

MINUTES OF EVIDENCE
TAKEN BEFORE THE
ROYAL COMMISSION
UPON
DECENTRALIZATION
IN
BENGAL.

VOLUME IV.

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



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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRALIZATION.

TWENTIETH DAY.

CALCUTTA, Friday, 27th 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. W. S. MEYER, Esq., C.I.E., I.C.S.
 Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S. W. L. HICHENS, Esq.
 R. C. DUTT, Esq., C.I.E.

The Hon. Mr. E. A. GAIT, C.I.E., was called and examined.

14238. (*Chairman.*) You are Chief Secretary to the Government of Bengal?—Yes.

I am not in favour of any wholesale alteration in the relations which exist between the Supreme and the provincial Governments in regard to financial matters. The present system is, on the whole, a good one. The changes which seem desirable are in the direction of allowing to the Local Governments more latitude than they now enjoy in the application of the rules contained in the Codes of the Financial Department. The Government of India should lay down principles and leave to Local Governments their application to particular cases. No wholesale revision of the restrictions imposed on the Local Government by the Civil Service Regulations or the Civil Account Code is required, but the rules in the Codes are, in some cases, too detailed, and they are interpreted with too great rigidity. In many cases, the Local Government might be empowered to make exceptions for special reasons.

The powers of the Government of India in respect of new appointments and deputations have recently been enhanced by the Secretary of State, and the powers of Local Governments might be enhanced to the same extent.

In all matters, the Government of India should exercise a general control and supervision, and all questions of general policy should be decided by them, but they should avoid interference in matters of detail. If the Government of India have any criticisms to make regarding the details of a scheme, it should ordinarily suffice to state what the objections appear to be, and then to leave it to the Local Government to decide whether it will modify its scheme accordingly or not.

It is desirable, in many cases, to relax statutory restrictions as to details imposed on Local Governments. This might be done by a general Act of delegation, like Act V. of 1868, but it would be necessary to provide safeguards and restrictions. In cases where the question as to what authority should exercise a particular power has formed the subject of animated discussion in Council at a time when an Act was under consideration, it would be inexpedient to provide for a delegation of that power otherwise than by means of an amending Act.

The extent to which the influence of the Departments of the Government of India is carried in the direction of excessive rigidity or uniformity varies from time to time. It is a matter in which the personal element enters very largely. At one time, the tendency towards rigidity or uniformity is marked in

one department; and at another time, in another. When Local Governments are overruled in matters of detail, they should have a right to ask for a reconsideration of the matter; and if they do so it might be made the practice to lay the case before the Executive Council. If the Legislative Councils are enlarged, so that each Government has an official member, that member might, with advantage, be employed as the representative of his Government with the Government of India; and when cases sent up by the Local Government are under discussion in the Executive Council, he might be allowed to attend and state the case of the Local Government.

The proper sphere of work of special officers under the Government of India should be inspection, communication of information, and advice. These officers, however, not only correspond with departmental officers in the different provinces direct, but they also act as advisers to the Government of India. In their latter capacity, they may be responsible to some extent for the interference in details which undoubtedly occurs at times.

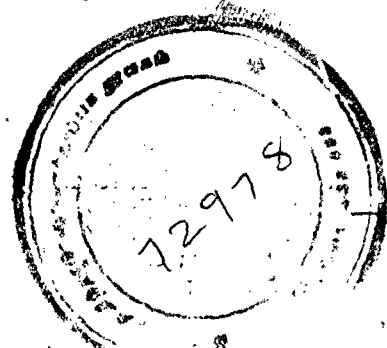
Local Governments should not be given power to introduce reforms of an important or far-reaching character, if any considerations of general policy are involved, without the previous sanction of the Government of India. It should, however, be recognized that proposals should not be negatived merely on theoretical grounds, or because they differ from the existing practice elsewhere.

I do not think there is much need for curtailing the right of appeal to the Government of India or to the Local Government in respect to administrative action. It should, however, be clearly recognized that the Government of India should not interfere with the Local Government unless there are strong grounds for so doing. It should not do so merely because some other course of action seems slightly preferable, but only when the orders of the Local Government appear to be seriously wrong.

Appeals against dismissal or reduction should lie to the Government of India only in the case of Gazetted Officers drawing a salary of Rs. 500 and upwards a month. No appeal should lie against a refusal to appoint or promote otherwise than from grade to grade. As regards appeals to the Local Government the rules were revised only three years ago, and I do not think that any further alteration is necessary.

