his officers—who are usually Brahmans.

8542. You think the Collector is influenced by his subordinates?—I think he is.

8543. Is it the fact in this province that Brahmans are generally intellectually superior to the other castes?—I think so.

8544. And if other castes had the right of returning a member, would they sometimes prefer a Brahman to a member of their own community as their spokesman?—No, I do not think so; I think that their caste is stronger than their intellect.

8545. You said you are in favour of the creation of panchayats in rural villages?—Yes.

8546. Consisting of a few nominated men?—I mean a "panchayat"—a body of five.

8547. What kind of duties would you entrust to them?—The supply of irrigation water, minor criminal cases, petty civil disputes.

8548. Would they be of any use in representing village grievances about forest matters?—Yes.

8549. And generally in small village concerns?—Yes.

8550. Do you think that a little supervision on the part of the officers would be useful?—Very useful indeed and necessary.

8551. But subject to that supervision you would allow these panchayats a free hand in their own work?—Yes.

8552. And you think that that system is likely to succeed, judging from your experience of Madras villages?—I think it is well worth a trial.

8553. (*Sir Frederic Lely.*) Has the tahsildar also become more out of touch with the people than he used to be?—I could not speak so strongly on that point.

8554. If a *Pariah* comes to present a petition is he allowed in the verandah or in the room?—No.

8555. Not even in the verandah?—No.

8556. You have 15,000 Christians in the Nellore district?—Since the division of the district I am not quite sure; we have 54,000 altogether in the Mission, but that covers several districts.

8557. Are any of them cultivators?—Most of them.

8558. Do you find from your knowledge of them and their concerns, that they have any difficulty in approaching Government if there is anything they want?—They have difficulty.

8559. In what way?—In getting to the Collector.

8560. But they do not attempt to get to the Collector in the first instance?—They do not as a rule: they used to in the old days; now they have to go to somebody else to intercede for them.

8561. That is to say the Missionary?—No—some lower official.

8562. What would a man do if he wanted to lay a statement before Government?—If he could get the ear of the tahsildar he would go to him; before that perhaps he would have to go to the munsiff, or some influential villager who would intercede with the tahsildar; the tahsildar if he approved would intercede with the Collector; the Deputy Collector would present the matter to the Collector.

8563. Are there any cases within your knowledge of persons who had a grievance (for instance, that they have not been able to get a *takavi* loan or something of that kind) and have not been able to get it attended to?—I cannot think of any instance.

8564. Do you consider that under any system of election men of social influence in the rural tracts would stand—would solicit votes from their neighbours and inferiors?—I think so.

8565. They would not consider that it lost them self-respect?—No.

8566. (*Sir Steyning Edgerley.*) As to elections to the District Boards. Could not the objections which you have mentioned be met by the style of franchise that you introduced into the sub-division of the district for purposes of election?—Yes, it might.

8567. Do you think that any system of election by communities instead of by purely territorial limits would be successful?—I have not very much faith in the election principle at all; I do not think the people are in a condition to intelligently participate in the election of a member to any District Board.

8568. You think that it is an exotic and not an indigenous system?—I am afraid that is so: I am in favour of it; I wish to be distinctly understood that I am in favour of the elective system; I am in favour of local self-government, but I am sorry to say that the people apparently are not prepared for it. That is the position I hold in regard to that.

8569. Do you think they are more prepared for it than they were when you came to the country?—Yes, I do; I think there has been progress.

8570. May we look forward to a time when they will be fit for it?—Yes, most assuredly.

8571. It is a question of when?—Exactly.

8572. Do you think it is time to make a beginning?—I do most emphatically.

8573. What beginning would you make?—I think we might give them the power gradually of electing their panchayats, but I think it should be done under supervision.

8574. You would not begin with elections to the *taluk* Boards?—I am afraid they are not quite prepared for that; I wish they were.

8575. What scheme of election would you think suitable for a panchayat? Have you formed any ideas?—I think that the different communities ought to be represented on the panchayat, I would give the raiyat one place, I would give the Brahman another, and I think in most of our villages in the Nellore district there should be a Christian on the panchayat.

8576. (*Mr. Meyer.*) Assuming there to be this system of election by communities, I suppose if there was a large *Pariah* population, a non-Christian population I mean, they should have a representative?—I think so.

8577. Would the Brahman and the other castes allow them to sit in the panchayat?—I think they would.

8578. Or would they have to stand outside?—I do not think that attitude would be adopted in this case.

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8579. You think that if a *Panchama* came there as a member of the panchayat he would be allowed to attend?—Yes, I do.

8580. You spoke of the large number of changes there have been of late years of Collectors; has it been the same with regard to Divisional Officers and Sub-Collectors and Head Assistants?—Yes, just the same.

8581. There has been no improvement so far as you know?—I do not think so.

8582. You mentioned the absence of District Board committees; has that always been so?—No; during one Collectorate—I think it was your own—there was a system of committees adopted, but since you were transferred from the district the thing collapsed; nothing has been done since then.

8583. It worked satisfactorily for a time?—It did, while you were there.

8584. Was there anything to prevent the Collectors who succeeded me continuing it?—I do not know if there was: the fact is that those rules which you established when you were there have become a dead letter.

8585. In those days my recollection is that we did meet in committees to discuss roads and budgets, and so on?—Yes, and that is what we should have now.

8586. When the budget is presented, is it not accompanied by a schedule of the roads to be made and repaired?—Yes.

8587. So that any member who is interested in a particular road can ask why it is not included in the schedule and so on?—Yes.

8588. You spoke of the "intercession" of the tahsildar with the Deputy Collector and so on; did you not mean rather the system of official reports?—I mean if a person wanted to get to the Collector he would have to get what I call the intercession—that is, to get the goodwill of somebody who has the Collector's ear.

8589. But the district is 8,000 or 9,000 square miles?—Yes.

8590. The Collector could not possibly do everything in a district of that size?—No.

8591. There must be a chain; is not the obvious principle for the man with a grievance to go to the tahsildar—or would you have him sent on to the district headquarters?—If he could not get redress with the tahsildar, I would have him go to the Collector.

8592. It still stands that there must be a chain from the tahsildar through to the Collector?—I suppose so, but in the old days a *Pariah* or a Christian or a Sudra or anybody could go to the Collector in person; the Collector knew the language; a man could go to him and tell him his grievance and he would say, "To-morrow at six o'clock in the morning I will be at your village and I will see to your affair."

8593. The Collector to-day might do it if he was on tour?—If he had long enough acquaintance with the district and knew the Telugu language he could and probably would, but the difficulty is that he has not got the language, he cannot speak with the people—I am speaking ordinarily—and he does not stay long enough in the district to get familiar with the people or their needs.

(*The witness withdrew.*)

Khan Bahadur MUHAMMAD HABIBULLAH SAHIB was called and examined.

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8594. (*Chairman.*) You have been a member of the *taluk* Board and the District Board of Vellore?—Yes. I have also been Vice-President of the *taluk* Board and an honorary Chairman and a paid Chairman of the Vellore municipal Council.

8595. Therefore we may take it that you are well acquainted with the working of local self-government?—I hope so. In 1891 I was appointed as a member of the Vellore *taluk* Board and elected by that body as a member of the District Board. In 1894 I was nominated as Vice-President of the former Board and continue as such up to date. In 1895 I was elected as a member of the Vellore municipality and as its Honorary Chairman, which office I vacated in 1898. In 1901 I was appointed as paid Secretary of the same municipality, and in 1905 as its paid Chairman. People are now generally taking greater interest

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in the working of these civic organisations than in the past, and there is an appreciable improvement in the *morale* of the members. The two most essential matters in which efficiency of administration should be insisted upon and which conduce to public convenience and safeguard public health, are roads and sanitation, and yet most of the municipal Councils find themselves financially handicapped to provide enough therefor. Local Boards receive substantial aid out of provincial funds every year for these and similar purposes, but in the case of municipalities, except the annual subsidy in aid of elementary education, such grants are not made unless a municipality launches itself into a big sanitary scheme such as water works or drainage. I would, therefore, plead on behalf of the municipalities that they may also be permitted to share in the annual grant which the Government of India makes to the Local Government for aiding Local Boards.

I fully recognise the need which exists at present for Government to exercise the necessary control over municipalities in financial and other matters, and do not suggest that it should be completely withdrawn, but a portion at least of such control may safely be relaxed and municipalities allowed more freedom in minor matters. Government has recently delegated to Collectors of districts some of the powers exercised until then by them; some others which relate to expenditure of an almost trivial nature may be delegated to municipal Councils.

The rule which obtains at present that all municipal budgets must be so framed as to leave a balance of 10 per cent. of the year's revenue deprives the Councils of a large portion of the receipts which might otherwise have been utilised for some objects of public utility during that year. This may fairly be reduced to 5 per cent. Municipalities might also be empowered to incur expenditure out of their balances on necessary sanitary reforms, provided such reforms have met with the approval of the District Medical and Sanitary Officer, without regard to the fact that a budget provision exists therefor or not, provided the working balance of the year is not reduced below a certain per cent. of the year's revenue. The lapsing of unspent allotments at the end of a year is not desirable. It leads to hasty and oftentimes imperfect execution of works or injudicious expenditure. Such allotments should be permitted to be carried over, as a matter of course, to the budget of the next year, without the necessity for a fresh sanction from the authority which sanctioned the original allotment, unless the need for such expenditure has since ceased. The present tendency to insist upon previous sanctions of Government even in the case of expenditure of small items may safely be relaxed.

Another matter in which the powers of the municipalities might be extended is the revision of the rules regarding the execution of sanitary works. At present all original works of a sanitary nature or repairs of sanitary works costing Rs. 500 and above have to be submitted to the Sanitary Engineer for professional sanction. It would lead to prompt execution and stimulate Councils to initiate such works if the minimum is raised to Rs. 1,000. In such cases it would, I think, suffice if the necessary professional scrutiny is exercised by the District Medical and Sanitary Officer and the Executive Engineer of the division. Both these officers generally happen to be members of municipalities.

Of all branches of administration with which municipalities deal, municipal elementary schools are the only ones in which they serve as mere paymasters without any direct control over the institutions. Excepting the periodical inspections of these schools by the Educational Officers of Government, their entire management and control should vest in the municipalities. It is competent for these officers to make suggestions from time to time for their improvement.

I consider that District Boards fulfil a useful purpose and constitute an inevitable link in the chain of local bodies. Their abolition would throw very large work and heavy responsibility on the shoulders of the Collector and add immensely to the supervisory and other work of Government. Their abolition would lead to absence of co-ordination in the working of the *taluk* Boards even in the same district. The appointment of sub-committees to be in charge of separate branches of administration, will tend to the exhibition of greater interest on the part of individual members.

I am of opinion that besides the re-nomination of old members, which Presidents of District Boards at present do, it will be well if power to appoint all members of the *taluk* Board is delegated to him.

Except in rare and exceptional cases and for good cause shown, *taluk* Board budgets should not be mutilated by District Boards. I would give power to the Presidents of *taluk* Boards to appoint members of union panchayats.

Taking into consideration the large area included under the jurisdiction of the *taluk* Boards and the varieties of interests which have to be represented thereon, the number of members fixed at present is infinitesimally small. I would also allow the union panchayats, at least the larger and more important ones, to elect a panchayatdar from among themselves to represent them on these Boards.

As regards village panchayats, I think they may be started in such villages where persons of sufficient intelligence and public spirit may be forthcoming and to them entrusted the duty of looking after sanitation, water supply, and rural schools to begin with.

Village Bench Courts may also be tried in some such villages as those indicated above, and power given to them to try cases of public nuisance, thefts of property not exceeding in value Rs. 5, and civil suits not exceeding in value Rs. 25. Village magistrates may be given concurrent jurisdiction and aggrieved parties allowed option to elect their own tribunal, until their fitness for the exercise of these powers is assured.

I do not consider it necessary to create either Advisory Councils or Administrative Councils as it would tend to a rapid duplication of institutions. The existing District and *taluk* Boards, with the modifications that I have suggested above, ought to be sufficient to enable the District and Divisional Officers to obtain the necessary advice on matters of general interest. What, in my opinion, is really needed, is not additional sources of consultation, but the rendering of the existing sources more potent and efficacious. Further, it seems to me that some of the functions of the proposed Advisory Councils might clash with those of the District or *taluk* Boards.

I would therefore venture to suggest that a Collector should not be moved from a district within three years, and a Divisional Officer within two years. Further it would tend to promotion of harmony and better feelings if Collectors would hold periodical *darbars* in important centres of the district or division as the case may be, at which the grievances of the people should be heard and answered on the spot. These proceedings should, as far as possible, be conducted in the vernacular. These *darbars* might also be utilized for ascertaining the trend of public opinion on any questions of general importance which might be proposed in any district or part of a district.

8596. If a grant-in-aid was made by the provincial Government to a municipality, that would carry with it, not smaller, but larger control by the Government over the finances of the municipality?—I do not think it would carry any greater control in matters of finance than I would be willing to agree to, eliminating a few minor details.

8597. If the Government gives you hereafter a grant for municipal expenditure which it does not now make, would it not be entitled, *a priori*, to have a greater control than it now possesses?—It would be so entitled.

8598. You desire that Government should loosen its control over municipal administration and expenditure?—In certain matters only.

8599. Therefore it might be a danger to you if you shared this provincial expenditure that Government would not relax its control?—We should be prepared to face that danger provided we could enhance our financial possibilities.

8600. You would not therefore accept the theory advanced by one of the witnesses, that in order to teach both District Boards and municipalities it would be advisable to make them absolutely responsible for their actions, while exercising over them hardly any control over their expenditure?—I cannot subscribe to that idea at all.

8601. Do you think that speaking generally the composition of the District Boards and municipalities is satisfactory at the present moment?—They are far better now than they were some years ago.

8602. What is the reason of that?—I think people are beginning to take greater interest in these institutions, and education is also advancing.

8603. You are getting gradually a better class of men on the District Boards?—Yes, even on the District Boards.

8604. Does that mean that the Collector has a larger field of selection?—He has also now better instruments by which he can get more accurate information than he did in the past. The tahsildars and Divisional Officers are now of the educated class, and it is through them that the Collector makes his selection. So that one may safely think that individuals recommended by the tahsildars and Divisional Officers for seats on the Local Board would be better than in the olden days when the officers themselves were not half so educated as they are at present.

8605. In your judgment therefore the local bodies are more fit for administration now than they were 10 or 20 years ago?—Decidedly.

8606. For what reason do you say that Government must retain some control over the proceedings of local bodies?—I think it will take a few years more before Government can safely relax all its control over all local bodies and municipalities. Even as it is, from my own knowledge I find that with this control and this introduction of the educated element there are here and there a few instances which point to the fact that local self-government is not yet advanced to that stage when it can be left to take care of itself, and that Government control and Government interference is absolutely necessary.

8607. In what language are the proceedings of the District Board conducted?—Mostly in English.

8608. Is that because the members know English or because the Collector, who is the Chairman, does not know the vernacular?—I should attribute it to both reasons—partly to this and partly to that.

8609. It would be a handicap to the presence on the Board of any member who was not acquainted with the language?—There is invariably an interpreter standing by the side of the President.

8610. Does he invariably interpret every remark?—No, only important matters are interpreted, not the general routine matters.

8611. You are not in favour of the disappearance of District Boards?—I am not.

8612. Have you ever known a municipality produce a scheme of sanitary reform on its own initiative?—My own municipality has done it on two occasions.

8613. Have you ever known a District Board to make such a proposal on its own initiative?—The District Board is very largely dependent on the Medical and Sanitary Officer in matters of sanitary reform.

8614. But have you ever known a District Board to make such a proposal on its own initiative?—I have not.

8615. Have you ever known a municipality desire to abolish the Officer of Health?—No.

8616. That has never come within your knowledge?—No; on the other hand municipalities in these days are paying particular attention to sanitation and would be very glad to welcome any suggestions from Sanitary Officers.

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8617. You say that the District Boards ought to have less control over the *taluk* Boards, particularly in regard to their budgets?—Yes.

8618. Suppose that were so, who would look after the *taluk* Board budget?—The President and the Vice-President.

8619. Does the *taluk* Board raise a cess?—It does, it shares in the cess which the District Board raises, and it has also got its independent sources of revenue besides the District Board contribution.

8620. Do you think the District Boards and the *taluk* Boards are large enough?—I think the *taluk* Boards are not large enough. The District Boards are sufficiently large at present.

8621. Do you think that taking the District Boards and the *taluk* Boards together there is any need to add to the number of Boards by starting an Advisory Council?—I do not think an Advisory Council is advisable at all.

8622. Do you think there would be difficulty in getting satisfactory members?—Not only that, but what the Advisory Council is expected to do the District Boards and *taluk* Boards and municipalities in a district might very well be asked to do.

8623. What you would like to see is not the creation of a new Advisory Council, but the extension of powers to the existing Boards?—Yes, and utilising them more largely than they are utilised at present in gauging public opinion on any given subject.

8624. Do you think that speaking generally there is sufficient touch between the people in the district and the Collector and the Divisional Officers?—Not as much as one would desire.

8625. Is it easy to make it closer and more effective?—I think we could improve matters at any rate.

8626. In what sort of way and by what means?—I do not think the constant transfers of District Officers and Divisional Officers really gives them an opportunity of knowing those people whom they ought to know in the interests of administration. The moment an officer, be he a Divisional Officer or a Collector, comes to know his own range, he is moved out of the district, so that the experience which he has gained either in his division or in his district is lost entirely. Further, most of the officers are not sufficiently conversant with the vernacular. No doubt they know something of it, but an ordinary raiyat or a villager who hopes to lay his grievances before these officers is fully aware that he cannot talk to them directly, but will have to talk through the medium of an interpreter, and will have to depend on the good graces of the interpreter for rendering correctly and honestly what the raiyat may have to lay before his officer, so that many a raiyat I suppose prefers not to go at all to the officer under such circumstances.

8627. He very possibly thinks that he will have to buy the good-will of the interpreter?—Yes. So also in the case of the vernacular petitions laid before an officer; even there translations have to be made, and they have to be made by ordinary petty clerks whose salaries are so small that one could not be trusted to make an official true rendering of the grievance which might be contained in the particular petition. So that I think an improvement of the knowledge of the vernacular would be a very great advance in the matter of bringing the ruler and the ruled more closely together.

8628. The constant changing of officers not only has the effect of preventing the officer knowing the district; it also has the effect of getting the raiyat increasingly into the habit of not going near the District Officer?—Yes, it has that double effect.

8629. (*Mr. Meyer.*) Are you an official or a non-official?—I am a paid Chairman.

8630. Before you were Chairman, what were you?—I was a non-official; I am a member of the Bar, resident in Vellore.

8631. Has the history of the Vellore municipality been altogether satisfactory?—No, it had a dark

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spot on its career in 1899, when the Government had to interfere and disfranchise the municipality.

8632. For what?—For maladministration in certain matters.

8633. At that time what was the constitution of the municipality?—Three-fourths of the members were elected and one-fourth nominated.

8634. The members elected their own Chairman?—Yes.

8635. What is the state of things now?—The Council has lost the power of electing its own Chairman, and they have now a paid Chairman instead of an Honorary Chairman, as formerly.

8636. But how far are the members elected?—We now allow the Council to elect only seven out of the 20; 13 are nominated.

8637. Do you attribute the improvement in administration to that?—The improvement has been since 1899.

8638. You attribute the improvement to the fact that the elective system has been circumscribed?—Yes, and to the absence of a factious spirit.

8639. In that particular municipality there were factions, but would you allow the elective system in municipalities generally?—Not generally; I would only allow it in those municipalities where the elective system could be safely worked.

8640. There are now about 60 municipalities; can you say how many you would allow to elect their own Chairman and to elect their own members?—There are a few municipalities which have been also under such baneful influence and Government has consequently interfered.

8641. But does the fact that every now and then a municipality breaks down under the elective system make the elective system vicious, or would you go on nevertheless?—I would go on nevertheless, applying the necessary corrective here and there.

8642. You elect by wards at present?—We do.

8643. Would you think it better to have a system of election by castes and creeds, the Muhammadans electing Muhammadans, the Brahmans electing Brahmans, and so on?—That would be more representative and more desirable.

8644. You would get a better body in that way?—Yes.

8645. You desire larger powers for the members?—I do.

8646. But there must be some powers of control still to be exercised from outside?—I do not deny that.

8647. Might it be well to give those powers to the Collectors instead of the matter having to go up constantly to Government?—Of late the Collectors have certain powers delegated to them by Government, but what I asked for was that in regard to administrative matters executive powers might be delegated to the Municipal Councils.

8648. Take the budget; you think the Municipal Councils' budgets must be approved by some outside authority?—It has to be approved by Government.

8649. Would you allow the Collector to approve the budget?—No, I would not.

8650. (*Sir Frederic Lely.*) Your knowledge of the people, I suppose, is very great, because you have lived in the district all your life?—About 20 years.

8651. And you know the people thoroughly?—I do.

8652. Would you say that this isolation of the Collector of which you are speaking, and of English officers generally, leads to any distinctly bad results?—No; excepting that it alienates the rulers and the ruled, there is nothing very vicious about it.

8653. For instance, do you think it results in the creation of false rumours and a misunderstanding of what the English officer really is?—It certainly leads to misunderstanding of certain policies.

8654. But as to persons; do they think the Collector a very terrible person?—Well, I do not suppose that is generally the case, but as regards policies there are little misunderstandings.

8655. (*Mr. Dutt.*) In order to utilise the existing District Board as an Advisory Board, would it be necessary in your opinion to slightly alter the present Act so as to invest District Boards with fresh duties?—I do not think it is necessary.

8656. In questions in which the Collector is likely to ask advice from the Advisory Board, has the Collector power, or has the District Board Chairman power, under the existing Act, to convene a meeting to obtain advice on these questions?—In the Act there is no specific provision, but I do not think that that would in any way prohibit the Collector, as Collector, from taking the advice of the District Board members.

8657. He could take the advice of others besides District Board members?—But I lay stress on the fact that these are District Board members; they are the chosen representatives from one standpoint at any rate, and they are men of light and leading in the district, so that the Collector might take advice from persons of a certain constitutional status and standing already.

8658. The object of this Act is to enable the Board to perform certain specific duties?—Yes.

8659. If certain other duties were imposed on that body, would it not be in accordance with the usual practice to add mention of those duties in the Act itself?—I see no objection to that.

8660. You have spoken about the Collector having a great deal of control over municipalities; I suppose every municipality has to appoint a Secretary, and the appointment of the Secretary is dependent upon the approval of the Government?—Not every municipality; only municipalities with a revenue of Rs. 30,000, I think.

8661. Is the Vellore municipality one of those?—Yes, it has a revenue of Rs. 90,000.

8662. Under the law the Secretary has certain duties, and is invested with suitable powers for the performance of those duties?—Yes.

8663. Practically the budget is prepared by the Chairman and the Secretary?—Yes.

8664. And the Collector can also have any work executed in the municipality?—Yes, out of the municipal fund.

8665. You say you would like to continue the system of election and trying to give power to elective bodies?—Yes.

8666. Would you in selected municipalities give them the power to select their own Chairman when the conditions are suitable?—I have not the slightest objection.

8667. And in these cases you would keep in the hands of the Collector the powers now vested in him by law?—Yes.

(*The witness withdrew.*)

Adjourned.

TENTH DAY.

MADRAS, *Tuesday, the 3rd December*, 1907.

PRESENT:

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

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

The Hon. Mr. G. S. FORBES, C.S.I., was called and examined.

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8668. (*Chairman.*) You are a Member of the Governor's Council in Madras, are you not?—Yes.

8669. What portfolios fall to you?—At the present moment, Public, Judicial, Education, and Local and Municipal.

8670. In the memorandum handed in to us on behalf of the Madras Government we do not quite understand what is meant by the statement that the Government are satisfied with the "principles" underlying the scheme of the revised provincial settlement recently put forward by the Government of India. Does it mean that the Government of Madras are satisfied with the share of revenues which is allotted to them?—What is meant rather is the principle of a *quasi*-permanent settlement and the division of the heads of revenue.

8671. Then you tell us that you think that "means should be found to enable the provincial Government to obtain money"; would you kindly amplify that slightly?—What is meant is means to obtain money by way of loan. The question is how loans should be raised by the Local Government. The whole revenues of India are vested in the Secretary of State, and for any loan raised by a provincial Government the security would be the revenues of India. I suppose the provincial Government could not raise these loans without the sanction either of the Government of India or the Secretary of State. At the same time, it is a question whether a provincial Government should not, in some sort of way, have greater freedom in raising a loan; for instance, the onus might be on the Government of India to show why they cannot allow us to have a loan, instead of the onus being on the provincial Government to justify the application. If we said we wanted so much money for famine expenditure, they would wish to go into the whole thing and ask us why we wanted the money. On the other hand, if we are satisfied that the money ought to be raised, and if the Government of India cannot see any reasons which would affect their loan powers or the security, we do not see why we should not get the loan without any more ado.

8672. Would it be possible for the provincial Government by pledging its own revenues to find a satisfactory market, either local or otherwise?—Any person who buys in the market, I imagine, looks to the ultimate security, and the revenues pledged do not vest under the law in the provincial Government; they vest in the Secretary of State.

8673. What limits do you propose to put to the power of allotment that you refer to?—I do not know that that has been worked out; it would depend on whether we have a large provincial balance; of course, if we have not any provincial balance the maximum will not affect it.

8674. Your balances fluctuate from year to year, and any serious depletion of your balance in one year might lead to your having a deficit in a subsequent year?—The provincial Government would understand that.

8675. But Governments in all countries are from time to time extravagant; to provide against that, ought there not to be some limit put to the spending of the balance?—At present there is a limit put; at least the balance must be kept up to a certain amount. The difficulty arises in respect of cases of widespread calamity, when the provincial Government would have to consider the whole of the circumstances of the situation.

8676. The Government of India come to your aid in the case of widespread calamities?—They do not, unless our funds are depleted as far as they can be.

8677. But still, if you have already depleted your balance in one year, and you then apply to the Government of India to meet demands, which otherwise you would have met out of your own balance, you might very seriously disturb the balances of the Government of India?—Yes.

8678. And therefore it would be necessary to put some limit to the spending of your balance? You agree that there should be some restriction?—Yes.

8679. Are you generally in favour of the policy which has created the appointments of Inspectors-General and all that they connote?—That policy is more for the Government of India. As I understand, these Directors-General and Inspectors-General are wanted as advisers to the Government of India rather than as Directors-General and Inspectors-General with authority over the different provinces; I think it has been a mistake to call them Directors-General. The Director-General of Education does not "direct," in the true sense of the term, education in the different provinces; he is an adviser to the Government of India about education, so as to co-ordinate and collect information for them. If the term "Director-General" were avoided I think there would probably be less objection. It is the fear that they may, behind the backs of the provincial Government, interfere with the local officers of that Government.

8680. We have had it in evidence from some Heads of Departments here that on the whole they rather like the existence of Inspectors-General or Directors-General—that they can get advice and counsel from them which is useful; would you agree, speaking generally, with that view?—Take the Director-General of Education. His coming down here has been of use; and I have had valuable conversations with him, and so has our Director of Education; but the effect has been more to make him understand what the situation is here than for him to give us advice.

8681. You put a case in which the Director-General did interfere, and a copy of that case was handed in by Mr. Bradley?—It has been more the fear that they will get behind the backs of the provincial Government than, I think, any case which has actually occurred.

8682. One witness certainly told us that the correspondence direct between him and the Director-General of the Indian Medical Service had saved

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a great deal of time?—The Director-General of the Medical Department is in a different position from that of the Directors-General of these other Departments, because the Indian Medical Service, being a military department, must have a Director-General; that cannot be avoided, and there must be a considerable amount of correspondence about matters which, although affecting the medical officers as civil officers, indirectly affect them in their military position.

8683. Therefore, any view that you may hold with regard to the position of other Inspectors-General is modified in the case of the Director-General of the Indian Medical Service?—Yes.

8684. In paragraph 25 you tell us that the Government propose to appoint a small committee to consider further delegations; without in any way impugning the activity of the Madras Government, may we take it that this committee is rather the outcome of this Commission now sitting?—Every year there has been some delegation; the last two years we have delegated to the Director of Public Instruction and to the local and municipal bodies large powers, and also to the Board of Revenue and Collectors. I think the policy might be more actively pursued at different times, but that policy has always been kept in view here, and certainly more or less since the delegations of 1897, when Mr. Meyer was put on special duty and made proposals.

8685. You would suggest therefore that the appointment of this committee which you refer to is not especially connected with the enquiry of the Royal Commission?—Perhaps so far as it is a committee.

8686. Then with regard to paragraph 26, when they were making this recommendation about the Public Works Department, was the Public Works Department of the Government of Madras in any way consulted?—I am not aware whether the Chief Engineer was consulted by the Member in charge of Public Works.

8687. Two of the Members of the Council are Civilians, without technical engineering knowledge?—Yes.

8688. You tell us here that transfers are less frequent; such evidence as we have taken leads us to doubt whether they are so much less frequent than they were?—I do not know whether that impression was given by those who really knew or not, but as a matter of fact, since the officers below the Collectors were graded in one list, the effect has been to diminish the number of transfers very largely. In former days there were two grades of Divisional Officers called Sub-Collectors and Head Assistant Collectors; if the Sub-Collector went on leave the next senior Assistant Collector was moved into the Sub-Collector's place. Now under the new system this need not occur, and a Head Assistant may receive the higher pay without changing his division. Another statement I noticed, which I think was rather inaccurate, was that when a Collector went on short leave or privilege leave another officer of similar standing was put in his place. That is not so; ordinarily the Head Assistant Collector or Sub-Collector in the district is put in charge. Sometimes, of course, that officer may be so very junior that even for two or three months it might be unsafe to leave him in charge, or there may be other reasons, but ordinarily that is the rule.

8689. Does the rule which forbids the provincial Government to appoint an officer to a position carrying an increase of more than one-fifth of his salary interfere in any way with your appointment of Assistants to these places?—No.

8690. You have not told us whether you have worked out any scheme yet which would still further reduce the number of transfers?—Transfers of officers in this country really cannot be avoided, because men get ill and go home on leave. It is the system of leave that practically causes all the transfers—at least the bulk of the transfers.

8691. Have you worked out any scheme by which it could still further be reduced?—I do not think it is possible.

8692. You think that the necessity of change, following upon the present leave rules and the provision for sick absence, causes too frequent removals?—Yes, and I do not think that they can be diminished in any way; it must go on as long as men are entitled to leave.

8693. I think you will agree that it is most undesirable to transfer officers from district to district?—Certainly, but, as long as men get ill and are allowed to go on leave, there must be transfers, and now that all the Indian Civil Service officers below the Collector have been graded so as to avoid transfers between divisions, I do not think that there is any method by which transfers can be further reduced.

8694. What is the longest time a Civilian is, in practice, away from his charge on leave?—That depends upon what leave he takes; the leave rules allow him so much leave.

8695. What is the longest period of leave that a Civilian, in practice, takes?—One year is a very common time; two years is the longest.

8696. In practice?—A man goes for any time from one year to two years.

8697. According to the latest rules, what in practice would the absence amount to, would it be 12 months or 18 months, or what?—I should say 18 months would be a fair average absence.

8698. When you bring your officers back from leave do you pay any attention, in deciding where they are to go, to the language which they are most accustomed to speak?—We do so, so far as we can, without making unnecessary disturbance. Suppose an officer comes back who knows Tamil better than Telugu, it would not be desirable perhaps to disturb the officers in a Tamil district, and if there is no other place for him he might have to go to a Telugu district.

8699. At all events, you do take it very much into account?—We certainly do take into account what his language qualification is, so far as we can.

8700. Do you find that officers are less able to speak the vernacular than they used to be?—I have heard it stated, but I doubt very much whether it is correct. In the last few years the Government have insisted upon the tests in languages being more practical.

8701. And more severe?—More severe from the practical point of view. My own personal opinion is that the result of the alteration of the system of recruitment under which a man remained two years at home on probation instead of one year as now, during which time he was taught the languages thoroughly from a theoretical point of view, has been that an officer does not master the language nearly so well as used to be the case; not perhaps that that has very much effect on his ordinary colloquial talks with the natives, but it certainly does, I think, affect his thorough grasp of the language and of the proper use and connotation of words.

8702. With regard to the posting of Divisional Officers, who is that done by?—Civilian Officers are posted by the Government.

8703. Do you think it would be possible that they should be posted by the Collectors—I mean distributed by the Collectors?—I do not see very much objection to that.

8704. You see no objection?—Speaking without consideration, I see no very serious objection, provided the posting is to a division where suitable accommodation has been provided.

8705. On the whole you think it would be a good thing to do?—Yes, just the same as the posting of native Divisional Officers.

8706. Can the Collector post his subordinates?—He cannot post them to a division which is occupied by a Civilian, but I think he can post them to other divisions which are not occupied by Civilian Officers.

8707. With regard to the grading of tahsildars, have you anything to say to us?—This Government object to putting them on a provincial list—that is, a list for the whole province—on the ground that that would be centralizing instead of decentralizing. If you put the tahsildars on a provincial list for the whole Presidency, then their appointment and movement would fall on the Board of Revenue. What I favour is that the tahsildars should be graded personally in their own district; so that they may be kept ordinarily to their own district, and then the Collector can move them about, and they will get their grade pay independently of what particular *taluk* they are in charge of.

8708. Could the Collector do that now?—At present their pay is localised, and though a man may continue to do duty in that *taluk* even with the higher pay to which he would be entitled if he was moved, this cannot be done without the special sanction of the Board of Revenue. Of course that is a very cumbrous method, and a Collector naturally does not care to write up about things more than he can help. If the tahsildars were graded personally within the district that would be a great improvement.

8709. But the Collector now can move the tahsildar if he wants to do so without reference to higher authority?—The pay being localised, if a tahsildar rises by seniority to such a position that he is entitled to a higher grade pay, he must be posted to a *taluk* to which that pay is attached.

8710. By the Collector?—Yes, the Collector can do it, but if he wants to keep him in the *taluk* in which he is serving on a higher pay than is attached to that *taluk*, then he has to go to the Board of Revenue for special sanction.

8711. Then you say that in a certain number of cases of delegation an amendment of the law would be required; you mean amendment of the Indian law?—Yes.

8712. So that any movement by the Madras Government would be impossible?—Only by amending our own law. We have the Regulation or Act VII. of 1828, in which there is the fullest power to delegate. Every Divisional Officer in this Presidency has exactly the same powers as the Divisional Collector *ex-officio*, and every other Assistant Collector or Deputy Collector may be vested with those powers, if he is not in full charge of a division, subject to the control of the Collector. The Collector has the fullest power of delegation under the Regulation, and in all our Acts the word "Collector" does not mean District Collector necessarily; if it stands alone it may mean any Divisional Officer; every Divisional Officer has exactly the same power as the Collector in his own division under the Regulation of 1828.

8713. Then as to paragraph 31; would you tell us whether these references about alienations cause considerable delay?—I do not know that they cause any particular delay.

8714. It is only the necessity of reference that you object to?—That is all; I do not know that it is very important, but still a reference is required to the Government of India if a piece of waste land over a certain value is alienated.

8715. Have you considered what the pecuniary effect of this might be if you alienated land in growing cities; you might desire to help some particular industry and to give them a piece of what is now waste land, but which 20 years hence would turn out to be a very valuable gift?—If it were a gift of land which was not actually in a town it would be subject to assessment, and that assessment is revised every 30 years. If it is town land, it would be liable to town duty, and that is revisable in the same way.

8716. Then in paragraph 32 you say you consider that all restrictions on the powers of Local Governments in the matter of the alienation of land revenues should be removed; would that mean the removal of a great number of references?—There are a good many references to the Government of India under that, but the conditions under which grants are made are very strict and specific, and there is the right of resumption if the conditions are not fulfilled; really there is very little necessity for any further reference.

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8717. Under your system of the Board of Revenue each member has to tour over the whole Presidency?—He may do so, but I imagine the Board of Revenue more or less divide the Presidency amongst themselves every year.

8718. But each member, having a great number of duties to perform, instead of touring in one particular territorial area, in order to get through the work, now has to tour over the whole Presidency?—Yes, his jurisdiction is over the whole Presidency.

8719. And therefore, he has to visit the whole Presidency?—Yes, at some time or other; of course, he may be particularly concerned with some districts more than others.

8720. You say that if the Board of Revenue were replaced by Divisional Commissioners, six Commissioners would be required. Upon what principle are you fixing the number six?—That is only a rough estimate; perhaps more would be required. Taking the standard of Bombay, which is roughly half the area and half the population, we should require six here, because they require three in Bombay. In Bengal they have not got the same revenue duties, but I imagine that the standard there would make it probably at least six; taking the standard of Bombay, exclusive of Sind, we might require more than six.

8721. Or less?—I do not think we could possibly do with less, having regard to the extent of the jurisdiction.

8722. You say that every district of the Presidency is visited by at least one member of the Board at least once in a year?—That I take it is their standard.

8723. That would mean, there being four members of the Board, that each district had one-fourth of its requirements attended to every year?—By the Board as a Board, but then the Board are not Commissioners.

8724. But the requirements of each district of the province will be about equal in the different spheres of influence which the Board exercise?—That might be so. Then the Board of Revenue are confined entirely to revenue duties; they do not exercise the duties of a Commissioner, for instance, in connection with other departments of the administration, neither local and municipal, nor judicial, nor public.

8725. But with regard to those functions which the Board of Revenue exercise, only one-fourth of the requirements of each district can be attended to in any one year?—I understand what you mean; I do not know that you can go by any arithmetical proportion. When the member concerned with agriculture visits a district, his primary duties have reference to agriculture alone. There are only two Land Revenue Members.

8726. As I understand, the practice now obtains in the Board of Revenue, when they go into the district, of not doing the whole work of the Board of Revenue, but doing the work which is allotted to the member under the portfolio system?—The Government issued instructions some years ago that when a member of the Board of Revenue visited a district, though his primary duty was with reference to his own department, he should inquire into any general matters which might come up before the other members of the Board, and I think there is a system of making a note which is given to any member who is going down to a district of anything that has arisen in any other department of a special character, so that he may go into it.

8727. Have you made inquiries at all as to this?—No, but I understand that to be the practice.

8728. You think at all events that under the present arrangements the land revenue system works very smoothly?—Yes.

8729. Then you say that the Government are prepared to authorise Local Boards to incur expenditure from their balances, but you are not prepared at present to authorise them to spend the money within their budgets without the control of

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Government?—Within their budget as passed by Government.

8730. I understand that you would relax the control of Government upon the balances but not upon the budget?—What is meant is that Local Boards might be enabled to take money out of their balances for a sanctioned scheme.

8731. Only for a sanctioned scheme?—Yes, not for an unsanctioned scheme.

8732. What proportion to income must be the limit of the balance?—It is 10 per cent. In some cases we have reduced it to 8, and in some cases we have reduced it still lower; there is a minimum balance that they are bound to keep, but they often have balances much in excess of that.

8733. Would you reduce the balance which they are bound to keep?—No, I would not reduce their working balance.

8734. But if they have a large balance you would be prepared to say, "Well, the scheme is a good one and we will give you sanction"?—Yes. The scheme probably has been sanctioned, and they want a reappropriation. They might do that themselves.

8735. Would that be much of an increase of power?—They ordinarily settle their own schemes themselves; they are sanctioned by Government, and the sanctions are mostly formal; the Government do not go into the details of the ordinary schemes that come up, affecting the construction of roads, sanitary improvements, hospitals, and so on, unless the cost exceeds an amount which requires sanction under the rules.

8736. You think that the present powers enjoyed by district municipalities are sufficient?—As a matter of fact we delegate from time to time extra powers; for instance only last year we delegated considerable powers to municipalities.

8737. To the municipalities or the Chairman?—To the Chairman I think. I do not know any case in which it has been given to the municipality itself. The Chairman is the executive head.

8738. Can you develop a sense of responsibility unless you allow people to run the chance of making serious mistakes, and even, if you like, abusing their powers?—Is that, may I ask, as to establishments or generally?

8739. Generally?—The passing of the budget by Government, that is the sanctioning of the expenditure of a municipality, will I think always be necessary, because all these municipalities are more or less in debt; I think their aggregate debt is probably 30 or 35 lakhs now.

8740. Has the Government guaranteed that debt?—Most of these loans have been given by Government; a few have been raised privately, but those who lend money to a municipality lend it (and they will, I hope, lend more freely in the future) because they know that the financial control is in the hands of Government; the municipalities would not get any loan at all, I think, if the budget did not go to Government and was passed by them; not that the Government interfere in details, but they see that the financial position is fairly maintained.

8741. Would those persons whose money is necessary for the development of municipal schemes lend that money unless the Government maintained its present control?—Certainly not.

8742. And therefore you think it would be unwise to grant further powers to municipalities?—I think it would be unwise to relax financial control; otherwise, the Government interfere very little with the schemes of the municipalities. In large schemes where they come for a loan, such as a large water supply scheme, the municipal finances are more thoroughly overhauled, and the municipality has got to show how it is going to liquidate the loan.

8743. You say, "Owing to the great likelihood of abuse of the power of appointment, the Government consider it desirable to retain this control in their hands." What do you mean by "in their hands"; is it in the hands of the Board of Revenue or of the Collector or of the Government?—That is in the hands of Government whether exercised by the Collector or not.

8744. It might make a difference?—No, I think not from the point of view of the municipality. The power of appointment is with the municipality; all that the Government does is to sanction the pay of the post.

8745. Could that be done by a Collector or an officer subordinate to him?—Certainly, there would be no objection to that.

8746. (*Sir Frederic Lely.*) Has not the tendency of recent years been to discourage collective action by the Board of Revenue?—I do not think there has been any special discussion as to the merits of collective action; that is a matter entirely for the Board themselves.

8747. You say that the result of the reorganisation of the Board of Revenue effected in 1884 was "to convert the Board into a body composed of four Heads of Departments, capable indeed of collective action, but ordinarily acting singly, each having charge of branches of work with which the other members have no concern"?—That was the object of the Statute of 1884.

8748. Would you be prepared rather to go back upon that? Do you not think that that joint action tends to counteract what has been complained of in other parts of India, namely, departmentalism—that each department goes off on its own lines?—In principle, the Government in cases of that sort would be the controlling force, but the Board have the power in all large matters to consult together and come to a decision.

8749. The tendency in these later days is not to consult together except on some very special occasion. What would you say to a system under which the scope of the Board was widened so as to include the other branches of the administration which are not at present included, and combine with that more mobility—by insisting that members of the Board should spend a considerable portion of each year visiting the districts, each member being expected, when visiting a district, to take a general interest in matters not within his own department?—The Board as at present constituted could not possibly do it.

8750. Could you not, if necessary, add another member?—I do not think another member would overtake those duties; as it is, they complain that they have more work than they can do.

8751. You think that even with the addition of another member the Board would not be strong enough?—I do not think so.

8752. Even supposing that Government delegated a great deal more powers to local bodies than they now possess, that would relieve the Local and Municipal Department of a certain amount of work; even so you think the Board would be overloaded?—I think so, as long as they are a collective body sitting at headquarters in Madras.

8753. But you admit that there would be a considerable gain by the joint action of a body which would also on its other side be in considerable touch with the people?—As a theoretical proposition, yes.

8754. But you do not think it would work?—I do not think it would be practical.

8755. As to your paragraph 41, do you not think that as compared with what you ask the Government of India, the concessions that you propose to the local bodies are, shall we say, a little bit grudging, or perhaps I should say meagre?—In what respect?

8756. You do not propose to give the municipalities very much power?—They have large powers now.

8757. I am speaking now particularly of power over their budgets?—They frame their own budget, and it is very rarely that the Government interfere.

8758. But the Government retains the full power of doing so?—Yes, but unless the thing is outside the provisions of the law or anything of that sort, then if they have the money the Government do not interfere; the main thing for the Government is to see that their budget is covered.

8759. They retain the final responsibility for the budget?—They retain it, but in practice they do not interfere.

8760. What would you say to a compromise by which the Government should concede to the municipalities full power over their budgets, but should recognise in a more formal way than they do at present the position of the Collector as their official adviser? For instance, suppose they proposed to incur some wasteful expenditure on establishment, they would require the Collector to issue to them a formal and official protest recording his opinion and requiring them to reconsider it; I am speaking now of the better class of municipalities?—I am afraid the Collector could not possibly do the work; local and municipal administration is very specialised.

8761. Would that be your only objection to it—that the Collector would not find time; do you not think the experiment would be worth trying in the better municipalities?—From that point of view I do not know that they would think there was any difference between the Collector and the Government.

8762. I am not speaking of giving the Collector any absolute power—only the power of giving formal and official advice and requiring the municipality to re-consider their decision?—That is what is done now; the Government do not carry out proposals which they make to a municipal Council unless there is a resolution of the Council approving the proposal when it is sent back.