I do not think that there has been any serious increase in recent years in the demand for returns and information from Local Governments.

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Mr. E. A.
Gait.
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The Hon.
Mr. E. A.
Gait.

27 Dec., 1907.

A good deal has already been done in Bengal in the direction of delegating powers to the Board of Revenue, Commissioners, and other authorities subordinate to the Local Government. The general principle underlying these proposals is that powers should be delegated in respect of matters which are sanctioned as a matter of routine in the office where the power is now exercised.

Commissioners at present have allotments from which they can make grants for the construction of minor works costing not more than Rs. 5,000. They, also, have allotments from which they can make grants to local bodies for works and for other purposes of public utility. These grants have proved most useful. Similar grants on a smaller scale should be given to District Officers.

The opportunities for personal contact with the people are naturally not so great in Bengal as elsewhere, owing to the Permanent Settlement, which reduces the outdoor work and increases considerably the work to be done in office in connection with collections, partitions, mutations, revenue sales, and the like. Most officers, moreover, are overworked, and have not the leisure necessary for free intercourse with the people. The only remedies I can suggest are in the direction of increased establishments, including Sub-Divisional Officers for headquarters sub-divisions. Correspondence regarding discrepancies in returns and the like might be carried on direct between the subordinate officers concerned. The importance of free intercourse with Indians has often been pointed out. Attention is drawn to it in the letter sent to Collectors when new Civilians are posted to their districts. The matter is also dealt with in the Board's rules. Many officers do not possess a sufficient knowledge of the vernacular. Bengal, Bihar and Orissa each has its own language, while numerous aboriginal languages are spoken in Chota Nagpur. Proposals have been submitted to the Government of India with a view to ensuring a more adequate study of the vernaculars, but the question will always be a difficult one in Bengal.

A considerable increase in the Provincial Service was sanctioned last year, but it has not yet become effective. The Civil Service is weaker in Bengal than in any other province.

Transfers are undoubtedly frequent. This is due partly to the weakness of the staff, which leads to transfers whenever officers go on leave, and partly to the large number of special appointments which have to be filled by selection. The number of transfers might be reduced to some extent by regulating the dates when officers may proceed on, and return from, leave.

I am not in favour of Advisory or Administrative Councils to assist Divisional or District Officers, but they should be required to consult leading Indian gentlemen of their districts in respect of all important measures, not only in cases where reports are required by higher authority, but also, in respect of matters which they can deal with on their own initiative.

There are no village communities in Bengal. The only local institution is the chankidari panchayat which is an invention of our own. Attempts are being made to develop them and to encourage people to employ them as arbitrators, but progress must necessarily be slow. Proposals have recently been made for giving a few of them petty criminal powers.

14239. What is the organization of the Government of Bengal?—The Head of the Government of Bengal is the Lieutenant-Governor; he is assisted by five Secretaries—three Civil Secretaries and two Public Works Secretaries. The Civil Secretaries are, the Chief Secretary, the Judicial Secretary, and the Financial and Municipal Secretary; one of the two Public Works Secretaries is in charge of roads and buildings, and the other of irrigation and railways.

14240. Then below that is the Board of Revenue?—The Board of Revenue deal with all matters in connection with revenue and the administration of land. The Board consists of two members, one taking land revenue, survey and settlements, land registration, the management of ward's estates, the collection of cesses, and the like; and the other taking miscellaneous revenue, including excise, opium, income tax, salt, customs, &c. Each member is vested with the full

powers of the Board in respect of his own department. In all revenue matters the Board is the final Court of Appeal, or of revision in cases where an appeal is not allowed. The Board refer to Government all matters of general importance, as well as those requiring the sanction of Government according to law or practice.

14241. Below the Board of Revenue are the Heads of Departments?—Yes, among the Heads of the Departments subordinate to the Board are the Director of Land Records and the Director of Agriculture; the other Heads of Departments are immediately below the Local Government, such as the Inspector-General of Police, the Director of Public Instruction, the Inspector-General of Civil Hospitals, the Sanitary Commissioner, the Commissioner of Excise, and so on.

14242. Then come the Commissioners of Divisions?—There are six Commissioners of Divisions, and below them are 33 District Officers—Collectors in Regulation districts and Deputy Commissioners in Non-Regulation districts. In a very few districts there are Joint Magistrates; there are Assistant Collectors, Deputy Collectors, and Sub-Deputy Collectors or Sub-Deputy Magistrates. The Deputy Collectors constitute the Provincial Service, and the Sub-Deputy Collectors constitute the Subordinate Service.

14243. Are there any village officers?—There are practically no village officers in Bengal.

14244. There is nothing below the Sub-Deputy Collector?—No, except in Government estates where there are tahsildars, &c. There are also a few kanungoes.

14245. I understand that you are speaking here on behalf and with the authority of the Government of Bengal?—That is so.

14246. Your Government thinks that there should be some further devolution in the matter of financial control?—In matters of detail. We are not in favour of any wholesale alteration in the relations which at present exist between the Government of India and the Local Government.

14247. There must be some control over the provincial Government, and that must be exercised by the Government of India?—Yes. That is essential.

14248. But in matters of detail there might be further devolution?—There are a great many matters of detail in which we might have more latitude. Every petty deviation from the letter of a rule at present requires the sanction of the Government of India. Among other things, we might have more power in regard to appointments than we have at present.

14249. You consider that while the central Government ought to control matters of principle, so far as details go, you ought to be free?—Yes, entirely. We think that very often improvements in the details of a scheme might occur to the Government of India; and that if so they should be put in the form of suggestions to be considered in the light of local conditions, but that it should be left to the Local Government to adopt them or not as it may think fit.

14250. Subject in financial matters to the control of the Accountant-General?—Yes, but I would not allow the Accountant-General to insist on references to the Government of India simply because they do not altogether fit in with the rules. He would only do so if he were of opinion that the order contemplated was of such a character that the Government of India would not be likely to pass it if the case was referred to them.

14251. Suppose you have the power practically to over-ride the Accountant-General, how is the Government of India going to exercise its control?—I would not propose to have power to over-ride the Accountant-General, but that the Local Government should have power to put a liberal interpretation on the rules which are laid down. For instance, there was recently a case of an officer on fixed pay who was posted to Foreign Service. Under the rules he could not have a rise of pay for three years; he was subsequently put into a Graded Service; if he had been in that Graded Service at the time he was posted to Foreign Service he would have been allowed, as he obtained promotion in the Graded Service, to draw, in Foreign Service, the pay of the next highest grade. It was held by the Accountant-General that because the man was not in the Graded Service at the time he was transferred to

Foreign Service, therefore he could have no increase of pay until the time came when he would get an increase under the rule for officers not in Graded Services. Obviously the reasonable interpretation of the rule would have been that, having gone into a Graded Service, he should have the benefit of the rule which applied to Graded Services.

14252. Is that a case of too strict adherence to rule?—Too strict an interpretation. The Local Government in a case of that sort should have power to say "The reasonable interpretation of the rule is this."

14253. Suppose you pushed that to an extreme, would not the provincial Government override the Accountant-General?—No; I would give the Accountant-General power always to insist on a reference to the Government of India, but I would lay down certain principles for his guidance in deciding whether he would do so or not.

14254. If he has the power always to say that a reference must be made, how are you going to get over his interference?—I would tell him to exercise reasonable latitude in interfering.

14255. You would get the Government of India to give him that kind of instruction?—Exactly. I would lay it down as the general rule that he should not interfere if the order which the Local Government proposed to pass was one which the Government of India might reasonably be expected to pass if reference was made to them.

14256. Would you have some sort of tabulated list or form sent to the Government of India from time to time showing the cases in which exceptions had been made?—That might be done as a safeguard; I would have no objection to that at all. Of course it would increase work to a certain extent, but it might get over the objection that the Government of India might otherwise have to parting with their control.

14257. You tell us that really the difficulty at the bottom of the present arrangement is that the District Officer is overwhelmed with correspondence?—Yes.

14258. All of which is in English?—It is all in English now.

14259. Is that a good thing?—It would be very difficult to go back now; but I do not think it is a good thing. Men know far less of the vernaculars now because of this correspondence in English. When I first came to India (Assam) all the revenue work was done in the vernacular. The sub-divisional Peshkars seldom knew English at all; all the reports came in in the vernacular, and all the investigation of cases was done in the vernacular.