8763. You think an arrangement of that sort would not materially differ from the present arrangement?—I think not, and besides that you would not have the advice of a specialised department trained in this particular branch of administration.

8764. (*Mr. Dutt.*) Under the law a Secretary has to be appointed to each municipality and approved by the Government, and the law vests the Secretary with all power to act in consultation with the Chairman. Do you think it would develop a greater sense of responsibility in the members if the duties were distributed to small sub-committees of the municipality instead of being all vested in the Secretary?—I think so; I do not regard the system of the Secretary as a very desirable one.

8765. With regard to the other proposal, have you any objection to form small sub-committees, and entrust them with different departments of the municipal work, and let members do their own work themselves?—I do not know that they cannot do that at present.

8766. They can do it only with regard to a few things according to the law. Under section 38 they can only look after the schools and hospitals and *choultries*, and nothing else. Have you any objection to extend that section to other matters?—I do not think there would be any objection to that.

8767. Then about the District Boards. Under the present law there can be sub-committees only to look after those institutions, not to prepare the budget or to look after public works, or anything else. Would there be any objection to extend that section so as to devolve those duties on sub-committees formed of District Board members—of course, under the supervision of the Chairman?—No, I think there would be no objection.

8768. You think that that would be an improvement in the right direction?—Yes, I do not think there could be any harm in that; the only thing is, they have had this power for years, it has been before them, and they have never used it. That might show that it is not in accordance with their own ideas. Both the Municipal and District Board Acts authorise these local authorities not only to form sub-committees, but to join with them the respectable inhabitants of the area and form a kind of consultative body in regard to these matters. I do not know any districts in which there are such bodies even with regard to education, but there would be no objection to extending the power.

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8769. From the evidence we have had before us we have learnt that such sub-committees are not formed, but sometimes the duties are entrusted to single members. You would have no objection to trying the experiment of forming such sub-committees and seeing how they work?—Not at all.

8770. (*Mr. Hichens.*) Am I to understand from what is said in this memorandum that what the Madras Government intend to convey is that they recognise the evil of transfers, but are not prepared to make any specific recommendations to the Commission?—They recognise that transfers, as a matter of fact, like other incidents of life, are evils, but they do not know of any remedy.

8771. Has any specific enquiry been made into the question of transfers by a committee or otherwise of recent years?—The question has been under consideration at different times for years and years.

8772. But there has been no committee considering it?—There has been no committee. As to the grading of officers below a Collector, one of the main objects was to lessen transfers.

8773. But there has been no specific enquiry?—There has been no committee appointed; the question has been constantly thought of.

8774. With regard to the Board of Revenue, do you think it is more desirable to have a second deliberative body in the case of revenue matters, than in the case of local and municipal matters? As I understand, the Board of Revenue is a deliberative body with regard to certain matters; would you think it more important to have a deliberative body in regard to those than to have one in regard to local and municipal matters?—In the one case it affects the imperial revenues; in the other case these affairs are supposed to be entrusted to the people themselves.

8775. I understand your answer is that you do think it is more important in the case of revenue matters?—I do not know that the question could be answered in that way; of course, the more deliberation you have about anything the better; but the question is whether there can be any practical scheme for carrying it out.

8776. Would you say, for example, that it is desirable to have a second deliberative body in regard to revenue matters, but that it is not nearly so important to have a deliberative body in regard to the other departments of Government?—I do not think I could answer that question either yes or no. As to the local and municipal matters, no doubt, the more deliberation the better; such a body would give orders with more authority and probably better work would be done.

8777. There is no special reason, that you know of, why there should be a deliberative body in regard to revenue matters any more than with regard to other matters?—I am prepared to say yes to that.

8778. Then you say: "The Government are strongly of opinion that to hand over the control of these matters to a specialist, brought up in the traditions of an expert department, would be fraught with the gravest danger to the well-being and content of the Presidency." Suppose you had the Forest Officers and others in the province subject to the authority of the Collector in executive matters, but, where they differed from one another, the matter had to be referred, not to the specialist Head of a Department, but to the Government; would your objection to a specialist, as Head of his Department, cease?—That is the present position.

8779. But you have some one over him?—The Board of Revenue and the Collector are over the specialists; the Conservator of Forests is under the Board of Revenue.

8780. But you would not leave him with the powers he has now, or, perhaps, a little amplified

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in regard to technical and special matters, and make any reference as to policy direct to the Government?—You mean to the Government as opposed to the Board of Revenue?

8781. Yes?—I do not think it matters very much whether it goes to the Board of Revenue or to the Government, so long as it does not go to a department. The Collector is head of the Forest Department in his own district. His Forest Officer is his scientific adviser, who is also responsible for all the technical forestry; but whether the appeal went to the Board of Revenue or to the Government is, more or less, a matter of which has most time for it.

8782. (*Mr. Meyer.*) You were for some time Under-Secretary to the Government in the Home Department about 20 years ago?—Yes.

8783. In that capacity you saw a great deal of the work from the different provinces. Comparing that time with the present, should you say that there had been an increase in centralization, or a decrease?—Of course I can only speak so far as regards the effects with reference to this Presidency. Except, perhaps, within very recent years, I think there has been no increase in centralization, so far as I know, unless it be in the appointment of these Inspectors-General and Directors-General, and the effect of those is, perhaps, more in anticipated, than actual, interference.

8784. It is very often stated in the papers that the Government of India is constantly encroaching on the functions of provincial Governments and grabbing power from them; do you consider there is any foundation for that statement?—I do not think so, so far as regards the Madras Presidency.

8785. On the contrary have powers been delegated from time to time?—Yes.

8786. Then, so far as things have gone, there has been some devolution, though, of course, it is a matter of opinion whether it is sufficient or not, but as compared with 20 years ago, there have been larger powers granted to the provincial Governments—to the Madras Government, at any rate?—I do not think there has been much interference with this Presidency; the interference of the Home Department with the Governments under the Lieutenant-Governors is of quite a different character and degree.

8787. You have spoken of the Imperial Inspectors-General as being primarily of use as the advising officers to the Government of India. Might not the provincial Governments make use of them as advisers to themselves?—Certainly, and with the Directors-General I have had most instructive conversations; I do not think there is any objection on that score.

8788. But, as a matter of expediency, might not the provincial Government derive a great deal of benefit by asking the Inspectors-General as to what was being done in other provinces and so on?—No doubt they might.

8789. In your experience have reforms been initiated by the Government of India to a considerable extent—general reforms in administration?—Yes, undoubtedly.

8790. More so than by the provincial Government?—No, I should not say that.

8791. Both have done the work?—The provincial Government are more or less every day doing something in the way of reform—or trying to.

8792. You mentioned that it was a general rule in the case of privilege leave vacancies (which may last up to three months) whenever a Collector takes leave, to appoint the successor on the spot as far as possible; does that apply in the case of a longer vacancy—a six months' vacancy, for instance?—No, it is not generally adopted in that case, because when a man goes on long leave, some senior man generally thinks that he ought to be put in to act.

8793. You think it goes by seniority?—Yes.

8794. Might that not be relaxed in the case of acting officers?—There is no doubt it could be done; of course, there would be an outcry from those who were deprived of pay.

8795. But I mean in the interests of the State?—Yes, I should not mind its being done.

8796. You spoke of objection to transfers by the personal grading of Divisional Officers. Can you tell me to whom that measure was due; did the Government of India order it, or did the Madras Government order it?—I think the Government of India ordered it.

8797. The Madras Government having previously declined it?—Yes; a former Government.

8798. The question has been raised as to whether there should not be some greater selection in regard to Collectors; do you think there should, or are the Collectors all satisfactory at present?—The Government, of course, try to select as Collectors the best men they can; no doubt there are some who are unsatisfactory; there must always be some who are unsatisfactory, because the whole body of Collectors is about 30. One reason why they are trusted with powers is the control and supervision under which they work; you cannot trust every Collector, but as there is the Board of Revenue and Government above them, you can give them large powers.

8799. Would you be in favour of the more rigid rejection of men who are unfit to be Collectors when the time arrived at which they were to be selected?—Yes, I think I would.

8800. And of getting rid of them on proportionate pensions?—Yes I have suggested that more than once. The Government of India only grants them proportionate pensions on the ground of ill-health.

8801. As to restrictions on land alienation. You said that if a piece of land was given in a growing town it would still pay taxes, whether municipal or Government taxes; but might not the land possibly be required for Government offices?—Then it would be taken up under the Land Acquisition Act.

8802. And the Government would have to pay heavily for what they had previously given as a free gift?—The question, I understand, is whether the Government of India, or the Local Government, would better anticipate any matter of that sort.

8803. You have spoken of certain Acts which enable full delegation by the Collector of any of his powers to the Divisional Officer. Is the exercise of his discretion restricted in any way by Board's Standing Orders, or other departmental instructions?—The Board's Standing Orders no doubt direct that certain things shall be done by the Collector, but in every Act which is passed the word "Collector" means the Divisional Officer, and *primâ facie* every Divisional Officer has the full powers of a Collector.

8804. But the Collector may sometimes be precluded departmentally from doing what he might do legally?—Yes, but still there is no legal disability requiring to be removed by legislation.

8805. Do you consider that there might be any reduction in the number of cases assigned to the full Board by the rules of business, or to the two Land Revenue Members?—I am not sufficiently acquainted with the Board's work to say.

8806. May I follow up a question that was asked as to these land revenue matters that are dealt with by the Board of Revenue; do they not affect the whole province?—Yes.

8807. Whereas questions relating to a Local Board or a municipality would affect only that particular area usually?—Yes.

8808. I gather that you consider that under the present system of administration in Madras the Collector has practically become, in many matters, a Commissioner?—He is practically so, on account of the size of his district; the Divisional Officers practically exercise all the powers of a Collector.

8809. Would you be in favour of recognising that position still further by giving him some of the powers that the Board of Revenue possess, and by letting him in turn devolve larger powers on his

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Divisional Officers—speaking generally, of course?—Speaking generally, no doubt, one would say yes; but in the first place the question crops up, whether the Collector can do very much more than he is doing, if you devolve very much more power upon him; and, in the second place, as I said before, you must have regard to the fact that all Collectors are not men you can trust in the same degree. Under no system could you get 30 men of an equal trustworthiness.

8810. There must be some general power of control, but you do not think that with regard to details their power of control could be expediently relaxed?—I do not think so, with that number of Collectors.

8811. May I put it that your committee is going to consider what general control is necessary, and how far Collectors may get larger powers in points of detail?—Yes.

8812. As regards the local and municipal work, it has been suggested to us by some witnesses that there is a certain amount of interference by departments in the work of Boards and municipalities—that they have to spend so much on education at the dictation of the Director of Public Instruction, so much on sanitation at the dictation of the sanitary authorities; is that your view?—In that sphere, of course, the Government intervenes and regulates; the Sanitary Commissioner and Sanitary Engineer are very keen to have their schemes carried out; the education people want more schools; it is a question how the finances are to be distributed amongst these competing objects. But, of course, the municipality have the whip hand; if they say, "We are not going to sanction it," and they do not sanction it, the Sanitary Engineer cannot insist.

8813. But may not the Government insert Rs. 10,000 in the budget for some project that the Sanitary Commissioner has advocated—assuming that the municipality has a balance to pay for it?—I do not know any case in which the Government have done that. They send it down to the municipality and say, "This recommendation has been made, will you pass a resolution?" I do not think we ever put anything of that sort into the budget without having a previous resolution of the municipality.

8814. Two or three witnesses have told us that the Sanitary Board as at present constituted is unnecessary; is that your view?—The Sanitary Board was constituted primarily as a sort of Board of Appeal; when it was first constituted there were differences between the Sanitary Engineer and the Sanitary Commissioner; the Engineer said some improvement ought to be carried out in a particular way; the Commissioner said he did not agree; then as referees the Surgeon-General, who was a sort of superior to the Sanitary Commissioner, and the Chief Engineer, who was superior to the Sanitary Engineer, were formed into a Board, with a Civilian as a third party to represent district interests—a man who knew district work. The Local and Municipal Secretary on that Board does not represent the Local and Municipal Department; he represents the District Officer. It was a Collector who was appointed at first; there were difficulties in obtaining the services of a Collector, so the Secretary of the Local and Municipal Department was put on *ex-officio* as representing, not the Local and Municipal Department, so much as the District Officer. Of course, it was also convenient, because it saved him time when the cases came before the department afterwards.

8815. The system has been in vogue for 20 years?—Yes.

8816. Now that it is well established, is this check—this sort of Appellate Court as you have described it—necessary?—No, I think it is quite possible to re-model the Sanitary Board, and to raise the limit of the cost of the work for which the sanction of the Sanitary Board is required, and perhaps to make the Sanitary Board consist of the Sanitary Commissioner and the Sanitary Engineer. The difficulty would be when they differed in opinion.

8817. You spoke of the necessity of keeping a fairly tight hand over the budgets of the ordinary municipalities, on the ground that they borrowed money and so forth. Would that apply to the Presidency Municipality, or would you consider that that was on a different footing?—The Corporation of Madras is on a different footing.

8818. Is it necessary there for the Government to control the budget and to appoint a number of the municipal staff?—I certainly think it is absolutely necessary for the Government to control the budget, because of the enormous amount of money that we are constantly lending to the Corporation.

8819. Certain witnesses have spoken of the unsatisfactory *morale* of the tahsildar; do you think that the tahsildar is a much less pure person than the district munsiff?—I do not think that comparison can be made; they are very much the same class; if there is misconduct among the tahsildars, I should say that there was some amount amongst the district munsiffs.

8820. The tahsildar begins as a Rs. 15 or Rs. 20 clerk, as a rule; do you consider that that is quite satisfactory?—No, I have been trying to work out a scheme which would separate, as they do in England, the lower from the higher subordinate staff. A person who enters the Collector's office at the present day looks forward to rising to be a Deputy Collector and Magistrate, and he should get there after being a tahsildar, and with experience gathered in the Collector's and the District Magistrate's offices. What I should like (I do not know whether it could be done) is to have a lower establishment, simply a clerical establishment, going up to Rs. 60 or Rs. 70 and stopping there, and to recruit as a superior establishment graduates and so on, beginning at Rs. 50 or Rs. 60, who would be the men from whom our tahsildars and Deputy Collectors would be chosen afterwards.

8821. (*Sir Steyning Edgerley.*) In this Presidency you have very wide delegating Acts; have you ever heard any sort of public complaint against them—that they give too much power to the Executive, and so on?—No; when the Legislature are considering a Bill they always understand that the "Collector" means a Divisional Officer, and therefore, when a provision in the Bill is under consideration, that point is kept in mind.

8822. For instance, the Court of Wards Act has got a similar section, section 8. When that was passed would a similar consideration also be present?—Yes.

8823. It is obvious on the schedules that there will be a good deal of legislation if much delegation is to be made, and it is also obvious from your saying that these are only models, that it cannot be final—that it will go on continuously?—Quite so.

8824. In paragraph 24 you say that the Government are "inclined to think" that it would require specific legislation to delegate powers or to withdraw any delegation of powers. Is that a final opinion, or do you keep a certain amount of open mind about it?—No; personally I think it is not open. Without specific legislation it is impossible to avoid breaking faith with the legislatures. Every single Act that is passed was considered carefully, and the Legislature considered whether it was the Collector or the District Collector who should be given certain powers. Now to give a general power of delegation would sweep the whole of that way.

8825. Then you say that we may take this as a very definite expression of opinion?—It certainly is in my view.

8826. The difference of pay between a Sub-Collector and a Collector is Rs. 600 or Rs. 700?—Rs. 700 or Rs. 800 a month difference.

8827. So that a transfer in such a case would involve a considerable loss?—Yes.

8828. You spoke in answer to a question of the interests of the State. Do you think that the public advantage involved is sufficiently great to justify any sort of system of allowance to officers that you do not promote in order to avoid a

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transfer? There is a system in vogue on a very small scale elsewhere by which, if an officer is entitled to promotion, and he cannot be moved for reasons of State, a compensation allowance is given to that particular officer. Do you think that the amount of public interests involved here would justify something of that sort?—I should think it would in some circumstances.

8829. Is it a great loss to the encouragement of Local Government, and so on, that the whole of this work should come direct into the Secretariat and not be under the control of a touring superior officer who can go round and see exactly what is required?—I do not think so. All that work passes through the Collector and the District Collector; they can make any remark they please upon it and it then goes up to the Local and Municipal Secretariat, where they are constantly dealing with problems of the kind all over the Presidency.

8830. Let us assume the hypothesis for the moment that it should come to be a choice whether the Board of Revenue should continue, or whether you should enlarge the Board so as to take in these outside departments which it does not at present administer. Which system would you prefer?—Well, I have no experience of the other system, it is difficult to say.

8831. (*Chairman.*) Do the members of the Council here go down to the Secretariat or work at their own residences?—They work at their own residences; there is no accommodation for them here.

8832. The Civil Surgeon of a district is both the Medical and Sanitary Officer?—He is the District Medical and Sanitary Officer.

8833. A Civil Surgeon is therefore serving two masters, whose powers, so far as he is concerned, are equal?—Yes.

8834. Is that a satisfactory system?—I do not think that in practice there has been any or very much friction. The Surgeon-General inspects the hospitals of the Civil Surgeon who as Medical and Sanitary Officer is responsible for sanitary improvements.

8835. Is that establishment, so far as the head is concerned, worth keeping separate from the medical establishment?—If you mean that there should be a Sanitary Commissioner as distinct from the Surgeon-General, I think so distinctly.

8836. In your judgment, should some discretionary power be given to remit dry revenue—you will observe that I say "discretionary power"?—I do not quite understand what would be served by the proposed delegation. It is a general principle that anything which is exceptional in the constitution should not be left to local officers, but should be determined by some superior authority. The whole of the imperial land revenue is fixed on the understanding that there are no dry remissions. Dry remissions are only given in the case of grievous calamity. So far as any raiyat is concerned, it does not matter to him whether the remission is given to him by the Collector or whether it is sanctioned afterwards by superior authority. The rules distinctly lay down that if a Collector thinks there is a case for dry remission he is to suspend the collection at once, and notify the fact in every village, and then refer for orders, and if he does not get the orders from the Board of Revenue in time he can extend the period of suspension, so that no one suffers. The raiyat does not suffer on account of the Collector's not having himself the power of dry remission. The power of dry remission, like the power of dealing with other people's money, is so very liable to abuse, that with a variety of Collectors, with all sorts of sympathies, or want of sympathies, it is a matter which the Government has not so far thought of allowing a Collector to control finally. As I say, nobody suffers, because any Collector may at once suspend the collection of the land revenue.

8837. Therefore, from your point of view, the power of suspension is equal to a power of temporary remission?—Absolutely. The question of dry remission does not arise in any sudden sort of way; before the question can ever arise, the districts have been going from bad to worse, and they have been inspected, and the Famine Commissioner has probably come down. There is no question of sudden calamity which is not fully covered.

8838. The Famine Commissioner only comes down in case of widespread calamity?—But those are the cases in which dry remission is granted.

8839. I am talking of what could be possible in an exceptional case?—If a man's field is actually swept away by a flood, the Collector has full power to grant him the necessary relief. It must be remembered that this is imperial revenue.

(*The witness withdrew.*)

The Hon. Mr. G. STOKES was called and examined.

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8840. (*Chairman.*) You are Senior Member of the Governor's Council?—Yes.

8841. What portfolios do you hold in the Government?—I hold the Revenue, the Financial, and Pensions.

8842. In the statement that "the Government are generally satisfied with the principles underlying the scheme of the revised provincial settlement recently forwarded for their opinion by the Government of India," what are we to understand you to mean by the word "principles"?—Perhaps I could define it better by saying what it is not; it does not mean limits. The principles of the settlement, so far as they go, are right, but the settlement itself is not complete. In all its principles it is not fully defined. I consider that the income of the Local Government should be its own; that its power over its expenditure should be much more complete. So far as they go, the principles of the settlement are correct, and a very vast improvement on what existed before. The settlement now is more or less certain and fixed; formerly it was subject to frequent revision in all its details. The principle of division of heads of revenue is carried out much further and more completely in this settlement than it ever has been before. Those are two enormous advantages over the original system. But what I mean is that I do not think fixity has gone far enough yet.

8843. What do you mean by saying, "Means should be found to enable the Local Government to obtain money for large public undertakings," and so on; that is I suppose that the Local Government should have liberty to borrow?—Whether the Government of India should borrow, or whether it should be the Local Government, may be a matter of discussion; it may be that it is cheaper for the Government of India to obtain the money for the Local Government in every case. Provided the Local Government gets the money, it does not seem to be of any very great importance whether it is the Local Government that borrows or the Government of India. If the Local Government were, so to speak, more autonomous, it should have the power of borrowing.

8844. Upon what authority?—As far as I can understand the law, the whole revenues of India vest in the Secretary of State, and it would be under the orders of the Secretary of State in very much the same way that the Government of India borrows now.

8845. Do you suggest that upon questions of borrowing the provincial Government should correspond direct with the Secretary of State?—I see no reason why it should not.

8846. Is that the pith of these words?—It is not the pith of these words, but it is a consequent arrangement, or it is a possible consequent arrangement.

8847. But what are the means, and who is to find them?—It says: "The interest and sinking fund needed to extinguish such loans being met

from their share of the revenues of the province." It is not proposed that the Local Government should have the power of borrowing unless it can meet the loan from its own resources. I mean, if the Local Government can show that from its own resources it can not only pay the interest, but also provide a sinking fund on the sums required, I do not see why it should not be open for it to borrow, or have the money found for it. For example, take the Local Fund Board railways. The position we are in at the present moment is that we cannot make those railways because we cannot get the money; the cess is being levied, it is being accumulated, in time the railway will be made from the accumulated cess; but meanwhile the country is losing the advantage of the railway, and the cess is piling up for nothing. There is a further objection and that is this. If the cess is piled up in this way, the Local Board will possess a property acquired from the investment of local funds. I do not think a Local Board should be allowed to acquire any property of its own.

8848. In paragraph 3 you say: "Powers should be delegated to the Local Government in respect of loans granted by the Government themselves, and powers should be delegated to the Local Government to sanction the raising of loans by local bodies in the open market." Would you propose to guarantee these loans?—That turns upon the existing law.

8849. But what is your proposal?—The proposal is this. At present the local bodies must borrow from the Local Government, and the Local Government must obtain the money from the Government of India. If the latter cannot give them the money, the local bodies have to go into the local market, but the Local Government cannot sanction their going into the local market; the Government of India must sanction that. The meaning of this is that there is no reason why that power should not be delegated to the Local Government.

8850. Who is going to guarantee those loans?—The loans are guaranteed by the local body against the cess in any case.

8851. You think that the Local Government is a better judge of the financial standing of the local body than the Government of India could be?—I think it is.

8852. In paragraph 4 you say: "As regards provincial and divided heads of expenditure the Local Government should be granted as free a hand as possible"?—What that really means, as I understand it as a member of the Government, is that the finances of the Local Government should be freed as far as possible from restrictions which are not necessary for the general safety of the country. The Government of India interfere—necessarily, I suppose—I do not know about that, but, at any rate, it does interfere—and enforces in the case of famine, for example, much reduction of expenditure. The Local Government is forced to reduce the standing machinery of the administration to an extent which is very injurious subsequently. I think the Local Government should be the judge, as far as possible, how far that reduction should go. If they have to go very much beyond what they can do from the saving of revenue, they should be able to borrow.

8853. With regard to these provincial and divided heads of expenditure, do you want to spend the money as you please without control?—No, there is a certain amount of control necessary, but that control should be as little as possible. I do not say that a Local Government should be free from all control, any more than I should say that a local body should be free from all control. There is a necessary control arising from circumstances which are outside the Local Government's knowledge and experience altogether.

8854. Are the Government of India to say: "The object is a good object," or are they to say: "We assume your object to be good, but we think your expenditure in details is too extravagant"?—I think if the Government of India admits that the object is good, it should be for the Local Government to spend the money.

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8855. You think that when a scheme is sanctioned it would be unnecessary for the Local Government to submit estimates?—No, I do not say that, because the Local Government must submit estimates for other purposes; I mean for ways and means and purposes of that kind. Those are things outside the ken and outside the control of the Local Government, and therefore it should submit estimates; but the tendency is to override the Local Government in matters which are within its local knowledge.

8856. Do you think that all expenditure on divided heads should be provincial and not divided also? For instance, upon stamps or excise the expenditure is now partly provincial and partly imperial?—I do not think it makes very much difference, provided that the arrangement is a permanent one, not subject to alteration either at the wish of the Government of India, or at the wish of the Local Government. If these shares were guaranteed either by law, or by the Secretary of State, or by some solemn assurance, I do not think it matters much whether the revenue is an undivided head, or a shared head. So far as revenue is concerned, I am inclined to think that it would be better to share it, but the thing is that the income which the Local Government has to spend must be previously ascertained and known to it, and not be subjected to arbitrary curtailment by the Government of India; I will not say without consulting the Government of Madras, but without the consent of the Government of Madras.

8857. Then you say: "The provincial Government should have power to allot during the course of the year from the provincial balances." You would agree that some limit, as well as some immediate report to the Government of India, is necessary?—Certainly, the difficulty is this. As the system of budget estimates is prepared at present, there is no reserve at all in the Financial Department from which to meet emergent expenditure that arises during the year; the only way in which that expenditure can be met now, except from balances, is by resumption and re-allotment; it might become necessary in the course of the year to allot from provincial balances; in the course of my experience here, the reserve with the Financial Department to run the Presidency was Rs. 6,000. That is a very small sum in sterling—about £400. That was all we could lay our hands on; the balance was there, but the sum which we could obtain by re-allotment was only Rs. 6,000.

8858. You would agree that you must not deplete your balance too much?—Certainly.

8859. The balances are used by the Government of India for the purposes of loan, and therefore any undue exhaustion of the balances would seriously disturb the financial equilibrium of the Government of India?—That is so, certainly. It is "subject to immediate report to the Government of India."

8860. You do not propose any definite percentage of sum which could not be disturbed?—No, but I can quite understand that such an arrangement would be advantageous.

8861. It has been suggested to us that both the District Boards and the municipalities should be allowed to keep their lapses without fresh budget allotments; it has also been suggested to us that they should be allowed emergency expenditure, very much on the lines that you would have emergency expenditure for the provincial Government?—You mean that they should be allowed to keep their lapses, that is to say, that they should be able to re-appropriate without report; that is what it comes to?

8862. Yes. Would you think you could safely do that in the case of the District Boards and municipalities?—Yes, I do not see why you should not.

8863. Would you agree to allow the District Boards and municipalities to incur emergency expenditure within limits well defined?—I think that that had better, perhaps, be kept under control. Re-appropriation within their budget allotment for the year might be allowed, but you cannot

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allow them to deplete the balances; their balances are very small, and generally they are pledged up to the utmost possible point, and the next year you may find that the Boards are insolvent; that is the difficulty.

8864. You do not think that the same difficulty which you urge against the District Boards and municipalities, the Government of India would have any need to urge against a provincial Government?—I do not think so, because the sums dealt with are so very much larger, and the Government of Madras is not an actual executive body carrying out works and paying for them, whereas the District Board is.

8865. To return to the District Boards; do you think that the Government of Madras indirectly causes some extravagance on the part of the District Boards or municipalities by saying: "Well, you have got this money, you must spend it"?—I have no reason to think so. I think the Boards are only too ready to spend it if they can get it. The lapses occur not owing to the action of Government, but owing to the action of the Boards themselves; they propose to have some scheme or other which they cannot carry out.

8866. Might it not be that the lapses are caused by Government not informing the local authorities that the schemes have been sanctioned, thereby giving the local bodies too short a time in which to spend the money?—Very often these lapses occur in the following way. Suppose provision is made in the Local Board's budget under "Education" in order that a certain scheme of primary education may be sanctioned. The starting of the scheme is delayed from some cause or another, either to get the sanction of the Government of India, or because the Government of India raise some objection after the beginning of the year, and so on. That sum will lapse. Then, of course, that sum might be re-allotted and spent, we will say, upon a bridge or a road, or something of that sort; but I do not see that these lapses occur in any way other than through difficulties in working out some general scheme, or something of that sort, so far as the Board is concerned.

8867. With reference to these delays that you have mentioned, you do not think the provincial Government say "You have got this money, you must hurry up and spend it, otherwise it will lapse," and then the local body does hurry up and spends it; you do not think that that is so?—I have no reason to think so.

8868. May I take it generally with regard to paragraphs 10, 11, 12 and 13, that you would be content that the Government of India should give you these delegations subject to general rules being laid down?—Of course, they would be subject to rules very similar to those above.

8869. With regard to paragraph 14, we quite understand that transfers for service in Native States should be under your own control, but why do you want powers as to transfers for foreign service out of India? Would it not be very advisable that for anything of that kind outside India, the Government of India should be consulted?—I think it should be consulted.

8870. Would it not be very desirable on the whole to restrict the Local Government to dealing with these cases in India?—The point about it is that the Local Government should have power to refuse to let their men go.

8871. You want this power in order that you may refuse to the Government of India the *right* to transfer out of India?—The power to refuse is the most important thing from the point of view of the Local Government.

8872. With regard to paragraph 18 you would agree that Heads of Departments should be left to make permanent pensionable appointments up to Rs. 15?—You mean not to make appointments, but to create posts? They cannot create appointments at present. The difficulty is this. The whole question is a financial one; I do not think on the whole there would be any objection to it; the difficulty is that a recurring appointment bearing the salary of Rs. 15 a month means a very large charge on the capital of the country, so to speak; though the Rs. 15 means only Rs. 180 a year, it means 25 times that of capital, because every recurring appointment that is made is an annual recurring charge, and you must take the capitalised value of the annual recurring charge to estimate the value of that appointment. For example, to create a Rs. 15 appointment is as large a power as to enable a Superintending Engineer to carry out a work costing Rs. 5,000.

8873. Altogether you are not quite clear that you think the Heads of Departments ought to have this power?—I think I should prefer to say that they might have.

8874. In paragraph 20 you say: "This system, though convenient from the point of view of the Government of India, is not workable in practice." How is that so?—It is not workable in practice because it destroys the Accountant-General's power of audit; he does not know what grant he is auditing against; it amounts to that—that if you allow the Head of a Department to act as proposed the grant is unknown to the Accounts Officer.

8875. (*Sir Steyning Edgerley.*) Though you may not think it necessary, yet would you be prepared to accept the provincialisation of all expenditure in order to get a position of financial independence?—Certainly.

8876. As regards the word "principles" in the opening sentence of paragraph 1, you are very anxious to go on to a position in which the Madras Government should have some revenues actually of its own?—Certainly.

8877. That is to say, practically a separation of provincial and imperial finance?—Within limits, yes.

8878. With regard to paragraph 24, obviously, if there is to be very much delegation there must be legislation, and a good deal of legislation. Does this phrase "The Government are inclined to think" mean that it is a very deliberate opinion, politely put, or that it is an opinion upon which you have rather an open mind?—I think it means that the Government of Madras on that point is rather open. The difficulty is that to make a general Act of delegation is contrary to all the principles of law. It is desirable, but it violates very important principles of legislation, because in regard to each of these Acts, when the Act was passed and it was laid down that the Local Government should do a certain thing, it was so laid down in the vast majority of instances because it was thought that the Board of Revenue, or the Collector, could not do it, or ought not to do it; therefore, a general Act authorising the Governor-General in Council or the Local Government to delegate any powers which were given to it by law will, to a great extent, offend against that principle of legislation. In practical working, perhaps, it would be worked all right, but there is also to be considered the propriety of the delegation; that is the matter upon which the Legislature in legislating has pronounced an opinion, and a general Act of delegation would give the Local Government the power of setting aside that deliberate expression of opinion. That is the objection, to my mind, to a general Act of delegation, and the difficulty in regard to it.

8879. That is, of course, the argument against it. Do you consider that that is an absolutely decisive argument against it?—I rather think it is.

8880. Then when you say "The Government are inclined to think" you mean that that is their deliberate opinion?—Yes; there ought to be an Act of deliberate delegation after consideration of the particular delegation proposed; that would be free from all objection.

8881. Except the objection of considerable delay and trouble?—Yes, and, of course, an examination of the various delegations and the various Acts.

8882. It is obvious that these Acts would be very frequently before the Council and would take a long time?—Yes, that is the great objection, of course.

8883. You do not think that the objection you have stated could be met, at any rate in part, by requiring previous publication and investigation of objections?—I doubt if it would be successfully met.

8884. (*Mr. Meyer.*) I want to be clear about the divided heads, and so forth. At present the general principle of the financial settlement is that you get half of the land revenue, excise, and so forth, and that you bear the whole of the land revenue expenditure and half of other heads. Did you say that you would prefer—if you could get about as much as you get now—to have, say, half of the land revenue, and have nothing to do with excise or stamps?—Do they have anything to do with expenditure?

8885. At present you share your revenue with the Government of India over a variety of certain heads; there are some minor heads that you do not share, but I am speaking of various heads, such as excise, stamps, and so on. I did not quite understand whether you were quite content with that system, or whether you would not prefer some system under which you got the whole of the revenue under heads A and B, letting the Government of India take the whole of the revenue under heads C and D, and so on?—I do not think that that matters very much if the share of the land revenue which we get, or the share of the excise, is a fixed share, not alterable by anybody.

8886. And as regards expenditure?—As regards expenditure, I think it would be just as well that the whole of it was provincialised.

8887. What do you mean by provincialised?—I mean that the settlement was so revised as to enable the Local Government to undertake the whole of the expenditure under most of the divided heads at present.

8888. So, in fact, the whole of the expenditure would be provincialised, and it would be necessary to give the provincial Government a larger share of revenue to meet the charges?—Yes. Of course, if you provincialised the whole expenditure, you would have to revise the settlement.

8889. You have admitted, I think, that in general matters the Government of India must have control—matters of general policy, such as excise, police, and things of that sort?—Yes, in a general way; there must be control of a certain kind.

8890. Is it not easier in a way to exercise that control when the Government of India shares the revenue and expenditure than when it does not?—I do not see why it should be.

8891. Suppose, for instance, the Government of India asked the provincial Government to adopt a system which would reduce the excise revenue raised in the province; at present the Government of India could say: "We are asking you to do something which is also going to cause loss to us"; if the whole loss fell on the province might there not be more friction?—I do not see why there should be. It is an argument I can understand being used that you are sharing the loss, and, therefore, you have a right, to a certain extent, to call the tune; but it does not seem to me to have much weight.

8892. The borrowing that you would allow the provincial Government to undertake would be for works that were unproductive from the financial point of view?—Not necessarily unproductive works; for example, take the Vizagapatam Harbour; the Madras Government, as a provincial Government, is extremely anxious to see the Vizagapatam Harbour built.

8893. I am using the term "productive" in the financial sense, as the Government of India use it in regard to irrigation works. A productive work is a work which will pay not only for the upkeep of the work but interest on what has been borrowed and leave a little margin. These works are constructed mostly from loans granted by the Government of India?—Many of them, especially under irrigation.

8894. Therefore, if they have to be provided, the Government of India have to finance them for you?—They may, or they may not.

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8895. You contemplate borrowing on the provincial credit, if you could do it, for both productive and unproductive works?—Yes; any works which are desirable from the Government point of view.

8896. Take the particular case of famine charges; would you be likely to have to borrow for those under the new arrangement?—Well, that is a detail really; it is not a question of principle.

8897. Do you think you could get money readily in the local market?—Yes, I do not see why we should not; I do not say that we should get it readily, but I think we should get the money; we should probably have to pay more for it, and there will probably be some difficulty in getting it, because the money coming into the local market is not very much, but I believe we should get it from various sources. For example, I know a case in which a local community offered to lend money to finance a certain project that they wanted carried out. I daresay if you had local works which were of interest in that way to local communities you very often would get the money.

8898. But those are the local communities which can already borrow with the sanction of the Government of India?—No; when I said a local community I did not mean a local body.

8899. You mentioned the desirability of removing the restriction which requires the sanction of the Government of India to the raising of loans by local bodies, District Boards and others, in the open market. The primary object of that restriction is that they should not interfere with the Government of India's borrowing. Do you attach any special importance to that?—Of course, I can understand the Government of India attaching importance to it. The position is this, that if the amount of available capital for loan is restricted, then if the Local Government comes in as a competitor with the Government of India, it will embarrass the Government of India in some way to a greater or a lesser extent.

8900. It is not merely the amount; it is the time. Suppose, at the time the Government of India was floating its loan, a Local Government or a big body like the Bombay Corporation wanted to float a fairly big loan too, might not that be embarrassing to the imperial loan?—I can quite understand that it might be.

8901. Paragraph 8 refers to restrictions in regard to the emoluments of officers holding temporary appointments; have you anything to say about Article 81 of the Civil Service Regulations, which restricts deputation allowances to 20 per cent. of the officer's salary?—We have said somewhere in this memorandum that that should be abolished.

8902. Article 81 is the one which restricts the emoluments to one-fifth?—Yes.

8903. What you mean here is that it should apply not merely to temporary appointments but to deputations?—No, that only refers to temporary appointments.

8904. But have you anything to say about deputations?—No.

8905. You think that that does not unduly narrow your powers?—No; the difficulty about that new rule is this: I will give this illustration. The appointment of a tahsildar on Rs. 150 was created in Madura; you cannot find in the Revenue Department any officer who will get the full pay of the appointment; the next grade is Rs. 120; now, if you take one-fifth of the Rs. 120, you get to Rs. 144 as the pay of the appointment; the officer will not get Rs. 150. That is the objection.

8906. In paragraph 13 you desire to cancel "the ruling which prohibits the creation or abolition by the Local Government of a class or grade of officers or the alteration of the pay of a class or grade." Besides that general restriction, there is also a specific restriction which forbids you to reduce or abolish any single appointment of over Rs. 50 a

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month without the sanction of the Government of India. If a Local Government should have further powers in regard to creating appointments, should it not have larger powers in regard to abolishing them?—Certainly. The reason that this rule is objected to is this; if you are reorganising a Service and you change the grading in it in any way, the whole scheme is beyond the power of the Local Government, and possibly, has to go to the Secretary of State.

8907. In paragraph 15 you say: "In the matter of sanction to the grant of honoraria to officers from Government revenues and of permission to officers to accept fees from private bodies and public bodies unconnected with Government, the intervention of the Government of India seems to be unnecessary." Under Article 72 the sanction of the Secretary of State is necessary over a certain amount; would you give full power to the Local Government?—I would.

8908. In all cases of honoraria to officers?—Yes.

8909. In paragraph 19 you point out that it would be useful if your first budget estimates were sent in at a later time. You want about a fortnight's delay. You have looked at it, if I may say so, from the provincial point of view?—Of course, I have looked at it from the provincial point of view, but at the same time it is very necessary that this delay should occur, especially if there is to be any criticism of the budget by non-official members.

8910. The non-official members do not criticise the budget until after it has been finally passed?—Oh yes. The proposal of the Local Government here is to have a conference to which the budget will be submitted. After the first budget goes to the Government of India, that is to say after it is provisionally settled, there will be a conference of the officials and non-officials, who will criticise the budget and make suggestions which, if possible, will be included in a later issue. I think therefore that if the date of the submission of the first budget could be postponed, it would be a matter of very great importance.

8911. On the other hand if the Government of India and the Secretary of State found it desirable for the purpose of the possible reduction of taxation or otherwise to have the figures at as early a date as possible, you would admit that that might be a reason on the other side?—Yes, if the Government of India cannot get the figures in any other way, but that is a large restriction.

8912. Then about reductions by the Government of India; have they not been generally justified by the facts; have you had occasion to exceed the estimates in the aggregate as finally passed by India?—I understand not, so far.

8913. Then so far as the provincial Government is concerned you have not had to go up to the Government of India for sanction for reallotments for any particular year?—Not because we have been able to reappropriate, but if it had not been for the fact that we are exceedingly flush of revenue at present and for the last few years, I can quite understand that we might have had to go up.

8914. As regards Heads of Departments, where you say inconvenience arises; the Government of India make a lump reduction under the main head; could not you make a lump reduction in the same way?—It causes great inconvenience; in order to do it you have to revise your whole budget; you refer to the subordinate authority and you have to go into each item of the budget, and it causes a great deal of delay and trouble.

8915. Your view is that it would be preferable to let the budget figures be inaccurate rather than to undertake all this labour?—I certainly think it would be a lesser evil. The Local Government does its very utmost to get its estimates right, but from one cause or another it is not always possible. The difficulty is to spend money, very often, unless you have a long time to do it; you can spend the money if you choose to throw it about, but if you are to spend it with caution and care it takes a long time to arrange for doing so.

8916. You say you can spend money if you choose to throw it about; does not that happen already? In the Public Works and other spending Departments is it not the case that there is very hurried and possibly wasteful expenditure in the last weeks of the year?—It is true that a very large number of payments are made in the last weeks of the year, and there is no doubt reason to believe that expenditure is pushed on in order to prevent the lapse of grants to get through the grants; but what is said in paragraph 20 will not prevent that; that is quite a different matter.

8917. Are officers left with the impression that it is better to work up to their budget allotment than to have their budget allotment considerably under-worked, and to say plainly that they found they could not spend the money profitably during the year and therefore hope that it will be given to them again next year?—That is what does occur.

8918. And an officer is not censured in any way because he has not worked up to his estimates?—I do not know much about the Public Works Department, but not in any department that I have had to do with.

8919. (*Mr. Dutt.*) In paragraph 3 you say that "powers should be delegated to the Local Government to sanction the raising of loans by local bodies in the open market." Would the loans have to be raised on the security of the cess?—On the taxes raised by the local body.

8920. But is it not within the range of possibility that the taxation might be partly withdrawn and that some cesses now imposed might be abolished?—Of course, it is within the range of possibility, but it could only be done by legislation, so that that is very different from the security given to the Government of India.

8921. But in that case the security would be lessened?—I cannot conceive of any greater security. Of course, the Legislature in any country, and everywhere, can alter the methods of taxation.

8922. In the last two or three years, some of the cesses on land have been withdrawn?—Yes, but they have been in no way pledged for loans. They were cesses for the payment of village officers; that is the only one which has been withdrawn in this Presidency; that was a Local Fund body, not a local body; there is a difference between the two.

8923. By local body you mean a District Board or municipality?—A District Board or municipality, or a Port Trust, or a Shipping and Landing Fees Committee, which is established by an Act in this Presidency; they are local bodies, but a Local Fund body is a different thing.

8924. These cesses are liable to alteration by legislation, and proposals from time to time have been made to abolish them?—You mean the abolition or imposition of a cess, not merely an alteration?

8925. The abolition of an existing cess?—The local body itself can take it off.

8926. And on that security you think it would be possible to borrow money on reasonable terms of interest?—I am quite sure of it.

8927. As to the powers that you ask for the Local Governments to raise loans on the security of their share of the revenue, are not all the loans incurred by the Government of India on the security of the entire revenues of India, including the provincial revenue?—Of course, they are on the entire revenues of India.

8928. Would not the provincial revenue be thus twice hypothecated, two Governments going into the market and borrowing on the security of the same revenues?—So far as I understand the law, it is only 21 and 22 Vict., c. 106, which gives power to borrow at all, and the power is restricted to the Secretary of State. Under that statute the Secretary of State is made responsible for the existing debts of the East India Company at the date it was passed, and he is given borrowing powers. Where the borrowing powers of the Government of India come from I do not know. In that statute the words used are "the revenues of India"; it is not the "revenues of the Government of India," but the revenues of India, upon which he is given powers to borrow.

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8929. What I want to put to you is that the Government of India have already borrowed on the security of the entire revenues of India, and if the provincial Governments were empowered to borrow, they would have to borrow again on the security of the same revenues—two borrowers going into the market and giving the same security?—Suppose by legislation you gave a definite share to the Government, I do not think it would affect the matter, because if you do that by legislation and give a definite share to the Local Government—which I would like to see done—then that share is withdrawn from hypothecation for the Government of India loans.

8930. As regards the present class of tahsildars, can you suggest any method of improving that class by a better system of recruitment?—I certainly think I can. My idea, and a proposal which I actually made, is that the administrative and executive service of the Revenue Department should be divided at the grade of deputy tahsildar; that the service above that should be made into a superior service with a lower subordinate clerical service; that the superior service should be recruited by a combination of nomination with competition. For example, you should make a Selection Committee who would receive applications from anybody who wanted an appointment, who would actually personally interview the applicant, ascertain particulars of his family and his connections and everything of that sort, whether he was in good health, and so on—and finally pass him as a candidate; then you would pass in that way, say, 300 men; there would be about 60 vacancies; then you would have a competitive examination amongst the 300 men for the 60 vacancies.

8931. What would be the initial pay of a deputy tahsildar according to your scheme?—The pay of a deputy tahsildar in this Presidency is Rs. 100. Of course it would be necessary to put these men for about a year, perhaps more, under a tahsildar in order that they might get some acquaintance with the work.

8932. Then the tahsildar would be recruited from the deputy tahsildars?—Yes.

8933. You think that that would give you better men than the present class?—Yes. If a man is corrupted at all, he is corrupted in the lower ranks; it is when he is a clerk or something like that that he learns the knack of corruption, and if he once learns the knack of corruption he never loses it.

8934. You have suggested that the Government of Madras should correspond direct with the Secretary of State upon the matter of certain pensions. Do you realise that that might lead not to decreased, but to increased, correspondence, because the Government of Madras, being ignorant of the decisions of the Secretary of State on similar applications from other Governments, might ask the Secretary of State to do something which he had just refused to do in the case of another Government, and to write back and refer the whole thing again?—Yes, I suppose it might lead to that.

8935. And that really the reference through the Government of India might save and not lose time for that reason?—I do not think on the whole it would.

(*The witness withdrew.*)

* The Raja of Kollengode was called and examined.

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8936. (*Chairman.*) You have handed in a considered statement of the evidence which you wish to give in connection with the enquiry which is now proceeding upon decentralization?—Yes.

Collectors should have larger powers in the matter of the suspension of kists and granting remissions. They should have power to suspend payment of revenue for one or two years till the raiyats are able to pay the amount, and in the matter of remissions, the Collectors should have powers to grant dry remissions when the crops have failed owing to causes over which the raiyats could have no control and wet remissions for any portion of the survey field, whatever its extent might be.

I am of opinion that there should be no curtailment in the matter of appeals to the Local Government and Heads of Departments in respect of administrative action and also in respect of officers against orders affecting them. In the first place, the mere fact that the order passed by an officer is liable to be appealed against will, in itself, be a guarantee that he will follow the rules strictly, weigh the evidence properly, and will generally be careful in passing his orders. In the second place, the public and officers consider the right of appeal as a cherished privilege and any curtailment of it is likely to create heart-burning. The suggestion that an appeal in respect of administrative action should not be admitted unless it is accompanied by a certificate from the authority passing the order is not likely to work satisfactorily as, unlike the civil cases in which such certificates are granted by the High Court, the questions involved in administrative matters refer more to questions of fact than to questions of law.

Executive Officers are not in adequate contact with the people. The chief obstacle is that the higher ranks are almost wholly European; and even with the best of Europeans, the average native of India finds it difficult to get into personal contact sufficiently close to enable the officer to know what exactly the people think and want. The people are also to blame, as they do not always fully and freely tell their European officers what they feel and think. The difficulty will remain till a larger native element is introduced into the higher ranks of the administrative services. In Native States, even when the Executive Government is inefficient and below the mark, there is seldom any complaint of want of touch between the Executive and the people. I know both Travancore and Cochin and have the privilege of also knowing the Rulers of those States in addition to a large number of officers of both Darbars, some of whom I know very intimately. My impression is that, though the administrative machinery may not work as vigorously and efficiently in Native States as in British India, the higher officers in those States appear to be much more in touch with the people than in British territory. This is due almost wholly to the fact that the higher ranks of the executive service in a Native State are almost wholly native. Another reason is that the present day Civilians, with rare exceptions, are not sufficiently acquainted with the vernaculars of the districts. Some of them understand what a raiyat may say but have not command of the language to reply in the vernacular. Further, the present day officers are weighted down with heavy revenue, magisterial and Local Fund work, and seldom find time to meet the raiyats and hear their wants even when they are in camp. During the last 10 or 15 years, the work of the Collector has increased so enormously, especially with the creation of new departments and demand for larger details from higher officers, that he has to spend a fairly good portion of his time in attending to these matters which could well be done by a Personal Assistant Deputy Collector. I would suggest therefore that in every district the present *Huzur Sherishtadars* be replaced by Deputy Collectors, and the increased cost on that account will be inappreciable.

* Owing to the want of time this witness was not examined orally.

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An increase in the administrative staff or a reduction in the area of district and divisional charges will not, I think, go far to meet the difficulty complained of, as the want of touch between the administration and the people is due to racial differences above referred to, which cannot be much affected by merely increasing the higher staff or by reducing the charges of officers.

Transfers of officers are certainly very frequent, and they are far from being conducive to proper administration. In the Palghat division, for instance, where I live, there had been nearly half-a-dozen Head Assistant Collectors within the last five years.

I am of opinion that municipalities, District Boards, *taluk* Boards, and unions should have larger powers in administrative and financial matters. The Palghat municipality, for instance, has been working under a non-official Chairman during the last 15 years, and the administration has deserved the approbation of Government. It is further working a second grade college with success. The crying want of many of the municipal towns is a good supply of water and adequate drainage. The municipal funds are unable to meet them. The District and *taluk* Boards in many districts, as for instance in Malabar, have not adequate funds to keep even the main sources of communication in proper condition.

As District and *taluk* Boards are wholly under the supervision of official Presidents (Collectors and Divisional Officers) there is a decided tendency to view them and to work them as Government Departments. The Presidents do not always remember that the object of these Boards is to give some training to people to manage their local affairs. I would suggest that, as a tentative measure, a few selected *taluk* Boards may be placed under non-official Presidents and that the Vice-Presidents of some of the District Boards may be nominated or elected from the non-officials. It is not necessary so much to increase their powers as to give them more funds and better status for the non-official members. The impression among people is that the latter are figure-heads and have no voice in the administration of the Boards.

If District and *taluk* Boards have failed to satisfy the aspirations of the people, I take it that it is due to their constitution. Firstly, there is the fact that the appointments in *taluk* Boards are wholly by nomination. Hence, though a certain number of seats in District Boards are filled up by election from *taluk* Boards, in the end the whole thing is nomination and nothing else. I am of the decided opinion that till the non-official seats on *taluk* Boards are filled up by election, those Boards will continue to be looked at with indifference. There should be no difficulty in creating an electorate, with a property qualification as the basis for each *taluk*. The electorate need not be unwieldy. The process of election will bring home to the minds of the people that the bodies which manage their schools and hospitals and construct and maintain their roads are of their own creation. At present, Government, by making themselves responsible for all appointments on *taluk* Boards—and consequently on District Boards—make themselves responsible for every administrative detail outside municipalities, with the result that when anything goes wrong, however small, people immediately blame the executive.

I am in favour of the creation of Advisory Councils in each district to assist the District Officers. The number of Councillors might be fixed at 12 to 18, one-half at least of whom should be elected. The Council may be profitably consulted in important matters, such, for instance, as plague measures, famine and pestilence, unrest, settlement proposals, large irrigation projects, and similar large measures. Due weight should be given to the opinion of the Council, and if the Collector disagrees with it, he should place the matter before Government for final orders. Administrative rather than Advisory Councils would be more useful provided a substantial share of administration is entrusted to them. District and *taluk* Boards are administrative bodies; and if they have not satisfied the aspirations of the people, it is because they are not thoroughly representative and the members are given no substantial share in the management.

I would advocate the revival of the panchayat system. At present an *amshom* or group of villages may have a panchayat, the members of which should be partly elected and partly nominated. They should have civil and criminal powers to a limited extent, and might be entrusted with the supervision of primary education, *kudimaramat*, repair of minor irrigation works, allotment of pasture grounds, granting materials for building houses, and implements of husbandry, wherever it is the custom to do so. They might with advantage be consulted in the matter of the location of arrack and toddy shops, assessment of income-tax, granting of loans to raiyats, under the Land Improvement and the Agricultural Loans Act.

(*The witness withdrew.*)

* The Hon. KRISHNAN NAIR was called and examined.

The Hon. Krishnan Nair.

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8937. (*Chairman.*) You are an extra member of the Legislative Council?—Yes.

8938. You hand in a considered statement which represents your views?—Yes.

8939. You desire to represent to the Royal Commission upon Decentralization the facts which you have embodied in your statement?—Yes.

It is not desirable to curtail the right of appeal, now existing, in any manner whatever. A curtailment in the existing right of appeal will lead to insecurity in the minds of persons affected by the orders which are to be appealed against. This is true in respect of all kinds of appeals, including appeals to the Government of India, to the Local Governments, and to Departmental Heads.

The provincial Governments are too much dominated by considerations of revenue.

Executive Officers do not generally come much in contact with the people. No doubt in their tours they sometimes come in contact with the richer men in the district. But as a rule they do not come in contact with the masses. It is only those that have petitions to present or have to transact business of a similar nature that generally go to these Executive Officers. Free social intercourse between these officers and the people in general does not exist. One reason for this want of intercourse is want of sufficient knowledge of the vernaculars on the part of these Executive Officers. In some cases there is want of sympathy also on the part of these officers.

Larger powers in respect of financial and administrative matters generally may, and ought to, be given to district municipalities, District Boards, and *taluk* Boards. Divisional officers and Collectors of Districts now possess large powers of interference in municipal matters. It is highly desirable that these powers should either be curtailed or abolished.

I am in favour of the creation of Advisory and Administrative Councils to assist Divisional and District Officers. Responsibilities in respect of village sanitation, education, and other matters affecting villages and districts may be given to these Councils. Their advice on such matters would be of considerable help to the Divisional and District Officers. These Councils may be constituted partly by nomination and partly by election by the people themselves.

It is desirable that Collectors of Districts should be empowered to grant remissions of revenue when failure of crops takes place.

* Owing to the want of time this witness was not examined orally.

Collectors and Divisional Officers already possess very extensive powers generally. It is not desirable, broadly speaking, that these powers should be enhanced.

It is not expedient that District Boards should be invested with powers of supervision and control over the smaller municipalities within their respective districts. The people must be more associated than they are at present in the administration of their country. Generally speaking, decentralization to a greater extent than at present exists will not benefit the people unless they are associated to a limited extent, at least, in the government of their own land.

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It is also not desirable, generally speaking, that Local Governments should be made quite independent of the Government of India.

(*The witness withdrew.*)

Adjourned.

ELEVENTH DAY.

RAJAHMANDRI, *Wednesday, 4th December*, 1907.

PRESENT:

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

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

Mr. J. A. CUMMING was called and examined.

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8940. (*Chairman.*) You are the Collector of the Godavari district?—Yes.

8941. Would you tell us what is the size of your district?—5,634 square miles.

8942. How many villages have you got in the Collectorate?—In the Agency there are a large number of very small villages; the total number is, I think, about 1,400.

8943. What is the population, roughly speaking, of the district?—Just under 1½ millions.

8944. How long have you been Collector here?—I came here first in 1899 for a short time; then, 2½ years afterwards, I returned.

8945. During the time you have been a Collector, have you been able to go into every village in your Collectorate?—No.

8946. How long do you think it would take an officer to make himself thoroughly acquainted with the whole of a district such as this one is, practically visiting every village?—It would take him a very long time; in the Agency, for instance, the villages are very small and may consist of a few huts.

8947. In addition to your work as Collector you have a considerable tract of land under your control as Agent for the Government?—Yes.

8948. Is that tract included in the area which you have just given us?—Yes.

8949. Is the work greater in the Agency than it is by comparison in the rest of the Collectorate?—It is rather more responsible; the Collector must take a greater personal interest in what is going on there, and must be more fully informed regarding it.

8950. What language is principally spoken in the Collectorate?—Telugu.

8951. Are you acquainted with that language?—I cannot speak Telugu fluently.

8952. You came from a district in which Tamil was principally spoken?—I have been in most of the Tamil districts.

8953. With Tamil you are very familiar?—Yes, I could speak it fairly well.

8954. You would probably admit that it is essential that the Collector should speak the language which is principally spoken in his district?—Yes, it is most desirable.

8955. And any system of posting Collectors to districts with the language of which they are not familiar fails in that respect?—I think an officer should be posted to a district with the language of which he is well acquainted.

8956. Could you tell us whether the Divisional Officers—both European and Indian Divisional Officers—in your Collectorate are well acquainted with the vernacular of the district?—Yes, they all know Telugu well; one of the officers is a very junior officer, but he is picking it up fairly well.

8957. Are the tahsildars in your Collectorate also familiar with the language?—Yes, they all know Telugu well, except the Land Records tahsildar, who is a Tamil.

8958. Do you find that in your work as Collector you have to make a great number of references either to the Board of Revenue or to the provincial Government?—Yes, there is a very considerable amount of correspondence with the Board of Revenue.

8959. Is the number of such references which you have to make in many points unnecessarily large?—I think it might be diminished.

8960. There are a good many subjects in connection with which you think your experience and length of service would entitle you to a somewhat freer hand than you have at present?—Yes, I think that is so.

8961. There are a large number of references on petty points which any officer of even moderate experience ought to be able to dispose of?—Yes, undoubtedly.

8962. I went into the Sub-Collector's office this morning; I found the clerk there writing a letter to you, as Collector, as to whether or not a certain peon could or could not wear a belt of a particular colour. Just as you claim a certain freedom in small matters, is that not a matter which might reasonably be left to the Sub-Collector?—I cannot quite understand the reference,

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because the belts are all more or less of an approved pattern.

8963. But that is hardly a subject which deserves very serious attention?—No.

8964. Now, can you make to us any suggestion upon the somewhat larger points in reference to which a Collector might have some greater freedom from reference to the provincial Government?—I would suggest that in the Court of Wards work some more freedom should be given to the Collector. In this district I was in charge of a very large estate, and the amount of work connected with it was extremely large; in fact the estate gave much more work than any division in the district; I had constantly to make references to the Court of Wards on many comparatively routine matters; I think as regards that I might have greater freedom.

8965. And upon any other point?—Yes, such a matter as unqualified clerks, and that sort of thing. If the Collector wishes to employ a man who has not passed the minimum requirements, he must go up to the Board of Revenue for permission to employ the man: such things as that, I think, might be left in the district. Then, when special work is being done as regards extra establishments, I think a certain amount of discretion might be given. At present I have no authority to employ these men, but I have constantly to do it in anticipation of sanction; sanction is generally given as a matter of course.

8966. And even if the sanction had not been necessary, the act would have been necessary, and the Government would have had to condone the offence?—They would have to do so, or to have ordered me to pay the amount.

8967. Therefore, a more sensible thing in your judgment is that you should have a free hand in these small matters?—I think so in regard to many of these things.

8968. Is there any restriction on your action in connection with agricultural loans with regard to which you have any suggestions to make?—I have no suggestions to make as to that, because there have been no loan transactions in this district.

8969. Do you as a rule draw up a programme of your tour through the district in the cold weather?—I generally go out for about a month on end, and I draw up a programme of that month, and send it to the Divisional Officers and the tahsildars concerned.

8970. Do you do that for their convenience, or for the convenience of your officers and of the people who live in the district?—I expect the tahsildar to make it known.

8971. And he does, as a matter of fact?—I cannot actually say whether he does or not.

8972. Would it be well that you should give him definite instructions?—Yes, probably it would be as well. Of course, I do not stay long in one place; it is a considerable area to get over; a few places here and a few places there are all I can afford the time to visit. I think it would be just as well that the tahsildar should publish pretty widely the particulars of my tour.

8973. Perhaps you will consider that?—Yes, I will make a note of it.

8974. This is a dry as compared to a wet district, is it not?—Oh, no; you have got the delta here.

8975. You have both dry and wet land?—We have both; we have four delta *taluks*.

8976. Is this a dry *taluk*?—Rajahmandri is a dry *taluk*.

8977. Therefore, you have experience of dry as well as wet revenue?—Yes.

8978. Do you think the Collector could fairly have some discretion in regard to the remission of dry revenue, in the same way that he has with regard to the remission of wet revenue?—These remissions of dry revenue are most exceptional; they have not been granted, I think, since 1900, and then they were only granted in the Agency.

8979. Was that in the whole *taluk*?—No, in a limited portion of the *taluk*.

8980. What happened; did you suspend the collection of the revenue?—It was before I came into the district.

8981. You have had no experience, therefore, which would enable you to give us any opinion?—Yes, two years ago I recommended the suspension of kists in certain villages in Amalapuram; the collection was suspended till the following year.

8982. You actually ordered the suspension and then reported your action?—No, I had time to get the orders of the Board of Revenue.

8983. Then, so far as your experience goes, would it be well to give power of remission in case of dry revenue, within certain financial limits, as in the case of wet revenue, or do you think it would be an imprudent thing to do?—Dry remissions are a most exceptional thing in consideration of the settlement allowances usually made for bad seasons; it is only in a very exceptional year that there is any question of dry remissions.

8984. You have not answered my question?—It might be done up to a limit; I see no harm in it.

8985. You think it might be done without any danger to the revenue of the *taluk*?—I think some limit ought to be set. I think it would be rather a useful thing to have.

8986. I understand that the Forest Officer and the District Superintendent of Police are subordinate to you for administrative purposes, but independent of you for internal discipline and for technical matters?—Yes, generally speaking.

8987. But in the case of the Public Works Engineer, he is independent of you for all purposes?—Yes, he is not definitely named my "Assistant" in the same way that the others are.

8988. In the distribution of water, the authority of the Public Works Department is supreme up to the moment at which the water leaves the canal for the purpose of distribution to the individual field?—Up to the time that it reaches small *bodies*; that is to say, from the canal to the distributaries, until it gets into the small *bodies* or field channels, it is under the control of the Public Works Department.

8989. The moment it reaches the field channels it passes into your control?—No, we do not interfere with it; the distribution from field to field is left entirely to the villagers themselves.

8990. Is that a reasonable relation between yourself and the Public Works Department?—In conection with the delta I cannot quite suggest what other arrangements could be made; it would certainly be impossible for the Collector, or the Revenue Department, to supervise the distribution; it is a most intricate system of canals, and the amount of water passed into each canal is more or less to be calculated and allowed for, and it requires a technical knowledge which the Revenue Department do not possess. At the same time, I think the Collector ought to be kept better informed of what is being done in the Public Works Department. I can give an actual instance that occurred this year. The system of distribution was altered from a system of turns to a system of continuous supply; these proposals were made by the Superintending Engineer, who sent me a copy of the proposals, but I heard nothing more about it until the people came up clamouring for water; I certainly think I ought to have been told that the alteration was approved and was being put into force.

8991. Would the Executive Engineer have had occasion to refer to the Superintending Engineer for orders regarding distribution?—Yes, and it was approved by Government.

8992. But suppose he had kept you better informed, or even if he had not informed you at all, you would not have had the technical knowledge which would have enabled you to distribute the water?—No, I certainly could not have distributed the water.

8993. All you want is some earlier, and, perhaps, fuller information?—Yes, and I think it would be desirable that these things should be discussed between the Public Works Department and the Revenue Officers before the thing is carried out.

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8994. A clear understanding that there should be conferences from time to time is all that is needful in your mind for establishing better relations between the Revenue and the Engineering Departments?—Yes, I think the position of Collector as head of the district ought to be more emphasised; I do not think that that is fully realised by the officers of the Public Works Department. For instance, when there is a scarcity of water, these people come clamouring to me, and I can do absolutely nothing; the whole thing is done practically without my knowing.

8995. Is there an Executive Engineer in the district?—There are two.

8996. When the people come clamouring to you, do you send them to the Executive Engineer?—That is all I can do.

8997. Do they come after they have been to the tahsildar or without going to him?—Afterwards; they generally go to the tahsildar first.

8998. Suppose the tahsildar told them that the proper person for them to go to was the Executive Engineer, might that lessen the clamour about it and save friction?—The people always say "You collect the revenue, and therefore we come to you."

8999. But if they were told that the person who distributed the water was a different person from the person who collected the revenue, they would know to whom to go?—I have told them so repeatedly.

9000. And they take no notice?—No, they say "You collect the revenue, therefore we come to you to assist us."

9001. You are Chairman, *ex-officio*, of the District Board?—Yes.

9002. Have you a Vice-Chairman?—Yes. At present he is the Deputy Treasury Collector.

9003. You leave to him all the details of the work of the Board?—No, as a matter of fact, he does very little more than passing bills; I do most of the work myself.

9004. Do you prepare the budget, or does he?—I prepare it personally.

9005. Do you consult any of your colleagues on the Board in preparing the budget?—I have not done so this year.

9006. But you have done so in the past?—Occasionally in the past a budget sub-committee has been appointed.

9007. Has that been of assistance to you?—The difficulty of such a budget committee is that it almost of necessity consists of members at headquarters, who are not in touch with what is going on throughout the district.

9008. But your work is heavy as President of the District Board?—It is fairly heavy, not exceedingly so.

9009. Might it not be possible to get your colleagues to work with you actively and thus relieve you of a certain amount of work?—Yes, they are always perfectly willing to sit on a committee.

9010. We have evidence that gentlemen of position and so forth will not serve on the *taluk* Board because they feel that there is no real work for them to do; the whole executive work being in the hands of the President or Chairman, and they really think that their presence there is superfluous; would you say that that is so?—We have had non-official Vice-Presidents; I do not think I ever found anyone that I asked to go on the Board refuse.

9011. Or, without having refused, as soon as his term of office came to an end, he declined to have a further nomination?—I have never had such a case.

9012. Speaking broadly, could some further delegation of power advantageously be made to the District and *taluk* Boards?—You mean of the powers now reserved to Government?

9013. Or powers exercised by yourself; if you gave them some greater responsibility, although they would probably make mistakes at first, yet would the result be that, having bought their experience, they would gradually learn to exercise their powers?—Yes, I should like to have a system of sub-committees, and put the sub-committees in charge of specific subjects; to put one, for instance, in charge of roads, another in charge, say, of vaccination, and another in charge, say, of dispensaries. I should like to have some such allocation of work. The difficulty about it would be to get the members; living all over the district they would probably find it somewhat inconvenient to come to such sub-committees, which would have to meet oftener than once a month.

9014. How many members are there on your Board?—Thirty-two.

9015. And on the *taluk* Board as a rule?—From 13 to 18, according to the size of the subdivision.

9016. Do you think that their size could be advantageously increased or diminished?—Yes, you would get more parts of the district represented.

9017. You would rather like to see their size increased?—It might be an advantage; that is to say, you would get more representative men. So far as the District Boards are concerned, I try to get representatives from all the different portions of the districts.

9018. Are there many classes and creeds in this Collectorate?—Yes.

9019. Are they all fairly represented on the Boards?—As usual, of course, the Brahmans predominate here.

9020. In numbers are they by far the largest caste?—Roughly; the Brahmans represent about one-twentieth of the population of the district; considerably more than one-twentieth of the District Board are Brahmans.

9021. Would you suggest to us that it might be advantageous, while keeping the authorities of the District and *taluk* Boards as they are at present, to supplement them by such a thing as a general Advisory Council for the district, or would you prefer to increase the powers of the District and *taluk* Boards in the manner you have suggested?—The District Board, I think, might be well used for that purpose on specific questions. I presume it would be more or less such questions as the Government desired the Collector to consult them upon; I think that might well be done by the District Board.

9022. Would you suggest that it would be desirable to create, or perhaps re-create, a system of village panchayats for small petty civil and criminal cases and little matters of village moment?—Yes, I think it might be done. We have been trying to do it with the village Benches too, for civil work.

9023. Would you extend to the panchayat jurisdiction in petty criminal cases?—I see no objection to its being done.

9024. It might be a useful experiment to try?—Yes, I should be quite prepared to try it in petty criminal matters, in the same way as we are now trying it in petty civil matters.

9025. Would you entrust the control of the elementary school to such a body?—I am somewhat doubtful if that would work well.

9026. You think in the case of the school there might be such an irreconcilable difference between factions and sects in the village that the school would not prosper?—Yes.

9027. There might be some exclusive action on the part of one faction as against another?—I am doubtful whether it would work well as a general rule; it might be done in particular cases; you might hand over particular schools to a particular panchayat.

9028. Would you entrust such a body with the duty of providing village wells, or some simple function of that sort?—Yes; do you mean out of money granted by the Local Board?

9029. Or perhaps raised by a small cess on the village?—I should not recommend that.

9030. You think that the possibility of the imposition of a cess would render it unpopular?—Undoubtedly. Only the other day in Kottapetta I was besieged by the population, who wanted the municipality abolished because the house tax had been increased.

9031. Have you ever had any petition, or have you ever had any action taken by the inhabitants of a place which it was proposed to create into a municipality, praying that the municipality should not be created on account of the fear of the possible imposition of taxes or rates?—The only municipality I remember being created was a Hill municipality; there were no representations against it. Generally speaking, I think when it is proposed to constitute a place into a municipality, there is strong objection to it; I remember, for instance, the case of Srivillipatur, in Tinnevelli. When that was constituted a municipality, it was strongly objected to by the inhabitants.

9032. (*Sir Frederic Lely.*) According to the old raiyatwari system the business of an officer doing the *jamabandi* was to pass in review every village; to fix the revenue, to draw conclusions as to the prosperity or otherwise of the village, and finally to interview such villagers as he thought it desirable to see?—That is the general idea.

9033. In your district has not the *jamabandi* become more or less mere routine?—Yes, I think that is so.

9034. How many villages would there be in charge of one Sub-Divisional Officer, that is one officer taking the *jamabandi*?—An officer usually takes about two *taluks* in the year; he would probably take 100 or 200 villages in the two *taluks*.

9035. About how many *taluks* are there in each subdivision?—It varies; for instance in this subdivision there are three.

9036. Averaging about 300 villages in each charge?—No, I take 100 to 200, roughly, for the two *taluks*.

9037. Then a Divisional Officer roughly has about 200 villages under him?—At *jamabandi*, yes.

9038. So that he ought to be able to devote about half an hour to each village?—Yes.

9039. Could he do that if he tried, with due recognition of his other work? My point is whether he has sufficient time in these districts to do the work of the *jamabandi* as it was formerly conceived?—I do not think so, because now he has got his magisterial work always pressing on him, even during *jamabandi*.

9040. You think he is obliged to neglect some of the essential work of the *jamabandi* owing to engrossment in other duties, or what is the reason why he does not come up to the standard?—There is no doubt that his work has increased very largely in recent years, and at *jamabandi* he really has not time to pass a village in any detail; he only takes a rough general idea.

9041. As a matter of fact, he leaves the examination of the accounts and registers to clerks?—Very largely.

9042. And the audience which he ought to give to the villagers as a rule does not take place?—Oh, yes, the villagers come up.

9043. His report may be a very plausible report, but as a matter of fact it is usually a statement of work done by clerks?—So far as the checking of the accounts, and that sort of thing goes, it is very largely clerks' work.

9044. The general statement of the course of the *jamabandi* refers to work not done by him personally, but by clerks?—So far as regards checking the accounts. Every man who comes up is heard, and if he has a complaint to make, for instance, about any charge that is made, the accounts are brought out and the matter is gone through on the spot.

9045. Then, so far, the work of the *jamabandi* has not degenerated?—Well, I am only referring to a particular charge. If a man comes and says he is charged too much here or too much there, the account is looked up and investigated, and he is told what the reason is, or, if the charge is found to be incorrect, it is corrected then and there.

9046. But as a rule at the *jamabandi* the villagers have free access to the Divisional Officer, and use it?—Yes; as every village is taken up, petitions are called, and the petitioner is asked to come up; in some *taluks* they come up, in some they do not. For instance, in Amalapur I have done *jamabandi* twice, and on both occasions there were troops of villagers who came along. I did the *jamabandi* at Ramachandrapur this year, and very few came up. It varies from *taluk* to *taluk*.

9047. You think as a general suggestion that the old spirit of the *jamabandi* still survives to some extent?—Yes, certainly, to some extent.

9048. The village papers are very numerous; something over a hundred for each village?—Yes.

9049. The crop returns are very heavy?—Yes.

9050. The irrigation accounts are extremely intricate?—Extremely so.

9051. Would it be worth while to call in an expert in accounts to overhaul all these village accounts?—I think it would be a very good thing indeed to have an expert accountant.

9052. We hear a good deal about the Collector being over-burdened, but is not the tahsildar also overworked in these districts?—Yes, very much: even though he has been relieved of his magisterial work, he is still over-worked.

9053. Is there anything in the complaint that he has lost a good deal of influence in society by the loss of his magisterial powers?—That is undoubtedly so.

9054. And yet he is still called upon to do a great deal of what we may call semi-official work, and exercise semi-official influence on the part of the Government?—Yes.

9055. Is he enough trusted; might some power be delegated to him? For instance, a small village officer dies; has the tahsildar power to insert in that man's place the name of his son, for instance—his undoubted heir?—No.

9056. Do you not think he might have the power?—Yes.

9057. That would cover a large class of cases?—Yes.

9058. What possible harm would there be in allowing him to insert the name of the deceased man's son or heir in cases where there was no doubt about it?—In cases that are not doubtful he certainly might do it, but these offices are very keenly competed for, and you generally find a very large number of applicants.

9059. But take a case where a man leaves a son?—In such cases the tahsildar might very well be given that power.

9060. Take another case; suppose a man wants to take a little gravel or sand out of Government land; can the tahsildar give him leave?—Yes, the tahsildar can grant that.

9061. Have you any idea how many reports the tahsildar has to make in the course of a year?—There are an enormous number of periodical reports.

9062. Has that list been carefully revised of recent years?—It was revised, if I remember rightly, two or three years ago.

9063. Do you not think it might be revised again?—Yes, I think these things should be revised very frequently.

9064. Then as to measures taken to relieve the tahsildar, the most noteworthy of recent years has been his release from magisterial work?—Yes.

9065. You have now what is called a stationary sub-magistrate?—In most *taluks*, not in all.

9066. What class of man is he chosen from?—From clerks generally.

9067. Clerks either in the tahsildar's office, or sometimes the Collector's office?—Yes, from the revenue offices of the district.

9068. Has he had any training in magisterial work?—None at all, unless he has happened to be the magisterial clerk in my office.

9069. Or the tahsildar's office?—A sub-magistrate cannot come from the tahsildar's office; the lowest pay a sub-magistrate draws is Rs. 100, and there is nobody in the tahsildar's office who would be promoted to that.

9070. There are some in the accountant's office?—There is the *taluk* head accountant.

9071. Those who have passed at any rate part of their novitiate in the tahsildar's office will have been, if what we have heard is correct, for some time in a corrupt atmosphere?—No doubt there is a great deal of corruption goes on in the tahsildar's office, and there is a great deal of corruption goes on in my own office.

9072. It is not the sort of training ground that you would suggest for a magistrate?—It is not the best.

9073. He gets what salary?—From Rs. 100 to Rs. 120 a month.

9074. He has second-class magisterial powers?—He begins with third-class powers, then goes on to second-class, with powers to commit.

9075. In a suspected murder, in the ordinary course of things the case is handled first of all by a doctor, whose pay may be Rs. 25 a month, who makes the *post-mortem* examination?—A Hospital Assistant.

9076. Then by a Second Class Magistrate, who is a promoted clerk?—Mostly a promoted clerk.

9077. Do you think that that is a system which is likely to inspire confidence among the people?—There is no doubt it is putting tremendous power in the hands both of the Hospital Assistant and the sub-magistrate—the Hospital Assistant more particularly so.

9078. Might one not almost call it an essential reform to substitute for these promoted clerks men of better status—the status of Deputy Collectors or Divisional Officers—to do the magisterial work of the *taluk*?—It would be a very expensive business. We have made a beginning. I have, for instance, in my office, what is known as a revenue probationer, a man who is appointed on Rs. 70; he is in training for a sub-magistrate and deputy tahsildar.

9079. A considerable part of the work of the Divisional Officer consists in examining calendars, does it not?—Yes.

9080. Who does that, you yourself, or the Divisional Officer?—The second and third-class calendars are sent to the Divisional Magistrate; he is supposed to read them and then send them on to me.

9081. Do you trust, more or less, to his revision?—I must. Some years ago I asked the High Court to stop these calendars being sent to me, because it was a physical impossibility for me to read them.

9082. You get some thousands in a year?—I think it was something like 17,000 in the old district.

9083. Have the Sub-Divisional Officers time to thoroughly examine them?—As a matter of fact I do not think the Sub-Divisional Officer reads them all; he generally knows his sub-magistrates pretty well, and knows whose calendars want careful reading.

9084. Does he carefully revise the work of the sub-magistrates?—When I was Sub-Divisional Officer I certainly did; I will not say I read them all, but I certainly read most.

9085. You speak about the tahsildar being overloaded; is the Sub-Divisional Officer over-loaded also?—It varies according to the division.

9086. Has he sufficient power in the district; has he powers in excise, for instance?—No, practically none.

9087. Or in Court of Wards?—Sometimes.

9088. But he has no responsibility in connection with the Court of Wards?—When I was Head Assistant Collector in Trichinopoly I was in charge of an estate.

9089. You mean in responsible charge?—Yes, I was the administrator of the estate; I had to sign the bills and that sort of thing.

9090. You do not think it advisable to entrust the Sub-Divisional Officer with these powers?—Yes, if the estate is confined to his division.

9091. Then has he anything to do with land acquisition?—He does it all practically, except in petty cases, which the tahsildar does.

9092. Does the Divisional Officer take any interest in irrigation?—Certainly.

9093. Has he any power in irrigation?—He is in charge, for instance, of repairs in regard to minor irrigation works.

9094. Then what about education: does he take any interest in that, or is he expected to?—As President of the *taluk* Board, he is manager of a considerable number of schools.

9095. And as President of the *taluk* Board he can issue orders with respect to them?—Yes.

9096. Has he any connection with land records; has he any control over the revenue inspectors?—Yes.

9097. Can he give orders?—The land records establishment has only been started a short time in this district.

9098. Is it altogether separate from the Divisional Officer, or is the Divisional Officer expected to take an interest in it?—He is certainly expected to take an interest in it.

9099. And he has authority in it?—Yes, he has authority in a general way over the land records inspector, not the tahsildar.

9100. Do you think the Collector delegates enough power to the Divisional Officer generally?—The Collector cannot delegate any power to the Divisional Officer.

9101. Do you think he ought to do so?—Yes, I think he might well be allowed to do that.

9102. Do you think that the Divisional Officer is not sufficiently the delegate of the Collector?—There are so many different Divisional Officers; you might have an Assistant of a few years' standing, or you might have an officer of 10 years' standing; in the case of the officer of 10 years' standing, he is in training to become a Collector.

9103. You would give the Collector power to discriminate between the officers under him in delegating any powers to them?—Certainly; I think, as a matter of fact, the fairly senior Divisional Officer ought to have considerable powers.

9104. Has not the tendency of late been to meet new work by adding subordinates who work immediately under the Collector instead of delegating to the Divisional Officer?—Take the land records, for instance, the land records tahsildar is more or less attached to the Collector's office.

9105. The Divisional Officer stands aloof?—He is expected to advise in a very general way.

9106. But he has no power to give orders to the tahsildar?—No, I think probably he would ask for my permission if he wanted him to do a particular piece of work.

9107. So far as that tendency operates, a gap is formed between the Collector and the Divisional Officer by the creation of a second set of duties, as it were, in the Collector's hands, which he exercises through these subordinates and not through the Divisional Officer?—I think the land records tahsildar is about the only one that I could mention.

9108. How about the income tax; does not the Collector do part of that work through his special Income Tax Deputy Collector?—No, there is only one district that has a special Income Tax Deputy Collector, that is the Madura district.

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9109. We have been told that a Divisional Officer when he has to deal with a file of a case, does not get that file read to him and then pass an order upon it?—He has an office note, but to read the whole of the enormous files that come up is impossible.

9110. Does the office note place all the facts in his hands?—Yes, and there is no doubt that, if it is an important matter, he will refer to the original papers after having read through the note.

9111. That is a particularly important case?—Yes.

9112. But he ordinarily does his work simply on the strength of these office notes?—Yes, certainly, all routine work.

9113. I take it that a reform in the Divisional Officer's position might also be possible by diminishing his charge; is his charge very big at present in any cases?—Yes, some of the divisions are very large.

9114. In the case of the Collector he is also an over-burdened man. He has in your district charge of a number of small tanks?—The Collector is in charge of what are called minor irrigation works—tanks irrigating less than 200 acres.

9115. Is that suitable work for him? Whom has he to assist him in that work—what professional aid does he get?—In this district I have got a minor irrigation overseer and several sub-overseers.

9116. Is he on the regular list of the Public Works Department?—No he is confined to the district.

9117. Then he is not a man of very high qualifications?—No.

9118. He has no promotion to look forward to?—No.

9119. Is that sufficient to enable you to take proper charge of so many small works?—I think it is more or less carried out by way of compromise; the Public Works Department objected to take charge of these petty works and handed them over to the Revenue Department.

9120. Do you mean that that is satisfactory?—About as satisfactory as any other compromise.

9121. Then also, as President of the Local Board, you have charge of the roads?—Not all the roads—the main lines of communication.

9122. Is that a satisfactory arrangement, or might the main roads not be handed over to the Public Works Department?—I have always urged strongly that the main lines should be under the Government in the same way as in France, for instance.

9123. Then as to income tax, you hear appeals from your Divisional Officer?—Yes.

9124. The tahsildar is the assessing officer up to Rs. 2,000?—Yes, and the deputy tahsildar in independent charge. We have certain zemindari divisions which are in charge of the deputy tahsildars.

9125. Then up to how much by the Divisional Officer?—Up to Rs. 10,000.

9126. I suppose the Divisional Officer assesses on the report of the tahsildar?—It is supposed to be supplemented by his own inquiries; it is very largely on the report of the tahsildar.

9127. Would it not rather reduce work, to give the tahsildar a larger power—to allow him to go up to Rs. 5,000, we will say—as it is virtually, I take it, on his report that the Divisional Officer acts?—That is a fairly big jump, I think.

9128. Or something less, say Rs. 3,000 or Rs. 4,000?—Yes, you might give the tahsildar increased powers now; he has been administering the Income Tax Act for many years, and knows it quite well now.

9129. Virtually he is the man who assesses?—Yes, that is so.

9130. And it would be as well that he should take the direct responsibility to a certain extent?—Yes, on general principles, that is so.

9131. As to education, do you consider yourself as having any responsibility for education in your district; I am speaking now of higher education? Have you got a Training College?—There is a Training College here.

9132. Do you consider yourself at all responsible for it; suppose that discipline is relaxed, do you consider yourself responsible for it?—I certainly have never done so hitherto.

9133. Do you, as a matter of fact, visit the Training College at all?—No, I do not; I have been in the Arts College and the Training College when the Governor visited them.

9134. You do not recognise any official responsibility for that?—No, I cannot say that I do.

9135. In the same way, in the matter of excise, do you recognise any responsibility for any malpractices or mistakes in that department?—Yes, certainly.

9136. For instance, suppose a tree tax was levied, which had the effect of depriving the people of a necessary food in hot weather, would you consider yourself responsible for that in any way?—No change is made in the excise administration except on my report; such changes are proposed by me.

9137. You would not think yourself called upon to interfere?—It could not be done without my knowledge.

9138. If it came to your knowledge you would consider yourself bound to act, or would you report it to the Board of Revenue?—Yes, as a matter of fact I have done so in several cases.

9139. You recognise more responsibility in the case of excise than you do in education?—Yes.

9140. As to relief to the Collector, what would you suggest; would it be possible to give him more time for contact with the people and general liberty; would you approve of a Personal Assistant?—I do not think a Personal Assistant would be very useful. One does not know exactly what to give him; there must be a certain number of things that come under a more or less unimportant class which it is still desirable that the Collector should know about.

9141. Then there is nothing further that you can suggest to set the Collectors more free?—One remedy that has been suggested is to reduce the area of the district. This district formerly comprised 4 *taluks* on the other side of the Godavari; the eastern portions were taken away so as to give us more time to attend to our work.

9142. You think that that might be extended further?—Yes, I think the districts in Madras are too large.

9143. (*Mr. Dutt.*) Have you any powers of ordering remission on the failure of wet crops?—Yes, the Divisional Officers have power to grant remission in those cases.

9144. Has the Divisional Officer got the same powers as the Collector in regard to wet remissions?—Yes.

9145. I suppose your power extends to granting remissions when the crops are less than one-sixteenth of the average?—Yes, what we call constructive loss, practically total loss.

9146. So that practically if what we call 14 annas of the crop is lost you have no power to grant remission; if seven-eighths of the crop is lost you have no power to grant remission?—My recollection is that according to the latest order I have powers, so long as I am satisfied that practically the crop is lost.

9147. If three-fourths of the crop is lost under the present rules have you any power to grant remission?—No.

9148. Do you think that an extension of powers to the Collector is desirable; when three-fourths of the crop has failed, do you not think that the Collector ought to have the power of granting remission?—We have never recognised it as necessary to grant remission in those cases. I do not think I should recommend it.

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9149. When you speak of three-fourths of the crop do you mean three-fourths of the average?—Three-fourths of the normal average crop as opposed to a bumper crop.

9150. Do you think that that is so in the case of irrigation rates—that the present policy of the Government is largely dominated by considerations of revenue; I am referring to the present irrigation rates introduced since the last settlement?—I think in every settlement the interests of the cultivators are taken into consideration, so far as we can.

9151. I am speaking not of the settlement, but of the irrigation rates which you now levy?—That is essentially a matter of settlement; those are fixed at the settlement on the reports of the Settlement Officers after their investigation and calculations of cultivation expenses and so forth.

9152. You do not think that there is any undue influence of revenue considerations in the settlement of these rates?—I should hardly think so. I might quote, for instance, the case of the *taluk* of Bhimavaram; so far as my memory goes, in the last settlement the total demand there was reduced.

9153. Generally, have these rates been reduced or increased since the time of the last settlement?—Necessarily increased; prices have gone up so much. As a matter of fact I remember many years ago in Madura on the first settlement scheme there was a large increase; the Government refused to accept the scheme; a second scheme was drawn up, in which the increase was less, and still the Government refused to pass it; only the third scheme was passed.

9154. There are certain crops which you call double crops—crops which stand on the ground several months?—Which stand on the ground for over six months.

9155. In those cases you realise 50 per cent. more than the ordinary consolidated rates, do you not?—Fifty per cent. more than the consolidated rates.

9156. Is it 50 per cent. more of the irrigation rate, or is it 50 per cent. more of the consolidated land and irrigation rate?—It is 50 per cent. more of the consolidated land and irrigation rate in wet lands; 50 per cent. more of the irrigation rate in dry lands.

9157. So that when the crop stands on the ground for more than six months, and presumably wants more water, you not only charge the cultivator more for water, but you also enhance the rent by 50 per cent.?—Yes, roughly.

9158. Have you much pasture lands—communal grazing lands—in your district?—In the delta there are none; in the up-lands there are some.

9159. Have you had much pasture lands in the districts where you have been before—I mean communal grazing lands for cultivators for grazing their cattle?—No, not to any extent.

9160. Is it within your knowledge that many of the old communal pasture lands have now been taken by the Forest Department as forest reserves?—No; it is not within my knowledge.

9161. Do you think that cultivators as a rule feel much difficulty and hardship for want of adequate pasture and grazing lands?—Yes. For instance, take the delta; when the cultivation season comes round, all the cattle are driven up to the up-lands; of course that is because the whole of the delta, every acre of it, is under cultivation.

9162. You have spoken of the instalments of revenue—the kists. Are the kists generally fixed in consideration of the time when the crops are reaped by the cultivator?—Yes, that is a general rule.

9163. The kists generally are in January, February, and March, are they not?—It varies in different districts. Here, they are in December, January, February and March for dry lands, and January, February, and March for wet lands.

9164. Do you think the cultivators are able to sell their crops before those months so as to pay the land revenue?—I have often heard it said that they could not.

9165. So that there are many cases in which the cultivators are put to hardship because their kists are too early?—That is quite possible.

9166. You have heard complaints about it?—Yes.

9167. Do you not think that you as Collector ought to have the power of postponing the kists, say by a month or so, to suit the convenience of the cultivators?—Under what circumstances?

9168. The rules are inelastic now?—I cannot postpone the kists except in exceptional circumstances; I can recommend that a kist be postponed, and if I have not received orders in time I can, on my own responsibility, postpone the kist and report my action; that is in exceptional cases—exceptional calamities and so on.

9169. But generally if you find that the cultivators cannot reap their crops till January, but the Government demand the revenue in December; what remedy would you suggest?—Alter the *kistbandi*.

9170. Is it within your knowledge that the Government demand the land revenue before the cultivators have time to gather their crops?—I cannot quote specific instances.

9171. Have there been any complaints to you about it?—I have heard it occasionally when I have been in camp. There is no general complaint about it.

9172. Have you also heard that, as the crops were not reaped, the village servants have advanced the money, and afterwards got it from the cultivators because the demand came too early?—I have frequently asked the tahsildars if that is so; the tahsildars have not admitted it; I think as a matter of fact there are such cases. I should say these are petty sums, perhaps 5 or 10 or 20 rupees, which it is difficult to get in, and in order to show a clean balance the village officer pays it all up and recovers it afterwards. There is no doubt that that is done, although of course they deny it.