14260. Did that make for efficiency?—It is of course much easier to inspect an office if the records are kept in English; an inspecting officer can see more easily what is going on than if everything is in the vernacular. On the other hand, our officers do not know the vernacular nearly so well as they used to, when all the reports, &c., were in the vernacular.

14261. If you had a perfectly free hand in the matter, would you return to the old system?—I think it would be rather difficult to return to the old system because we have gone so far in the other direction. In some ways I would return to it. I would have police reports again in the vernacular.

14262. Has the adoption of English led to a multiplication of correspondence?—Correspondence has always been in English; it was the reports and the returns from the subordinate staff which were in the vernacular.

14263. Then has the adoption of English led to a multiplication of reports and returns?—No, I cannot say that it has.

14264. Is not nearly everybody in agreement that transfers are much too frequent?—Yes. Transfers are very bad indeed; the difficulty is to find a practical remedy. It is a thing we have been seeking for many years, and we have never yet succeeded in finding. One great cause of transfers is that the *cadre* is so weak; there are practically no Joint Magistrates at present. There are 33 collectors; there are 18 to 20 appointments higher than that of Collector; every vacancy in those appointments has to be filled by transferring a Collector and a selected man. We have sent four men to the Government of India this year; this alone involves four transfers. Leave is much more frequent than it was formerly.

14265. You can suggest no remedy except an increase in the number of Joint Magistrates?—The only remedy is the strengthening of the *cadre*.

14266. You are responsible for all transfers and appointments?—Yes.

14267. Have any efforts been made in your department to decrease the number of transfers?—One thing is that leave is not given unless it is convenient; a man has to wait till an opportunity occurs for relieving him. But it is difficult to apply that rule in the case of higher officers. Before I became Chief Secretary I thought, as I have no doubt all my predecessors did, that one of my first steps would be to stop transfers; I did not realise the enormous practical difficulties in the way of stopping them. There is a case now of a district in which several transfers have recently taken place; a man was sent with the intention of keeping him in the place for a term of years; a short time afterwards he was found to be the only man suitable for a particular appointment, and he was taken away; another man was sent there with the intention of keeping him in the district; then the Director of Land Records was taken up to the Government of India and he had to be replaced, and the only man we could find was a man from the same district. There you have three transfers in 18 months, although we have recognised all the time that it was most desirable that there should be none at all.

14268. When you put an officer into a position such as that of Inspector-General of Police or Director of Public Instruction, do you make it a condition with that officer that he shall not expect further promotion or further transference even though it comes in the way of promotion?—That is the condition that is made or understood, but very often Government itself has to break through it, either because the man is most suitable for some other appointment or because he is wanted for the Government of India. At present it is very possible that a new Inspector-General of Police will be appointed, and the man who will be selected for the post will be told that he must not accept it unless he is prepared to stay for at least three years, and that he must not expect to get an acting or permanent Commissionership in the meantime.

14269. Do you not think that even at the risk of some other Secretariat difficulties having put a man into a responsible position such as that of Director of Public Instruction or Inspector-General of Police, you ought at all hazards to keep him?—It is very desirable in theory, but sometimes in practice other considerations arise.

14270. The promotion could be made up to him afterwards?—As far as he is concerned I think he ought to have no claim; it may be that Government wants him.

14271. You mean the Government of India?—Or the Local Government possibly; one has to weigh the disadvantage of having a transfer with the disadvantage of not getting the best man available for the other appointment.

14272. Do you know whether these same difficulties occur in the case of Crown Colonies?—I am not able to answer that. I believe in Colonial Governments promotion goes more inside the Colony; it is comparatively rare for a man to be transferred except at regular intervals.

14273. One of the consequences of this system of transfers, whether in the higher or the lower appointments, is that the man does not know his business, and that the people who live in the district do not think it worth while to get into touch with him?—That is so.

14274. And that is a very serious drawback to good government?—Very.

14275. The Government of India itself have issued some resolution upon this question of transfers?—It was chiefly with regard to short leave vacancies, saying that they were to be filled within the district. That is being done. We can appoint a Deputy Magistrate, for instance, to hold charge of a vacancy in the post of District Magistrate for any period not exceeding 6 weeks; for a longer period we have to go up for sanction.

14276. When a Collector goes away for short leave—say three months' privilege leave—do you fill his

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post by a Deputy Collector?—That is occasionally done, but it requires the sanction of the Government of India.