9173. If it was a general case you would recommend an alteration of the kists?—The two cases are hardly connected. I am referring to cases where probably the whole demand of the village, except a few rupees, has been collected, and in order to show a clean balance the village officer himself pays up the small sum and afterwards gets the money from the raiyats; it only applies to small sums.

9174. If it was a general practice that the rate was demanded before the crop could be reaped, you would recommend an alteration of the kist?—Yes; that must of course go up to Government because these kists affect the financial position.

9175. You would not ask for that power to be given to yourself as Collector?—I do not think it would be granted, because, as I say, any alteration of the kists affects the Government balances.

9176. You do not think you ought to have the power?—No, I do not think so.

9177. You have spoken of the creation of panchayats and of entrusting to them certain duties. Might one of the duties which it would be suitable to entrust to village panchayats, if they were formed, be the distribution of water in the village?—At present that is entrusted to the village officer; it might be entrusted to the panchayats; I suppose you mean a panchayat of five. It might be tried as an experiment. Probably the members of the panchayat would get a very good share of the water, in the same way as now the village officer gets a very good share of the water.

9178. You said that you would not entrust them with the management of primary schools on account of factions?—Yes; and also the sort of panchayat you would get in most villages would know so very little of what to expect from, and what to be done in, a school.

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9179. You would not trust the supervision and inspection of those schools to the panchayat?—Do you mean the actual teaching?

9180. Seeing whether the boys attend and that the teachers attend in proper time and so forth?—Yes, I would certainly allow them to do that, but as regards the actual teaching I do not think in most villages you would get a panchayat who could do that.

9181. You say that in one or two instances small committees were formed under District Boards to settle the budgets?—Yes.

9182. Was that under any particular section of the Local Self-Government Act?—There is one section of the Local Boards Act which says that District Boards may pass rules with regard to sub-committees and the division of duties among the members.

9183. Does not that section speak only of specific matters like dispensaries, schools, and *choultries*; there is no mention of budgets or roads in that section?—I have not got the Act here, but my recollection is that the section is sufficiently general to allow of these sub-committees for most purposes.

9184. If it be the case that it relates only to specific subjects, would you extend the section so as to enable the District Board to appoint sub-committees for other purposes if they think fit?—Yes. That has been done before now; there has been a sub-committee for the budget. I see no objection to that at all.

9185. You said you would rather have the District Boards as Advisory Councils than create new Advisory Councils?—Yes; if there is to be any Advisory Board I think the District Board ought to be used for the purpose. With regard to that, I presume that only the specific questions would be referred to them which the Government directed the Collector to consult them upon, just as the Government used to desire the Collector to take the opinion of his *sherishtadar* on certain questions. The idea, I suppose, would be to trust them to represent the local feeling on particular subjects.

9186. There may be cases in which the Collector himself, without any orders from the Government, might like to have the advice of leading men; in those cases also do you think the District Board would do?—Yes, I think they would do fairly well in such cases.

9187. When plague relief measures are undertaken and the question of inoculation is considered and people have to be induced to submit to inoculation, do you think the District Board as such would be sufficient for that purpose, or would you rather have another Advisory Board?—As regards such matters as plague inoculation I do not understand how they could advise.

9188. But they could explain to the people the necessity of the measures?—Yes.

9189. Would you rather work through the District Board or have a separate Advisory Board?—In the case of such things as plague it would probably be confined to certain localities, and you would have to supplement it; probably for that purpose the District Board would not be sufficient. Of course, in connection with plague we have Vigilance Committees and all that sort of thing.

9190. The District Board has some specific duties to perform under the Act?—Yes, the Act lays down the duties of the District Board, the *taluk* Board, and the union.

9191. If you add largely to these duties would it be necessary to revise and amend the Act accordingly so as to include these fresh duties, which are not contemplated by the present Act?—I do not think so. The Collector could always consult the members at the conclusion of the District Board meeting.

9192. You have spoken of village unions being exceedingly unpopular because of the house tax which they are allowed to impose. As a matter of fact do the villagers reap sufficient benefit from the proceeds of the house tax?—The money is usually spent on keeping the roads in order and sweeping them, or on a well, and things like that. So far, I have found the most popular thing of all is the lighting.

9193. But is it not the fact that most of the money is spent in the payment of servants and sweepers?—Yes, a good deal.

9194. And very little of it is left for other improvements?—Yes; in one or two cases I have found that very largely so; in particular I remember two unions in Madura.

9195. You have spoken of the deputy tahsildars as promoted clerks—men who were drawing 15 and 20 rupees before, and then made sub-tahsildars?—Practically all are men like that; some of them started much higher.

9196. Is that not the case with the tahsildars also?—Yes.

9197. They begin with 15 or 20 rupees?—Practically all, though there are exceptions, of course.

9198. Would it not be a better system to have some other method of selecting them so as to get men on better pay and of better education?—It is certainly not an ideal system. It could be improved. I have appointed some law graduates on Rs. 30, and then promoted them rapidly to be deputy tahsildars.

9199. (*Mr. Hichens.*) You said just now you had had sub-committees for the budget and purposes of that sort?—Yes.

9200. But you gave them up?—Sometimes we have had a sub-committee, sometimes not; there has been no regular rule.

9201. Why did you give them up—was it that you found they did not work?—As I say, for a committee of that sort you have to confine your selection to men at headquarters; the people from a distance could not attend.

9202. You gave them up because they were not altogether satisfactory?—No, I will not say they were unsatisfactory.

9203. Then there was some other reason?—I do not know that there was any particular reason.

9204. The members of village unions are nominated?—Yes, all nominated.

9205. Who recommends them in the first instance?—The recommendation comes from the president of the *taluk* Board to the President of the District Board.

9206. Is the Divisional Officer President of the *taluk* Board?—Yes.

9207. And he makes the recommendation to you?—Yes.

9208. Do you pass it on to the Board of Revenue and the Government?—No, I decide it myself; they generally send up two or three names.

9209. And you have full power of selection?—Yes.

9210. Have you power to select for the *taluk* Board, too?—No, that I send up to the Government.

9211. Do you think you might have that power?—Yes, going to Government is purely formal; the nomination is always accepted.

9212. It would save a reference if you could decide it yourself?—I think so.

9213. With regard to the District Board, should the nomination go to Government?—Well, it is a pure formality; the nomination is always accepted. Some of the members of the District Board are elected by the *taluk* Boards.

9214. You think then in that case, too, the final power might rest with you?—Possibly in the case of the District Board it should go up to Government.

9215. Might it go to the Board of Revenue and be decided by them?—There is no particular reason why it should not go to the Board of Revenue.

9216. Are the members of the Municipal Boards elected or nominated?—A certain number are elected and a certain number are nominated; it varies in different municipalities.

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9217. Who nominates them?—In the case of municipalities the nomination comes from the Divisional Officer, and he as a rule gets nominations from the tahsildar; occasionally the Chairman suggests a name.

9218. Is your decision final?—No, it has to go to Government.

9219. Is that necessary?—No—in the same way as in the case of the *taluk* Boards.

9220. You think it might rest with you?—It might; the nominations are invariably accepted by Government; it is a pure formality.

9221. Your district is divided up into sub-divisions?—There are three in what we call the plains and two in the Agency; five altogether.

9222. Is there a Sub-Divisional Officer in charge of each?—Yes.

9223. So that you have no direct territorial charge?—No.; that was amended several years ago.

9224. One may say that practically everything comes to you at second hand through the Sub-Divisional Officers?—Yes, practically that is so; of course, certain enquiries are made by me, but as a rule everything comes up to me second-hand.

9225. So that to some extent you are in the position of a post office; a recommendation comes to you from the Divisional Officer, and it has to be sent on by you with a covering note to the Government approving or disapproving?—Do you mean so far as these nominations are concerned?

9226. So far as everything is concerned, speaking broadly, a large number of subjects must come to you which you simply send on?—You mean that I merely send them on with an endorsement; no, that is not so.

9227. Do you write fully on every subject that has to go to Government?—Yes; practically the only thing in which I am a post office concerns matters coming from Municipal Councils or *taluk* Boards; there I am more or less a post office.

9228. All these returns, for example?—All those have to be compiled in my own office.

9229. In regard to panchayats you say that you are in favour of giving the system a trial in connection with certain minor duties which have been suggested to you by various members of this Commission?—Yes, petty civil and criminal matters.

9230. Could you devote the necessary time to making these panchayats a success?—You mean personally?

9231. Personally, or through your Divisional Officers personally?—I do not think so. Look at the number of communities you have to deal with; in the plains alone you have about 800 villages.

9232. You would agree that if the thing is to be tried it must be given a good trial—that they may require nursing during their infancy?—That is very probable indeed.

9233. If you think that panchayats are desirable, could you supervise them with the machinery you have got, or would you have an *ad hoc* officer, or extra assistance of a general kind, or what? If you are to have a panchayat it would be a good thing, would it not, to have one or more officers whose business it should be to organise these bodies?—I agree with the general principle.

9234. It should be his function to establish and develop the panchayats; you think that that is desirable?—Yes, on general grounds; if you are to introduce a matter of that sort, it is desirable to have a man whose special duty and special interest it is to organise and look after the bodies. As to whether he is likely or not to make a success of it, I should not like to express an opinion; but, on general grounds, I quite agree with the advisability of having a special man at the beginning.

9235. Do you think that this should be introduced gradually—that you should start in a few villages with a small number of these panchayats and extend them gradually?—Undoubtedly.

9236. How would you find the money for such small expenditure as the panchayats would require?—I do not know where you could find it; as a matter of fact the District Board and the *taluk* Board are as hard up as they can be; they cannot find the money.

9237. If you were to give the imposition of the house tax to the panchayat, that would kill the scheme?—Undoubtedly.

9238. Therefore you must contemplate some other scheme of financing them?—If it is necessary.

9239. Do you think it would not be necessary?—I do not understand that you would start these panchayats in every village with funds to administer; if so, I do not know where the funds would come from.

9240. You think it is quite possible to start panchayats with no funds at all?—Yes, and give them certain things to do.

9241. As honorary work?—Yes, in the same way that our Bench Courts now are purely honorary, and they have been established in 29 villages in the district.

9242. Would you abolish village unions or convert them into panchayats?—If you convert them into panchayats it would stop the sweeping and lighting and so on.

9243. Would you abolish them or not?—I think you must have a village union; I do not know where else the money is to come from.

9244. (*Mr. Meyer.*) As regards language, are not Tamil and Telugu allied languages?—Yes.

9245. Assuming that a man made himself familiar with Tamil and was then posted to a Telugu district, or *vice versâ*, should he not be able to acquire the second vernacular within a moderate period?—It depends very largely on the man. I do not know how I can answer that as a general question.

9246. With reference to the question asked you about unpassed candidates; the object of the rule restricting the appointment of unpassed candidates is the encouragement of education?—Yes.

9247. The rule is that you have free selection subject to the man having a certain minimum educational qualification?—Yes.

9248. If everybody was allowed a free hand in dispensing with that rule would not education suffer?—I do not think so; I suggested that it need not go up to the Board of Revenue, but that the Collector should be empowered to do it.

9249. If the Collector had a general dispensing power, might there not be a risk of unpassed candidates being put in when passed candidates were available?—I do not think so.

9250. Here in this district you have more than one College?—We have a first grade and a second grade College, yet I cannot get anything like the number of men I want. I am constantly sending up men for exemption.

9251. You tell us that certain new rules have been made for the distribution of water, which I understand were quite a departure from what was already in existence?—Yes, it was a system of continuous distribution as opposed to the system of distribution by turns.

9252. Might you not have been able to criticise these rules, without any knowledge as an engineer, in regard to their effect upon the raiyat?—In a general way, the raiyats object to any change. One very good point in these rules has been to eliminate the delta superintendent. If that could be done, well and good. As far as I can make out now from my experience, the high lands in the delta have been rather ignored.

9253. The complaint is that the effect of these rules has been to cut off the water from lands which stand somewhat higher than others?—Yes, they do not get water so easily and freely.

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9254. And those lands are assessed as wet lands?—That is so.

9255. Was that a matter on which you could profitably have expressed an opinion as a Collector?—Yes.

9256. You got those rules from the Superintending Engineer?—Yes.

9257. Suppose you had objected to anything in the rules, what would your procedure have been?—I presume I should have had to send the matter up to the Board of Revenue, who presumably would have consulted the Chief Engineer or something of that sort.

9258. Could you not have addressed the Superintending Engineer and said, "I do not agree with your rules; please reconsider them"?—Yes, I might have done that. In the meantime the matter had gone up to Government. He sent me a copy of his report to Government for information.

9259. The report had gone up to Government before you had an opportunity of criticising it; is that what you say?—Yes, that is so.

9260. Did you make any complaint about that?—No.

9261. May I take it that your opinion is that, apart from the merits of the rules, it would have saved time if those rules had been sent to you and discussed with you locally in the first instance?—I think it would have been much better to have discussed them first.

9262. Having received the rules, you saw no particular cause to criticise on this occasion?—No, I did not feel sure enough of what was likely to happen.

9263. But since then you have had complaints from the raiyats?—Yes, I have had complaints.

9264. Complaints as to these fields which received no irrigation although they were assessed as wet?—There are no fields that receive no irrigation; the complaint was that the water supply was not sufficient.

9265. Can you tell us why these fields were assessed as wet at the last settlement?—The general principle followed at the last settlement was that all fields should be classed as wet from which water could not be excluded, and that seems to have been interpreted somewhat widely; there are no doubt some high lands in the delta which should not have been so classed.

9266. Would not another method have been that of taking the number of years during which a field had actually been irrigated?—You mean taking 5 years; that is the rule we followed; I am not sure whether we follow it now.

9267. Do you receive the Public Works budget in your district regularly?—Yes.

9268. Do you find occasion to make remarks on that?—I do not think there is sufficient detail in it; it simply shows lump sums.

9269. Have you asked for information on that?—I have occasionally.

9270. Have you found that your suggestions have been followed?—Yes, they have been followed; of course it takes a rather long time to carry these things out, but my suggestions have been followed.

9271. You have no cause of complaint therefore that Public Works Officers disregard your suggestions?—No, they do not disregard them.

9272. You spoke just now of it being a matter of satisfaction that these new rules excluded the delta superintendent; why?—Because if you have a system of continuous distribution it is not worked in the same way as if you are irrigating by turns. If you are irrigating by turns, it means that at certain times you have got to close a sluice here and open a sluice there, and all that has to be done by the superintendent.

9273. It is left to the discretion of the delta superintendent?—It was not, as a matter of fact; it is supposed to be according to a regular system of turns, but everybody knows that it is not so worked; they vary it according to what they consider necessary.

9274. About minor irrigation tanks, they are entirely in your own hands?—Yes.

9275. Are you thereby enabled to give prompt redress to the raiyats who complain that the tanks are silted up or otherwise in need of repair?—If by prompt redress you mean getting the tank repaired within a year for instance, yes, it can be done; I can sanction estimates up to a certain amount.

9276. Provided of course that you have the funds available?—Yes. I get a certain allotment, and I can sanction estimates against that allotment, apart from masonry works, which have to be checked by the Public Works Department.

9277. Would you regard it as satisfactory that you could do the same with respect to larger tanks, having of course a larger allotment?—I would rather not undertake that; I do not think that that should be entrusted to the Collector. Do you mean with the same staff as we have now?

9278. No, perhaps with a superior staff?—I think that is rather beyond a Collector's work. You mean that I should be actually responsible for seeing these repairs carried out?

9279. That you should have discretion in regard to repairs and should not have to go to some other officer, or to send any raiyat who complained on to some other officer?—I do not think I should recommend taking over more tanks by the Revenue Department.

9280. In regard to the District Board, you have to send up a number of very petty projects to the Sanitary Board?—Yes, all estimates over a certain sum—I think it is Rs. 1,000.

9281. Is that necessary?—It causes a great deal of delay, and in my opinion it certainly makes work expensive.

9282. You would prefer to have a larger limit within which your Board would be free and not have to consult the Sanitary Board at Madras?—Yes, I think in the case of a well costing Rs. 1,500, even although it is a big well, you do not want the opinion of the Sanitary Board; as regards larger works certainly they ought to have control.

9283. As regards the ordinary Public Works, over a certain limit, those go to the Superintending Engineer?—Yes.

9284. You have got a fairly highly paid Engineer of your own in this district?—Yes.

9285. Do you think it is necessary that you should have to send all those works to the Superintending Engineer?—I see no objection to that; it causes a little delay and a little correspondence, that is all.

9286. But as a matter of safety, do you think it is desirable?—In connection with buildings I think it is as well; in connection with road works I do not think it necessary.

9287. If it is not necessary and you would save delay by not doing it, might it not be foregone?—Yes, except in the case of buildings.

9288. As regards education under your *taluk* Boards, is it mainly carried on direct by Board schools or through aided and other institutions?—It varies according to the *taluk* Board; some *taluk* Boards have a lot of Local Fund schools, others have a large number of aided institutions.

9289. Do you find that the local officers of the Education Department interfere a good deal in the management of these schools, or are they left to the *taluk* Board President?—The Education Officers are very freely consulted; I do not think they interfere.

9290. They only come in when they are asked to advise?—As President of the District Board, I have very little to do with these things. There are practically no schools under the District Board.

9291. As regards your District Board budgets, have you found that the Director of Public Instruction criticises the budget from the educational point of view?—Yes.

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9292. Have your allotments been altered with reference to his suggestions?—Yes; for instance the Rajahmandri *taluk* Board had its income considerably reduced and they proposed to abolish a certain number of schools; the Director of Public Instruction objected and these schools had to be retained, and therefore the allotments had to be altered.

9293. Were you consulted before that alteration was made?—No, we are not consulted in these things; the alterations are made in the Government office without referring to me.

9294. As regards municipalities, how many are there in this district?—Two, Cocanada and Rajahmandri.

9295. Do all references to Government pass through your hands?—Through the Divisional Officer and my office.

9296. Do you generally make remarks on them, or simply forward them on?—I make remarks on them all except as to mere routine matters.

9297. It has been suggested to us in Madras that the Collector might largely take the place of Government in controlling municipalities, reviewing their budgets and so on, and on the other hand it has been suggested that this work would overburden the Collector; what is your opinion?—As a rule the budgets and the Administration Reports and that sort of thing are more or less examined in my office; the examination is not very close. If it rested finally with me, it would mean a fair amount of extra work and a fair amount of responsibility.

9298. Is it advisable that the Collector should undertake it and save Government doing it?—It seems to me you are rather centralizing on the Collector, are you not?

9299. You are decentralizing as regards the Government?—You ask me if I would leave the municipal budgets to be decided finally by the Collector instead of by Government; it might be done in the case of smaller municipalities, but in the case of large municipalities I think it ought to go to Government.

9300. What do you mean by small municipalities; have you a limit of population, or income, or what?—You might take a limit of income; some of these recently started municipalities are very small and the financial operations are not very large; you might perhaps leave those to the Collector.

9301. Still those would be the exception?—Yes; I think as regards the larger towns it ought to go to Government.

9302. You have no power of posting your officers to any particular divisions?—No.

9303. Would it help in the direction of elasticity if the Government simply posted them to the district and you were allowed to distribute them as you thought best?—Well, there are other difficulties arising in connection with that, the question of house accommodation and that sort of thing. I have never felt the necessity for that.

9304. You have a great deal of work in connection with the village officers?—Yes.

9305. Owing to the fact that they are hereditary?—Yes.

9306. Do you have many suits and appeals?—I have a considerable number of appeals. I have no suits actually; the suits are tried by the Divisional Officer.

9307. The rule is at present strict primogeniture?—Yes.

9308. Would it save work, while at the same time retaining the hereditary principle, if the Divisional Officer, or even the tahsildar, were allowed discretion to select the man he thought the most capable among the hereditary family?—He would certainly have the opportunity of getting the best man.

9309. You would get more efficiency in the village?—Yes.

9310. And you might save a certain amount of work perhaps?—Possibly later on.

9311. Sometimes there are suits, are there not, between branches of the same family?—Yes. Always provided that the hereditary principle is followed, I should not object.

9312. As regards the *jamabandi* work; a great deal of the work formerly done at *jamabandi* is now done throughout the year?—Yes. For instance, as regards encroachments and remissions and that sort of thing they come up before the *jamabandi*, and then at the *jamabandi* many of the parties affected by these matters come up, and the cases are heard on the spot.

9313. I have seen it represented in the public press and otherwise that the Divisional Officer tends to put too much work on the tahsildar—that he makes the tahsildar report on things that he might look after himself in the course of his tours. Speaking generally, do you think there is foundation for that statement?—I do not know; I think most Divisional Officers when they get a paper that they want to look into themselves, mark it for tour and take it round with them.

9314. Do they do as much as they can as a rule personally?—Yes, they certainly do as much as they can.

9315. You tell us that a Collector cannot delegate power to a Divisional Officer; are there not general Acts of old date by which the Divisional Officer is empowered to exercise all the powers of a Collector?—That is a general delegation, but I have never known any special power to be delegated.

9316. You have started a Local Board in the Agency Tracts lately?—Yes; that is to say, part of the Agency Tract is now under the District Board.

9317. As a separate Board or a separate area?—The whole Agency was put under the District Board, but when the district was reduced in area, Badrachelam was excluded and the other three divisions were kept on under the District Board, and these three divisions formed one *taluk* Board.

9318. How do they keep up their roads?—There are practically no roads to keep up in the Agency; what is done there is mostly done by the District Board; the District Board has practically got to finance the *taluk* Board.

9319. I gathered that you consider you have only power to remit in case there has been an almost total loss of crop. Have you seen any orders issued within the last two years laying down a scale in cases of general calamity, beginning with the loss of half the crop?—Now you mention it, I remember those orders; I forget what the exact terms of the orders are.

9320. They were issued about the year 1905 and are known as the Calamity Rules?—I know what you refer to.

9321. Would those not allow you to remit for a much less loss than 15 annas in the rupee?—I should like to look at the rules before giving an opinion.

9322. I gathered that in revenue work you took everything at second hand; that is to say, everything came up to the Divisional Officer first. Is that quite correct?—Practically everything.

9323. Do you never do a *jamabandi*?—Yes, of course.

9324. In that case you take the whole *jamabandi* work of the *taluks* direct?—Yes.

9325. With regard to panchayats, if you gave them any powers would you give the right of appeal to the tahsildar or to the district munsiff, as the case may be?—I do not know that I would give the right of appeal; you might give them power to revise decisions, in exceptional cases, the same as with the village Benches.

9326. Under the Village Benches Act, on proof of corruption the munsiff can revise the order?—Yes.

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9327. And at the same time you would desire to have a special officer to go about the districts inspecting the panchayats?—I think Mr. Hichens said, introducing or supervising.

9328. Would it not tend to sap the authority of the tahsildar if the whole village administration was taken out of his hands and supervised by some outside officer?—Of course it would.

9329. (*Sir Steyning Edgerley.*) As regards the question of delegation, you said that the old Regulation of 1828 refers to general powers, and you never knew a special power delegated; what do you mean by special power?—As Divisional Officer myself I cannot remember a Collector ever issuing any order authorising me to deal with any matter which did not come under my ordinary powers.

9330. Do you mean the ordinary powers in connection with land revenue only?—Yes.

9331. We were told in Madras yesterday that all the local Acts of Council in which the word "Collector" occurred were passed with this provision in mind, that every power given to a Collector might be exercised by a Divisional Officer; is that correct?—In several recent Acts they have introduced the term "District Collector."

9332. They have specialised a phrase which takes them out of the old section?—Yes, so I understand.

9333. As to irrigation, is not the question of how far a change in the mode of supply affects lands of different level under the command of a canal, a technical matter?—Yes, in so far as it is a matter of levels.

9334. So that the matter is really one as to which the Executive Engineer should have the chief authority?—Yes, provided he considered the question as affecting these high lands.

9335. Can you say whether occupants are able to sub-let land which is assessed under irrigation rates?—You mean sub-let wet lands; yes, there is nothing to prevent them.

9336. Do they get a good sub-rent?—Sub-letting is not so common up here as down in the Tamil districts.

9337. I mean that the rates are not pitched so high that they are not able to sub-let?—Oh, no.

9338. You said you thought that the taking away of the magisterial work from the tahsildar had affected his influence. Does it not also affect the control of crime? Is the tahsildar expected to do the preventive work of his *tahsil* in the delta?—He supervises the village authorities.

9339. The magistrate is stationary?—Yes, but there are a certain number of sub-magistrates who are also deputy tahsildars and are not stationary.

9340. But the man who tries the cases is stationary?—Not necessarily. In many *taluks* there is a tahsildar, a stationary magistrate, and also a deputy tahsildar and sub-magistrate, who tours throughout his part of the *taluk*.

9341. Can a tahsildar go into a police station office, examine the record, and see who the bad characters are, and take action against them; is it any part of his duty?—No, it is not his duty; or rather, he does not do it.

9342. Do you not think you lose power in that way over the crime of the district?—I think so, because, as you say, the sub-magistrate is stationary; he is always at headquarters.

9343. The time a magistrate spends in Court represents a very small part of his magisterial work if he runs his charge properly, and, therefore, to dissociate the tahsildar from what I may call the preventive work, is rather a serious loss?—I think it is desirable that the magistrate should move about freely.

9344. At present they do not consider that part of their work?—No, they certainly do not do that now.

9345. You look entirely to the Sub-Divisional Officer for that?—The Sub-Divisional Officer and the police.

9346. In other words the Sub-Divisional Officer is the only magisterial supervision that you have got over the local police of a division—the only magisterial check; you have lost the tahsildar's check?—I should say that is so. The tahsildar has practically nothing to do with the police now.

9347. (*Mr. Dutt.*) Mr. Meyer has referred to the remission rules of 1905, lately published. Do those rules not refer only to "widespread calamities," and not to the loss of individual cultivators?—I have had no opportunity of studying the rules.

9348. And the Collector has no power under these rules of remission without the orders of the Government?—I cannot say without referring to the rules.

9349. (*Chairman.*) I have here a file of papers which is called the periodical file. The periodical file contains, does it not, two occasional, one decennial, eight quinquennial, two triennial, and 173 annual returns which have had to be made either to or from your office?—That is so.

9350. Do you think that a considerable proportion of these returns are not only cumbersome in form, but unnecessary in substance?—Yes. As I said, I think this list of returns ought to be carefully gone into every two or three years; there is no doubt that a lot of unnecessary returns are kept on.

(*The witness withdrew.*)

Mr. A. T. MACKENZIE was called and examined.

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9351. (*Chairman.*) You are the Superintending Engineer?—Yes.

9352. What is the area of your charge?—Approximately as follows:—

	Sq. miles.
Ganjam	8,368
Vizagapatam	17,222
Godavari and part of Kistna ...	7,971
	33,561

9353. Do you find that your charge is of such a size that you can conveniently get about it—in the course of, say, a year, can you get all over your charge?—No, it is too large.

9354. How long does it take you to get completely round the system of irrigation which is under your charge?—I never can do it in a year. I might do it in two years, but I have many other places to inspect also.

9355. Have you read the evidence which has been given to us with regard to the measure of control which might be given to a Collector in certain non-technical matters over the Public Works Department staff in the district?—Yes.

9356. Do you think that a Collector cannot have the technical knowledge which it is so essential he should possess, if he is to attend in any considerable matter to the distribution of water?—That is so.

9357. With regard to the position of the Collector and the forest officer, do you consider that the control of forest matters requires far less knowledge than the distribution of water requires?—So I think, as practised in Madras, but I speak from hearsay.

9358. Do you suggest that the Collector, who is already a very hard-working and capable officer, overburdened with his own daily task, if he were to interfere in the work of the Public Works Department, could not possibly carry that extra burden?—In a large irrigation system he certainly could not.

9359. Is the ordinary work of a Public Works division the maintenance and repair of major tanks,

the preparation of estimates for every sort of building, the construction and maintenance of roads, the investigation of minor projects, and various odds and ends of work which you describe generally as the work of the Executive Engineer?—That is in an ordinary district.

9360. In this particular district you have, besides the designing of canals, the scientific distribution of water, weirs, sluices, and all that sort of thing?—Yes.

9361. All of which requires very highly specialised technical knowledge?—Yes.

9362. The point where the Collector and the Executive Engineer's duties come into contact with each other is in what you call the minor distribution of irrigation?—Yes.

9363. You would suggest to us that when the water leaves the minor distributary channels then the responsibility for the distribution from field to field falls upon the Collector?—It is not ours anyhow.

9364. We have been told to-day by the Collector that really that is not part of the Collector's work, but it is really work for the raiyat?—It may be so.

9365. You are not aware officially of what happens to the water after it leaves the minor distributary channels?—I am aware that there is considerable confusion.

9366. Have you any control over the water?—None whatever after it leaves the pipes.

9367. As regards the field to field distribution, this is already under the control of the Collector?—In this way, that it is under the control of the village officers who are the Collectors' servants.

9368. What are those officers?—The village munsiff and the village *karnam*.

9369. It has been suggested to us that a certain amount of possible misunderstanding which from time to time occurs, would be very much reduced if, before new schemes of distribution were submitted to the Public Works Department of the provincial Government, a consultation was held with the Collector of the particular district concerned. I think that you would agree that that would be very desirable, would you not?—Certainly.

9370. And if there had been any omission so to consider and consult the Collector that that was due to an oversight?—Certainly.

9371. And I think you would go further and say that such oversight was a matter of regret to the Public Works Officer who was concerned?—Very much so.

9372. Would the smooth working of the Public Works Department and the Revenue Department be greatly facilitated if there were habitual conferences between the Collector, who is Head of the district, and the Engineer, who is Head of the particular scheme of distribution under consideration?—Yes.

9373. If it was clearly understood, therefore, between the Public Works Department on the one side, and the Revenue Department, on the other, that such conferences should be held at frequent periodical intervals, any misunderstanding, which might now exist, could be easily removed?—Yes, I think that it is so understood.

9374. Are such conferences, as a matter of fact, held?—They meet frequently.

9375. How frequently?—I should think very seldom a month passes that the Executive Engineer does not see the Collector.

9376. I do not mean with regard to small points, but with regard to proposals of the future?—There are not many proposals of the future.

9377. These schemes are only very occasional?—Yes.

9378. You think that given this clear and good understanding between the Heads of the Departments, there is no reason why the Executive Engineer should be in any way under the direct orders of the Collector?—Yes.

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9379. Are there any of your subordinate staff who might, without disarrangement of your department, pass under the direct instructions of the Collector?—I think not.

9380. (*Sir Steyning Edgerley.*) You say that you know nothing about the water after it passes the pipes. Could you explain to a layman how much water does pass the pipes; does it go from the pipes to a particular field, or to a village, or what is the volume?—It varies very much; it is a matter of convenience; generally it is seldom within a block of less than 10 acres, and it is seldom more than 30 acres, or thereabouts, which is fed by a single pipe.

9381. What is the average size of a holding under an irrigation project; how many holders would there be in that 10 or 30 acres?—There might be 10, or 20, or 50.

9382. Is it very much sub-divided?—Yes, so far as I know.

9383. Do the holdings run down to less than half an acre?—If you judge by the size of the embankments round the fields they do—very much less than half an acre, some of them.

9384. With that you have nothing to do; you deliver the water at the pipes and it passes out of your hands?—Yes.

9385. (*Mr. Meyer.*) I suppose we shall agree upon this, that the chief object—the sole object in fact—of irrigation works is ultimately to supply water to the cultivator?—I should like to qualify that a little; it is also to serve as an object lesson for other irrigation works which may be projected in the future.

9386. That being so, is it not of some advantage to have the whole of the work under one main directing authority? You say you supply up to a certain point, and then the Collector and his subordinates take charge. Is that altogether a satisfactory system, do you think?—No, I do not think it is.

9387. You object to the plan proposed of the Collector taking charge. What would you think of the alternative plan of letting the Executive Engineer (as in the Punjab) take charge of all the assessment and distribution work?—It is better I think.

9388. There *is* unity then?—Yes.

9389. And the officer who supplies the water is also responsible for the revenue?—Yes.

9390. The Collector is now in charge of the minor irrigation tanks. Do you regard that as a good system?—It cannot be called a good system.

9391. Would it be better to have them taken over by the Public Works Department?—No, I cannot say that. I do not think they are important enough for that, and they would need a very much larger establishment which is already existent in the Revenue Department.

9392. Does not the case of a tank differ somewhat from the case of a large irrigation work? A Collector can see a tank and say, "This tank is out of order, it ought to be put right"; it is only the one tank he has to deal with and not a piece of a whole series of complicated channels?—Quite so.

9393. If the Collector, with advantage, or possibly with less disadvantage than by any other course, can take charge of these minor irrigation tanks, might not his authority be extended over some of the larger tanks that are not part of any combined system?—Yes, I think there would be no objection.

9394. I understand from the last witness that you communicate your budget to him regularly?—Yes.

9395. But he said not in much detail?—All my officers are strictly ordered to communicate with the Collector before they send their budget, even up to me, and to get his consent to it.

9396. The Executive Engineer, in the first place, communicates with the Collector?—Yes.

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9397. Does he put the matter before the Collector in sufficient detail?—I think so; I have had no complaints; if I had I should at once see to them.

9398. Then if the Collector says, "I think this tank ought to have money spent on it," and so forth, are those remarks communicated to you?—I suppose they would be; I have only been in charge here one season; I have only had one budget; I do not remember any remark.

9399. You have been an Executive Engineer yourself?—On construction—nearly all my life.

9400. But as Superintending Engineer in other parts of the province?—On investigation work.

9401. So that your experience as to the real procedure is somewhat limited?—Very small.

9402. (*Mr. Hichens.*) What roads do you look after?—We have only one road in our charge in this circle, the ghat road, the main road to Jeypur.

9403. All the other roads are under the District Board?—Yes.

9404. Would it be advisable in the interests of economy and efficiency that some of the other main roads should be taken over by the Government and maintained by them?—I think trunk roads might be.

9405. Trunk roads leading from one district through another?—Yes.

9406. Are there a large number of those?—No, generally only one in each district.

9407. Have you experience of road work in other countries at all?—No, only in India.

9408. Do you inspect the work of the District Boards in regard to roads at all?—Only as I happen to pass along; I do not exercise any authority or make any reports.

9409. The Government do not make a grant to the District Board for roads conditionally on their being kept in good order?—I cannot say.

9410. Might that be a good thing from the point of view of efficiency?—No, I do not think it necessary.

9411. (*Mr. Dutt.*) We have had evidence before us that when the cultivators feel that there is any defect in the distribution of water, they naturally go to the Collector as the man who collects the revenue and who ought to see to the proper distribution of the water. Under those circumstances would you not suggest that the Collector should have some power of making requests to the District Engineer about the distribution of water?—He has the power of requesting.

9412. And in case the request is not complied with, and there is a difference of opinion, do you think it would be too much to ask the Engineer to submit to the Collector his reason why the request cannot be complied with?—Certainly, there would be no objection.

(*The witness withdrew.*)

Adjourned.

TWELFTH DAY.

RAJAHMANDRI, *Thursday*, *5th December*, 1907.

PRESENT:

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

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

M. R. Ry. Y. VENKATA RAO AVARGAL, B.A., was called and examined.

M. R. Ry. Y. Venkata Rao Avargal.

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9413. (*Chairman.*) You are the tahsildar of Rajahmandri?—Yes, since the 25th of last month.

9414. How long have you been in the service?—Twenty-seven years. I began life on Rs. 15.

9415. What is your pay now as tahsildar?—Rs. 250.

9416. How long can you hold your position?—Until I am promoted a Deputy Collector, or until I retire.

9417. (*Sir Frederic Lely.*) Has the tahsildar as much power as he ought to have?—No.

9418. A good deal of your work consists of going on tour?—Yes.

9419. How long are you absent from your headquarters?—Not less than six months every year.

9420. Sometimes for a whole month at a time?—Yes, it depends on the urgency of the work; but, as a rule, not less than 15 days in a month.

9421. Is it not desirable that when you are away from headquarters some of your powers should be delegated to your subordinates?—The head accountant might be given some powers.

9422. If a raiyat comes to your head office and finds there no one able to take his case in hand, even in the preliminary stage, he suffers much inconvenience?—At present all representations are made by means of petitions, and when petitions are received during my absence they are received by my head accountant, and he sends them on to me.

9423. As a matter of fact who is left to conduct the regular business of your charge in your absence?—The head accountant.

9424. He is primarily in charge of the treasury, and an expert at that work?—Yes. His pay is Rs. 50.

9425. Is he a fit man to carry on the regular work of the charge?—At present he is the only man.

9426. But is he fit?—I do not think he is.

9427. He is engrossed in his treasury work and he is not trained in general administration?—Just so.

9428. Who comes next?—A clerk on Rs. 30.

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9429. Is he a trained man?—He is only a clerk.

9430. He would be a man probably with a family to educate and bring up, and usually resident in a town?—Yes.

9431. Is Rs. 30 a month a living wage for such a man?—Considering the quality of the work he is expected to turn out, I consider it is fair, because he is only a clerk, and special work is allotted to him; it is not his business to supervise the office.

9432. The next link in the chain of authority is the *karnam*?—Yes.

9433. He acts as your representative to collect the money in the villages?—The munsiff does that; the *karnam* only keeps the accounts.

9434. But the *karnam* has the handling of the money also?—No, he never takes money from the raiyats.

9435. Besides that, you depend upon him for your information in the village, in the first instance?—Yes.

9436. He stands next to the people, and you often have to call him to your office?—Yes. In order to consult him for the purpose of compiling accounts for settlement, and so on, and the village business generally.

9437. What pay does he get?—It varies from Rs. 5 to Rs. 20.

9438. How many get Rs. 20?—In this *taluk* one *karnam* gets Rs. 15; that is the highest pay in this *taluk*.

9439. Out of 54 men 49 get only Rs. 8?—Yes.

9440. When they come into headquarters do they have to come at their own expense?—Yes.

9441. Suppose there was a man fitted to carry on the current business of your office while you were away, do you think that Rs. 30 would be adequate pay?—No.

9442. (*Mr. Dutt.*) Will you tell us if, on the occasions of *jamabandi*, the Divisional Officer comes into personal contact with the villagers?—My experience is that the raiyats will not wait for the *jamabandi* if they have any grievance, on account of the quicker way that the work is done throughout the year.

9443. You mean by petitions?—By petitions, and sometimes by representations also.

9444. How many villages has the Divisional Officer in his charge on the average, roughly speaking?—About 200 or 250.

9445. In how many places does he pitch his tent, in order to do the *jamabandi* work?—Not less than three places in each *taluk*.

9446. As a matter of fact, do the villagers generally come round and say what they have to say, on those occasions?—They will only come if they have not already represented their views by way either of petitions or personal representations to the Collector.

9447. But on such occasions do people come forward, and when the tent is pitched, do they come and say what they have to say?—Nobody comes except the few who may have grievances just for the time.

9448. What power has the Collector to order remissions in the case of wet crops? If the rule is that the Collector is empowered to grant remissions when 15 annas of the crop have failed, that is to say, when the harvest is only one anna, do you think that that gives sufficient relief to the people?—My view is that the Collector should have extra power in that direction.

9449. Suppose three-fourths of the crops have failed, should the Collector have power in that way?—At least up to that limit.

9450. Do you think the Collector should have some power of granting remissions in the case of the failure of dry crops?—It would be a great boon to the people if that power was granted to the Collector.

9451. In the levy of irrigation rates do you find that the policy is too much dominated by considerations of revenue?—I cannot answer that question, but what is now collected in the shape of water tax seems to be a fair return for the benefit given by the supply of Government water to these crops.

9452. The water tax was collected separately from the land tax before the re-settlement. Now the two taxes have been consolidated?—Yes.

9453. Suppose a man grows what you call a double crop—a crop which is on the land for more than five or six months—do you charge him 50 per cent. more of the water rate only, or of the land rate and water rate consolidated?—In the case of consolidated wet lands whatever is charged on account of land cess goes in the shape of water tax, but as to the way in which it is fixed, it is taken to be half of the consolidated wet assessment.

9454. The local cess is calculated on the consolidated rate?—Yes.

9455. Previously the local cess was reckoned only on the land tax?—And water tax too.

9456. How many years has that been in force?—Before the consolidated assessment was introduced, the land cess used to be calculated not only on the land tax, but also on the water tax; the two are now consolidated.

9457. So there has been no increase of the local cess in consequence of the consolidation?—I do not think so.

9458. Some lands which are low are classed as dry lands here and there?—Such cases will be found in the delta, because at the time of the re-settlement, and when lands were classed as consolidated wet lands, the Settlement Officer had to observe the principle that only those lands which were continually under wet irrigation for five years prior to the date of re-settlement were classed as consolidated wet. In so doing there was no opportunity, or occasion, to have regard to the level of the land; so that if any low lands happened at that time not to have been continuously under wet cultivation for five years, though they were subsequently commanded by water, they were registered as dry.

9459. (*Mr. Hichens.*) Are you a member of the *taluk* Board?—Yes.

9460. Has the *taluk* Board sufficient revenue to carry out its duties properly?—One-half of the proceeds are alone to be expended by the *taluk* Boards.

9461. How much does it amount to in round figures?—The total assessment of the *taluk* is 12 lakhs; one-sixteenth of it is the full proceeds of the local cess; one-half of that alone is allowed to be expended by the *taluk* Board, the other half being the District Board fund.

9462. Is that enough to enable you to perform the duties which are imposed on you as a Board?—We get some grants from Government occasionally.

9463. But adding it all together, is that enough to enable you to perform your duties properly?—It is desirable to get more if possible.

9464. (*Mr. Meyer.*) You spoke of the *taluk* head accountant as being merely an expert in treasury work; is that quite correct?—He is expected also to supervise the correspondence work, being himself a clerk in charge of various branches of correspondence.

9465. What is the previous career of an ordinary *taluk* head accountant; has he been a revenue inspector?—Yes.

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9466. As a revenue inspector he would have had a general knowledge of revenue administration?—Yes.

9467. Would he not be fit, therefore, to take charge of the work during your absence to a certain extent?—Yes, to a certain extent; it is better to have a man whose time can be devoted to the supervision of the office, if possible.

9468. Are you aware that it has been proposed to raise the pay and status of *taluk* head accountants?—Yes.

9469. You spoke about the *karnam* receiving only Rs. 8. Is that his only source of livelihood?—They are generally men who have lands of their own.

9470. The position of *karnam* gives them prestige in the village?—Yes.

9471. The principle of the assessment in this province is that Government is entitled to a half share of the nett profits after deducting the expenses of cultivation and so forth?—Yes.

9472. The application of water to different lands has different results?—Yes.

9473. Water applied to one class of land may raise a poor crop, whereas applied to another class it may raise a good crop?—Yes.

9474. Was that the reason why Government altered the fixed water rate charge in this district, and started the consolidated assessment?—Yes, and they also introduced differential water rates, in order to remove the anomaly incident to the charge of the uniform rate for lands of all descriptions, irrespective of natural facilities for irrigation and drainage.

9475. (*Sir Steyning Edgerley.*) We were told last night that the control of the Engineering Department stops at the pipes. What happens, exactly, after the water leaves the pipes?—The village officers are expected to take charge of that water and distribute the same equitably to the holders of fields, but my experience is that generally they will be glad to be benefited by the advice of the sub-officers in charge.

9476. The cultivators of the plots commanded by the pipes do not arrange it by agreement among themselves?—Generally they do that also.

9477. But, in case of dispute, the village officer has to settle the matter?—Yes, and if he is not successful, they will go to the sub-officer in charge of the work of distributing the water out of the pipes, and, as he generally possesses a good deal of influence, his advice will be generally listened to by the people.

9478. Do you think that the Engineering Department could control the water all through right down to the time it reaches the individual raiyat?—I do not think so. They have got their own principles and their own lines of action.

9479. Instead of the village officer doing this last stage, could it not be done by the Public Works Officer?—I think it is best that water when it reaches the pipes should be left either to the raiyats concerned or to the village officers. The complaint is that there is rather too much control by the Public Works Department over the distribution of the water.

9480. What is your experience of the result? One witness said yesterday that the result was confusion?—I think that if the Collectors and Divisional Officers had a direct part in the distribution of water supply the result would be much better.

9481. Why do you think so?—Because it is the Collector and Divisional Officers who are looked upon as the guardians of the people's rights; whether they do really possess any such power, or not, in case of any difficulty, they are the officers to whom the people look for help.

9482. Would you have them come in, so to speak, behind the pipes—further up in the distribution?—Further up, yes.

9483. At what point?—Up to the heads of the channels.

9484. The heads of the subsidiary channels?—Yes.

9485. How would you work that?—Up to the channels the supply comes direct from the main canals, and with reference to the area that is to be irrigated under the particular channel, the quantity of water supposed to be sufficient for that area is settled by the Public Works Department. Now, the water supplied to these channels will be either too late or too early, and that will give rise to complaints against the Public Works Department, and in case one of the Divisional Officers or the Collector during their tours happens to find that some of the complaints are justified, they cannot give immediate redress to the raiyats. The present system would be rendered more popular if the Collectors and Divisional Officers were empowered to give some instructions, or to have something to do with the distribution of the water supply.

9486. You do not think that would interfere with the working of the canal?—These remarks are applicable only to the feeding channels after they have passed the heads. It is the Collector and Divisional Officers who come into contact more with the state of the crops, and they are looked upon by the people as possessing a greater and more accurate knowledge as to the requirements of water supply than the Public Works Engineer.

9487. As to the recent change that has been made from the system of turns to the system of continuous supply, do you think that that is a good change?—I do not think so. This is the first year in which that change has been introduced, and my impression is that it has very injuriously affected the outturns of consolidated wet lands, particularly those that are classed as such, though they are comparatively high lands. There cannot be a hard-and-fast rule for such lands.

9488. You think the high lands suffer a little?—Yes.

9489. What is the supposed advantage to be gained by the change?—I believe it aims simply at the economy of water.

9490. (*Chairman.*) Does the supply of water run very short here at certain times of the year?—Yes, from November onwards. There is no lack of supply from the beginning of the cultivation season up to the end of October, or November.

9491. There is no lack of water supply during the cultivating season?—No, because there is a constant overflow at the crest of the anicut at the other side, which runs to waste in the sea.

9492. Has the fact that there is now no shortage of water during the cultivating season been due to the care with which the water is economised during the year by the Public Works Department?—I do not think so, so far as the first crop season is concerned.

9493. What is it due to?—There is the incessant flow in the river; so much so that there will be a constant overflow from the crest of the anicut for a number of months.

9494. If the control of the Public Works Department were removed, and the whole system removed, would there still be plenty of water?—Yes.

(*The witness withdrew.*)

The Hon. Mr. B. NARASIMHESWARA SARMA was called and examined.

The Hon. Mr. B. Narasimheswara Sarma.

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9495. (*Chairman.*) You are a member of the Madras Legislative Council?—Yes.

9496. How long have you been a member?—About two years.

9497. You wish to say something to us about the way in which the Madras budget is connected with the general finance of the Government of India?—Yes. The position of Madras under the existing financial system is extremely unfortunate. The incidence of taxation per head of the population is higher in Madras than for the whole of India. More revenue has been, and is being, raised year after year than the province should bear as its fair share, and a much greater proportion of the revenue so raised has been appropriated towards the imperial share than in any other province in India. Local taxation is heavier in Madras than in any other province in India. Madras cannot by any means be described as more prosperous than other provinces, or even as prosperous as many of them; and it may, I think, be asserted that she is poorer than many, having regard to the comparatively small revenue derived from assessed taxes and customs, the relatively small number of municipalities and large towns, and the almost total absence of what may properly be described as genuine local manufacturing industries in the European sense of the term.

Table No. I. annexed hereto shows that, taking the period from 1893-94 for comparison, the incidence of taxation has invariably been higher. If the gross revenue be taken into consideration, the total excess revenue paid by this Presidency would be much larger than would appear from the nett figures.

Table II. shows that the imperial share in Madras is nearly 166 per cent. of the provincial share, local taxation being excluded; whereas in no other province does it exceed the provincial share when the revenue from taxation proper really borne by the province is taken into consideration.

Speaking generally, the commercial departments of the Government of India pay their way and are yielding a large profit. The profits may be ordinarily utilised for the reduction of the debt, and the taxpayer would be relieved of the burden of paying the interest thereon, and should loss occur at any time, it need not fall directly on the people, and need not be met out of current revenues. The Postal, Telegraph, and Mint Services have been yielding a profit, and the deficit, if any should occur, would not disturb the calculations very much. The superannuation allowances may be met out of the provincial revenues, except in so far as they may relate to the Imperial Departments; the only items therefore for which the whole of India would have to provide would be the defence, general administration of the Government of India and the Imperial Supervising Departments, the interest on the general debt, and a few Scientific Departments. The normal growth of the expenditure on the said items, except the army, may be fairly anticipated, and the deficit, if any, after deducting the expenditure from the revenues which may be treated as wholly imperial, such as opium, salt, customs, &c., would be a first charge on the provincial revenues; and the provinces would have to meet the same in proportion to their population.

The growth of provincial expenditure would be subject to the control of the Supreme Government until at any rate the people are permitted, or are in a position, to administer their revenues. Taxes would under this system be remitted whenever the provincial revenues are in excess of the expenditure, and this may be oftener than at present. Assuming that on grounds of public policy taxation cannot be allowed to be remitted in one province without a remission in all, the surplus balance would be expended in the development of the resources of the province. The land revenue may be permanently settled under this scheme and the requisite funds raised, after due deliberation and discussion in the shape of taxation.

This greater decentralization would enable the Local Governments to know where they are, would lead to a greater uniformity and continuity of policy in administering the revenues, and the people may be given a real power in shaping provincial budgets, without weakening the Executive or interfering with the general policy of the Government of India. The result of this scheme would be a reduction of the burden of Madras by 1,73·6 lakhs. The total amount of the imperial share of the provincial revenues in 1907-08 is Rs. 45,87,19,000, and deducting therefrom the opium revenue of Rs. 7,27,60,000 the balance of Rs. 38,59,59,000 is contributed by the provinces, and the share of Madras would be $\frac{33}{211}$ thereof, or Rs. 6,34,95,000, whereas it is 808 lakhs.

Greater power should be given to Collectors to grant remissions, and in the case of failure of dry crops also within defined limits.

The Executive Officers do not seem to possess sufficient knowledge of the vernaculars to converse freely with the people; an apparent want of sympathy with the articulate middle classes, and the notion that prestige would be lowered by the officers making themselves unduly accessible, and, possibly, a feeling of helplessness to do any real good, stand in the way.

Officers are transferred too often, and cannot possibly take a real interest in the *taluks* or districts.

I am strongly in favour of the creation of Advisory Councils to assist Divisional and District Officers. The Councils would be of infinite help in the administration of income tax, forest reserves, sanitation, during epidemics and in times of trouble or panic, when schemes or plans are introduced, *e.g.*, in the matter of the introduction of new rules of irrigation in the Godavari delta in this year.

I cannot recommend too strongly the creation or revival of the village panchayat system to facilitate the administration of nearly all the matters referred to in the question.

There is partial justification for the feeling that the formation of the District and Local Boards as at present constituted has only served to relieve the provincial revenues of a portion of their legitimate burden, and increased the burden of the taxpayer in the shape of local taxation; there is absolutely no reason why there should not be a decentralization of functions and powers and a real living voice be given to the people in the administration of funds for education, sanitation, roads, &c., when questions of general policy are not involved.

TABLE I.

Incidence of Taxation.

Year.	Average per head for the whole of India. Statistical Atlas.	Average incidence in Madras as per Administration Reports.
	s. *d.*	*s.* *d.*	Rs. A. P.
1893-94 ...	3 0	3 6¼	2 10 6
1894-95 ...	3 1½	3 8$\frac{1}{12}$	2 12 1
1895-96 ...	3 3	3 8⅓	2 12 8
1896-97 ...	3 1½	3 7⅓	2 11 2
1897-98 ...	3 1½	3 9⅓	2 13 9
1898-99 ...	3 3	3 9$\frac{5}{12}$	2 13 5
1899-1900 ...	3 1⅔	3 8$\frac{1}{12}$	2 12 4
1900-01 ...	3 2½	3 7	2 11 0
1901-02 ...	3 4¼	3 7⅚	2 11 10
1902-03 ...	3 5¼	3 9⅓	2 13 4
1903-04 ..	3 5¼	3 8⅚	2 12 10

REMARKS.—The revenue from registration does not seem to have been included in the Madras figure; if included the incidence would be higher, and the rate would be still higher if local taxation be included.

The Hon. Mr. B. Narasimheswara Sarma.

5 Dec., 1907.

TABLE II.

1907–08 Budget Figures.

Name of province.	Imperial share.	Provincial share.	Local.	Total.	Remarks.
	Rs.	Rs.	Rs.	Rs.	
Central Provinces and Berars.	1,18,62,000	2,27,35,000	19,30,000	3,65,27,000	The Imperial share is about half the provincial and one-third of the total.
Burma	4,15,50,000	4,53,43,000	30,89,000	8,99,82,000	Opium accounts for Rs. 6,50,000 and Customs Rs. 1,35,23,000, the duty on exports being 35 lakhs. The Imperial share is less than the provincial.
Eastern Bengal and Assam.	2,09,72,000	2,39,49,000	32,32,000	4,81,53,000	Less than provincial.
Bengal	12,64,80,000	5,17,71,000	52,21,000	18,34,72,000	Opium accounts for ... Rs. 6,22,75,000 Customs " " ... 2,01,88,000 8,24,63,000 The custom duties paid at Calcutta are shared by Bengal and other provinces, and allowing a fair share for Bengal the Imperial would be as much as the provincial share.
United Provinces of Agra and Oudh.	5,99,54,000	4,66,31,000	64,15,000	11,30,00,000	Opium accounts for Rs. 6,10,000 and the Imperial share exceeds the provincial.
Punjab	3,06,60,000	3,14,88,000	36,00,000	6,57,48,000	Less than provincial, and Rs. 1,78,20,000 is irrigation cess.
North-West Frontier Province.	42,20,000	...	3,05,000	45,25,000	
Madras	8,08,55,000	4,85,43,000	1,08,90,000	14,02,88,000	The Imperial share is 166 per cent. of the provincial share. Nowhere is so much local *revenue* raised.
Bombay ...	8,28,30,000	5,76,33,000	43,85,000	14,48,48,000	From this 80 lakhs of opium revenue and a large portion of the customs revenue of Rs. 2,92,70,000 would have to be deducted, Bombay being the gate for the whole of India; the Imperial share would be about as much as the provincial.

9498. You would draw our attention to the fact that taxation in Madras is in your judgment higher than it is in other Governments in India?—Yes, on the average.

9499. Do you say that that is due to the control by the Government of India over the financial position of Madras?—It is due to the way in which the control is exercised, and to the principle on which the Government of India levies assistance from the provinces.

9500. Would you explain that in a little more detail?—Forty-five crores of rupees are levied every year, roughly, from all the nine provinces. Excluding opium, there would be about 38 crores collected from all the provinces. If the population test be applied, Madras would have to pay only about 630 lakhs of rupees, whereas the imperial share at the present moment is about 808 lakhs of rupees; that is, we are asked to contribute towards the imperial expenditure much more than our proper share because other provinces are paying less; we are paying more than our share, especially considering the comparative richness and resources of the different provinces.

9501. In your judgment then the fairest way of levying revenue is for the Governments, both provincial and central, to raise their revenues by a *per capita* tax?—No, not so much per head; that could not be done; that is not possible.

9502. But you say Madras pays more because her population is greater?—No, it is not because of that; I say she pays more in proportion to her population.

9503. Then it must follow that the population is a governing factor in your system of taxation?—Population is one test; secondly, there is the test of means also.

9504. Have you anything to say to us as to the system under which the Government of India requires the Government of Madras to submit its budget for consideration?—The average expenditure during a particular quinquennial period is taken into consideration, I believe, and Madras is asked to submit its budget with reference to the future increase, if any, that may be absolutely necessary, and the budget is submitted to the Government of India about January.

9505. Perhaps you are not quite familiar with the details?—I am familiar only with such details as can be gathered from books—not the practical working.

9506. (*Mr. Meyer.*) You suggest that the average incidence of taxation in Madras is greater than that for the Indian Empire as a whole. Is that not naturally so? Does not the Indian Empire include less developed, and poorer, tracts like the Central Provinces and Baluchistan or Upper Burma?—It does, but the increased expenditure on those provinces is comparatively small, so that you may leave them out of account.

9507. Is it not natural that in the Indian Empire, which includes provinces in different states of development, the older provinces along the coast should pay rather more per head than the general average?—I should submit not, as a general proposition, but I think that that proposition hardly arises in this case, because it is only the Central Provinces that pay to the extent of about 80 lakhs less than their proper share.

9508. Your test here is by population. Is not the gross revenue of Bombay much the same as the gross revenue of Madras or somewhat more?—Yes.

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9509. Do you know what the population of Bombay is as compared with that of Madras?—Much less, about 20 millions.

9510. It is about half?—Yes.

9511. Therefore, on your showing, Bombay would have double the grievance of Madras?—But a portion of the revenue, which is shown as revenue there, is not revenue proper; about 3 crores is customs duties, which appertain to the whole of India, and about 80 lakhs is opium. If you exclude those, the figures would be much fairer.

9512. Still, could not Bombay make out a much better case than Madras if you take this head of the case?—It could make out a fair case; I do not know that it is a better case.

9513. You are careful to deduct the customs and opium revenue in certain provinces as not appertaining properly to the province; you have made no deduction for customs in Madras; why?—Because what is imported at Bombay and Calcutta, generally travels throughout the whole of India; but I do not think the other provinces share the produce which is chiefly imported into Madras.

9514. Is there not a considerable amount imported into Madras which goes on to Mysore?—Comparatively speaking; it is not a very appreciable quantity.

9515. To that extent you are taking credit on behalf of Madras for revenue which it does not really pay. Are you aware that Madras sends a large amount of salt to Bengal and to the Central Provinces?—It does.

9516. The salt duty is paid here in Madras?—It is.

9517. Who pays the tax really?—The provinces which import it.

9518. Have you made any deduction on that account?—I thought it was such an inappreciable quantity as to be a negligible quantity. Assuming we could deduct 10 or 20 lakhs, the proportion would not be very much affected.

9519. You spoke about the imperial share as about 8 crores odd, as against 4·5 crores for the province. Does that imply that the whole of it is taken by the Government of India from Madras?—Yes.

9520. Does not the Government of India revenue take a share of the expenditure on excise, forests, and many other things in Madras?—Yes; some in other provinces.

9521. That really comes out of the imperial revenues?—Yes.

9522. Then it is not quite accurate to imply that the whole of the money raised in Madras, which is allocated to the imperial share, is taken from the province?—It is taken away because it is imperial expenditure; the same as in other provinces also.

9523. Then again, you speak of the burden of the debt upon the taxpayer. Is there any such burden?—I said that it is almost a constant quantity; it may be equally shared; I did not make any statement as to whether it is burdensome or not.

9524. Are you aware that the profits on railways and productive irrigation works are sufficient to pay the whole interest of the debt, and to leave a substantial margin?—Yes, I am aware of that.

9525. Then how can you speak of it being a burden?—Of course it is a burden as long as it is there; it is an incident of the debt; not that it is a burdensome debt.

9526. Your idea is to give the Government of India the cost of the imperial departments, and to give it just enough money to meet that?—And any increase if necessary would be distributed over the provinces.

9527. But you speak in your memorandum as if the cost of the army would be more or less balanced by the revenues from opium, salt, and excise?—No; I must have expressed myself unhappily; it would not balance.

9528. In your opinion should opium, salt, and customs be entirely imperial?—Yes.

9529. There would still be a considerable amount to be raised from the provinces?—Yes, about 23 crores this year.

9530. And you propose the population test?—Yes, as a fair test.

9531. Would you apply that within this Presidency?—I would not apply that test here.

9532. You would not apply it to the delta districts as against, say, the Ceded Districts, but you would apply it in India?—For the reason that there must be some limit, and the provinces have special interests of their own, which are not identical with the interests of others.

9533. You consider the population test a fairer test than any other?—A fairer test for the distribution of the incidence of taxation.

9534. Would it not be fairer to take it according to the revenues of the province?—Provided the conditions under which the revenues are raised are the same in all provinces.

9535. Would it not be necessary to make continual revisions under this system?—Not to a large extent.

9536. Suppose, for example, that the receipts from opium were largely reduced owing to a change of policy; that would land the Government of India in a deficit under your system, and it would be necessary to seek more money from the provinces?—Yes.

9537. There might be disputes as between the Government of India and the provinces as to the way in which that money was to be obtained?—No, there need not be, if a definite principle was laid down.

9538. You are familiar with, or know something about, the provincial settlements?—To some extent.

9539. Was it not one of the grievances raised against them in the provinces that they were constantly liable to revision?—Yes.

9540. There have been very large decreases in the taxation from salt of late years?—Yes.

9541. Would those have been possible under the system you advocate?—Yes.

9542. So far as Madras, at any rate, is concerned, you say you might have reduced the salt tax if you had been allowed what you consider a fair share of your own revenues?—Yes.

9543. Is not the salt tax an imperial tax?—I could have reduced the salt tax too in my own province.

9544. But in other provinces?—Possibly not.

9545. Under your system there might be a large reduction in Madras, but other provinces might have to pay more?—As they used to do.

9546. You would therefore be in favour of differential duties all over India?—If need be.

9547. But you said that salt was to be one of the items of imperial revenue?—If they could not get from a particular province so much by reducing the taxation, that taxation must stand.

9548. Everything must be looked at from the provincial standpoint?—I do not say that, because as the imperial expenditure grows, the provincial expenditure also grows. The provinces must contribute more.

9549. Suppose the Imperial Government preferred not to reduce expenditure?—I say the Imperial Government must have a control over expenditure until the people have a voice in distributing the money.

9550. What sort of control?—Just the same control that they have at present, or it might be modified; I mean something like the control they now exercise over increase of establishments or the incurring of recurring expenditure.

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9551. Under the present system the Government of India occasionally gets large surpluses, and it is thereby enabled to reduce taxation all over India. Under your system the Government would have only enough to spend; it would have no surplus?—Very little surplus.

9552. Therefore, any reduction of taxation must be made by the Local Government?—There would not be much possibility of reduction by the Imperial Government, but there would be a reduction.

9553. Suppose the Local Government says: "We do not want to reduce taxation, we will spend money on more schools, or we will have more Sanitary Officers"; would you be satisfied with that decision?—I would leave the Imperial Government control over the expenditure of the provincial Government until the people are in a position to have a voice, or are allowed a voice, in questions of taxation or expenditure.

9554. Under the system you propose, we are supposing (quite hypothetically) that the Government of Madras has accumulated a large surplus, and prefers, instead of reducing taxation, to spend the money on schools, or on sanitation, or roads, or anything else, and you, and other people, are not satisfied with that, and would prefer the taxation reduced. Do you mean that you should have the right of going to the Government of India and saying: "Please compel the Government of Madras to reduce taxation"?—You will remember that I said, if the Government of India had the control, the provincial Governments would not be able to increase their expenditure, but taxation would be necessarily reduced; I leave the control to the Government of India.

9555. Control of the same character as is exercised under the financial regulations—control over the creation of fresh appointments, and control over budgets; you would leave all that to the Government of India?—Largely.

9556. But you would make the revenue provincial instead of imperial, to a large extent?—Yes.

9557. (*Sir Steyning Edgerley.*) What is the ultimate object you have in view in suggesting this decentralization of finance?—Two objects: first, that one province may not be burdened unduly simply because the Government of India may not, for various reasons, find it expedient to tax other provinces; secondly, that the growth of imperial expenditure may receive some normal check.

9558. You seem to say that it would lead to greater uniformity and continuity of policy in administering the revenue?—Yes.

9559. In what way; apparently, *primâ facie*, you rather break it up?—I mean uniformity in the particular province; I do not mean uniformity in the whole of India.

9560. In short, you refer to the provincial revenue, not to the whole revenue of the country?—Yes.

9561. You add: "And that the people may be given a real power in shaping provincial budgets." Do you think that that result would follow?—That would be more possible under my system than the present system. Under the present system land revenue can never be made permanent, because as the imperial needs increase, the Government of India would naturally find it convenient to raise the land revenue, treating it as rent; but, under my system, inasmuch as local taxation is necessary, it is quite possible that land revenue proper would be made permanent, and, if there were any special need, the same revenue might be raised in the form of cess after due deliberation. That would lead to a more equitable distribution of taxation, because one province is permanently settled, another is not, and the revenue that is raised in one province goes for the convenience of another province that has already been permanently settled. I think that is unfair. The system could be introduced into Madras, for instance, subject to the proviso that where additional taxation is needed, it could be raised in the form of a local cess.

9562. If you put on local cesses, would you put them on land?—Land or anything else, according to the needs and means of the people.

9563. Then your settlement would be really no more permanent that if you raised a consolidated tax when the prices justified it?—Not necessarily when the prices justified it, but when there is need in the province. I would not raise it by a single pie, even when there is a rise in prices, unless the needs justified it; then the matter would have to be put before the Legislative Council and before the Government of India, and finally, when it was approved, there would be new taxation introduced proportionate to the needs of the people.

9564. Would you explain what you mean by this phrase: "real power in shaping the provincial budgets"? Do you mean that the provincial Government is likely to be more responsive to public opinion than the Imperial Government?—I say the Government of India would be able to give the people a real share because this would be a purely provincial matter. It would not be mixed up with imperial policy of any kind, and there would be no harm in allowing the people free control as to the way in which expenditure might be distributed.

9565. Do you think that the representations of the people as to local needs would be more effective when made to a provincial Council than when made in the Imperial Council?—They are equally ineffective under the present system.

9566. Do you think that if you had your system of provincial finance, it would be possible to actually discuss the budget in the provincial Council before the year began to which it related?—I think it would be possible to give more power in the matter of adjusting the budgets than at present.

9567. You say that the present Local Fund system in Madras is practically a transfer of liabilities, not a transfer of responsibilities. Do you think that Lord Ripon's policy has been used in that way?—The effect of it is that; whether it was intended, or not, is a different matter; I do not think it ever was intended, but that is the effect.

9568. You say the burden has been shifted on to the local bodies without the corresponding shifting of control by the people?—Yes.

9569. How do you think that has been done?—I think under the present system where there is a local Legislature the Local Government has the right to impose taxation, subject, of course, to the permission of the Government of India. Suppose there had been no such thing as local self-government, the matter would have been purely imperial and provincial.

9570. You have got your District Boards and municipalities, and they have certain duties, and they have certain funds?—Funds raised out of local taxation purely, which would have been met from provincial taxation if the Local Boards Act had not been passed; so that under the Local Boards Act we have additional taxation without any real power to administer the revenue raised by it, the same needs would have been met from provincial funds; I do not see what the gain has been from the passing of the Local Funds Act.

9571. Do you say that the Local Boards have no power at all in spending the local revenue?—Virtually not; they cannot shape their policy in any way they like for the sake of uniformity.

9572. Is that true as to education?—Yes.

9573. Do you mean that officers of the Government are in the majority on these Boards?—They form the majority naturally, because they are either nominated councillors or Government Officers. What they say will be carried, and consequently there is no real controlling voice.

9574. (*Mr. Dutt.*) Under your scheme would it not be possible that the same tax would vary in different provinces; for instance, income tax might be 5 per cent. in one province and 2½ per cent. in another?—No, that would not be possible, because it is raised under an imperial Act.

9575. In the matter of provincial taxation it might be possible?—As to purely local taxes, yes.

9576. You said that it is possible for the land revenue to be made permanent if your scheme was adopted. Are you aware that many checks on the provincial Government in the matter of land assessment have been prescribed by the Government of India? Are you aware of the order issued by the Government of India in 1905 as to remissions in time of calamity?—Yes, but if it could be made permanent there would not be any need for such rules.

9577. Under those circumstances, if the provinces have a free hand, are they more likely to make the assessment permanent?—There would be a chance, because there would be no need of change; the revenue would not be connected with imperial revenue in the strict sense of the term, and therefore there would be a greater probability of the land revenue being made permanent.

9578. When the Government of India proposed to make the land revenue permanent it was some provincial Governments which objected?—That was in the old days.

9579. From the time of Lord Canning to the time of Lord Ripon?—I am aware that the Local Governments would, of themselves, not be likely to forego this revenue.

9580. (*Mr. Hichens.*) You gave us two reasons why you wanted to devolve more financial responsibility on to the provincial Government. One of them concerns the incidence of taxation, into which I do not propose to go. The other reason why you wanted your scheme was that in that way the growth of imperial expenditure would receive some "normal check." Do you mean that the balance in order to make up their budget would come from a direct contribution by the province, and therefore the Government of India would be very chary in asking for an increase?—Yes; and they would have to go up to the level, also, of the poorer provinces, otherwise those provinces would have to raise additional taxation.

9581. Their expenditure would be limited to the amount that the poorest province could contribute?—And by consideration of having to raise taxation in the poorest provinces also.

9582. That is to say, if a certain province was so poor that it could not make any increase at all, and another was very flourishing, the Government of India would not be able to make any increased demand?—Not necessarily. What I submit is that you may borrow money if necessary for a time, if there is any chance of that province developing its revenues in the near future, or, in the case of a hopelessly insolvent province, provision might be made for the amount being distributed among other provinces; but such a case would not arise except possibly with regard to the Central Provinces.

9583. Suppose it became very important for the Imperial Government to raise money?—The provinces would pay their share; the share of the poor provinces would be a very small one. They would not be paying more than their share as they are now. Burma is paying more than its share, so is Eastern Bengal, so is the United Provinces; it is only the Central Provinces that is paying less than its proper share. Therefore I say that any deficit would be made up by a loan for instance from the imperial revenues or from the richer provinces, until the poor province was able to make up the sum; or if the province was hopelessly involved, the Government of India could make special provision, and ask other provinces to contribute.

9584. Your point was this: "In that way the growth of imperial expenditure would receive some normal check"?—The Government of India would be more chary in increasing expenditure, that is what I mean.

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9585. Do you not think that the Imperial Government should be in a position to increase taxation if it thought it was necessary, or to decrease it if it thought it was possible?—Under my system it is only the unproductive expenditure that is in the hands of the Government of India, except with regard to a few Scientific Departments; therefore there would be no great harm if the Government of India found that it must take special precautions to check the growth of expenditure. With regard to productive expenditure, the whole of it is in the hands of the provincial Governments, and therefore there would be no undue limitations placed in the way of the provincial Governments. As regards unproductive expenditure, too, if it should be absolutely necessary, there should be contributions from all the provinces.

9586. (*Chairman.*) You conveyed to us that the Government of Madras, and incidentally, I presume, certain other provincial Governments, were taxed because "it was not convenient for the Government of India to tax other provinces"?—Yes.

9587. I understand you suggest to us that the incidence of land revenue in Bengal is too low, and in Madras and most other provinces too high. That, as I follow your argument, comes from the excessive power in the hands of the Government of India?—They have got excessive power to this extent, that they might raise the necessary revenues by increasing the contributions from other provinces, without disturbing the state of things in some provinces. It comes to the same thing. For instance, we will take Bengal, or the Northern Circars in our own Presidency, or some places in the Central Provinces. The land revenue is now permanently settled there; that province naturally contributes less towards imperial expenditure than other provinces. Now, it will not be possible under the present system to ask the Bengal Government for instance to pay any share, because they will say, "The land revenue is imperial: we are paying the same amount of income tax and other taxes which are imperial, and they are equal in all the provinces; how can we raise more taxation," and the Government of India has no reply. Under my system, Bengal, or the Northern Circars, or whatever it may be, would have to raise the necessary taxation if there was a real need.

9588. Are you aware that at the present moment a *quasi*-permanent financial settlement is being made with Madras, in which the contribution of Madras to the central exchequer in India is being reduced in small items from ¾ to ½ of the revenue derived from the province?—I have heard of it, but I have no definite information.

9589. If that is true, although there is a difference between the permanent land settlement in Bengal and the temporary system in Madras, it is yet possible for the Government of India to reduce the contributions of the various provinces?—Yes, if they take less. I should like to add this on the point as to whether the provincial Governments would have an eye to the growth of revenue. I would like to give you as an instance the growth of income tax in Madras; from 1886 to 1902-03 it has risen from 13 to 29 lakhs, over 116 per cent. Under Part IV., which affects the common people, the tax has risen from Rs. 8,68,000 to 22 lakhs, that is, 175 per cent.; whereas in other provinces the increase is about 10 or 15 or 20 per cent.

9590. Is income tax levied upon accumulated profits?—Virtually it comes to that in the assessment.

9591. Then is not the growth of income tax a guide to the increase of prosperity in the country?—Of a particular section of the community, yes, if the taxation is really fair.

(*The witness withdrew.*)

M. R. Ry. SUBHA RAO PANTULU AVARGAL was called and examined.

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9592. (*Chairman.*) You were a member of the Legislative Council of Madras and of various local bodies engaged in Local Government for a number of years?—Yes.

The administration has in a manner become mechanical and it may be briefly described as an administration of reports and statistics. The personal element of the Executive Officer, including the tahsildar, does not play an important part, and not much discretion is left to local officers in the administration of the district. The most important portion of the work of the local officers is now the collection of revenue. At one time they had large discretion in the matter. They would allow raiyats who could not afford to pay in time, to give security of property for payments, leaving such property in his possession. They would allow payments to be postponed and in various ways consult the convenience of the raiyat. A rule was issued some years ago that not a pie should be left uncollected by *the end of the fasli*: latterly this was changed from the end of the *fasli* to the end of March, and now the rule is that every pie should be collected punctually according to the dates fixed. It is an open secret that village officers find money in case of shortage of collections, so that they may be in a position to report *nil* balance for their village.

No discretion is left to the local officer to grant any remission whatsoever in individual cases where there is a partial loss of crops on wet lands. It is only where there is a total failure of crops on wet lands that he can grant remission, and total failure is determined only when there is no more than one anna or one-sixteenth of the "ordinary crop" on the entire field and not on portions thereof. With regard to dry lands, the local officers have no discretion whatever to grant remission in individual cases.

The distribution of water is entirely under the control of the Public Works Department. The inferior agency for the distribution of water, viz., the Delta Superintendents, is corrupt. The Revenue Department is powerless to help the raiyat with regard to his complaints about the inadequate supply of water. In consequence of the new system of pipe irrigation introduced *en bloc* into almost the whole of the Godavari delta in the beginning of this season without consulting the Revenue Officers or the people concerned, the supply of water has not been adequate and there have been loud complaints to the revenue authorities against the procedure adopted.

In several other matters local officers are tied down to rules and have no discretion whatever to spend small sums in anticipation of sanction.

An Upper Subordinate Service might be created on salaries beginning with not less than Rs. 50 and tahsildars and deputy tahsildars, etc., recruited from their ranks and not from those who have risen from clerkships on Rs. 15.

It would be well if the inspection made by the members of the Board of Revenue were not confined to their special departments, but extended to the administration of the district in general, the relation between the European officers and the people, and the economic condition and welfare of the district, etc.

I am of opinion that the policy of Government is too much dominated by considerations of revenue.

(*a*) The latest example of this tendency is to be found in the way in which Government enfranchised the service *inams* in proprietary villages under Act II. of 1894. When similar *inams* were enfranchised in Government villages, they fixed the quit rent at five-eighths of the *paimash* assessment and placed them on the same footing as other *inams* enfranchised by the *inam* Commissioner. But when the Act was brought into force, the Government issued instructions that they should be enfranchised at the full assessment, and subjected them also to a periodical revision every 30 years. The holders of these *inams* have been reduced to the position of *raiyatwari* holders without the privilege of obtaining remissions, which the latter possess.

(*b*) The manner in which the districts of Godavari and Kistna were recently re-settled has resulted in the violation of pledges made from time to time by the Government that there would be no re-classification of soils or the grain outturn at the revision of settlement, and that the revision would be made solely with reference to the prices of food grains. Notwithstanding, the districts of Godavari and Kistna were recently re-settled on the basis of re-classification of soils.

(*c*) In the re-classification of soils raiyats' improvements should not be taken into account. But when in the Godavari and Kistna deltas there was a permanent improvement in the character of the soil on account of the use by the raiyat of the anicut water for which he paid a fair commercial value as determined by the Government, the Government taxed this improvement, and made the re-classification on the basis of the *present improved character* of the soil.

(*d*) Even sand taken from the dry bed of the river for *bonâ fide* domestic purposes is taxed, so also water taken from the river in pots for watering plants as well as trees. Even rain water collected in pits by the side of the railway, if occasionally used for watering plants, does not escape taxation. In a *taluk* in the Kistna district thousands of rupees were collected by way of penal assessment for earth taken from dwelling sites in villages for manuring fields, and attempts are even made to tax water taken from roadside pits for making bricks.

European Executive Officers have ample opportunities of coming in contact with the people. Under the rules they tour about their divisions for about five months in the year and have to hold *jamabandi* once a year when they might come in contact with the raiyats of the division. The *jamabandi* as at present conducted is a farce.

The obstacles in the way of their obtaining intimate knowledge of the wishes and wants of the people are various:—

Their imperfect knowledge of the vernaculars, as also of the ideals, customs and manners of the people. Their disinclination to mix freely with the people and consult them. Their exclusiveness, assumption of superiority, and want of sympathy towards the people of the country. Their consciousness that in the ordinary course they will rise to the grade of a District Collector or District Judge. Want of time due to their being called upon to discharge magisterial duties in addition to their revenue and other work.

The appointment of Indians to the Executive Council and the Board of Revenue will go to some extent to improve the present situation. Such appointments will tend to considerably check the corruption in the Subordinate Service now so much complained against. As far as my enquiries go, the services in Mysore compare favourably with those in this Presidency, the main reason being that the heads of departments there being Indians, they have ample opportunities of becoming acquainted with what is going on around them, and the consciousness on the part of the subordinates themselves that there are men at headquarters who are sure to know if they misbehave, serves also as a check on their conduct.

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Some palliatives may be suggested to improve the existing state of things:—

(1) The members of the Indian Civil Service should not be promoted to the office of District Collector as a matter of course, but a careful selection should be made on proof of fitness and sympathy with the people.

(2) Those that are appointed to the Executive line should for some time serve as tahsildars in charge of *taluks* or portions thereof, and this will bring them in actual touch with the people and their wants.

(3) The present vernacular tests should be made more difficult and, in my opinion, it is better to insist on a good knowledge of one vernacular than a superficial knowledge of two vernaculars, as is now done.

(4) The duties of Revenue Officers should be lightened and they might be relieved of their magisterial duties, etc., so that they may have more time to attend to the general administration and the wants of the people.

(5) The Collector's *sheristadar* should be an officer of a higher grade, belonging to the Provincial Service, and he should act as a personal assistant to the Collector; and his opinion should be submitted to the higher authorities on all important matters along with the opinion of the Collector.

The important question in connection with municipal administration is how to enlarge their *powers in matters of finance*. The crying need of each municipality is a good water-supply and a drainage scheme, which are now beyond their resources. The recent policy of the Government of India is to restrict grants by the provincial Government for this purpose. In several municipalities the maximum amount of taxation under the Act has been reached, and there is no prospect whatever of municipal revenues becoming more elastic unless powers are given for raising funds by further taxation. But there are no further sources to be tapped. The only remedy is that a portion of the imperial revenues should be ear-marked and distributed every year among municipalities. The whole or a portion of the revenue derived from excise within municipal limits should be left to municipalities, and this will go a great way to relieve their chronic poverty. If this is not feasible, the profession tax should be abolished, and in its place municipalities be empowered to levy income-tax, municipal areas being exempted from the operation of the Income Tax Act, II. of 1886.

With regard to administrative powers, municipalities have no free play at present and are too much restricted by Government control.

(*a*) Municipal schools are run practically by the educational inspecting agency of Government. They are subject to their supervision and control. Though the power of appointment, dismissal, and promotion is vested in the Chairman, still in practice the recommendation of the educational authority is absolute. Even in the case of leave and transfer, the Inspecting Officer takes the initiative and appoints or transfers a person subject to the approval of the Chairman later on. Municipalities should be placed in this respect in the position of the Managers of aided schools.

(*b*) Government medical subordinates employed in municipal hospitals are generally appointed and transferred without consulting the wishes of the Council. The Medical Department should invariably consult the wishes of the Councils in appointing and transferring medical subordinates in municipal institutions.

(*c*) The working of section 39 of the Municipal Act with regard to Municipal Secretaries has not been a success in several places. It has brought into existence a conflict between the Council and the Secretary when the Secretary is supported by the Government officers. Under the Act the Secretary is independent of the Chairman in the control of the office and collection staff, though the Chairman is directly responsible for municipal administration and the entire executive power is vested in him. I think the Secretary must be placed on the same footing as the other servants of the Council.

(*d*) Municipalities ought to have control over the location of liquor and toddy shops within its limits, and should have some power to inspect them and see that the rules are observed, and that these shops are not a nuisance to the neighbourhood.

(*e*) At present there is a double detective and prosecuting agency—municipal and police—regarding the offences against the Municipal Act. The result of this double agency causes much oppression, besides resulting in inefficiency. With regard to offences under the municipal law, municipalities should either have a separate police force of their own, the ordinary police having nothing to do with this branch of work, or the police force must be separated and a part thereof deputed for municipal work, acting under the control and supervision of municipalities.

District and *taluk* Boards, as at present constituted, are *quasi*-departments of Government, and the people have no effective voice in the control of Local Fund affairs. It is desirable that each taluk should have a *taluk* Board, as far as possible with a non-official President and Vice-President. The District Board should consist only of members elected by *taluk* Boards from among their number with an elected President wherever available. The members of *taluk* Boards should be elected. The Collector and Divisional Officers might be *ex-officio* members of the District Board and the tahsildars *ex-officio* members of the *taluk* Boards of their taluks.

Taluk Boards might be given some control over the disposal of unoccupied land in the villages belonging to Government. They might well be consulted in the disposal of such lands, and in case the Executive Officer differs from the Board, the matter should be submitted for the orders of Government.

I am against investing the District Board with powers of supervision and control over smaller municipalities. If feasible, a District Committee consisting of representatives—one elected by each municipality and *taluk* Board and one by the District Board where necessary—might be formed for each district with certain defined powers affecting local self-government in the district. Such a body may be entrusted with some of the powers now exercised by the Collector and Government, such as the conduct of elections, questions relating to taxation, etc., subject to such rules as the Government may frame in such matters, and the general inspection of the working of local bodies. The experiment may be tried in selected localities at the outset.

Under British rule the village panchayat system has disappeared. The village headman and *karnam* have lost their old status. They have become practically mere tax-gatherers of the village and the instruments of the Revenue Officers in the collection of revenue. The position of the village munsiff does not inspire confidence in the village, owing to various causes. There is now little inclination in the village to refer disputes to arbitration. No doubt the Village Courts Act, I. of 1889, authorizes village munsiffs to entertain suits up to Rs. 20. But the bulk of suits below that amount is tried by the district munsiffs. It would be a great advantage if panchayats are constituted for the trial of petty civil and criminal cases and also for looking after sanitation, education, and police in the village. The panchayat may also take cognizance of such revenue matters, especially irrigation disputes, as may be left to it by the revenue authorities. On such a panchayat, especially in the trial of civil and criminal cases,

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the village munsiff and *karnam* should have no place. The members of the panchayat ought to be elected and not nominated. The jurisdiction in the trial of civil suits must be exclusive and not concurrent with other Courts. The Board for education and sanitation may be similarly constituted. The unit of area may be a single village or group of villages, according to local conditions. The legislation that might be introduced for bringing into existence these Boards should at the outset be more of an enabling character giving the villages the right to apply for the introduction of the Act.

I view with favour the formation of Administrative Councils consisting of the District Collector and at least two Indian gentlemen of independence, seeking no favour or promotion at the hands of the Government. To secure such persons and make the Council really effective and popular, one of them at least must be elected at the outset. I think such a Council might command the confidence of the people in matters that may be specially delegated to them, such as revisions of settlement, remissions, famine relief, plague measures, education, agricultural loans, irrigation questions, the administration of the income-tax and excise, control and supervision of Local Boards, &c. In case the creation of Administrative Councils is not feasible, the creation of Advisory Councils for the district might be of some help for the present in the administration of the country. It might consist of about a dozen persons and be formed on an elective basis. The opinion of the Council on any subject referred to it should be submitted to the Government with that of the District Officer; and there must be sufficient safeguards to ensure that the opinion of the Council is availed of in the administration of the country and not treated as the opinion of assessors in Sessions cases triable with them.

Whether Advisory or Administrative Councils are brought into existence or not, I think that the *jamabandi* now conducted in each *taluk* may be made a reality. On such an occasion a conference of the leading men of the *taluk* might be convened, and their wants and wishes fully ascertained. Similarly a district conference might be held once a year and its views on matters affecting the district should be conveyed to Government with the opinion of the Collector; and if it is to result in any good, the Government should communicate its views to the conference.

It is highly undesirable to curtail the right of appeal to the Local Government now enjoyed in respect of administrative action, for the right is much valued and appreciated by the people and the curtailment will cause much discontent. Besides, these appeals, when properly studied and carefully scrutinized, will afford valuable information to Government as to how several laws and executive orders are worked in practice which no official report can supply. The Government will also have the advantage of knowing how District Officers have been carrying out their orders.

The right of appeal to the Local Government, now granted to officers affecting them personally, is not unnecessarily liberal and it requires no curtailment. If it is taken away, a sense of insecurity will be engendered, and the service will not attract the best talent in the country.

9593. You have served as Chairman of the Rajahmandri Municipality for some time. Had you, as Chairman of that body, a considerably free hand in the administration of the affairs of the municipality?—No, not quite a free hand.

9594. The municipality framed its own budget?—Yes.

9595. Did it submit that budget to the Collector?—Yes, through the Collector to the Government.

9596. During the year you were Chairman, did you find that many alterations were made in the municipal budget?—It is a long time since I was Chairman, but, generally speaking, I can say that the municipality, even if it wants to increase the pay of a peon or of a clerk by a rupee, has to go up to Government for sanction.

9597. Would you suggest to us that the principal duty of a municipality is to enlarge the pay of the peons?—No.

9598. Therefore the restriction upon the increased pay of a peon could be such a very trifling matter that even if it had to go up to Government it would not be a serious restriction on the rights of the municipality?—Not a serious restriction, I would say.

9599. In the case of the more serious restrictions on the municipality, did you find that the action of the Collector restricted your freedom? For instance, during your term as Chairman did your municipality make any suggestions with regard to sanitation?—I do not recollect exactly. For instance, so far as increased taxation is concerned, the Government has got the potent voice in increasing the taxation of the town; the wishes of the Municipal Council are not of much weight so far as increasing the taxation of the town is concerned; if Government think that the taxation of a particular town should be increased, practically it is carried out.

9600. With regard to the decrease of taxation, have you a free hand?—I do not think so; neither as to increase nor decrease practically; I think the policy is determined by the Government so far as the general incidence of taxation is concerned.

9601. Your members of the municipality are elected?—Yes, a portion of them.

9602. Did you form committees to deal with this or that subject?—Yes.

9603. And did the committees, when you framed your budget, make an estimate of the expenditure each in his own charge?—They made the estimates; the supervision over the expenditure generally is entrusted to these committees.

9604. But who frames the expenditure?—The Municipal Council, as a whole.

9605. Did you find much, or any, interference with your proposals during the ten years that you were a councillor and the one year you were a Chairman?—Yes, there was usually interference with regard to how much should be spent on roads, how much on sanitation and other heads.

9606. Do you think at all events that the municipalities should be free both to increase the pay of peons and to do other things as well?—Up to a certain limit.

9607. You think there ought to be some controlling voice over the action of municipalities?—Yes, some control.

9608. You were a member of the *taluk* Board and the District Board?—Yes.

9609. The powers of the District Board and of the *taluk* Board are more restricted than those of the municipality?—Yes.

9610. Were there committees of the District Board in existence when you were a member?—I was on one committee of the *taluk* Board, in connection with education, if I remember rightly, to see whether the number of schools was sufficient and how far the number could be reduced.

9611. Were the recommendations of those committees accepted by the *taluk* Board?—I think so, generally.

9612. How many members are there on the District Board here?—At one time there were about 32 members I think.

9613. Is that number sufficient to represent the whole district which is covered by their jurisdiction?—It might be more; it might go up to 50.

9614. Would you find 50 persons in the district who would gladly go some considerable distance to attend the meetings?—Yes.

9615. If you had a system of sub-committees, how often would the members of the Board have to meet?—I think the present system would do, namely, meeting once a month; the sub-committees might meet at the time of the meeting of the Board, and might sit on for two or three days or for any time that might be required, and go through the work.

9616. They would not find any difficulty in coming from their homes to the centre of the district for two or three days?—No, not those who are appointed to the District Board, because they are generally well-to-do people who can afford to stay away.

9617. Are the members who are now serving on the District Board representative of all the communities in the district?—Fairly, I think. I mean the intelligent portion of the district, that is all I would say. It is not by every sect that the representation is made, but a general representation of the intelligence of the district. The landed interests and the leading men of the district are generally chosen.

9618. The District Board does not frame its own budget?—It does frame its own budget; there are budgets submitted by the *taluk* Boards, which are consolidated and submitted to the Government.