14277. Is that necessary?—I do not object to having to go up for sanction to make such appointments for a longer period than three months, but, for anything up to that, I think we ought not to be required to get sanction.

14278. But why should you be required to go for a period of more than three months?—In the case of short vacancies it does not matter so much who acts. Important cases can be left over till the permanent incumbent returns. But in the case of long acting appointments it is necessary to avoid the risk of incompetent men being appointed.

14279. What knowledge has the Government of India of the man?—No direct knowledge.

14280. Then what is the necessity of applying to the Government of India?—For more than three months I think there should be sanction. I think the facts are thus much more fully considered.

14281. Suppose the responsibility rested with you, not with the Government of India, would you then recognise the responsibility of taking greater care?—Yes, I think I should. As a matter of fact I do not think this Government ever would put in an officer of the Provincial Service unless he was a really good man. Certain Deputy Collectors are promoted to be District Officers, but they are specially selected from the whole of the Service.

14282. But the Government of India can have no knowledge of the officer, whether he is replacing somebody for three months or six months, beyond what you give them?—No.

14283. And if you had the responsibility of putting in the acting officer, do you not think that you are quite as well qualified to do it as the Government of India?—Yes.

14284. What reason is there why you should not accept the responsibility?—There is no reason except that if reference has to be made, it ensures full consideration. The practice might grow up of appointing Deputy Collectors too freely.

14285. What harm would that be?—If it happens to be the senior Deputy Collector in the district, he might not be qualified to hold the office for a long period. It would often save trouble to put in a Deputy even though it might not be sound to do so from the point of view of the work.

14286. You also tell us that a great number of reports and returns which are now called for might be abolished?—We have already, so far as our reports and returns are concerned, overhauled them, four or five years ago, and a very great number were abolished.

14287. I understand that the Lieutenant-Governor would like to do away with a whole series of annual reports?—Yes. That has not been gone into in detail, but the idea is that a District Officer would take much more care over one annual report than he takes over a series of reports.

14288. Instead of having to report upon police, education, and so on separately, he would combine the whole in one report?—Yes. We used to have a General Administration Report, containing an abstract of all these other reports, and also detailed reports on each subject. The detailed reports on each subject survived, but the General Administration Report has been more or less abolished.

14289. Is there anything to prevent your doing away with these annual reports now?—They are prescribed for the whole of India; the initiative would have to be taken by the Government of India. They are sent in under the rules and regulations of the Government of India, and we would have to obtain leave from the Government of India to abolish them.

14290. Are you approaching the Government of India on this question?—No; the question has only been mooted in connection with the present Commission.

14291. Then with regard to the selection of officers. Have you got a free hand in the selection of officers here?—Yes, we may say that we have a free hand. Of course, an officer might appeal to the Government

of India if he is passed over; we do get such cases; the Government of India do not ordinarily interfere, but we have to justify our action.

14292. At what stage in an officer's career upwards does the principle of selection begin?—A man is only passed over for a Collectorship if he is manifestly unfit. At the stage of promotion from Collector to Commissioner a little more selection is exercised; there are generally two or three men at any rate who have been passed over.

14293. If you had a free hand, would you begin your selection at the stage of a Collector?—I would do so, if I could compulsorily retire a man who was not selected. I think officers who were passed over and kept on would be a great incubus to the Service.

14294. What you would like to do is to select at the end of about ten or twelve years' service, and pension those whom it was undesirable to promote?—Yes; I would give them the same pension as they would have retired for medical reasons.

14295. More or less—a *pro rata* pension?—Yes.

14296. Suppose you were able to apply that system to your present Service, would you have to get rid of, or pass over, a considerable number?—I should not say a considerable number, but there would be two or three that one would like to weed out.

14297. As to those exceptions, would it add largely to your efficiency to get rid of them?—It would; there are defects not only of mental capacity but of character.

14298. The Lieutenant-Governor has inaugurated a system by which Commissioners have allotted a certain sum of money which they can dispose of more or less as they think fit?—They have two grants—one for minor works, as they are called, works costing not more than a certain sum, and the other for distribution to local bodies or for other public purposes.

14299. With regard to the Minor Works grant what is the sum total which is put at the disposal of the Commissioner?—The total for the province is Rs. 60,000 at present, but it is going to be increased.