9619. Are these prepared by the District Board as a whole, or by the Collector who is President of the District Board?—By the Collector.

9620. Are the members of the District Board, as a matter of fact, consulted when the budget is framed?—No.

9621. About three-fourths of the money which is expended by the District Board is raised by a cess?—Yes.

9622. And about one-fourth is provided by the provincial Government?—Yes; practically from the cesses.

9623. You would not altogether disregard the 25 per cent. which comes from the provincial Government?—No.

9624. If you had to make up that quarter, it would rather increase your expenditure?—Yes.

9625. Would it increase your popularity in the district at the same time?—Oh no.

9626. Would you agree that that sum of money which is provided by the provincial Government to the District Boards requires that there should be some control by the provincial Government over the expenditure?—Yes.

9627. But in consideration of the other three-fourths which the district finds, you think there ought to be a much greater degree of control by the members of the District Board?—Yes.

9628. Then with regard to the powers which the Local Boards Act of 1884 enables the Government to confer upon District Boards, you would like to see a considerable delegation of power under that Act?—Yes.

9629. What is it at the present moment that the President, who represents the District Board, can do—no doubt by his own authority, but in the name of the Board?—He has got entire supervision over the Public Works Department, which is the most important department of the District Board.

9630. That is, roads and buildings?—Roads, buildings, and things of that kind.

9631. Sanitation?—Vaccination and sanitation.

9632. Is there any particular direction in which (apart from a delegation of power) you, as a member of the District Board, would like to see powers given which you think could be usefully given to the Board, or are the powers of the District Board sufficient if they were only exercised by the members instead of by the President alone?—I would like the President not to be the District Collector as at present, but a non-official elected by the District Board. I would have no objection, under those circumstances, that the restrictions now placed on the President be continued for some time.

9633. (*Mr. Dutt.*) You speak of the *kistbandi* not suiting the conditions of the different *taluks* in this district?—So far as the wet kists are concerned, I consider that they do not suit the convenience of the *raiyats*; it would be a great advantage if the kists were altered at least by a month later.

9634. What are the kists here?—The wet kists are January, February, and March.

9635. When would you like them to be?—I would like them to be February, March, and April.

9636. The *fasli* year ends in June?—Yes.

9637. You have said in your statement that the supply of water has not been adequate, and that there have been loud complaints to the revenue authorities against the procedure adopted?—Yes.

9638. Is it the fact that crops have not been reaped by the time the kist comes round?—This year there have been loud complaints; I have got lands myself and my raiyats have also made complaints to me.

9639. Have you gone to the place, and seen whether the supply of water is insufficient?—No, I have not gone for certain reasons.

9640. Did you get any redress?—Latterly, just a month or two ago, there was a new additional Assistant Engineer appointed, who was good enough to inspect the lands, and he allowed additional spouts which gave them some relief.

9641. You think that if the revenue authorities had some control over the distribution of water you would get speedier redress in that way?—I certainly think so.

9642. And therefore you recommend that the revenue authorities should have a larger control over the distribution of water?—Yes.

9643. You have made a recommendation that when the members of the Board of Revenue come to inspect different districts their inspection should extend to administration in general and not only to their particular departments. Is that practicable?—I mean an enquiry into the general state of the district, whether the relations between the Executive Officers and the people are smooth, and whether there are no serious complaints; how the work is being conducted, whether there is oppression on the part of the District Officers, and whether there is contentment among the people. At present we do not know whether the member of the Board comes to the district or not; it is only the people connected with the department that can know of his visit to the district.

9644. You refer in your statement to a *taluk* in the Kistna district where "thousands of rupees were collected by way of penal assessment for earth taken from dwelling sites"?—Yes, that is the information I received; I did not go to that place myself.

9645. You have said that the major source of the income of the District Board is the local cess?—Yes.

9646. Can you say whether the local cess was previously assessed on the land and water rate also?—I do not remember.

9647. At present the local cess is assessed on the consolidated land and water rate?—Yes.

9648. Would the formation of Advisory Boards to advise the Collector be a move in the right direction?—Yes; between the Advisory Board and Administrative Boards I would prefer Administrative Boards, and, if that is not feasible, as the next resort, I would have Advisory Boards.

9649. Can you mention a few matters in regard to which the advice of the Advisory Board would be of value to the Collector?—In the matter of plague measures, famine relief, income tax, the general state of the country, the remissions that might be made in a particular year—what proportion they are to be fixed at—some such matters as these.

9650. Is not the income tax now assessed by the tahsildar?—Up to a certain extent, then by the Divisional Officer, and so on.

9651. In what way could the members of the Advisory Board help in the assessment of income tax?—They could give their views as to whether a man was a fit person to be assessed at a particular amount.

9652. That is to say, that, when the appeals came to the Collector, he would take the opinion of the Advisory Board?—Yes.

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9653. (*Mr. Hichens.*) Would you allow municipalities to frame their own budgets without any Government control?—There must be some control.

9654. You would have the budget sent up to the Government for sanction?—Yes.

9655. Would you have certain appointments subject to the sanction of the Government?—Up to a certain limit of salary they might have a free hand.

9656. And dismissals?—Dismissals also, up to a certain limit.

9657. What is your objection to leaving those matters altogether to be settled by the municipality itself?—There is no obection except that it will not be granted under the present circumstances; Government consider that the municipalities are not advanced, or at least not sufficiently advanced, to be entrusted with the power of appointing their own men up to any amount of salary.

9658. You think that the municipalities are not at the present time such a body as would make it desirable to give them full power?—Not to appoint any person.

9659. Are you afraid that some misfortune would happen—that they would do something indiscreet?—Yes, they may not select the best person available.

9660. But who would it affect in that case—who would suffer?—The municipality itself.

9661. The ratepayers?—Yes.

9662. Then will they not turn out the men who abuse the confidence reposed in them and elect some one else?—Not quite, because public opinion is not so advanced as to assert itself in the municipality.

9663. (*Mr. Meyer.*) Would the creation of fresh municipalities be a popular measure?—No, because as soon as the municipality is created there is taxation, and very soon the taxation reaches the maximum limit prescribed under the Act, and even the revenue that is derivable from all the sources of the municipality is not sufficient to meet its demands, so that people do not feel that they get adequate return for the municipal franchise that is given to them.

9664. There is that difficulty then in the way of the extension of local self-government—that the people themselves, or, at any rate, a great number of them, do not want it?—It is not quite in that way that I would like to put it. The finances of the municipality are so limited, and so disproportionate to its needs, that municipal administration is not popular, and therefore there must be more sources of revenue available, without, at the same time, too much burden being thrown on the people.

9665. From that point of view would there not be a danger of the revenue derived from people living in a rural area being applied to the benefit of people living in a few towns?—I consider it is altogether a mistake to apply to our municipalities the principles that are applied in the West. Our municipalities are not on the same footing as the municipalities in western countries. A great number of the people are poor and some parts are agricultural; therefore, we cannot get adequate revenue from the municipality itself. Even in England and America the liquor licenses and death duties and other sources of revenue are given to the municipalities.

9666. Do you know of any case in which a municipality in England gets the income from death duties?—The probate duties I think they are called.

9667. Or income from liquor licences?—Yes; at any rate some portion of the imperial revenue is handed over. So far as the necessities of the municipalities are concerned, some grant might be made annually by Government, so that they might satisfy all their needs and make municipal administration somewhat more popular than it is.

9668. Has not an increase of taxation to be sanctioned by the municipal Council?—Yes.

9669. Therefore, it is not precisely forced upon them by Government?—Practically, that is my experience.

9670. You spoke of the necessity of the Government securing some control over a municipality, checking the budget, and so forth. Might not that control be expediently delegated to the Collector?—No; if it is to be given to somebody, I would rather like it to be with the Government, or with some other body which is elected by different municipalities and District Boards.

9671. You mention the control of the municipal schools by the Education Department. You say that Educational Officers appoint teachers in the municipal schools and give them leave without reference to the Chairman, and then send in the matter for his formal sanction. Is that practice continued at present?—That is so.

9672. Does the same thing occur in the *taluk* Board schools?—Yes, I think so.

9673. Is there too much interference by the Educational Department over the educational policy of these local bodies?—Yes.

9674. As regards sanitation, do you complain of anything of the same sort; are local bodies sufficiently left to themselves in the matter of sanitation?—I think so, fairly; they have got a sanitary staff, and they look after everything except sending up estimates and so on.

9675. Have you ever considered whether they send up an unnecessary number—whether they might not be left more to themselves in regard to petty projects?—In regard to petty projects, I think they might.

9676. You refer to the desirability of the municipality maintaining a separate police force. Would that be expedient?—Yes, it seems to me to be necessary also.

9677. To deal with riots?—Not in that sense; I am only dealing with offences against the Municipal Act.

9678. You want to have two sets of police, the police for law and order, still under the Government, and the police for dealing with offences against sanitation and so forth, under the municipality?—Yes, so that the duties may not be discharged by one and the same person; a portion of the police being told off to do municipal duty. That is my idea.

9679. It is alleged by some persons that there is a certain amount of corruption on the part of police constables and others. Assuming that to be true, would you not have two bribetakers instead of one under your system?—But the number of offences would not be more, and the bribe is according to the offence committed.

9680. Are not the budget estimates placed before the District Board at a meeting?—The budget is prepared by the Collector; of course it goes before the whole Board.

9681. It goes before the Board at a special budget meeting?—Yes; of course it is sanctioned, but I would say that no one understands it.

9682. Are there not schedules showing the roads to be repaired, and the roads to be constructed, and so on?—Everything is there cut and dried, but nobody understands it.

9683. Surely you would understand it?—I was there, and I did not know one item of the budget. The budget is placed before us there, and it is passed; it is not gone through item by item, or head by head.

9684. Does it not lie on the table; is it not possible for members to find out what is being done?—I do not think it is on the table. I wanted the budget and all the papers to be laid on the table, but it was not done during the time I was a member.

9685. You suggest that the Collector should not be the Chairman of the Board, but that there should be an elected Chairman?—Yes.

9686. In that case would you give the Collector any powers of outside control?—No; it is the Government who should have that. The Collector should be a member of the Board like any other, if the Government chose to appoint him.

9687. The Collector is to be divorced from all matters affecting the welfare of the district as regards roads and sanitation and education, is that your idea?—Yes, except that as the mouthpiece of the Government the papers would go through him.

9688. He would have no direct influence?—No direct interference.

9689. Your Collector would become a mere Revenue Officer and Magistrate?—I think he has other duties besides those, which would take up all his time; I think it would be an advantage from the point of view of relieving the Collector. The Board should be in the same position as the municipality is.

9690. You think it would be really of advantage to make the Collector simply an officer dealing with revenue matters, and with magisterial work, and having nothing to do directly with the other work of the municipality?—That is my opinion, if local self-government is to be improved in any way.

9691. You spoke about the *kists* not being suitable in this district. Have you, or other people, made representations on the subject?—Yes, that was one of the points connected with the settlement raised in the memorial submitted by the District Association.

9692. That was some years ago?—Yes.

9693. But have you made any recent representations?—No, it is no use.

9694. (*Sir Steyning Edgerley.*) I understand that your local self-government organisation would be District Boards or municipalities on which the Collector would not sit, and you suggest that in order to assist the Collector you might have an elective Administrative Council which should help him in various branches. If that were realised, do you think that the Council would be adequate to exercise the outside Government control over the Local Boards and municipalities?—Yes.

9695. So that your Administrative Council might develop into a second step in local self-government, exercising higher control, and nothing need go outside the district at all?—Yes.

9696. You would in that case think it unnecessary for budgets or any other matter to go up to Government; they could all be settled by the Collector and the Administrative Council?—Yes.

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9697. (*Sir Frederic Lely.*) You have been familiar all your life with village life?—Yes, I know village life pretty well.

9698. And your father before you?—No, we do not live in villages, we live in towns like Rajahmandri.

9699. You are a landowner?—Yes, I have got lands in villages.

9700. Can you tell me, from your actual knowledge of what is done, whether the *jamabandi* was formerly more of a reality than it is now?—Yes, that is the tradition. Some 20 or 30 years ago it was more popular, and used to attract lots of raiyats, and the Collectors used to hear their grievances and spend more time upon them.

9701. It is suggested that visiting the villages one by one brings the British officer in contact with the people just as well as at the *jamabandi*?—I do not think he visits the villages with that purpose.

9702. But if he did, is there not an advantage in getting, say, 10 or 12 villages together?—Yes.

9703. Is that not really a council of the best sort?—It would be an advantage.

9704. It is a spontaneous council?—Yes.

9705. Then as to the *karnam* in the village; he is the last in the string of officials between the Supreme Government and the people?—Yes.

9706. And in some respects he is the most important officer in the interests of the people?—Yes.

9707. We are told that the office of *karnam* is one that is much desired?—Yes.

9708. Why should you say it is desired?—Because it gives the holder some position of influence in the village.

9709. Not because of the pay?—The pay is not much, and is not attractive either; it gives the *karnam* a position and one thing and another.

9710. Irregular gains?—One thing and another—everybody understands.

(*The witness withdrew.*)

Mr. K. PERRAJU was called and examined.

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9711. (*Chairman.*) You have been a member of the Legislative Council of Madras?—Yes.

9712. And a member of the municipal Council of Cocanada?—I was its Chairman for eight years. I have also been a District Board member and an Honorary Magistrate.

9713. Are the duties of the Collector of this district too numerous for any one officer to do?—Yes.

9714. You wish to lay stress upon the fact that although the Collector has all these duties to perform, very often he possesses so little knowledge of the vernacular that he cannot really discharge many of these duties adequately?—That is so.

9715. It is clear in your judgment that any officer who is the head of the Revenue Department, who is a Magistrate, Political Agent, Collector of Sea Customs, Head of the Police, Head of the District Board, and Court of Wards agent, must especially know the language which is spoken by the people over whom he has jurisdiction?—Certainly.

9716. Have you noticed that there has been a falling off in late years in the knowledge of the vernacular amongst officers?—Yes, it is very remarkable.

9717. To what do you attribute that?—Before, all the correspondence between the *taluk* and the *huzur* was in the vernacular. All petitions were presented in the vernacular; there was then the greater necessity to hear all petitions just as they were and to understand them, but now all the correspondence from *taluks* to *huzurs* is in English.

9718. Can the tahsildar read the vernacular?—Yes, all tahsildars can.

9719. What is the cause of the change?—There is less desire on the part of the officials to have contact with the people, and to know them and to understand them.

9720. Do you know that as a matter of fact yourself, or is it only what you think?—I should think from what I have seen taking place.

9721. Is that because there is a greater reluctance on the part of the people, or because of a greater reluctance on the part of the officials?—I should put it down to indifference on the part of the Executive Officers.

9722. Where do most of the officers do their work?—In their offices, or at their homes.

9723. Where is the Collector's office for instance?—A Collector does most of his work in his house.

9724. Has he no office at the Collectorate?—There is a room in the Collector's house used for the office, and there will be one clerk in attendance, and most of the work is done there, except revision work perhaps.

9725. Do you suggest that that makes any difference in the possibility of seeing the Collector?—Yes.

9726. Does it make it easier to get at the Collector?—If the Collector be in a recognised office, at a particular house, always accessible to the people, then there will be greater opportunities.

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9727. Does that make a real difference?—It makes a good deal of difference.

9728. I take it that you are substantially in agreement with the previous witness that the powers of the municipalities and of the District Boards might very reasonably be increased?—I should say that the powers should be considerably increased, Government retaining to itself the power of veto and the power of passing the major heads of the budget. Instead of interfering with all the duties, I would restrict their interference to those matters, and, subject to that, the municipalities ought to be given absolute freedom.

9729. Would you agree that, if absolute freedom is to be given, absolute financial responsibility must be accepted?—Subject to Government assistance in matters affecting the general district.

9730. Then that is not absolute responsibility, if you are to be subject to Government assistance?—It is not absolute, but it would to a certain extent be absolute, because what the municipality has to spend will also be beneficial to the people of the district as a whole.

9731. Are you prepared to admit that if absolute freedom is given, absolute financial responsibility must be accepted?—You mean absolute responsibility without any aid from Government; no, I would not accept that.

9732. Then can you ask for absolute freedom?—That is why I said that Government should have control over the budget and Government should exercise their right of veto.

9733. Who is to exercise that control?—Government, through the Collector.

9734. I think you would agree with the evidence we have heard with regard to panchayats?—Yes.

9735. Do you think they are desirable?—Yes.

9736. (*Sir Steyning Edgerley.*) Did you hear the last witness' answers to my questions?—Yes.

9737. Are you of the same opinion?—Yes.

9738. If you had an Administrative Council, you would be prepared that the whole control of local self-governing bodies should remain in the district?—Yes.

9739. (*Mr. Meyer.*) What would be the character of your Administrative Council? Do you mean a nominated body or an elected body, or one made up of both elements?—An elective body.

9740. And it is only to such a body that you would surrender the control over the municipalities and Local Boards?—Yes.

9741. Without such an elected body you would think it desirable that the control should be exercised by the Provincial Government as at present?—Yes.

9742. Your body would be elected by whom?—By all the municipal members and Local Board members.

9743. Would that not be controlling them by themselves?—Well, they will return all the members; on the Boards we have got also some Government nominees. In the District Boards we have members appointed by Government.

9744. Half your District Board members are already elected?—Yes; I would extend it to three-fourths.

9745. Would you have the *taluk* Boards nominated or elected?—Elected.

9746. And the municipal councillors?—All elected.

9747. Then these bodies would elect a further body to control themselves?—Yes, subject to the veto of the Government.

9748. Veto of what—of the appointment of a 15-rupee clerk, for instance?—No, not with regard to these minor matters.

9749. What sort of matters would you reserve for the power of veto?—As regards all matters in which Government thinks that the decision of the body is not suitable to the interests of the district; in all such matters I would give them absolute discretion.

9750. One Secretary to Government told us in Madras that he thought there was a hurtful tendency on the part of local bodies to raise the pay of appointments on purely personal grounds. Would you think that the Government, if it held the same views, should veto such appointments?—Such cases will be infinitely small, and you do not frame a regulation with reference to some extreme cases.

9751. You think that the Government should have an absolute veto in all matters, whether large or small, but that they should exercise a reasonable discretion?—Yes.

9752. You spoke about the change in British officers in the matter of their knowledge of the vernacular. Is not the vernacular script rather difficult?—Not difficult, unless we are very bad penmen.

9753. As a lawyer you have seen a number of these *arzis* and other documents?—Yes.

9754. Are not the characters all run together, more or less; you cannot read them as plainly as you could read an English letter, for instance?—There may be bad writing even in English, but still we can read these *arzis*; we are accustomed to read them.

9755. An officer might be able to talk quite fluently and yet have a difficulty in reading the vernacular script?—Yes.

9756. So far then he would be dependent on what a clerk read out to him, if that is the case?—Yes.

9757. On the other hand if an English letter is sent up he understands it at once?—Yes.

9758. The bulk of your tahsildars now speak and write English fluently?—Yes.

9759. (*Mr. Hichens.*) The Government give no contribution to the funds of the municipality at the present time?—No.

9760. Ought they to contribute something?—If any large works such as water-works and drainage schemes, are to be brought out by the municipality, we depend on Government aid.

9761. You do not think it is right that Government should be asked to contribute towards the ordinary expenditure of the municipality?—No.

9762. Does the Government pay an assessment rate on its offices?—Yes.

9763. (*Mr. Datt.*) You said that if an Administrative Council or Board was formed, you would entrust to them the supervision of District Boards and municipalities. What other duties would you be inclined to entrust to the members of the Administrative Board?—Income-tax appeals, the applicability of Government rules as regards settlements, such as settling the irrigation rates and the grain values; land remissions, agricultural education, and our side of the economic administration of the district.

9764. In all these matters would you leave the final power in the hands of the administrative body, or would you simply ask them to make their recommendations?—I would give them the power to decide them, subject to the general veto of the Government.

9765. In the matter of remissions, for instance, the Collector has certain powers; would you transfer those powers to the Administrative Board?—Yes, as regards their applicability to particular localities.

9766. And would you leave no power in the hands of the District Collector?—The District Collector would have all other powers, but if any remission is granted on a percentage to be fixed at discretion, that discretion he will exercise in Council.

9767. Do you say that the Collector should be a sort of Chairman of the Administrative Council?—Yes.

9768. And in those matters he would exercise his powers in consultation with the other members of the Council?—Yes.

9769. So that in regard to income-tax appeals he would dispose of them in consultation with the other members of the Administrative Council?—Yes.

9770. Would you also invest this Administrative Council with some powers of supervision over village panchayats and their work?—Yes.

9771. Are you generally in favour of the creation of village panchayats in small rural villages?—Yes.

9772. You are aware of the existence of certain village unions. In those cases would you abolish those unions and establish village panchayats, or would you keep the unions as they are?—I would leave the unions as they are, and leave all the principal administration to them.

9773. And in those places which have no unions you would recommend the creation of village panchayats?—Yes.

9774. Briefly, what kind of duties would you entrust to these village panchayats?—The settlement of all the petty criminal and civil disputes, village sanitation, village education, and such matters.

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9775. Such as primary education?—Yes.

9776. (*Chairman.*) You think that the proposal which you make, which would involve a panchayat, a *taluk* Board, a District Board, and an administrative body, would not be an unnecessarily cumbrous method of Government?—No, certainly not.

(*The witness withdrew.*)

Adjourned.

THIRTEENTH DAY.

RAJAHMANDRI, *Friday, 6th December*, 1907.

PRESENT:

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

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

M. R. Ry. P. R. SUNDARA AIYAR AVARGAL was called and examined.

M. R. Ry. P. R. Sundara Aiyar Avargal.

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9777. (*Chairman.*) Have you any experience, as member of Local Boards, of the actual working of the administration of Government?—Not as a member. I am a vakil, or lawyer, spending about four or five months of the year in the *mufassal* in my practice. I am also a landowner.

Decentralization on any large scale would not be welcomed by the people of this country, unless it be accompanied by a substantially closer association of Indians in administrative work than now exists. Any large increase of the power of District Officers or Departmental Heads will be viewed with distrust, unless the exercise of those powers be checked and regulated by the counsels of persons credited with intimate knowledge of the country and undoubted sympathy with its people. I certainly think that the grant of larger powers to Collectors and other local authorities will involve the necessity for greater care in their selection. Again, I am not in favour of any scheme of decentralization which would involve any addition to the existing burden of taxation on the people. Any such system is in my opinion bound to fail.

I am in favour of the creation of Administrative District Councils to assist District Officers. The association of Indian Councillors with the Collector in his administrative work cannot fail to remove misapprehensions and to create trust and confidence in the Executive, and to promote feelings of cordiality and equality between Europeans and Indians. An Administrative Council must necessarily be a small one. I think it may consist of two or three Indian gentlemen. The following subjects may suitably be considered by such a Council:—

(*a*) Power finally to grant remissions, but in cases where they refuse to exercise their power, the aggrieved raiyat should have the right to appeal to the Local Government.

(*b*) Questions connected with the conservation and improvement of irrigation, particularly minor irrigation works, such as tanks, wells, etc., and questions connected with the improvement of agriculture.

(*c*) Considerable powers in the matter of primary and technical education, more especially the latter.

(*d*) The existing complaints regarding the way in which forest rules are enforced stand a much better chance of being redressed, if an Indian Councillor is in immediate charge of their administration or has a potent voice in it, than under the present system.

(*e*) There is hardly a subject with respect to which the people complain more loudly of arbitrary procedure and haphazard decision than this. I think appeals to the Revenue Board may be very much restricted if the District Council is entrusted with the administration of the tax.

(*f*) The grant of power in connection with the administration of the Arms Act is likely to remove the feeling of irritation which undoubtedly exists with respect to the manner in which the Act is worked.

(*g*) Sanitation, including work of all kinds to prevent the advent or spread of infectious diseases.

It may be necessary to invest the Collector with power to overrule his Council whenever he thinks it necessary in the public interests to do so, but in such cases, the protests, if any, of his Councillors should be forwarded to the Local Government for such action as they may choose to take in the matter. It should be made obligatory on the Collector to submit matters of particular descriptions to his Council and to take the opinion of the members thereon. I do not consider it advisable at present to constitute similar Councils for subdivisions of districts in general, but there may be no objection to trying the measure in a few selected subdivisions.

I would also advocate the formation of Representative Assemblies in each district, to be convoked once or twice every year, at which the members would be entitled to represent any grievance they please, to the Collector and his Councillors. These assemblies should be similar to those that

now exist in Mysore, Travancore, and Pudukota. Their function should be purely to receive and impart information. Care should be taken to mix well together representatives of the landholding class and of the educated community.

So far as the Madras Presidency is concerned, I apprehend that the assumption that village communities are in existence at present is not correct. There are caste panchayats in plenty, but village communities representing all the communities in a village are, I think, conspicuous by their absence. It would be advisable to create and organise local panchayats, and to improve them where they already exist, although I must confess that there is great difference of opinion on the subject. I do not advocate a panchayat for each revenue village, but one for a number of villages conveniently grouped together for the purpose. I would suggest the delegation to such a panchayat of the decision of all minor offences and all petty civil disputes. Such panchayats might also act as Boards of Sanitation and as Courts of Conciliation and Arbitration, and it might be made a rule that disputes of certain kinds should go before them for their friendly intervention before the parties are permitted to resort to the ordinary judicial tribunals. They may be entrusted with the supervision of education within their jurisdiction. The scope of their functions might, indeed, be extended in various directions if they prove successful. I would suggest the trial of this system in selected parts of the country as an experimental measure in the first instance.

It is not advisable to give to District Boards any powers of supervision or control over the smaller municipalities of the district.

I do not think that the scope of the powers of municipalities and Local Boards need be extended. What is required is to relax the control now exercised over their action by the District Officer and Government and encourage them to exercise larger initiative powers than they now do.

Executive Officers do not possess a sufficient knowledge of the vernaculars. I think they have opportunities for personal contact with the people, but they do not properly utilise them.

I deprecate any curtailment of the right of appeal now possessed by officers of Government against orders affecting them personally. Such appeals may not often be successful, but the possibility of an appeal is some guarantee of careful action on the part of the authority passing the order.

9778. Do you think there ought to be Administrative Councils to assist District Officers, consisting of some two or three members?—Yes, I would say two rather than three.

9779. You suggest that this Council should have power to grant remissions of revenue?—Yes.

9780. In the first place, what responsibility would such an Administrative or Advisory Council have, supposing that the remission of revenue was so great as to embarrass the provincial Government or the District Board?—They have no individual responsibility themselves, but they act as heads of the district.

9781. But they would have no responsibility if in consequence of large remissions of revenue there was a considerable embarrassment of the funds of the provincial Government?—I do not know whether my position has been understood. I want them to be colleagues of the Collector—paid officials; they would have the same responsibility as the Collector now has; I only suggest that with regard to dry remissions they may have larger powers than the Collector now has. With respect to the remainder they would have the power that a Collector now has in conjunction with him.

9782. You desire that these officials should be paid?—That is my idea.

9783. You also think that these same gentlemen should be entrusted with considerable powers in the matter of primary and technical education?—Yes.

9784. What knowledge would they have of the working of either primary or technical education?—I expect them to be chosen from amongst persons who have filled, say, the position of a Deputy Collector, or other gentlemen who are thoroughly acquainted with the conditions of the district.

9785. With regard to technical education, have you yourself any practical knowledge of the working of the administration of education?—Not by being concerned with the department itself.

9786. Do you know whether there are any technical schools in this Collectorate?—In Malabar we have got a commercial school.

9787. I mean in this district of Godavari?—I do not know whether there are any.

9788. Do you know whether the technical schools in the Madras Presidency have been a success or not?—They have been a success to a certain extent; I have been about the district in Calicut, Salem, and Madura, and I have enquired into the matter.

9789. Do you know whether or not the teaching which is given in technical schools at the present moment has failed to enable the scholars to find occupation afterwards?—My information is just the other way.

9790. Therefore, when the Director of Public Instruction tells us that there is a difficulty in providing the scholars of technical schools with subsequent employment, you think he is wrong?—May I know exactly what kind of technical education you mean? Do you mean commercial education?

9791. Commercial education is not technical education?—You mean industries; if he says so, he may be correct; I daresay he has made more minute enquiries.

9792. There may be a difficulty, with regard to technical education therefore?—I do not think there would be a difficulty in finding occupations; that is not my own opinion.

9793. Would it be advisable to form village panchayats?—Yes, I would group villages together for that purpose, so as to have sufficiently educated men who would be capable of doing the work. I do not think we should have a panchayat for each revenue village, at any rate to begin with.

9794. Does the system of village unions work well or not?—My information is that it does not—I mean in most places; some places do better than others.

9795. But you think that a system of village panchayats for a union of villages would work well?—I think it ought to be tried; I cannot say that I am quite confident. I think it should be tried.

9796. You would lead us to believe that there is no necessity to extend the scope and powers of municipalities?—I find that so far as the legislative provisions are concerned, they are enough; there might be a little relaxation of the power of control that is actually exercised. I have no actual experience by being a member, but so far as I know—and I have asked some gentlemen who have served on municipalities and District Boards—it does not seem necessary to extend the powers given by statute.

9797. Are you an inhabitant of Rajahmandri?—No. I live in Madras, but, as I said, I spend about four or five months of the year in the *mufassal* in various districts.

9798. (*Sir Frederic Lely.*) Do you know anything about the work of the village *karnam*?—I know something.

9799. Do you feel competent to give a personal opinion upon it?—I have obtained a certain amount of knowledge by visits to villages.

9800. I take it that you do not know very much about the inner life of the village?—I believe I know a good deal.

9801. Do you think yourself qualified to give an opinion as to the *karnam*—as to his character and qualifications?—As far as their qualifications are concerned, I think they are well qualified; the question really is about their honesty, but so far as their capacity is concerned I think they are qualified.

9802. Their honesty is doubtful?—Their honesty is not quite so good as it should be.

9803. Is their pay large enough?—No, I should increase their pay.

9804. (*Mr. Dutt.*) You have said that you would propose that the members of the Administrative Councils should be paid officials? How do you propose to select them?—I would select them from Sub-Judges, Deputy Collectors, retired officials, and from the Bar—I mean from among people who possess a certain amount of culture.

9805. Not men actually in Government Service?—They might be selected out of the Sub-Judges; men in Government Service might be promoted to that place; I expect it to be a place carrying about Rs. 800 or Rs. 1,000 salary.

9806. And you would leave the selection in the hands of the Government in that case?—For the present, certainly.

9807. You would limit their number to two or three?—Though I said three, I should say, on further consideration, not more than two. That will make it unnecessary to cut up districts. It will make it unnecessary to give a personal assistant to the Collector.

9808. You think with the help of the Administrative Council the Collectors would be able to manage the districts as they are at present?—I think so.

9809. Without reducing their size and increasing their number?—Yes; and I think they would be a substantial benefit to the administration on account of the local knowledge that the Councils would possess.

9810. You have mentioned certain duties in which the Collector might profitably consult these Councils. Have you anything else to say beyond what you have said already?—My idea is that when there are three gentlemen there should be a certain division of work between them; the two Indian colleagues of the Collector would probably be entrusted with subjects that required particular local knowledge of the people,, questions of remission, education, forest administration, assessment and collection of income-tax (I am rather strong on that), and the administration of the Arms Act.

9811. Do you suggest that income-tax appeals should be heard by the Collector in consultation with this Administrative Council?—Yes; if the Collector does not think fit to give it over to one of the Councillors.

9812. And in case the Collector does not agree with the members, would you reserve to the Collector the power of acting on his own judgment?—At present, in any matter on which he disagrees he should have the power to overrule, but subject to the safeguards that I have referred to.

9813. With regard to technical education in villages, what kind of industrial schools do you refer to?—That would differ with each place. For instance, if we take groups of villages, a particular industry, which is more liked or for which the people have more special aptitude than others, might be taken up in that group; in a *taluk* probably there would be several industries taught. In a district town there would be a technical institute or something of that kind, but there should be something for each group of villages according to the aptitude of the people, and that could be best done by Indian gentlemen who are able to go about themselves among the villages and who themselves have knowledge.

9814. Would you recommend such industries as tanning or dyeing or metal work being taught in these village industrial schools?—Yes, there are several villages where metal work is done now; in those places the industry might be taught.

9815. With regard to the village panchayats, you have recommended that villages should be grouped together, for the present, for the creation of these panchayats?—Yes.

9816. You have mentioned certain duties which might be safely made over to the village panchayats?—Yes, and I have said that probably their scope might be extended when once we find them successful.

9817. Do you think that their work should be periodically supervised by an officer?—They should be looked after; I do not like very much interference, because they will soon lose their sense of responsibility, but all the same there must be a certain amount of supervision to see whether they are getting on healthily.

9818. You mean inspection, say, once a year?—Yes; pointing out defects, inquiring what steps they have been taking, what mistakes they have fallen into, and so forth.

9819. Would you entrust them with civil and criminal powers in petty cases?—Yes, undoubtedly. I wish them to act as Boards of Arbitration for much larger amounts, and Boards of Conciliation too.

9820. If that worked successfully, would you have matters for arbitration and conciliation referred to them by high authorities?—The Courts might do it. I have said that with respect to some classes of suits people should be required to go to them, before going to the Courts; for instance, in regard to family disputes; but other matters might be referred to them by the Courts where the Courts thought it proper; questions of account, for instance.

9821. Have you any experience of *taluk* administration by tahsildars; do you know much of the work of the tahsildars?—Only from the tahsildars themselves.

9822. Have you been in the *taluk* headquarters and seen the work of the tahsildars?—I have not seen them doing their work, but I have been in the *taluk* headquarters very often, and I have moved intimately with tahsildars. They complain very much of overwork, having to look after more than they can efficiently do.

9823. (*Mr. Hichens.*) Would not your proposal with regard to an Administrative Council, involve a considerable additional number of officers?—Two more in each district, but, in cases where the Collector has a personal assistant now, there would be only one more.

9824. That would involve additional expense?—I think not in the end; it would not necessarily involve additional expense. If you take other suggestions, some gentlemen have found it necessary, in order to enable a Collector to do his duty efficiently, that districts should be cut up; that would mean a great deal of additional expense, but according to my idea only two more people would be required in each district.

9825. You are in favour of a large increase in the matter of education?—Yes.

9826. That would cost money?—Yes, that would mean devoting to education a larger portion of our money than we now do.

9827. Who is to pay for that?—The general revenues of the country.

9828. You want increased taxation?—I am not sure of that; it might be possible to cut down expenditure in other directions.

9829. You would not put that on the District Boards?—I do not think that the District Boards should levy additional taxation for education; I am quite willing that they should be entrusted with more power in the matter of education.

9830. As a lawyer, you are acquainted with the laws relating to the municipal and local administration of the country?—Yes, I have a certain amount of acquaintance.

9831. You said that as far as the laws went they gave sufficient powers to Local Boards?—Yes, except perhaps in the matter of passing the budget.

9832. Would you say that as a matter of practice the District Board themselves wielded that power?—No; that is what I meant by saying that the control that is exercised might be relaxed.

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9833. How far do you think relaxation should go? Should a District Board, for example, be entirely emancipated from Government control?—I think there should be a reserve of power.

9834. To put a concrete example, do you think the budget should be approved by the Government?—Ordinarily, Government should not interfere. What I mean is this: my opinion as to the institutions in this country is that they require to be looked after. I would have a reserve of power, but they should be sympathetically treated, and there should not be very much tightening of the reins.

9835. What do you mean by "reserve of power"; do you mean that the Government should specifically sanction the budget?—No; they might veto it.

9836. The budget should be sent to them each year, but they might veto it?—Yes.

9837. But under what conditions might they veto it?—If they so far disapproved of it as to consider that they should exercise that power.

9838. Would you say the same with regard to appointments—that the Government should have power of vetoing new appointments by the District Board?—I should say not: that necessity should very rarely arise.

9839. And with regard to increases of pay?—I think that might be left to the District Boards too.

9840. I ask you that, because many witnesses say that they think those are matters in which Government control should remain?—With regard to the budget, I think that the Government should have power to veto it; they should not interfere with regard to small increases of pay or appointments.

9841. But suppose the Government thought the municipality was not spending enough on education or on roads, might they insist that more should be spent on one or the other?—I think Government should have the power; if they think that very little is being spent, they might very well require the municipality to spend more on particular matters.

9842. (*Mr. Meyer.*) I am still not quite clear about your Administrative Councils; are they to share in all the work of the Collector?—I have mentioned certain special matters; my idea is that there should be particular questions on which the Government should say that the Collectors shall consult them.

9843. Then in some matters the Collector would still act by himself?—He might.

9844. And in other matters he would be a Collector-in-Council, so to speak?—Yes.

9845. It would be for Government to decide what those matters should be?—Yes; there should be a tabulation of subjects on which the Collector should consult the Council.

9846. And in the Collector-in-Council work, the Council as a whole would control the Divisional Officers and the tahsildars, as the Collector singly does now?—Yes, with the Collector-in-Council.

9847. For how long would you have your Councillors appointed?—I should say a period of five years.

9848. You say that this would reduce the work of the Collector, and therefore render personal assistants or a reduction of districts unnecessary; how would it reduce his work?—Some matters might be made over to the Councillors.

9849. Only minor matters?—I have mentioned those in which they should be particularly consulted; probably the Collector might think it advisable to give those matters over to them, leaving it to them to consult him on those matters in certain cases.

9850. You mean that there should be a portfolio system, each Councillor taking certain matters?—Yes, I am only trying to introduce into the district what we have at headquarters.

9851. But any matters of importance would have to come to the Collector and the Council?—Yes.

9852. In discussing these matters some time would be occupied?—Yes, there would be some time occupied.

9853. And you say that whenever the Collector disagrees with his Council he must refer to Government, although previously he might have acted on his own authority?—Yes.

9854. This would take up time?—I do not think there would be many occasions on which he would differ.

9855. Do you think that, notwithstanding these points, there would nevertheless be a considerable decrease in the Collector's work?—I think so.

9856. The Councillors, I understand, are also to control the District Boards and municipalities in some way?—Yes—all the functions of the Collector now would vest in the Councillors.

9857. That being so—you have admitted that in some matters the Government must have some control—might it not be possible to devolve that control on the Collector-in-Council? Take the municipal budget; instead of the budget going up to Government, might it not be dealt with by the Collector-in-Council?—The Collector-in-Council might sanction it if necessary; the power of veto of Government might be restricted still further in certain matters.

9858. That is to say, if the Collector and his Council thought the budget all right, he would pass it; if he thought there was something in which the Government ought to intervene, he would refer to the Local and Municipal Department?—Yes.

9859. And as regards the *taluk* Board budget?—The same.

9860. You have said that this Collector-in-Council should deal with educational matters; would you place the local educational officers, or the assistant inspectors, and so on, under the Collector-in-Council for that purpose?—My idea is that they should be inspecting and consultative officers, and the control of education should really be with the Collector-in-Council, if you have a Council.

9861. And therefore the Director of Public Instruction himself should only be an inspecting and advising officer?—I think so, and all further control will be exercised through Government in accordance with the wishes of the Director.

9862. You speak of this Council being able to act more sympathetically in the assessment of income-tax; could a small Council sitting at headquarters deal with the assessment of income-tax all over the district?—No; I expect the Indian Councillors and the Collector together to be able to do a great deal more work than a single Collector is now able to do; then the Indian Councillors would know a great deal more about the people of the district than a European could possibly do.

9863. I suppose you are aware that under the present system the tahsildar does the minor assessments?—But he is a subordinate; he is anxious not to reduce, because the matter has to go to the Collector.

9864. Under your system would all assessments be conducted by the Council?—No.

9865. You would leave the tahsildar to do his assessments?—Yes.

9866. And the same with the Divisional Officer?—Yes.

9867. But with a right of appeal to the Council?—Yes.

9868. You spoke of panchayats being established, not for one village, but for a group of villages; by whom would members of the panchayat be appointed?—At present I would have them appointed by the Divisional Officer or Collector—I say at present. My idea is that gradually it would be possible to introduce the elective system.

9869. Is it not one advantage of the panchayat system that the panchayat works on the spot and subject to the pressure of local opinion?—Yes.

9870. Would that advantage not tend to be lost if you had as a unit, not a single village, but several villages?—The area should be sufficiently small for local public opinion to act. I do not mean that the panchayat should have a very wide area; at the same time I am afraid that if you take single villages you will not get a sufficient number of competent men, and there would be factions; these are the two disadvantages I thought of in connection with single villages.

9871. You would have four or five villages?—Four or five revenue villages grouped together.

9872. Something like village unions sometimes are now?—You mean the village unions under the Act?

9873. Yes; revenue villages are grouped together; you would have a somewhat similar grouping together for your panchayat system?—Yes.

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9874. (*Sir Steyning Edgerley.*) If you had your portfolio system in the Administrative Council it would come to this, that one of these officers at Rs. 800 or Rs. 1,000 a month could issue orders to a Sub-Collector?—Only as a member of the Collector's Council. Whatever difference of opinion there may be with respect to the capacity of the people as a whole for self-government or for election, my recommendations are based on this, that individual Indians undoubtedly are qualified for high appointments, and if they are associated with District Officers that will tend to better government.

(*The witness withdrew.*)

Mr. V. KRISHNASWAMI AIYAR was called and examined.

Mr. V. Krishnaswami Aiyar.

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9875. (*Chairman.*) You are a vakil of the High Court at Madras?—Yes.

9876. Have you been a member of any District Board or local body?—No. I have a house in Madras and I have a house in the *mufassal* at Kadaikanal.

9877. You want to tell us something about the delegation of further financial powers to provincial Governments as regards the creation of new appointments?—Yes.

9878. What is your experience in this matter?—Only as a public man.

9879. You have no practical experience of Government?—Except as a public man.

9880. Are you a landowner?—No, not now; I was.

9881. You do not wish to see any curtailment of the present right of appeal?—I do not wish for a curtailment of the present right of appeal.

9882. Is that in the case of appeals at law or appeals from administrative action by superiors?—Appeals from administrative action and appeals to the executive authorities which are provided for by law.

9883. Against the punishment of subordinates by superiors?—Yes.

9884. How far should the right of appeal go; we have had from various witnesses statements to the effect that one clear appeal above the officer who gives the first judgment ought to safeguard the person punished from injustice; do you think that that is too much, or is it too little?—Except in cases where any general principle is involved which would affect a class of cases, I would restrict it to one appeal; that appeal I would not give to the officer immediately above, but I would give it to the officer above him—the appeal should go through the officer immediately above.

9885. Let us take the case of a revenue inspector; the first punishment passed upon him would be by the tahsildar?—I believe it goes to the Divisional Officer; it is practically the tahsildar; I mean the tahsildar practically inflicts it, but the Divisional Officer has to give the formal sanction.

9886. You would restrict the right of appeal in that case to the Board of Revenue?—Yes, one appeal only. I should insist on the appeal going through the Collector with his remarks.

9887. Then the decision of the Board of Revenue upon that would be final?—Yes.

9888. In the case of the punishment of a tahsildar, again the Board of Revenue would be the final court of appeal?—Yes.

9889. That you think would satisfy justice and would also meet the general sentiments of the community?—Yes; on the other hand if you have too many appeals, as you have now, it leads to delay, it leads to an unnecessary spirit of gambling, as it were, going on appealing from one officer to another, without any compensating advantage. To keep the subordinate officer in check, so as to make him attend to his ordinary work, I think that one appeal is sufficient. The reason why I say the appeal should be to the officer above the immediate superior is this. Oftentimes one's experience is that the officer punishing takes his superior into consultation beforehand; that is a practice which seems to obtain very commonly, and the judgment of the immediate superior would therefore oftentimes be upon an *ex-parte* representation, either demi-official or otherwise. Furthermore, he is in personal contact with the officer, and the officer's chance of influencing his judgment is great.

9890. Is there any other point that you wish to make with regard to appeals?—No, except this; I would like this to be a widespread thing; I would like it even in the matter of appeals in the law courts.

9891. How do you get your knowledge of the view either of the Government of India or of the provincial Government being so much dominated, as you suggest, by revenue considerations?—I know from various public reports and various cases I see, what the tendency is of officers in the orders which they pass. I can give numbers of instances; as a public man I have kept my eyes open, and have been watching these things as they come to the notice of the public. I could give numbers of instances, not from my knowledge as an officer, but from my knowledge as a public man.

9892. Will you give us one concrete example?—I will give you the case of the income-tax. The Government raised the taxable minimum, and after they had done that we found in Madras all the people who were in the lower class were put up to the higher class, and the tax was exactly the same. That was a subject of public comment. The Government of India issued a resolution; the Government of Madras said that they could not explain at first how it was that although the taxable minimum was raised, the income-tax realised, instead of being less that year, practically came to the same figure; it could only be that the lower class had been pushed up to the higher class; a man who was assessed on an income of Rs. 500 was at once raised to the class of Rs. 1,000. This was made the subject of correspondence, and it was discovered that it was through the system adopted by the Collectors in order to keep the revenue as high as possible, of not making out the assessments in detail, but of raising the people to a higher class.

9893. Can you not escape from income-tax assessments by the production of your books?—If books are accepted; but books are not accepted in the case of the majority of the people.

9894. Were any appeals made against those decisions?—Yes. As a rule the income-tax appeals do not succeed; that is a complaint which I have heard from lots of clients of mine who have asked me to appear in support of income-tax appeals.

9895. Do they not succeed after production of the books, or do they fail because the books are not produced?—The books are produced, but they are not accepted except in the Presidency town where there is a very strong public opinion; in the *mufassal* the books are often not relied on.

9896. Are the books kept more carefully in the towns than in the *mufassal*?—They are likely to be books of English merchants; I do not think that they are much better kept by others.

9897. Then with regard to the question as to Executive Officers having sufficient opportunities of personal contact with the people, what do you think the obstacles are and what do you consider could be done to remove them?—First, there is the language obstacle; that is more of an obstacle than is recognised, for the reason that in case of the vernaculars the spoken language is very different from the language of the books. An officer who has passed an examination in the written language of the books is quite unequal to the spoken language. Apart from what test the examination provides, whether it is adequate or not, it is utterly unequal to acquaint him with the language that is spoken. Then the difference in the matter of our customs and habits constitutes a very important obstacle; an Englishman often misunderstands me if I appear before him, not dressed as I now am, but dressed in my usual dress, with a cloth round my loins and a cloth round my shoulders, as I appear in my own home and in very respectable society; he thinks that I have appeared before him in that dress almost to insult him. This difference alone almost imposes a kind of barrier to better relations being established between the people and the Executive Officers. Then, I think the difference of colour is an important factor. I think the fact that the Indians are regarded as a conquered people is another barrier. I think also the natural aloofness which one finds about Englishmen—their disposition to be reserved—is another obstacle which is common. I should put these as among the most important obstacles. Then as to the means of getting over these obstacles. One would be to reduce the size of the districts, so as to make it possible for the District Officer, the Collector, to be more in touch with his area. Another would be to confine the appointment of Civilians to linguistic areas; there are a sufficient number of districts to which they could be transferred, and the experience gained would be quite sufficiently varied for the officer to be fitted for the effective management of the country when he rises to higher office. Then I should impose a test, not in the shape of passing a final examination, but in the way of speaking the language. I should propose that test even after some years of residence. Whenever there is an office of a higher grade in which there is a group of men, for example, in the Board of Revenue, in the Executive Council, or in the Imperial Council, or the Secretary of State's Council, I should like the presence of an Indian there, so that all Europeans in the service might feel, sitting side by side with an Indian, that the race which produced such a man as that was one that he should not treat with any contempt; that is quite apart from the benefit of the Indian officer contributing knowledge and advice which is not available and cannot be available to the European officer. I should regard that as a means of producing among the subordinate European officers a better kind of respect towards Indians as a class.

9898. Is there any other point that you would like to draw our attention to?—I will take together the points "How far do you consider that larger powers should be granted to various local bodies," and "Do you consider that the present functions of any of these bodies might be suitably extended." The first condition of any improvement is having better financial resources. These bodies are at present, so far as one can judge, almost at the end of their tether, and the only way in which you can give them additional finance is by subventions from the provincial Government or from the Imperial Government. Such subventions are not uncommon in other countries, and even here they are sometimes made. If these bodies are put into a position of additional financial strength, I would give them larger powers, and I would allow them even to mismanage. I am quite alive to the contingency of their management being less efficient, but I say that we should gain even by their mismanagement. Possibly it might take them some time to get to really efficient management, but that is the only way to give them skill and capacity in the matter of administration.

9899. With regard to financial resources, is not considerable help given from the provincial funds, not only to District Boards, but to municipalities? And are not practically all large schemes which are fathered by the municipality, helped first by a grant from the provincial Government, and secondly by a loan from the Imperial Government?—I am aware of that. I am also aware at the same time that these things hang fire; they are always held up; you may go on pressing for a scheme for years and years before the provincial Government finds itself in a position to give assistance.

9900. Do you know that with regard to the municipality of this very town in which we are now sitting, there are at this very moment large funds at the disposal of the municipality which they have not used?—I do not know about this municipality; I was speaking only generally.

9901. It might therefore be that sometimes the municipality are slow in using the funds, and sometimes the Government is slow in providing funds?—It may be so. I am a careful reader of the speeches of the Governor when he goes on tour, and for one instance in which there is a municipality which does not know how to spend its money, there are ten others in which the Governor gives the answer, "We cannot give you the money; it is a good thing, we bless it, but the blessing will show itself in a practical way as time goes on."

9902. Would you not also agree that all governments, in all countries and in all ages, have often found great difficulty in providing funds for most worthy objects?—I know it must be so; it is a mere question of degree, and, of course, one does not quite draw one line in one place and another in another place; but there is no doubt that the feeling is very common, and I have had the feeling for a long time that municipal administration gets into bad odour with the people, because whenever a new municipality or *taluk* Board or union is started it is a harbinger of increased taxation; it makes the working of these things unsuccessful for the reason that they get into disfavour with the people when they know that the constitution of such bodies means further taxation.

9903. You suggest to us that, at the commencement, there would unquestionably be mismanagement?—I think so.

9904. But in your judgment the experiment is worth trying, even though mismanagement will follow, if it affords to the people an education in the art of governing themselves?—Yes.

9905. Is there any other point you wish to speak upon?—As to the creation of Advisory or Administrative Councils, the sort of Council I should like to see is something midway between the two. It should consist of 12 or 15 men, none of them paid members; they would constitute committees of three or four members, each confined to a particular department of work, and the Collector would have the advice of each committee according to the nature of the business which it falls to the Collector to dispose of. I would leave the Collector free in cases which might be regarded as secret, or *quasi*-secret, just as in the old days, or even at present, the Secretary of State is free with reference to certain matters which he considers should be disposed of confidentially; and in cases of urgency also the Collector should be free. Routine matters, of course, I would not want to be submitted to the Council; others would be dealt with by the committees, and, unless a committee unanimously disposed of them, they would be referred to the whole body. The Collector should have power to overrule the committee; he should act on his own decision if he thinks a committee is wrong, but in each case where he overrules the whole committee he should do so by recording his reasons. He should act, but he should submit to the higher authority his reasons for so acting. That would be my general idea of a body midway between an Advisory Council and an Administrative Council.

9906. That is practically all you wish to say to us?—As to giving to village communities greater powers in the disposal of local affairs, especially powers of disposal of petty criminal and civil cases, I attach very great importance to that. I would have what are called village Bench Courts for civil litigation, the Court to consist of three leading men in the village, the village munsiff, and two others. In some matters the village munsiff acts by himself, though under an existing regulation in Madras he has power to summon what is called the panchayat. I think that that has practically fallen into desuetude, although the Act is there. That panchayat might be left to determine certain cases of civil litigation up to any figure provided that the parties consented. I would not have the munsiff by himself, the Court by itself, and the present panchayat, or the unions where they are now established under the Local Boards Act. I would have a village with a panchayat consisting of about 15 men; it may be a village with a small population, or a village with 500 to 1,000 houses, or a group of villages. I would have the panchayat of, say, 15 men dividing itself into committees, each committee dealing with a certain class of cases. The village munsiff should be its president, acting together with each committee in respect of that particular branch of business with which the committee deals. I would give them larger powers than they now possess. For instance, I would give them compulsory jurisdiction with reference to civil cases up to Rs. 50.

9907. With no appeal?—With no appeal, unless a point of law was involved. The system of appeals has been quite a bait to enormous litigation and that is one of the worst evils that have followed (I do not say intentionally) British administration of justice in this country. I would increase their jurisdiction with reference to criminal matters also, and I would also insist upon a particular class of disputes going to them; suits about partitions, suits about maintenance, suits about caste or religious disputes; you can easily make up a panchayat consisting of men of different classes; I would like a body of that kind to administer the matter at first, and they could go to the Civil Court with further litigation if they chose. I should say that it would necessarily lead to the composal of differences if they had to be submitted to a tribunal of this character, rather than allow them to launch into litigation in a distant Court which knows really nothing about these matters. I should like to have in the Presidency towns a Board like the Local Government Board in England, which will take by delegation or by formal statutory authority several of the powers now exercised by the Governor in Council. It should be a body which would be a kind of agency to look after all the various panchayats and other bodies in the province. The interference which the provincial Government now exercises should be practically given over to this body, acting somewhat as the Local Government Board acts in England; it will be mainly non-official, perhaps partly official and partly non-official. I would, even in their case, retain powers as to Government audits and inspection, and that kind of thing. I would give it less powers of interference in some matters than Government now exercises. I have only one thing more to say, and that is with reference to the Board of Revenue. It is not within my special knowledge, but again I can only claim the privilege of a man who has generally followed these things with some little care. I think the Board of Revenue is really another block intervening between the Government and the Collector. I would like the Collector to be the only person responsible to the Government. I should like the Board of Revenue to be simply Commissioners in charge of groups of districts, not exercising the powers which Commissioners seem to exercise in other provinces, but only exercising the power of supervision on the one side (not of passing final orders); and of advisers to the Government on the other. If you give each of them five or six districts, it seems to me that they will be a far more useful body than they now are as mere conduit pipes, or in some cases as mere stumbling-blocks in the disposal of business.

9908. (*Sir Steyning Edgerley.*) If you have in a district your Administrative Council of 15 gentlemen, with sub-committees, would you not rather over-do it by adding a Local Self-Government Board in Madras?—There are 22 districts. I should like to have somebody that would be in a position to give superior advice, and this body would necessarily also be composed of superior men; they might give advice which would be of the greatest use to these scattered bodies. My Local Government Board, by the way, is rather to be a kind of controlling body over the Local Boards than necessarily a Collector's Council.

9909. You said that you would even contemplate the local bodies mismanaging matters in order that they might get education in self-government. Is not your idea of a Local Government Board rather running counter to that principle?—No; there must always be compromise in these matters.

9910. Could not your Council in the district learn to control the Local Boards and municipalities of the district suffiolently?—It might; but I should prefer there being a higher body capable of giving advice.

9911. At any rate the work would be done by the people of the district themselves; would that be an advantage?—It would be; I would give practically the whole power to them; I should give only the power of audit and advice to the superior body; it would be a very limited scope.

9912. I gather that your Commissioners, as you would have them, would be simply inspectors and compilers of statistics and advisers to Government?—Yes, something like the Directors-General recently created.

9913. Not administrators?—No.

9914. (*Mr. Meyer.*) You desire that an appeal should skip a stage, in order, as you say, to prevent the danger of the officer immediately above having been already in conference with the lower authority in regard to the question?—That is one reason.

9915. Therefore you would have an appeal from a Divisional Officer, not to the Collector, but to the Board of Revenue. Would you carry the same principle on; would you have the appeal from the Collector, not to the Board of Revenue, but to the Local Government?—Yes.

9916. Is the Collector in constant touch with the Board of Revenue?—He is not, but there would be more uniformity, that is all.

9917. Then, if the Board of Revenue passes any order on its own account, the appeal would lie, not to the Madras Government, but straight to the Government of India?—That need not be so, because I take the Government of India to be far removed from the Local Government.

9918. Is not a member of the Board of Revenue much more likely to be in personal touch with a Member or Secretary to Government than a Collector is to be in touch with a member of the Board of Revenue?—I do not think so, more especially if the function that I have assigned to the Board of Revenue is accepted; it is all part of one scheme.

9919. Subject to your last answer, if the Madras Government dismisses a tahsildar, the appeal should lie direct to the Government of India and not direct to the Secretary of State?—It would make very little difference.

9920. You only insist on the skipping principle in the case of District Officers?—Yes, that is where it would be most important.

9921. Would you apply the same principle to administrative actions—a revenue assessment, or action in a *darkhast* case?—It would depend on each case whether it involved a general principle or not.

9922. I am speaking of the skipping principle; you say in the case of a revenue inspector

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punished by a Divisional Officer, that the appeal should go straight to the Board of Revenue. If the Divisional Officer imposes a penal assessment for encroachment, or anything of that kind, would the appeal go to the Board of Revenue or to the Collector?—I would apply the same principle.

9923. You spoke of income-tax appeals, and of the way that books and accounts are disregarded. Is it a fact that all assessees keep books or accounts?—No, not all.

9924. There are a number of people who do not keep books?—I think each year, as they get more experience, more people are keeping books.

9925. Are the accounts always trustworthy?—One cannot say that they always are; one cannot assert that as a universal proposition.

9926. Have you ever heard of the proverb that a man keeps three sets of accounts, one for himself, one for his partner, and one for the Government?—I have heard it. I do not think it is quite true, except as a pithy statement.

9927. It may be occasionally true?—It may be true in some cases.

9928. You have said that if the District Boards and municipalities had their income increased by subventions from Government, you would give them larger powers. You would not increase their powers at present?—I would not increase their powers unless they had increased resources.

9929. What is the logic of that?—They would make themselves exceedingly unpopular if they could only exercise their increased powers by increased taxation.

9930. They are capable of undertaking such powers now, but they would become unpopular?—Extremely unpopular, and the people not having confidence in them must lead to administration being bad.

9931. If they got more money they would be less unpopular?—Yes.

9932. You do not propose to abolish municipal taxation?—No.

9933. You have spoken of the creation of new municipalities being unpopular by reason of the taxation involved?—That is so.

9934. Would it not be necessary if you created a municipality to have local taxation?—You must have it.

9935. How would your district Advisory Council be appointed; have you any general idea about it?—I do not propose that it should be by election.

9936. It should be by nomination?—By nomination on the recommendation of the Collector.

9937. Similarly, who would appoint the panchayat?—I would put that on the Collector, only I would in the beginning have a very small proportion of elected men on the panchayat.

9938. Elected by the village itself?—Yes, a small proportion.

9939. Do you think there would be any danger under a system of village panchayats of their work being nullified by factions in the village?—I do not think so, and it is for that purpose that I have made the panchayat sufficiently large—a body of 15, with power to refer to the whole body in particular cases.

9940. Would you give such a panchayat the administration of the village school, for instance?—I would.

9941. Is there a possibility that under such a system the low castes, or the *Pariahs*, might suffer?—I do not think so, with a system of inspection also, and with what I consider is the necessary supervision—not interference—the thing would be all right.

9942. Suppose a village which contained a large *Pariah* population; and that the panchayat has refused them a school or a well or anything of that sort; would you allow the superior authority to say to the panchayat, "You must provide for these people"?—I would not say so; I mean, I do not take the particular instance, and I do not wish to decide every case in a formal way; I would leave it as a mere matter of counsel for a while. Where there is recalcitrant conduct it might be a case for interference.

9943. You spoke of a Local Government Board at the Presidency town in analogy with the Local Government Board in England. Do you know how the Local Government Board in England is constituted?—I have not studied its constitution, but I know under the Acts that there is such a Board.

9944. Are you aware that for all practical purposes the Board is the President—that what is called the Local Government Board is a single Cabinet Minister, who is styled "President of the Local Government Board"?—He may be President, but there is a Board.

9945. But my point is that the President is really the Board?—It does not matter for my present purpose. My point is that it should be a body; it is with reference to the nature of the functions that it should exercise that I am speaking; in my case I would have it as a body.

9946. Whether the English analogy holds good or not?—Just so; by my analogy I only meant that there should be a body in the centre which would have the overlooking of affairs.

9947. You spoke of abolishing the Board of Revenue and substituting inspecting officers as Commissioners. Are there not certain matters in which you would still require a central department—salt and excise, for instance?—My idea is to make the Collector the practical representative in all matters for the district; it would involve the Collector being placed in charge of a lesser area, but I would give power to the Collector in all departments; it is the multiplicity of departments that has been a great source of annoyance to the raiyats.

9948. You think you could get along without a central Commissioner to manage salt and excise?—You might have one who would advise.

9949. And the same with regard to forests?—Yes, especially forests and irrigation and settlement; I would put that in the hands of the Collector. It often happens that a raiyat has got a complaint; he goes to one officer and is told that it is the business of another officer; he goes to that officer and is referred by him to a third; I would put irrigation entirely under the control of the Collector.

9950. And education?—Except as regards inspection, I would give the management to the panchayat. Education is now practically controlled by the municipality.

9951. We have had it in evidence from other witnesses that although that would be the nominal position, the real controllers, even of the Board and municipal schools, are the local officers of the Educational Department, the assistant inspectors, and so forth?—That is so; in this way; reports and remarks come up to the Director of Public Instruction, and he acts as the adviser to Government; Government takes the cue from him and disposes of the matter.

9952. You would convert the Director of Public Instruction, like your Heads of other Departments, into simply an advisory officer?—That is all; it may be that he would be assisted by other people.

9953. Let me take the case of a first-rate college such as exists here; would you put that under the Collector?—There are only three Government Colleges; they are not spread over the country.

9954. You would put a college in one district under one officer, and a college in another district under another officer?—No. I would place the colleges under the Director.

9955. And the high schools?—The high schools I would certainly place under the control of the District Boards.

9956. (*Mr. Hichens.*) You were saying just now that the municipal revenues were too small for the needs of the bodies?—Too small to justify their having additional powers; if you give them additional powers they should be accompanied by increased resources.

9957. Have you ever served on a municipal Council?—Never, although I have often read municipal reports and orders.

9958. Are there any communal lands within the ...ssal municipal area where you live belonging ...e town?—It is a Hill station where I am; ... are plenty of lands; I do not think that is ...rmal case.

59. (*Mr. Dutt.*) As a lawyer, you have of course ... the Acts under which those bodies work; you aware that practically the whole of the ...utive power is now vested in the Chairman, the members, according to the Act, have no ...utive powers?—That is so.

60. Would you make any modification in that ...er and distribute the work among the members ... moderate extent?—I would. There is what ...lled the Chairman delegate, that is to say, a ...n who, in the absence of the Chairman, does ...luties, but I would like the Act modified so ... powers could be given to certain of the ...bers.

61. You mean powers for the formation of sub-...nittees?—Yes.

62. With regard to the Advisory Councils, do ... say that all the members should be appointed ...he Collector or by the Government?—Yes, for ...present.

63. And all of them should be unpaid?—Yes.

64. You do not think there will be any diffi-... in getting 15 men to work practically from ... to day without pay in the Collector's office?—...ould not be from day to day; I do not say ... the routine should be submitted to them. ... I would form sub-committees, so that each ...nittee would deal only with its own branch ...e work, unless in cases where the committee found that they could not dispose of the work, and then it should come before the whole Council.

9965. You do not think there would be any difficulty in getting a sufficient number of men to come to the headquarters in each district to do this work?—Not at all.

9966. With regard to village panchayats, you have mentioned certain duties which you would like to be imposed upon them, and which would lead to a better understanding between the people and the Government. Would you entrust to them the distribution of water after it has left the pipes? I suppose you have some experience about the distribution of water?—Only this, that, as a lawyer, I have had often to advise people who have had complaints in that respect, and I have had to study particular cases of distribution of water.

9967. Where there are communal lands in villages for pasture, would you give village panchayats any control over the communal lands?—I would.

9968. Generally to regulate pasture lands?—Yes.

9969. You have recommended the creation of these panchayats in rural areas; where there is a large village there might be one panchayat; in the case of small villages they might be grouped together to form a panchayat?—Yes.

9970. We were told by a witness yesterday that it might be worth while to appoint an officer to organise these panchayats from place to place—to create a small number at first, and gradually increase the number—just as officers are now organising agricultural banks?—Yes. If you do not do it altogether with a stroke of the pen once for all, the Government might take power under the Act and apply it, and extend it, from time to time, on the advice given to them by an inspecting officer.

9971. You think such an officer would be a success?—Yes; I think it would succeed admirably, as it has succeeded in the case of the Registrar of Co-operative Societies in this Presidency.

(*The witness withdrew.*)

Adjourned.

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APPENDIX.

MEMORANDUM CONTAINING THE SUGGESTIONS OF THE GOVERNMENT OF MADRAS IN REGARD TO DECENTRALIZATION.

I.—Financial Department.

The Government are generally satisfied with the principles underlying the scheme of the revised provincial settlement recently forwarded for their opinion by the Government of India. They consider that means should be found to enable the Local Government to obtain money for large public undertakings, for example, to meet famine expenditure or for the carrying out of large Public Works, the interest and sinking fund needed to extinguish such loans being met from their share of the revenues of the province. They see no immediate necessity for demanding greater freedom to increase taxation or to invest the public revenues.

2. The Governor in Council considers that he should be invested with larger financial powers than he possesses at present in regard to (*a*) provincial and divided heads in the accounts, and (*b*) the funds of District Boards.

3. With regard to loans to local authorities (*a*) the power to sanction loans under the Local Authorities Loans Act (XI. of 1879) and under the Local Authorities (Emergency) Loans Act (XII. of 1897) for repayment within a limit of thirty years should be delegated to the Local Government in respect of loans granted by the Government themselves, and (*b*) powers should be delegated to the Local Government to sanction the raising of loans by local bodies in the open market.

4. As regards *provincial and divided heads of expenditure*, the Local Government should be granted as free a hand as is possible, subject in cases of widespread calamity, such as famine or war, to temporary restrictions to be imposed by the Government of India. They should be empowered to allot during the course of the year from the provincial balances, up to some maximum to be agreed upon subject to immediate report to the Government of India for information. So far as provincial heads are concerned, the Local Government should have authority to delegate powers of reappropriation, under such conditions as they see fit, to Heads of Departments.

Finance Department Resolution, No. 6920A, dated 19th November, 1907.

5. In the case of *local* expenditure, the recent orders of the Secretary of State removing the local section from the body of the civil budget estimate are welcomed, but the restriction in Article 295 (*a*) (ii.) of the Civil Account Code, which subjects sanction to reappropriation by the Local Government to the condition that any increase in this section must not cause an excess over the aggregate budget grant for local expenditure, should be removed. The Local Government should have power to allot from its balance additional funds to any particular District Board, irrespective of the total expenditure provided in the local budgets. The financial transactions of each District Board are kept distinct, and no advantage is at present really gained by lumping together the finances of these local bodies for budget and other purposes.

6. One of the most important directions in which the powers of the Local Government are restricted is in the matter of *the creation of new appointments, permanent and temporary, the enhancement of salaries and the deputation of officers on special duty*. These powers are at present restricted by the following conditions :—

Article 283, Civil Account Code.

"(*a*) No permanent appointment may be created with a pay of more than Rs. 250 a month, and no addition may be made to the pay and allowances of any officer if they exceed, or would, after the addition, exceed, Rs. 250 a month.

"(*b*) No temporary appointment or deputation involving the payment of more than Rs. 250 a month may be sanctioned for a period exceeding six months.

"(*c*) No permanent appointment of which the pay and allowances are more than Rs. 250 a month may be abolished ; and the pay and allowances of no such appointment may be reduced.

Article 277, Civil Account Code.

"(*d*) No revision of establishment which involves additional expenditure of more than Rs. 25,000 a year may be sanctioned.

Article 283. Civil Account Code.

"(*e*) No class or grade of officers may be created or abolished ; and the pay of no class or grade of officers may be raised or reduced.

Article 277, Civil Account Code.

"(*f*) The sanction of the Government of India is required for—

(i.) The grant of travelling and conveyance allowances ;

(ii.) the grant of house-rent allowances or of free quarters."

Finance Department Resolution. No. 6660 Exc., dated 1st November, 1907.

7. Enhanced powers have recently been conferred by the Secretary of State on the Government of India, who now have authority—

"(i.) to create any new permanent appointment, other than an appointment which would ordinarily be held by a gazetted officer recruited in England, of which the salary or maximum salary does not exceed Rs. 500 a month ;

"(ii.) to raise the salary of such an appointment to an amount not exceeding Rs. 750 a month ;

"(iii.) to sanction the temporary appointment or deputation of an officer—

(*a*) for any specified period if his salary, or salary and deputation allowance, do not exceed Rs. 500 a month ;

(*b*) for not more than two years if his salary, or salary and deputation allowance, exceed Rs. 500 a month :

"Provided that the temporary appointment or deputation of an officer on a salary exceeding Rs. 5,000 a year, unless such officer has a lien on an appointment carrying a salary of equal or higher value fixed by statute, requires the sanction of the Secretary of State ;

"(iv.) to sanction revisions of establishment which involve an additional expenditure of not more than Rs. 50,000 a year, or, in the case of establishments such as process-serving establishments, the scale and remuneration of which are fixed by Courts of Law under rules having the force of law, when the *net* extra expenditure involved, after allowing for the receipt of fees, does not exceed Rs. 50,000 a year."

The Governor in Council considers that similar powers should be conferred on the Local Government as regards permanent appointments, the cost of which is debited to provincial or divided heads, and he would advocate that the power as regards the limit of temporary appointments and deputations should be raised by permitting the Local Government also to sanction such appointments and deputations up to a limit of Rs. 500 if they do not exceed, or are not likely to exceed, a period of one year.

8. The rules restricting the additional emoluments of Government officers filling temporary appointments to one-fifth of their salary in the regular line [letter from the Government of India, Home Department (Census), No. 57, dated the 31st March, 1902] should also be abolished. These rules are productive of much inconvenience, and are illogical in that the salary admissible under them to an officer in permanent Government employ when deputed to a temporary post is ordinarily less than that admissible to an outsider who is appointed to such a post.

9. Ordinarily an officer without a substantive appointment on a permanent establishment, who officiates in a post the pay of which is not less than Rs. 100, is restricted to half the pay of the appointment. Power is now reserved to the Government of India (article 144 of the Civil Service Regulations) to grant such an officer an amount not exceeding the full pay of the appointment. This power might well be delegated to Local Governments.

Paragraphs 40, 60, 61, 65, 68 & 69 of the Public Code.

10. The Government of India now fixes, with the approval, when necessary, of the Secretary of State, the separate cadres of the Engineer, the Upper Subordinate and the Accounts establishments of the Public Works Department. The power of fixing the cadres should, so far as Upper Subordinates and Accountants are concerned, be delegated to the Local Government. Men filling these cadres are appointed locally.

11. Paragraph 945 of the Public Works Code restricts the rate of pay of any individual chargeable to "Works" to Rs. 250. This limit is often too small to secure the services of a skilled mechanic or workman of the foreman class, such as may be required for electrical work, pumping stations and sanitary works which are on the increase ; and it should be raised to Rs. 500.

12. The Local Government should further be allowed to grant conveyance allowance, house-rent, and free quarters.

13. The ruling which prohibits the creation or abolition by the Local Government of a class or grade of officers, or the alteration of the pay of a class or grade, should also be cancelled. The rule which has apparently for its object securing of uniformity in similar posts in the different Presidencies and provinces seems unnecessary, owing to the varying conditions in the different parts of India.

14. *Transfers to Foreign Service.*—The rules in regard to such transfers are contained in Articles 753 *et seq.* of the Civil Service Regulations and the powers of the Local Government as regards transfers to foreign service of the first and second kinds are restricted by the requirements (*a*) in Clause (iv.) of Article 753 as regards the pay admissible in foreign service, the emoluments which can be sanctioned by a Local Government when the transfer is to service under a Native State being also restricted as specified in Rule III. of Appendix No. 31 of the Civil Service Regulations, and (*b*) that transfer to foreign service out of India requires the sanction of the Government of India.

As regards (*a*) and (*b*), it is considered that the power to sanction the transfer of an officer to foreign service in India on pay in excess of that specified in clause (iv.) of article 753, or to a Native State on any emoluments in addition to those specified in rule III. of Appendix No. 31, when the Native State to which the officer is transferred is under the administrative control of the Local Government, or to foreign service out of India, should be delegated to the Local Government. The references on such points are, as a rule, purely formal, and might well be dispensed with. The Local Government should also be empowered to transfer the services of subordinates under the foreign service rules to private bodies which have for their object the encouragement of agricultural or veterinary development.

15. In the matter of sanction *to the grant of honoraria to officers from Government revenues, and of permission to officers to accept fees from private bodies or public bodies unconnected with Government*, the intervention of the Government of India seems to be unnecessary. The rules on the subject are contained in articles 72 and 74 of the Civil Service Regulations.

16. Paragraph 2207 of the Public Works Code, as modified by Standing Order No. 83 of 30th May, 1904, lays down that a project of which the estimated capital outlay is over Rs. 50,000 cannot be sanctioned under Class IV.—Minor Works from which Capital and Revenue Accounts are *not* kept, except with the approval of the Government of India. The grounds for this restriction in regard to sanction in the case of unimportant works are not clear, seeing that the Local Government are competent to deal with estimates for much larger works costing as much as 12½ lakhs. This restriction should be removed, and the Local Government be permitted to deal with such works without reference to the Supreme Government.

17. Other matters in which powers might with advantage be delegated to Local Governments are shown in the schedule A annexed.

18. As to delegation of financial powers to Heads of Departments, the Local Government should be invested with powers to re-delegate under such conditions as they consider proper any powers the delegation of which has not been restricted.

The delegation of financial powers which appear from a cursory examination of the codes to be practicable are shown in schedule B to this note.

Ia.—Budgets.

19. The present system under which the provincial budget estimate of the Local Government is reviewed by the Government of India appears to be susceptible of alteration in the direction of curtailment of references and of diminished interference with the Local Government. The individual budget estimates are submitted to Government by Heads of Departments through the Accountant-General, and are scrutinised, in considerable detail, by minor heads as well as by major heads, first in the administrative department and then in the Financial department of the local Secretariat, the Accountant-General being consulted freely. The estimates for the approaching year as accepted by the Local Government are compiled by the Accountant-General, and the consolidated estimates are due for submission by the Local Government to the Government of India on the 20th January. At the same time the Accountant-General submits to the Finance Department of the Government of India his budget notes, in which explanations are given of all important variations in both the revised estimate for the year current, for which the Accountant-General is responsible (article 1513 of the Civil Account Code), and in the budget estimate for the coming year for which the Local Government are responsible (article 1512 of the Civil Account Code). These budget notes, which contain the actuals of eight months of the current financial year, are returned by the Government of India, with their orders, to the Accountant-General in the first week of February. They are resubmitted by the Accountant-General, with such further explanations as may be necessary, and with nine months' actuals so as to reach the Government of India about the middle of February. They again reach the Accountant-General about the end of February, and the officer resubmits them with ten months' actuals so as to reach the Government of India about the first week in March. The Government of India are also prepared to receive telegraphic information of all important changes required in the budget by about the 10th of March as a rule, when the budget is closed. Copy of each edition of these budget notes is also supplied to the Local Government who intimate, through the medium of the Accountant-General's budget notes, all alterations required in the estimates after their first submission in January, as well as any representations they may desire to make in regard to alterations proposed by the Government of India in the budget notes. There is constant and free communication between the Local Government and the Accountant-General as regards the estimates, and under the system now adopted the friction which formerly arose from the alteration of the estimates of the Local Government without their knowledge may be said to have disappeared. A considerable number of references and a large amount of work would be saved, if the estimates and budget notes could be submitted for the first time early in February. It would then be possible for the Local Government to scrutinise their estimates in the light of nine months' actuals, in communication with the Accountant-General, before the first submission of the estimates to the Government of India. The result would certainly be better estimating on the part of the Local Government.

20. The reductions of estimates of expenditure which are carried out by the Government of India are generally in lump sums under individual major heads, and these reductions are a fruitful source of inconvenience, and sometimes lead to no small amount of extra work. The Government of India have in recent years explained, when finally sanctioning the estimates, that these reductions are not intended to restrict duly sanctioned and necessary outlay, the sole object in view being to obviate large differences betwen the budget estimate and the actuals of the year, and they have

stated that they would be prepared to consider applications for supplementary grants, should the progress of expenditure under any of the heads thus reduced indicate that the budget grant is likely to be exceeded. These deductions have generally been shown as "probable savings" in the estimates. This system, although convenient from the point of view of the Government of India, is not workable in practice, unless the Head of the Department whose budget is thus reduced is permitted to ignore the ordinary budget rules.

II.—Public Department.

21. In applying a general policy laid down by the Government of India, the Madras Government consider that they should be granted a free hand as far as possible, and any instructions that are issued to Local Governments should therefore be as far as possible general.

22. The Government of Madras wish to enter a strong protest against interference with Local Governments by officers serving directly under the Government of India, such as Directors-General and Inspectors-General. It is laid down roughly in most cases that such officers are to correspond with the Government of India, not with Heads of Departments under the Local Government, except in matters relating to statistics, professional matters and matters relating to the operation of departmental rules. But there is a tendency to issue direct instructions to Heads of Departments which are likely to be construed into orders, and which weaken the authority of the Local Government. An example of the kind of interference to which this Government object will be found in G.O. Nos. 1893, 1894, Judicial, dated 17th November, 1906, a copy of which has been handed in by the Chief Secretary. The ordinary rule that they should issue no orders to provincial Heads of Departments, and that they should not correspond direct with them, should be enforced with the utmost strictness. Any correspondence that may be necessary can be conducted with the Secretary to the department without undue delay.

23. In the scientific departments, such as the Chemical Examiner, the Superintendents of the King Institute and the Pasteur Institute, and appointments to the Jail Departments and Lunatic Asylums, the Government consider that they should be free to make all such appointments when suitable local officers are available, and should not be required to consult the Government of India, except when suitable officers cannot be obtained in the Presidency.

24. The Government consider that power might be taken to delegate the powers conferred by law on the Government of India or the Local Government, as also to withdraw any delegation made. They are inclined to think that this can only be done by specific legislation.

25. With regard to delegations to the Board of Revenue, Collectors and other subordinate officers, this Government have delegated many powers. Mr. Meyer was employed on special duty in 1897 in furtherance of this object. Many powers have in the last year or two been delegated, and others may similarly be delegated. The Government propose to appoint a small committee to consider what further delegations can be effected.

26. It is of importance that in matters which affect the raiyat and which are not professional matters, the officers of the Public Works Department should be placed under subordination to the Collector. This is especially necessary in questions affecting the distribution of water and the repair of tanks. The Government have not decided exactly how this arrangement can be made, but propose to take it into consideration in connection with the report of a Committee on matters relating to the Public Works Department, which is now under consideration.

27. Transfers are less frequent than they were a few years ago. The Government avoid making them as far as is possible with due consideration of the rights of officers.

28. Certain large proposals are under consideration at the present moment for increasing the number of districts, divisions and *taluks*. They have been approved generally, and are now under discussion in detail. When carried into effect, they will give a certain amount of relief; but the Madras districts are so large and the work which is under the raiyatwari system so detailed, that further measures will probably become necessary before many years have passed.

29. The Government upon the whole are not anxious to urge any large or far-reaching alterations in the system of appeals at present existing.

III.—Revenue Department.

30. In the Revenue Department the bulk of the delegations which the Government propose to make are already within the powers of the Local Government, or will be, if the recommendation already made is accepted, that the Local Government may delegate powers which it has itself received by delegation. In a certain number of cases delegation or devolution of powers requires an amendment of the law. This is especially the case with the Sea Customs Act, 1878, an enactment framed to suit the circumstances of the country nearly thirty years ago, since when the growth of trade and the gradual development of uniformity of procedure in customs matters have rendered many of its restrictions unnecessary. A list of cases is shown in schedule C appended.

31. The Government further consider that wider powers should be conferred on them in the matter of the alienation of land and land revenue. The present powers of the Local Government in regard to the alienation of land are laid down in Standing Order No. 24 of the Board of Revenue, which is based on the resolution of the Government of India therein cited, and are as follow:—

(1) Sales of Government land for *full value* may be sanctioned up to Rs. 10,000.

(2) Sales of Government land *on favourable terms* for a public purpose may be sanctioned up to Rs. 1,000.

(3) Gifts or grants of Government land may be sanctioned up to Rs. 3,000, when intended as a site for the construction of schools, hospitals, dispensaries, or other public works to be erected at the cost of recognised local funds, up to Rs. 500 when given for any other public purpose, or to a private individual for services to be performed to the State, and up to Rs. 100, when the services are to be performed to the community, or when the grant is to a private individual for his private benefit, irrespective of any services to be performed. In all other cases the sanction of the Government of India is required. The Government consider that these restrictions on the power of Local Governments to alienate land are unnecessary. The greatest part of the land of the country is already private property, and the grants or alienations now made are, therefore, generally of waste land, and are almost always to local bodies for purposes of public utility. Experience has shown that references to the Government of India on these alienations cause considerable trouble and delay, and the Government consider that the limitations on the power of Local Governments in this respect may well be abrogated.

32. Under the existing rules which are summarised in the second part of the Board's Standing Order No. 24, Local Governments are authorised to sanction the alienation of land revenue, *i.e.*, to exempt from payment of land assessment or ground-rent any land that is used for public purposes, such as roads, the sites of hospitals, dispensaries and the like, and which yields no return to local bodies or other owners thereof, provided that the market value of the occupancy right in the land, together with the capitalized value (taken at 25 years' purchase) of the revenue remitted does not exceed the limits prescribed for gift or grant of State land referred to above. For reasons similar to these already stated, the Government consider that all restrictions on the powers of Local Governments in the matter should be removed.

33. A question has been raised as to the comparative advantages of a Board of Revenue as it exists in this Presidency, or of Divisional Commissioners as they exist in other provinces. The

powers and duties of the Board of Revenue, Madras, are defined in two legislative enactments, Regulation I. of 1803 and Madras Act I. of 1894. The latter Act repealed an earlier measure, Madras Act II. of 1883, the object of which was to enable any portion of the business of the Board to be disposed of by a single Member. Prior to that period, the Board, which then consisted of three Members, had dealt with all subjects collectively. It was decided in 1884 to separate and define the functions and duties of the Members, and to assign to each the charge of specific departments. At the same time, in order to mark the fact that the functionaries in charge of the departments of the Board belong to a collective body, they were gazetted as "Members of the Board of Revenue and Commissioners." The result of this reorganization was to convert the Board into a body composed of four Heads of Departments, capable indeed of collective action, but ordinarily acting singly, each having charge of branches of work with which the other Members have no concern, unless consulted by the Member in charge.

34. As thus reconstituted, the Board of Revenue comprises the following Members:—

(1) The Commissioner of Salt, Abkari and Separate Revenue, who has control of the Salt, Excise, Customs, Stamps and Income-tax Revenues and Emigration, and of the establishments employed in connection therewith.

(2) The Commissioner of Revenue Settlement, Survey, Land Records and Agriculture, who has control over the Revenue Settlement, Survey, Land Records and Agricultural Departments.

(3) The Commissioner of Land Revenue, who has control over the Forest Department.

(1) The Commissioner of Land Revenue, who is also Inam Commissioner, and who conducts the bulk of the work falling upon the Board in its capacity as Court of Wards under Madras Act I. of 1902.

The individual Commissioners carry on their duties independently, the collective action of the Board being confined to the following classes of cases:—

(*a*) Matters of personal conduct affecting officers of the Indian Civil Service.

(*b*) Matters of importance affecting estates under management of the Court of Wards.

(*c*) Matters involving questions of principle, or regarding which the opinion of the Full Board is expressly called for by Government. In a limited number of cases, the two Land Revenue Commissioners decide jointly on important papers connected with Land Revenue. The constitution is thus so arranged as to secure the benefits of individual initiative and responsibility without sacrificing the advantages possessed by a collective and consultative body.

(*d*) Matters referred to the Full Board by any Member.

35. As the Board is thus composed of Heads of Departments, it follows that the creation of Land Revenue Commissioners with territorial jurisdiction in Land Revenue matters would not enable the present Board to be abolished. This seems to be plain from the example of other provinces, as well as from the needs of this Presidency. Thus in Bengal there exist, besides a Board of Revenue composed of two members and six Divisional Commissioners, a separate officer who is Commissioner of Excise and Salt. Owing to the permanent settlement, there is no Settlement Department as in a raiyatwari province, so that in Bengal the two members of the Board *plus* the Excise Commissioner practically correspond to the Madras Board of Revenue, the six Divisional Commissioners being thus additional. In Bombay where there are Divisional Commissioners, but no Board of Revenue, there exist, in addition to three Divisional Commissioners and the Commissioner in Sind, the following appointments:—

Northern Division.
Central Division.
Southern Division.

(1) Settlement Commissioner, Director of Land Records and Inspector-General of Registration, Births, Deaths and Marriages.

(2) Commissioner of Customs, Salt, Opium, and Abkari and Reporter-General of External Commerce.

These two officers correspond to the first two appointments in the Board of Revenue, Madras, and even were the Board of Revenue to disappear, two appointments as Heads of the Separate Revenue and Settlement Departments must remain.

36. It would also be necessary to retain a third appointment for control of the Forest Department. In this Presidency the forest reserves are not collected in compact masses in sparsely populous regions, but are often scattered over well-populated areas. They are often close to villages and the regulation of grazing, the control of the removal of fuel and other forest produce for domestic and agricultural use, and the provision of depôts for the distribution of firewood are matters of vital importance to the comfort and welfare of the population. The Government are strongly of opinion that to hand over the control of these matters to a specialist brought up in the traditions of an expert department, would be fraught with the gravest danger to the well-being and content of the Presidency. The control of the Forest Department should be retained by a representative of the Land Revenue Administration, who will not be tempted, in the desire to promote scientific forestry and future forest development, to sacrifice the present interests of the raiyat population. An officer to be the Head of the Forest Department is thus essential. There remains the work of *Inam* Commissioner, which could not well be given to Divisional Commissioners. Questions connected with *inams* continually present problems of special difficulty, and it is most desirable that they should be dealt with by a central authority and on uniform principles. They are at present specially onerous, as the work of enfranchising and settling *inams* situated within permanently-settled and other estates is now in progress and will not be finished for another ten years. The work could not be undertaken by Government.

37. If the Board of Revenue were replaced by Divisional Commissioners, not less than six would be required, besides the four departmental Commissioners referred to above. The additional cost would probably amount to four lakhs, for no material reduction would be possible in the establishment of the Board of Revenue.

38. The question for consideration is whether the advantages that would follow from the creation of these Divisional Commissioners at a cost of about four lakhs annually would be equal to the heavy expense involved. The Government see much reason to doubt it. The Divisional Commissioner, if he is not to be a mere post-office, must encroach unduly on the functions either of the Collector below, or of the Government above him. Experience in other branches of administration suggests the probability of the Commissioner tending to become merely a forwarding officer. If, however, he is active and interferes, he is liable to stifle the initiative of the men below. In so far as personal influence and communication between Collectors and the higher officers are concerned, the Government believe that the present arrangement secures all that is necessary. The tours of the Members of the Board of Revenue are frequent and thorough, and every district of the Presidency is visited by at least one Member of the Board at least once a year. The Board in fact performs not merely its statutory functions, but to a great extent the duties done by Divisional Commissioners in other provinces. The smooth working of the Land Revenue system and the absence of discontent is in the opinion of Government largely due to the existence of the Board of Revenue. The Government are strongly of opinion that it would be a most retrograde and unfortunate step to substitute for the existing system that of Commissioners of Divisions. They have no doubt that such a change would not be popular or in accordance with native opinion.

IV.—Pension Department.

39. The Government of Madras propose that certain powers should be delegated to them in the matter of pensions in some of the cases in which restrictions are imposed by the Civil Service Regulations.

I.—Restrictions which involve references to the Secretary of State.

It is proposed that when references regarding pensions have to be made to the Secretary of State, they should be sent direct by this Government, provided that such references shall be made only—

(*a*) in the case of pensions of Provincial and Subordinate Officers ;

(*b*) on the condition that the cases so referred are special cases of individuals, and not the special cases of classes of officers ; and

(*c*) when a favourable decision in any case will not involve a specified maximum expenditure.

It is considered that the Government of Madras, which retains the right of direct correspondence with the Secretary of State in other matters, may be given a similar right in petty pension cases.

II.—Delegation of powers regarding pensions by the Government of India to the Government of Madras.

The cases considered are cases in which restrictions are imposed by the Civil Service Regulations. They are scheduled below with reference to particular articles of the Civil Service Regulations :—

Item number.	Reference to article in the Civil Service Regulations.	Subject.	Delegation proposed.	Number of references.
1	Article 4 ...	Claims to pension governed by the rules in force at the time of entering the service.	The power to grant an officer pension according to the rules in force when he entered the service, *i.e.*, prior to the date when the new pension rules were brought into effect, now reserved to the Government of India, should be extended to the Local Government.	...
2	Article 357...	Military service to count for pension under the civil rules.	The power exercised by the Government of India to allow service which is pensionable under the military rules to count for pension on the *inferior* scale in special cases should be delegated to the Local Government.	...
3	Article 168...	Temporary service to count for pension.	The power to allow purely temporary service to count for pension if the pension does not exceed Rs. 10 per mensem should be delegated to the Local Government.	1
4	Article 422...	Condonation of interruptions in service.	The power to condone interruptions in service not exceeding 12 months and when the pension does not exceed Rs. 50 a month now exercised by the Government of India should be extended to the Local Government.	2
5	Articles 475 and 642.	Special additional pensions.	The power to grant an additional pension of Rs. 1,000 per annum to officers for approved service of three years rendered in certain appointments should be delegated to the Local Government.	5

III.—Delegation of powers regarding pensions now vested in the Local Government by the Civil Service Regulations and Civil Account Code to the authorities subordinate to them.