14300. That is, roughly, Rs. 10,000 to each Commissioner. Within that sum he can spend on any minor works without reference?—Yes, unless it is an addition to a residential house; that requires sanction if it exceeds the permissible limit of expenditure.

14301. What is the sum at his disposal for the purpose of giving other grant?—The same amount—Rs. 10,000 on the average.

14302. What is your definition of a minor work?—A work costing not more than Rs. 2,500. If any work costs more than Rs. 2,500, it has, under the Public Works Code, to be sanctioned by the Government.

14303. Has the price of materials gone up very much?—It has undoubtedly gone up. I am not in a position to give figures, but building is very much more expensive than it was ten or twelve years ago.

14304. Therefore the kind of work which the Local Government or the particular officer can sanction now for Rs. 2,500 is of a much smaller character than he could do, say, ten years ago?—That is so.

14305. Both on account of the fall in the value of the rupee and also on account of the increased cost of labour and materials?—Yes.

14306. How long has this system been at work?—Since 1904.

14307. You have had no reason to grumble at the result?—I think the result has been highly satisfactory.

14308. Has not the Government here a system of conferences of Commissioners?—Every year, in September or October, there is a conference, and all questions of importance, which at the same time are not urgent, are kept over and discussed at the conference.

14309. Who presides at the conference?—The senior member of the Board of Revenue; the other member attends, also the Heads of Departments, and the Secretaries to the Government.

14310. How long does the conference last?—It varies; the first two or three conferences were longer than they are now; the first lasted for nearly three weeks, sitting on alternate days and towards the end daily.

14311. Do you think, taking the period for which the Commissioners and Heads of Departments are withdrawn from their other work, that that has been an advantage?—Part of the time, during the longer conferences, was covered by gazetted holidays; besides, each Commissioner had his ordinary work sent on to him while the conference was sitting, and the Heads of Departments did their own work in addition, and so did the Secretaries. It was a great tax on the officers, but I do not think the work suffered.

14312. On the other hand, a certain amount of correspondence and detail work was saved?—That is so.

14313. Do the Commissioners extend that system to their own divisions?—Yes: each Commissioner has a conference with his District Officers.

14314. Does that depend upon the will of the Commissioner, or is it laid down as part of his duty?—It is practically laid down.

14315. Has that system got so fast a hold in Bengal that it now no longer depends upon the idiosyncrasy of the particular Lieutenant-Governor?—I could not say that, because the system has existed at intervals before; there have been cases in the past in which conferences have been called to consider special difficulties.

14316. Having been a Commissioner and also Chief Secretary to Government, do you think that the system is so advantageous that it should be made permanent?—I think it would be a very good thing.

14317. If it were established beyond the possibility of alteration?—Yes, I think so. Of course there is this to be said; that as time goes on and different branches of the administration are overhauled and discussed, the same number of subjects will not come up for discussion, and the work might be disposed of in three or four days annually; but I think the principle is a very sound one. Apart from the subjects set down for discussion at the conference various local matters are discussed by the Commissioners with the officers at headquarters. Much time is thus saved; misunderstandings are removed, and Commissioners are brought into closer touch with the Government.

14318. You rather wish us to understand that you are not in favour of what may be called Advisory Councils for District Officers?—Not in the sense of a rigid body. I think it ought to be very clearly understood that every officer must consult the leaders of native opinion on subjects of importance, especially subjects connected with their religion, or racial customs, and that he must be accessible to everybody, making them realise and feel that he is glad to see them if they wish to consult him.

14319. But you would deprecate the formation of a formal body which would, perhaps, by its very constitution prevent him having those informal consultations which he now ought to have, and perhaps does have, with native gentlemen of position?—My feeling is that it is never sound in Indian administration to go too fast. I would begin by recognising that these informal consultations must be held by District Officers, and I would gradually proceed further if they are found to be successful. But if you begin by establishing formal Advisory Councils, and you find that for any reason they are not a success, it would be a very awkward thing to abandon them.

14320. If such bodies were formed would native gentlemen of position be prepared to serve upon them?—I think they would, but it would depend a great deal on the extent to which their recommendations were acted upon: if they found that their recommendations were not acted upon, it would do more harm than good; it would create a sense of irritation.

14321. Therefore your view is that a mere Advisory Council would be superfluous?—At present. Proposals have been made for widening the basis of representation on District Boards. I think if that is adopted, the District Board would be a very useful body for the Collector to consult informally about many matters.