There are certain questions, such as that of the consideration of interruptions in service and the reduction of pensions for unsatisfactory service, which the Government of Madras consider should be reserved to them. The danger of delegation is that such matters might be looked at quite differently in different departments *working in the same local area*, with the result of unequal treatment, or treatment giving ground of complaint to the men in a particular department who can compare their cases with those of other men, of other departments, who are in close touch with them.

To the delegations proposed below this objection does not apply :—

Item number.	Reference to article in the Civil Service Regulations or Civil Account Code.	Subject.	Delegation proposed.	Number of references.
1	Article 478 (*a*) Civil Service Regulations. Government of India letter No. 2260, Home Dept. (Public), dated 18th July, 1902.	Reduction in pension in certain cases.	The power given to the Local Government to relax article 478 (*a*), Civil Service Regulations, in the case of certain subordinates of the Registration Department may be delegated to the Inspector-General of Registration.	12
2	Articles 520 and 521, Civil Service Regulations.	Re - employment of pensioners.	The power to sanction the employment under the Court of Wards of an officer who has obtained a superannuation or retiring pension should be delegated to the Court of Wards.	
3	Article 524, Civil Service Regulations.	Re - employment of pensioners.	The power exercised by the Local Government to sanction the re-employment of pensioners when the employment is *bona-fide* temporary and lasting for not more than a year should be delegated to Heads of Departments.	21
4	Article 841 (*b*), Civil Account Code.	Overpayment of leave allowances.	The power exercised by the Local Government under this article should be delegated to— (1) the Board of Revenue to remit without restriction the leave allowances irregularly drawn by the applicants for pension more than three years before retirement ; and (2) other Heads of Departments to forego such allowances up to say Rs. 30 in each case or three months' pay.	200
5	Article 919. Civil Service Regulations.	Power to grant pensions.	The power to grant pensions to subordinates drawing Rs. 100 and less where there is no question of the special application of a rule, or the extension to the case of a penalty or an advantage, should be delegated to Heads of Departments.	96

V.—Local and Municipal Department.

40. There are under the Madras Government 23 District Boards, constituted under Madras Act V. of 1884, with 82 *taluk* Boards and 382 unions subordinate to them. There are 60 district municipalities, constituted under Madras Act IV. of 1884, in addition to the Presidency Municipality. The Collectors of districts are *ex-officio* Presidents of District Boards, though the Act allows of the appointment of non-official Presidents. So also Revenue Divisional Officers are *ex-officio* Presidents of *taluk* Boards. The Local Boards Act, 1884, also admits of the election of Vice-Presidents.

41. Section 288 of the District Municipalities Act, 1884, and section 160 of the Madras Local Boards Act, 1884, authorise the delegation by the Local Government of all powers, except those specified in Chapter I. of those Acts. Similarly, section 159 of the Local Boards Act, 1884, authorises the Local Government to delegate any of the powers conferred on the Collector by that Act. Considerable powers have already been delegated in matters relating to Local Fund and municipal administration to Presidents of District Boards and Collectors, respectively. Only two years ago further powers were delegated to district municipalities. These bodies already enjoy a large amount of freedom in regard to expenditure from their balances which has not hitherto been possessed by Local Boards.

42. As recent changes in financial rules now permit of such a course, owing to the exclusion from the general provincial and imperial Budget of the funds of Incorporated Local Boards, the Government will be prepared to authorize Local Boards to incur expenditure from their balances, and to exercise powers similar to those at present possessed by the district municipalities in that respect.

43. Both Local Boards and municipalities practically settle their own programme, and the interference of Government is confined to reviewing their proposals as embodied in the annual budget. When the budget has been sanctioned, no further interference on the part of Government takes place, except in cases in which the sanctioned estimates are deviated from. In regard to establishments, the sanction of the Local Government is required both under the Local Boards and Municipalities Acts in all cases, except in regard to petty menial establishments in municipalities. Owing to the great likelihood of abuse of the power of appointment, the Government consider it desirable to retain this control in their hands.

44. The Government do not consider it desirable to give District Boards any power of control over the smaller municipalities. Of the 60 municipalities only three—two of which are hill municipalities—have a population of less than 10,000, while there are only five with a population between 10,000 and 15,000. The Municipal Councils have no official representation on District Boards, while their funds are raised from totally different sources.

45. In many of the cases in which the Government of Madras have proposed delegations of power, the number of references which have to be made is not very large, but the aggregate number which will be saved if the Government of India should find it possible to delegate these powers is very considerable. There is also another far more important consideration, and that is the saving of time which would result from all these references being unnecessary.

H. BRADLEY,
Ag. Chief Secy. to the Govt. of Madras.

Fort St. George,
30th November, 1907.

SCHEDULE A.

Financial powers which should be delegated to Local Governments.

Item number.	Reference to article in the Civil Service Regulations, Civil Account Code or Code Rules.	Subject.	Delegation proposed.	Number of references that would have been avoided, if these delegations had been in force in 1906.
1	Article 129 (*a*) of the Civil Account Code.	Loans to local authorities.	The power to sanction loans under the Local Authorities Loans Act, XI of 1879, and under the Local Authorities (Emergency) Loans Act, XII of 1897, for repayment within a limit of *thirty* years should be delegated to the Local Government, in respect of loans granted by the Government themselves.	...
2	Do.	Do.	Power should be delegated to the Local Government to sanction the raising of loans by local bodies in the open market up to a limit of Rs. 1 lakh, and a limit of 30 years.	...
3	Civil Account Code— Articles 277, 283-4 (3) (*a*) and (*b*) and (4). Civil Service Regulations— Articles 70, 75, 78 and 79.	New appointments, temporary appointments and deputations.	The powers recently delegated to the Government of India by the Secretary of State in regard to *permanent* appointments should be conferred on Local Governments, and the limit of the power to sanction *temporary* appointments and deputations should be raised to Rs. 500 *per mensem*, and the period to one year. The rules in Home Department letter No. 57, dated 31st March 1902, regarding remuneration of special temporary appointments, should be abolished.	27
			The limit of Rs. 25,000 a year for revisions of establishments in rule (*f*) in article 277 of the Civil Account Code should be raised to Rs. 50,000.	
			The Local Government should be given a free hand as regards the grant of *conveyance* allowance, house-rent and free quarters.	3
	Articles 283-4 (5), Civil Account Code.	Class or grade of officers.	The ruling which prohibits the creation or abolition by the Local Government of a class or grade of officers or the alteration of the pay of a class or grade should be cancelled.	...
	.....	List of appointments in the Provincial Educational Service.	Power may be delegated to the Local Government to make alterations in the appointments included in the cadre of the Provincial Educational Service, provided that the number of such appointments is not altered, and the Government of India's sanction is obtained when required by Account rules.	1

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SCHEDULE A—*continued.*

Financial powers which should be delegated to Local Governments—*continued.*

Item number.	Reference to article in the Civil Service Regulations, Civil Account Code or Code Rules.	Subject.	Delegation proposed.	Number of references that would have been avoided, if these delegations had been in force in 1906.
4	Article 278-A, Civil Account Code.	Petty and unusual items of Expenditure.	The half-yearly return prescribed in article 1343-A of the Civil Account Code should be abolished.	...
5	Article 279, Civil Account Code.	Irrecoverable items ...	The report to the Government of India, when the loss exceeds Rs. 1,000 and falls upon Imperial Revenues, should be abolished.	1
6	Article 279-A, Civil Account Code.	Remitting disallowances.	The rule requiring the sanction of the Government of India in the Financial department and, where necessary, of the Secretary of State, to any remission of any disallowances made within six months from the date of payment should be abolished.	1
7	Articles 295 and 296, Civil Account Code.	Reappropriations ...	As regards provincial and divided heads, the Local Government should be granted powers to allot from the Provincial balances, during the course of the year should necessity arise, up to some maximum to be agreed upon subject to immediate report to the Government of India for information, and they should have authority to delegate powers of reappropriation, under such conditions as they see fit, to heads of departments. 2. Under *wholly imperial* heads in the Civil as opposed to the Public Works Department, the Local Government should be given power to make additional allotments with a money limit of Rs. 25,000 *per annum*. 3. The Local Government should have unfettered control over *local* revenues, and the restriction imposed in article 295 as regards *local* expenditure should be removed.	71
8	Articles 72 and 74, Civil Service Regulations.	Honoraria and fees from private persons or bodies.	The power to sanction honoraria exercised by the Government of India should, in the case of other than imperial revenues, be delegated fully to the Local Government.	...
9	Article 124 (*a*) Civil Service Regulations.	Allowances to subordinates officiating as Executive Engineers—Rs. 100 subject to the pay of an Executive Engineer, 3rd grade, as a maximum.	Where the remuneration admissible by rule is not commensurate with the duties, the Local Government should have the power to sanction an increased allowance.	...
10	Article 124 (*d*) Civil Service Regulations.	Allowances to an Accountant in the Public Works Department officiating as an Assistant Examiner.	The Local Government should be competent to sanction, by a special order, acting allowance not exceeding Rs. 50 to an Accountant officiating as Assistant Examiner.	...
11	Article 144, Civil Service Regulations.	Officers without substantive appointment.	The power now reserved to the Government of India to increase, in special cases, the allowances to an officer without a substantive appointment on a permanent establishment officiating in an appointment, the pay of which is not less than Rs. 100, to an amount not exceeding the full pay of the appointment, should be delegated to the Local Government.	...
12	Article 229, note 2, Civil Service Regulations.	Overstayal of furlough on medical certificate, or leave on medical certificate.	The power possessed by the Government of India to grant an extension of leave not exceeding a week, provided the leave is earned, should be delegated to the Local Government.	...
13	Article 753 (ii), Civil Service Regulations.	Transfer to foreign service.	The power to sanction the transfer of an officer to foreign service in India on pay in excess of that specified in clause (iv) of article 753, or to a Native State on any emoluments in addition to those specified in rule III of appendix No. 31, when the Native State to which the officer is transferred is under the administrative control of the Local Government, or to foreign service out of India, should be delegated to the Local Government. The Local Government should be empowered to transfer the services of subordinates, under the foreign service rules, to private bodies which have for their object the encouragement of agricultural or veterinary development.	4
14	Article 1083, Civil Service Regulations, Exceptions.	Travelling allowance for joining first appointment.	The Local Government should have power to sanction travelling allowance to persons joining a first appointment in the public service in cases which do not come under any of the exceptions under the article.	2
15	Article 1139, Civil Service Regulations.	Increased rate of daily allowance and mileage in special localities.	The Local Government should have the power to sanction increased rates of daily allowance and mileage in special localities, without reference to the Government of India.	2
16	Public Works Code, paragraphs 40, 60, 61, 65, 68 and 69.	Permanent scale of the Engineer, Upper Subordinate and Accountsestablishments in the Public Works Department.	The power of fixing the cadres for Upper Subordinates and Accountants should be delegated to the Local Government.	1
17	Public Works Code, paragraph 174.	Professional examination for Assistant Engineers, third grade.	The Local Government should have the power to dispense with the examination, or reduce the period of service on probation in special cases, of officers under their orders.	...

SCHEDULE A—*concluded.*

Financial powers which should be delegated to Local Governments—*concluded.*

Item number.	Reference to article in the Civil Service Regulations, Civil Account Code or Code Rules.	Subject.	Delegation proposed.	Number of references that would have been avoided, if these delegations had been in force in 1906.
18	Public Works Code, paragraph 409.	Leave to superior Accounts Officers.	The Local Government should be empowered to grant leave to superior Accounts Officers when their duties can be arranged for locally.	3
19	Public Works Code, paragraph 927.	Contracts and agreements involving liabilities on the part of the State.	The Local Government should be empowered in the case of contracts for Public Works entered into by them to relax the rules to the extent allowed to the Government of India	...
20	Public Works Code, paragraph 945.	Establishment chargeable to "Works."	The limit of sanction by the Local Government should be raised from Rs. 250 to Rs. 500.	1
21	Public Works Code, paragraph 1057.	Sale or dismantlement of buildings constructed from imperial funds.	The Local Government should have the power to sell or dismantle permanent public buildings constructed from imperial funds, the book value of which exceeds Rs. 1,000.	1
22	Public Works Code, paragraph 1068-I (*g*).	Writing down of capital cost of buildings.	The Local Government should have the power to sanction the writing down of the capital cost of a building, when greatly in excess of the real value, without reference to the Government of India.	...
23	Public Works Code, paragraph 1068-I (*h*).	Renewal of a building necessitated by the occurrence of fire, flood, earthquake or other calamity.	The Local Government have the power to write off any portion of the capital cost, but must report their decision and the reasons therefor to the Government of India. The report should be abolished.	...
24	Public Works Code, paragraph 1068-II (*e*).	Special assessment of rents at certain stations with reference to prevailing rates.	The Local Government should have the power to make reduced assessments in the case of buildings intended as residences for officers holding particular appointments which are occupied by the incumbents of such appointments.	...
25	Public Works Code, paragraph 1068-V.B.	Provision of free quarters to officers under prescribed conditions.	In the case of Educational Officers, the Local Government have power to provide free quarters for the principal and a professor of a Government College; if it is desired to extend the privilege to more than the two officers, the sanction of the Government of India is necessary. The Local Government should be empowered to extend the privilege to more than two officers.	...
26	Public Works Code, paragraph 1079-V.	*Transfer* of buildings to Volunteer Corps for use by them.	The Local Government should be empowered to deal with all such cases.	...
27	Public Works Code, paragraph 1143.	Amount of imprest ...	The Local Government should have the power to sanction imprests exceeding Rs. 1,000.	...
28	Public Works Code, paragraph 1391.	Commission to auctioneers for sale of public stores.	The Local Government should have the power to sanction commission to auctioneers, even though it exceeds 5 *per cent.*	...
29	Public Works Code, paragraph 1393 (*note*).	10 *per cent.* charges for supervision, storage and contingencies on valuable stores issued to Local Funds, municipalities and contribution works.	The Local Government should have the power to relax the rule requiring the levy of 10 *per cent.* charges, also in cases where Imperial Funds are concerned.	...
30	Paragraph 1685, Public Works Code.	Transfer of buildings belonging to state railways, or irrigation and other works for which Capital and Revenue accounts are kept.	No reference to the Government of India should be required in such cases.	...
31	Public Works Code, paragraph 2174.	Expenditure on buildings occupied by the Heads of Local Governments and Administrations.	The restriction to Rs. 15,000 *per annum* of the total outlay on any one residence occupied by the Head of a Government without the previous sanction of the Government of India should be removed. The Governor's residences would then come under the ordinary rules in regard to expenditure on public buildings.	2
32	Public Works Code, paragraph 2207.	Projects of which the estimated capital outlay is over Rs. 50,000.	The restriction that a project of which the estimated capital outlay is over Rs. 50,000 cannot be sanctioned under class IV. Minor Works for which Capital and Revenue accounts are not kept, except with the approval of the Government of India, should be removed, and the Local Government should be permitted to deal with such works without reference to the Government of India.	...
33	Appendix 10, Part IV. (rule X, note 4; rule XVI and rule XXXVIII).	(*a*) Increase to grants to churches at stations where abnormal rates prevail. (*b*) Renting of buildings for divine services. (*c*) Compensation for sittings.	The Local Government should be empowered to deal finally with all such cases.	...
34	...	Delegation of financial powers to Heads of Departments.	The Local Government should be invested with the power to re-delegate under such conditions as they consider proper any power the delegation of which has not been restricted.	...

SCHEDULE B.

Powers proposed to be delegated to Heads of Departments.

Item number.	Reference to articles in the Civil Service Regulations or Civil Account Code.	Subject.	Delegation proposed.	Number of references that would have been avoided, if these delegations had been in force in 1906.
1	Article 2 (1), Civil Account Code.	Deposit of cash chests of another department in the treasury for safe custody.	The written sanction of the Collector of a district should suffice.	3
2	Article 57, Civil Account Code.	Entertainment of temporary establishments.	The Local Government should be authorised to delegate to subordinate officers power of sanction to employ temporary establishments subject to such conditions as the Local Government see fit to impose.	...
		Revision of village establishments in proprietary estates.	The Board of Revenue should be empowered to sanction revision of village establishments in proprietary estates subject to the restrictions placed upon the powers of Local Government in regard to establishments generally.	329
3	Article 77-1, Civil Account Code.	Permanent advance ...	The High Court should be authorised to sanction permanent advances to subordinate officers up to a limit of Rs. 500, subject to the conditions— (*a*) that the Accountant-General is consulted in each case; and (*b*) that any difference of opinion between the Accountant-General and the sanctioning authority is referred for the decision of the Local Government.	2
4	Article 98 (*c*), Civil Account Code.	Section-writing charges.	The Local Government should be authorised to empower Heads of Departments to sanction section-writing and copying charges paid for at piece-work rates.	3
5	Article 98 (*f*), Civil Account Code.	Supply of rubber stamps.	The Board of Revenue, the High Court, the Inspectors-General of Police, Prisons and Registration, and the Director of Public Instruction should be empowered to sanction in special cases the local purchase of rubber stamps.	9
6	Article 98 (*h*), Civil Account Code.	Purchase of articles of European manufacture.	The Local Government should be authorised to empower Heads of Departments to sanction the local purchase of articles of European manufacture up to Rs. 100 in value. The Superintendent of Stationery should be authorised to make local purchases of articles of European manufacture not exceeding Rs. 200 in value. This limit is for the cost of any one article, or for the total cost of any number of articles of the same description.	14
7	" "	Local purchase of medicines not procurable at the Medical Stores depôt.	Civil Medical Officers in medical charge of districts, Presidency hospital and lunatic asylums should be empowered to make local purchases of medicines not procurable at the Medical Store depôt up to Rs. 100 in value.	...
8	Article 98 (*m*), Civil Account Code.	Recurring charges ...	Heads of Departments, including Collectors and Judges, should be empowered to sanction recurring contingent expenditure subject to a monthly limit of Rs. 25 for any item. The Local Government should be empowered to delegate authority to *subordinates* to Heads of Departments to sanction specified recurring charges. The High Court and the Inspector-General of Prisons should be authorised to sanction all rent charges for accommodation of the officers subordinate to them. This power is now possessed by the Board of Revenue, the Inspectors-General of Registration and Police and the Director of Public Instruction. Heads of Departments should be empowered to entertain sweepers, scavengers, and men employed for the supply of drinking-water, provided that the men are not whole-time servants and that their allowances are treated as contingent charges.	29
9	Article 98 (*r*), Civil Account Code.	Postal commission ...	Unavoidable payments for postal commission on money-orders and value-payable parcels should be passed as contingent charges at the discretion of Heads of Account Offices without any reference to Government.	1
10	Article 98 (*v*), Civil Account Code.	Type-writers	The first supply of a machine to an office should be sanctioned by the Local Government; but the Superintendent of Stationery should be allowed discretion to sanction renewals.	8
11	Article 279, Civil Account Code.	Writing off	The Board of Revenue should be empowered to write off finally the irrecoverable value of stores or public money lost by fraud, or the negligence of individuals, or other cause up to a limit of Rs. 500 in each case.	16
12	" "	"	Collectors should be empowered to write off irrecoverable arrears under survey advances subject to the submission of a quarterly return to the Board of Revenue.	...
13	Article 279-A, Civil Account Code.	Remission of overpayments.	Heads of Departments to be selected at the discretion of the Local Government should be empowered to remit, in the case of officers serving under them, disallowances by Audit Officers, so far as they affect payments made more than six months before the date when they were challenged, provided that the amount does not exceed Rs. 100 in any one case.	6

SCHEDULE B—*continued.*

Powers proposed to be delegated to Heads of Departments—*continued.*

Item number.	Reference to articles in the Civil Service Regulations or Civil Account Code.	Subject.	Delegation proposed.	Number of references that would have been avoided, if these delegations had been in force in 1906.
14	Article 280, Civil Account Code.	Disposal of escheated estates or property.	The Board of Revenue should be authorised to dispose of escheated estates or property not exceeding Rs. 1,000 in value, and the submission of an annual statement to the Government of India should be discontinued.	3
15	Article 53, Civil Service Regulations.	Transfer of charge of officers elsewhere than at their headquarters.	The Board of Revenue should be empowered to sanction the transfer of charge elsewhere than at their headquarters by executive officers under them.	...
16	Articles 57 and 58, Civil Service Regulations.	Deputation of an officer beyond jurisdiction.	The Inspector-General of Police should be authorised to sanction the deputation beyond his jurisdiction of all officers, gazetted and non-gazetted, subordinate to him.	...
17	Article 72, Civil Service Regulations.	Payment of recurring remuneration.	The Board of Revenue should be empowered to sanction the grant of remuneration to *karnams* employed in checking and preparing field sketches under the supervision of the Land Records staff, and to make alterations in the scale of remuneration paid to village officers for working in settlement offices.	9
18	" "	Payment of recurring honorarium or allowances.	The Board of Revenue (Separate Revenue) should be empowered to sanction the payment of allowances to Customs Superintendents for doing duty as Landing and Shipping Fees clerks in addition to their own duties.	1
19	Articles 94 and 95, Civil Service Regulations.	Charge allowances ...	The High Court and the Board of Revenue should be empowered under article 95 of the Civil Service Regulations.	4
20	Article 157-B (*b*), Civil Service Regulations.	Transfer as a penalty from a higher to a lower appointment on progressive pay.	Heads of Departments should be empowered to exercise so far as their subordinates are concerned the power now vested in the Local Government to allow an officer on transfer, as a penalty, from a higher to a lower appointment on progressive pay to draw any salary not exceeding the maximum of such appointment as they may think proper.	...
21	Article 158, Civil Service Regulations.	Alteration in the pay of an appointment.	The Local Government should be authorised to empower the Board of Revenue, the High Court, and other Heads of Departments to allow an officer, the pay of whose appointment is changed, to retain his old pay.	..
22	Article 180, Civil Service Regulations.	Joining time	The High Court, the Board of Revenue, the Director of Public Instruction, and the Inspectors-General of Police and Prisons should be empowered to extend joining time within a fifteen days' limit subject to the provisos in article 180 (*a*) of the Civil Service Regulations.	7
23	Article 188, Civil Service Regulations.	Allowances during joining time.	The Local Government should be authorised to empower the Board of Revenue, the High Court and other Heads of Departments to grant allowances during joining time to an officer without a substantive appointment.	20
24	Article 189, Civil Service Regulations.	Exceeding joining time.	The Local Government should be authorised to empower Heads of Departments to exempt officers from loss of appointment for overstayal of joining time.	...
25	Article 193 (*b*), note, Civil Service Regulations.	Extra cost on account of reinstatement of a suspended or dismissed officer.	The limit of extra cost should be raised in the case of all Heads of Departments from Rs. 250 to Rs. 500.	...
26	Article 230, Civil Service Regulations.	Overstayal of leave ...	The Local Government should be authorised to empower selected Heads of Departments to exempt officers from loss of appointment for overstaying leave.	...
27	Article 232, Civil Service Regulations.	Commutation of absence without leave into leave without allowances.	The Local Government should be empowered to authorise selected Heads of Departments to commute absence without leave into leave without allowances.	1
28	Articles 253 and 254 of the Civil Service Regulations.	Remission of the penalty for overstaying privilege leave, examination leave and joining time.	The Board of Revenue, the High Court, the Inspector-General of Police and the Director of Public Instruction should be permitted to remit the penalty for overstaying privilege leave, examination leave and joining time.	1
29	Article 322 (*b*) of the Civil Service Regulations.	Subsidiary leave ...	The Board of Revenue and the High Court should be empowered to sanction subsidiary leave to an officer returning to India, without the permission of the authority which granted him leave, more than fourteen days before the end of his furlough or special leave.	...
30	Article 329 of the Civil Service Regulations.	Extension of subsidiary leave.	In cases where there is any special delay in the issue of orders appointing an officer returning to India to a particular post, the Board of Revenue, the High Court, the Inspector-General of Police and the Director of Public Instruction should be empowered to extend subsidiary leave up to a maximum of thirty days.	5
31	Article 339, Civil Service Regulations (*Note* 1).	Extraordinary leave without allowance.	The Board of Revenue, the High Court, the Inspectors-General of Police, Prisons and Registration, the Surgeon General and the Director of Public Instruction should be empowered to grant extraordinary leave without allowances for a period not exceeding two months, even though the applicant for leave is eligible for other kinds of leave.	1

SCHEDULE B—*concluded.*

Powers proposed to be delegated to Heads of Departments—*concluded.*

Item number.	Reference to articles in the Civil Service Regulations or Civil Account Code.	Subject.	Delegation proposed.	Number of references that would have been avoided, if these delegations had been in force in 1906.
32	Articles 520 and 521.	Re-employment of pensioners.	Power to sanction the employment under the Court of Wards of an officer who has obtained a superannuation or retiring pension should be delegated to the Court of Wards.	8
33	Article 790 ...	Application for leave while in foreign service.	The Court of Wards should be empowered to sanction leave of all kinds to a non-gazetted officer lent to it, provided— (*a*) that the leave does not exceed the unexpired period of the deputation, (*b*) that the Account Officer certifies that the leave is admissible, and (*c*) that intimation of the leave is sent promptly to the Accountant-General and to the authority who would have granted the leave, if the officer had remained in the Government service.	...
34	Article 753, Civil Service Regulations.	Transfer to foreign service.	The Board of Revenue should be empowered to transfer non-gazetted subordinates to foreign service of all the three kinds specified in article 750 of the Civil Service Regulations, except to foreign service under Native States and subject to a report from the Audit Officer.	6
35	Article 997, Civil Service Regulations.	Journey by the shortest or cheapest route.	The Board of Revenue, the High Court, the Inspector-General of Police and the Director of Public Instruction should be empowered to permit travelling allowance to be calculated by other than the shortest or cheapest route, provided the journey is actually performed by such a route.	...
36	Article 1004, Civil Service Regulations.	Payment of travelling allowance of non-officials attending educational conferences convened under the orders of Government.	The Director of Public Instruction should be empowered to pass the travelling, hotel and carriage expenses incurred by gentlemen who are not officials of Government attending an educational conference convened under the orders of Government.	..
37	Article 1063, Exception (*c*), Civil Service Regulations.	Daily allowance ...	Heads of Departments should be empowered to grant a daily allowance of two annas to an inferior servant accompanying an inspecting or controlling officer whose circuit of inspection or control extends beyond the limit of a single district.	7
38	Article 1097 (*b*), Civil Service Regulations.	Travelling allowances	Heads of Departments should be empowered to sanction the grant of passage money, in case of transfer of an officer, to a member of his family who is prevented by good and sufficient cause from travelling with him, provided such member follows the officer within six months of the date of his transfer, or precedes him by a period not exceeding one month.	...
39	Article 1107, Civil Service Regulations.	Travelling allowance to inferior servants on transfer.	All Heads of Departments should be empowered to sanction the grant of travelling allowance to an inferior servant on transfer.	19
40	Article 1138, Civil Service Regulations.	Travelling allowance for journeys undertaken to procure medical certificate by an officer applying for an invalid pension.	The Board of Revenue, the High Court, the Inspector-General of Police and the Director of Public Instruction should be empowered to grant travelling allowances for journeys undertaken by an officer *voluntarily* applying for an invalid pension, in order to procure a medical certificate from a Medical Board.	...
41	Public Works Code (paragraph 382).	General call for information from Executive Engineers in connection with divisional accounts.	The Examiner of Public Works Accounts should be empowered to deal with all such cases.	...
	Public Works Code (paragraph 25).	Grant of two periodic increments of Rs. 50 *per mensem* each to Accountants, first grade.		
	Public Works Code (paragraph 36).	Grant of Presidency allowance to Accountants at the Presidency towns.		
	Public Works Code (paragraphs 58 and 59).	Appointments of Accountants, permanent and temporary.		
	Public Works Code (paragraph 409).	Long leave to Accountants.		
	Public Works Code (paragraphs 101 and 1771).	Promotion of Accountants, permanent and temporary.		
	Public Works Code (paragraphs 1765 and 1767).	Retention in Government service of Accountants and clerks under the orders of the Examiner, who have attained 55 years of age.		

SCHEDULE C.

CASES OF DELEGATION WHICH INVOLVE AMENDMENT OF ACTS.

REVENUE DEPARTMENT.

1.—See Customs Act VIII of 1878.

(1) POWERS which are now exercised by the Local Government, but which may be delegated to the Board of Revenue.

Nature of reference.	Authority under which the reference is made.	Remarks.
1. Appointing ports for carrying on of coasting trade	Section 12	
2. Appointing warehousing ports	„ 14	
3. Appointing places at a port beyond which vessels cannot enter without filing manifests.	„ 53	
4. Prescribing landing fees on passengers' baggage or postal parcels.	„ 75	
5. Suspending the provisions of the Act regarding boat-notes ...	„ 76	
6. Prescribing the limit of time within which owners may land goods.	„ 83	
7. Declaring the provisions of section 85 to be applicable to particular ports.	„ 85	
8. Exemption of salt and salted fish from the operation of section 96.	„ 96	
9. Prescribing scale of ullage and wastage for wines, etc.	„ 116	
10. Fixing rates of ullage and wastage to be allowed in the case of spirit to be removed under bond.	„ 147	
11. Permitting free entry of spirit imported when warehoused and when the excise duty leviable thereon is to be paid on its removal from the warehouse.	„ 148	
12. Permitting import at a port without payment of differential duty of spirit which has paid excise duty at another place where the spirit is to be delivered into a warehouse.	„ 151	
13. Framing rules for the denaturing of spirits	„ 155	

(2) POWERS which are now exercised by the Board, but which may be delegated to the Collector of Customs, Madras.

Subject of reference.	Authority under which the reference is made.	Remarks.
1. Appointing public warehouse	Section 15	
2. Prescribing form of application for license for private warehouse.	„ 16	
3. Appointing stations for Customs officers for boarding and landing from vessels.	„ 17	
4. Exempting goods of country produce from payment of excise duty on re-importation.	„ 26	
5. Prescribing particulars to be entered on manifests by receiving officer.	„ 56	
6. Prescribing the particulars to be entered on form of boat-notes	„ 76	
7. Prescribing form of application to warehouse	„ 91	
8. Prescribing the form of application for permission to remove goods from one warehouse to another in the same port.	„ 104	
9. Prescribing form of application to remove goods from one port to another.	„ 105	
10. Prescribing period for the due arrival of goods removed from one warehousing port to another.	„ 106	
11. Permitting persons desirous of removing goods from one warehouse to another in the same or different port to enter into a general bond.	„ 107	
12. Prescribing form of application for clearing goods from a warehouse.	„ 113	
13. Admitting ullage and wastage in excess of the scale prescribed by the Local Government.	„ 117	The Collector should report his action to the Board.
14. Remitting duties on warehoused goods lost or destroyed ...	„ 122	
15. Deciding the class of goods to be deposited in a public warehouse, and the portions of the warehouse in which they shall be deposited, and appointing an officer on his behalf.	„ 125	
16. Power to hear appeals from Custom House Agents	„ 202	

SCHEDULE C—*continued.*

II.—Cotton Duties Act II of 1896.

POWERS which are now exercised by the Local Government, but which may be delegated to the Board of Revenue.

Nature of reference.	Authority under which the reference is made.	Remarks.
1. Empowering officers to inspect mills	Section 16 (1) of the Cotton Duties Act, II. of 1896.	

III.—Income-tax Act II of 1886.

STATEMENT showing the powers which are now exercised by the Local Government, but which may be delegated to the Board of Revenue.

Nature of reference.	Authority under which the reference is made.	Remarks.
1. Empowering Collectors to publish a general notice in Form K in certain places not being municipal towns.	Section 18 (1) (*b*) of the Income-tax Act.	The Board may be empowered to authorise Collectors to invite returns of income by means of a general notice.
2. Appeal against the order of a Commissioner under section 27 of the Income-tax Act.	G.O. No. 438, dated 19th June 1888.	No second appeal is allowed under the existing law, but the Board receives such appeals and submits them for the orders of Government. It is desirable that the Board should be empowered to entertain and dispose of appeals against order passed under section 27 by officers subordinate to it.
3. Application for sanction to re-admit a revision petition rejected for whatever cause.	G.O. No. 438, dated 19th June 1888.	The Act does not provide for the re-admission of revision petitions once rejected. The Board may be empowered to order the re-entertainment of revision petitions summarily rejected otherwise than on their merits.
4. Appeal against an order passed by a Collector under section 33 of the Act.	Practice	No appeal against any order under this section is provided for by the existing provisions of the Act. The Board may be given the power of entertaining appeals in such cases.

IV.—Stamp Act II of 1899.

STATEMENT showing the powers which are now exercised by the Board of Revenue, but which may be delegated to the Collectors.

Nature of reference.	Authority under which the reference is made.	Remarks.
1. Refund of penalty exceeding Rs. 5 on documents impounded by officers having authority to receive evidence and forwarded to Collectors when no application is made for the same.	Section 39 of the Indian Stamp Act.	Under the existing law the consent of the Board to such refunds is necessary. This may be dispensed with.
2. Refund, without limit of time, of the value of stamped papers used for printed forms of instruments no longer required by Companies, etc.	Section 51 of the Act ...	This power may be delegated to Collectors.

V.—Court-fees Act VII of 1870.

STATEMENT showing the powers which are now exercised by the Board of Revenue, but which may be delegated to the Collectors.

Nature of reference.	Authority under which the reference is made.	Remarks.
1. Refund of excess court-fee paid on the probate of the will or letters of administration when the property of the deceased is estimated to be of greater value than the same afterwards proves to be.	Section 19-A of the Court-fees Act.	This power may be delegated to the respective Collectors within whose jurisdiction the probate or letters were granted.
2. Refund of excess court-fee paid on the probate of the will or letters of administration when the value of the property has decreased by payment of debts due from the deceased.	Section 19-B of the Court-fees Act.	Do. do.

SCHEDULE C—*continued.*

VI.—Land Acquisition Act I of 1894.

POWERS which are now exercised by the Local Government, but which may be delegated to the Collectors.

Nature of reference.	Authority under which the reference is made.	Remarks.
1. Payment of compensation otherwise than in cash for land acquired under Act I of 1894 (India).	Section 31 (3) of Act I of 1894 (India).	Under the existing law the sanction of the Local Government is necessary. The section may be so amended as to give the necessary power of sanction to Collectors without reference to Government.

JUDICIAL DEPARTMENT.

(1) POWERS which are now exercised by the Government of India, but which may be delegated to the Local Government.

Nature of reference.	Authority under which the reference is made.	Remarks.
1. Establishment of temporary Sub-Courts and District Munsiff's Courts.	Section 4, the Madras Civil Courts Act, 1873.	When the temporary Courts are to be established for not more than six months, *i.e.*, up to the limit of the period up to which the Local Government have financial powers in the matter of temporary appointments.
2. Rules for the destruction of records belonging to the High Court or Courts of Civil and Criminal Jurisdiction subordinate to the High Court.	Section 5, the Destruction of Records Act, 1879.	The rules are of local interest, and will not affect the procedure in other provinces.
3. Rules for the payment of expenses of complainants and witnesses attending Criminal Courts.	Section 544, the Code of Criminal Procedure.	References are merely formal.
4. Appointment of Notaries Public ...	Section 138, the Negotiable Instruments Act, 1881.	Do.

(2) POWERS which are now exercised by the Local Government, but which may be delegated to Heads of Departments.

Nature of reference.	Authority under which the reference is made.	Authority to whom the power should be delegated.	Remarks.
1. Investing District Munsiff with extended Small Cause Court powers.	Section 28, the Madras Civil Courts Act, 1873.	The High Court ...	References are formal.
2. Investment of District Munsiffs, Subordinate Judges and District Judges with power to record evidence of witnesses in their own hand in the English language.	Section 185-A, the Civil Procedure Code.	Do. ...	Do.
3. Transferring villages from one registration sub-district to another.	Section 5, the Indian Registration Act, 1877.	The Inspector-General of Registration.	May be empowered to exercise the powers in consultation with the Collector of the district concerned.
4. Appointment of Kazis	Section 2, the Kazis Act, 1880.	District Magistrates.	.....

PUBLIC DEPARTMENT.

POWER which is now exercised by the Government of India, but which may be delegated to the Local Government.

Nature of reference.	Authority under which the reference is made.	Remarks.
Declaring a provincial lunatic asylum to be a lunatic asylum at the Presidency town for the purposes of the Act.	Section 17-B of the Indian Lunatic Asylums Act, 1858.	-

SCHEDULE C—*concluded.*

MARINE DEPARTMENT.

POWERS which are now exercised by the Government of India, but which may be delegated to the Local Government.

Serial number.	Nature of reference.	Authority under which reference is made.	Remarks.
1	Power to extend to any port the provisions of the Indian Ports Act, 1889 (X of 1889), or certain portions thereof, and fixing the limits of the port.	Section 4 of the Indian Ports Act, 1889.	
2	Alteration of limit of ports	Section 5 of the Indian Ports Act, 1889.	
3	Fixing the rates at which port dues are leviable at any port newly brought under the provisions of the Act.	Section 33 (2) of the Indian Ports Act, 1889.	The maximum rates at which port dues are leviable at all the important ports are laid down by the Act. Ports newly brought under the Act are small ports, and no reference to the Government of India regarding the rates to be levied should be necessary.
4	Charging fees for pilotage and the rates at which they are to be charged.	Section 35 (1) of the Indian Ports Act, 1889.	
5	Appointment of receivers of wreck ...	Section 73 of the Indian Merchant Shipping Act, 1880 (VII of 1880).	
6	Fixing the rates at which landing and shipping fees are leviable.	Section 4 of the Madras Outports Landing and Shipping Fees Act, 1885. (III of 1885).	
7	Fixing the rates at which coast light dues are leviable.	Section 3 (2) of the Madras Coast Lights Act, 1904 (IX of 1904).	The maximum scale of fees is fixed by the Act, and the Local Government should have power to vary the rates within the maximum.

SCHEDULE D.

REVENUE DEPARTMENT.

POWERS which are now exercised by the Government or the Board of Revenue, but which may be delegated to Subordinate Authorities.

Serial number.	Authority under which the reference has to be made.	Delegation proposed.
1	Rule 13 of the Mining Rules	Under Rule 13 of the Mining Rules should the Collector be of opinion that it is not expedient to grant a prospecting license applied for, or should he find that the licensee has not been approved by the Local Government, he shall refuse to grant the license, and shall forthwith *report* the matter to the Local Government which may pass such orders as it thinks fit. Such a report may have been necessary in the infancy of the mining industry, but it is no longer necessary now, especially as it is always open to the party aggrieved by the Collector's refusal to appeal against his order. The Government therefore consider that so much of the rule as requires the Collector to report his refusal of a prospecting license may be cancelled.
2	Rules 11 (3) of the Mining Rules ...	Under rule 11 (3) of the Mining Rules every application for a prospecting license shall be accompanied by the certificate that the applicant has been approved by the Local Government under the signature of one of its Secretaries. In granting or refusing such certificates, the Government is necessarily guided to a great extent by the report of the Collector, and as it is the same officer who has afterwards to grant or refuse the prospecting license, the Local Government's certificate is of little practical utility, and experience has shown that the rule enforcing it involves much waste of time and correspondence. The Government accordingly consider that the certificate of approval may be dispensed with.
3	Rule XV of Notification No. 124, dated 21st March 1902.	To delegate to the Board of Revenue the power of directing at what railway stations opium consignments shall be detained and examined
4	Rule XVII of above notification ...	To delegate to the Board of Revenue the power of prescribing the rates of opium and poppy heads for issue from store-houses and *taluk kacharies.*
5	Rule XXI of above notification	To delegate to the Board of Revenue the power of fixing the price, or fixing the maximum and minimum prices, at which opium, intoxicating drugs or poppy heads may be retailed.
6	Government of India Notification No. 3883-Ex., dated 6th July 1905.	To delegate to the Board of Revenue the power of sanctioning the bringing by or taking of intoxicating drugs prepared from the hemp plant from any foreign territory of Native State for the purpose of supply to any tract appertaining thereto which is surrounded by British Territory.
7	Government of India Notification No. 9227-75-C., dated 29th November 1906	To delegate to the Board of Revenue the power to permit persons or their authorised agents to import cocaine by means other than by post.
8	Notification No. 124, dated 21st March 1903.	To delegate to the Collectors the power of authorizing any licensed druggists to possess any quantity of opium, intoxicating drugs or poppy heads in excess of the limit prescribed in Rule 5 of the Opium Rules.
9	Standing Order No. 75 (Stamp Manual), and Rule 8 of the Local Government rules in Notification No. 84, dated 11th February 1888.	To delegate to Collectors the power of appointing *ex officio* vendors of stamps.
10	Standing Order No. 75 (Stamp Manual), and Rule 9 of the Local Government rules above.	To delegate to Collectors the power of fixing the denomination and description of stamps to be sold by *ex-officio* vendors.

SCHEDULE E.

LOCAL AND MUNICIPAL DEPARTMENT.

POWER which is now exercised by the Government of India, but which may be delegated to the Local Government.

Serial number.	Subject.	Authority under which reference has to be made.	Delegation proposed.
1	Imposition of house-tax on railway buildings situated within the limits of unions, and municipal taxes on railway property within municipal limits.	Section 135 (1) of the Indian Railways Act IX of 1890.	Under section 144 (1) of the Indian Railways Act, the power of authorizing the levy of these taxes should be delegated to the Local Government.

SCHEDULE F.

EDUCATIONAL DEPARTMENT.

Under the Public Service notification certain educational tests are required of candidates for employment in superior service, and in order to qualify for higher posts in that service. It frequently happens that persons possessing requisite qualifications are not available, especially for temporary appointments, and applicants have to be exempted from one or more of the tests. This gives rise to an immense amount of correspondence. These powers have, especially as regards temporary appointments, been delegated to a considerable extent to Heads of Departments and executive officers, and the notification is revised periodically. It is, however, necessary that there should be some central authority to grant exemptions within a well defined limit, as it is possible that exemptions may be granted wholesale by individual officers to the detriment of the Public Service and of qualified candidates. It is therefore proposed to raise the scale of appointments for which the general educational test is required from Rs. 15 to Rs. 20. This will cause a considerable amount of relief.

POWERS which are now exercised by the Local Government, but which may be delegated to the Director of Public Instruction.

Item number.	Subject.	Reference to Codes.	Remarks.
1	Declaration of the meaning of ordinary attendance.	Article 36 of the Code of Regulations for European Schools.	
2	Commutation of grants for a term of years subject to certain conditions.	Article 39 of the Code of Regulations for European Schools.	
3	Payment of special grants for the teaching of subjects other than those specified in the article.	Article 44 (*d*) of the Code of Regulations for European Schools.	
4	Making arrangements for the primary scholarship examination.	Article 90 of the Code of Regulations for European Schools.	
5	Determination of the institution in which candidates holding the high school scholarship should continue their studies.	Article 104 of the Code of Regulations for European schools.	
6	Recognition of diplomas and certificates other than those specified in the educational rules.	Rule 24 of the Educational rules.	.....
7	Prescribing list of text-books for use in schools under public management.	Rules 85 and 91 of the Educational rules.	
8	Levy of fees at reduced rates in schools under public management in backward localities.	Rule 93 of the Educational rules.	.....
9	Prescribing list of text-books for use in aided schools and colleges.	Artilce 12 of the Grant-in-aid Code.	.....
10	Forbidding the employment in aided schools and colleges of teachers whose certificates have been withdrawn.	Article 14 of the Grant-in-aid Code.	.....
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13	Admission into the Medical School and College of Engineering of pupils not possessing the requisite educational qualifications.	.....	
14	Payment of munshi allowance to European and Eurasian officers of the Educational Service.	Rule 6 in G.O. No. 573, Educational, dated 15th September 1896.	
15	Correspondence relating to the Lawrence Asylum.	Rule 8 of the rules in G.O. No. 689, Educational, dated 2nd December 1900.	All correspondence relating to subjects other than the appointment and removal of principal.
16	Framing of rules for the Text-book Committee and appointment of members of the Committee.	Do. do.	

Note.—Items 6 to 16 can be sanctioned by the Local Government.

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VOLUME II.

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