14322. The interests of self-government would be better forwarded, perhaps, by the extension of the powers of existing bodies than by the creation of new ones?—Partly, but in any case I would proceed slowly.

14323. But if that were the alternative you would prefer the extension of existing powers rather than the formation of new bodies?—Yes, and I also think it

would be better to have committees appointed *ad hoc*. For instance, in case of plague you might appoint a committee of people living in the town affected, whereas you would discuss questions of policy and so on with the big zamindars; the same body would not be suited for consultation in all matters.

14324. Therefore you would leave the Collector free as he is at present?—Yes, but I would insist very strongly indeed on the necessity of his ascertaining and consulting Indian opinion,—much more strongly than it is now insisted on.

14325. Is it at all commonly done now?—It is fairly frequent. Very often when officers are asked for a report it is stated that public opinion must be ascertained. The best of the men of course always do ascertain it, but some treat references as a matter of routine, and deal with them without consulting anybody.

14326. When you have appointments to make, is it a fact that an officer has deliberately not associated himself with the people in his district and not consulted local opinion held to count against him?—It would certainly be held to count against him in selecting him for any special appointment; but it has not hitherto been held to count against him so much as it should have done in the matter of promotion. I am strongly of opinion that it should count against him in ordinary promotion, even for the charge of a district.

14327. That is not the present practice?—No. If a man is a capable man and does his work well he gets the appointment; he is not passed over because he has been inaccessible or wanting in consideration towards public opinion.

14328. You tell us that there is less knowledge of the vernacular now than there used to be?—Yes.

14329. Is there less knowledge of Indian customs and etiquette amongst officers in the Civil Service than there used to be?—I cannot say that. The decennial census gives an opportunity for enquiries with regard to marriage customs and so forth; and Settlement Officers make a point of finding out what they can about the people, but as regards social intercourse there may be less knowledge of Indian etiquette than there was formerly.

14330. Is any effort made to teach young Civilians when they first come out the importance of regarding other people's feelings and views?—It is one of the points on which stress is laid in the letter sent to every Collector of a district when a young Civilian is posted to it. The matter is also dealt with at length in a circular of the Board of Revenue.

14331. But is any effort made to see that the young Civilian is taught these things?—I cannot say that any systematic effort is made.

14332. Is it desirable that it should be?—It would be very desirable.

14333. Has the Government of Bengal the means of collecting and disseminating information upon these points?—It can only be done by the senior officers. Young Civilians are generally sent to selected officers, and the best officers no doubt to teach them.

14334. In this province do not most young Civilians go to Bihar?—Yes, the majority do. There are several reasons. One is that Behar is the healthiest part of the province; it is thought that when a young Civilian first joins it is necessary that he should get acclimatised; and it is only fair to appoint him to a healthy station.

14335. Is the language spoken in Bihar the language most prevalent in Bengal?—There are three languages spoken in Bengal—Hindi in Bihar, Bengali in Bengal proper, and Uriya in Orissa.

14336. Is Hindi as common in Bengal as the other two?—Hindi is by far the most widely spoken language.

14337. So that an officer so far as knowledge of the vernacular is concerned, is not disadvantaged by going to Bihar?—Not in that way, but a man who learns Bengali when he first comes out finds it easier to pick up Hindi afterwards than the contrary process. A man who is posted to Bihar very seldom becomes a good Bengali scholar later on.

14338. Is that a disadvantage?—It is a great disadvantage, no doubt. The difficulty is to find fairly healthy stations in Bengal proper to which to post

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new-comers; the first essential is to post them to fairly healthy stations. They might be transferred more quickly to Bengal than is now the practice. A man has to pass in two vernaculars; when he has passed in Hindi he might be transferred to a Bengal station; by that time he will be more acclimatised. There is, however, another point. In the Bihar districts, there are a large number of sub-divisions in which there are numerous indigo planters; and it is considered desirable to have European officers in charge of those sub-divisions. We are so short-handed that as soon as a man is passed he is posted to a sub-division; we need most of our junior men to man our sub-divisions.

14339. Have you any rules in this Government as to the employment of officers in the Secretariat?—The rule is that no officer should be employed for more than three years continuously in the Secretariat.

14340. And is that observance strictly carried out?—Yes, I can think of no case in which it has not been of late years. In the last seven or eight years, at any rate; there may have been one or two exceptions before then.

14341. When the Government of India call for men from you, do they generally take a man from the Secretariat or from the districts?—Almost invariably from the Secretariat.

14342. So that, though you may make a rule that a man shall not be employed more than three years in the Secretariat, the Government of India may step in and wipe your rule out?—Yes.

14343. Does that constantly happen?—Yes, it constantly happens. Most of our men who have gone to the Government of India have been men who have been some years on end in the Secretariat.

14344. How long as a rule do they go to the Government of India for?—Three years is the present rule, but it has not been enforced until lately.

14345. So that practically, if a man is once employed by the Government of India, it means that he is at least six, and probably a dozen, more years away from district work?—If he were appointed to the Government of India when he had just finished his three years in Bengal, it would mean six years.

14346. Is he not generally so appointed?—It is difficult to say, because there has only been one recent appointment of a Bengal Secretary to the Government of India.

14347. I am not talking only of a Secretary, but an Under-Secretary also?—It is generally towards the end of his time that he goes; practically you may put it at five or six years.

14348. Does he generally come back to you at the end of the three years with the Government of India?—Yes; I am talking of since this rule has been made; it has only recently been applied to Secretaries of the Government of India. An Under-Secretary would come back at the end of three years.

14349. Will you tell us about your relations with the Board of Revenue?—The old system was that the Board of Revenue, when their powers did not allow them to dispose of matters themselves, or when the Government of India called for a report on any matter, wrote official letters to the Government of Bengal. About four years ago that was changed to a certain extent, and we now get no official communications from the Board of Revenue except annual reports, and in certain matters where it is desirable that the opinion of the Board, as a Board, should be properly on record. If the Government of India call for a report, the report is received in the Secretariat, and is passed on unofficially to the Board; the Board collect the opinions of the District Officers, and the Board's Secretary, instead of putting up the case to the member as he formerly would have done, passes it on to the Government Secretary concerned with the department; the Government Secretary submits it to the Honorable Member, who expresses his opinion; then it goes to the Lieutenant-Governor, and the reply is issued from the Government. So that one official letter is saved both ways.

14350. Do the Board sit as a Board?—As a rule they do not. On important matters both members sit, but as a general rule each member deals independently with his branch.

14351. You tell us that a great deal of work of a routine nature is disposed of by the Under-Secretaries?—Yes.

14352. Is there a certain amount of routine work which comes up to you from the Board of Revenue?—The routine work which comes up from the Board of Revenue is now disposed of by the Board of Revenue Secretary, but the official orders are signed by the Chief Secretary or his Under-Secretary.

14353. Is there not a certain amount of revenue work which comes to you from the Board of Revenue?—Yes, a great deal; but it is not routine.

14354. Nothing comes to you from the Board of Revenue which is routine?—I cannot say that either.

14355. Is there an increase in the routine work?—I do not think that the routine work which comes to me from the Board is appreciable in quantity.

14356. Does some of it come which might not come to you at all?—Certain things, undoubtedly; some matters have to be referred to Government under the law; if the law was changed these things might be disposed of by the Board.

14357. Is that a general Act or a Bengal Act?—There are various Acts under which references have to be made; for instance, the Board of Revenue has no power to cancel a sale for arrears of revenue on the grounds of hardship; only the Government can do it.

14358. Is practically all the routine work that comes to you from the Board of Revenue, and all the routine work which goes to the Board of Revenue and is settled by their Secretary, included in these schedules of devolutions which you have put in?—We have endeavoured to include all. Those schedules have been prepared partly on an examination of the tables of cases disposed of in the Secretariat, and partly on an examination of the rules, etc.

14359. Have you found that the Government of India, either in the case of Medical Officers or in the Public Works Department, have sent you officials who have been unsuitable for the work which the Local Government desired to send them to? Take the case say, of a Superintending Engineer who is wanted for irrigation; have they ever selected a man who knew nothing except about roads? That is only an illustration?—We have had cases of unsuitable men being sent.

14360. Have you any remedy against that?—I do not think there is any remedy, except more careful selection, and that is difficult, because if you have an incompetent man and want to pass him on, there is a tendency not to stand in the way of his promotion. When he is promoted Superintending Engineer he often goes on to another Government.

14361. As regards the Inspector of Civil Hospitals, has he any control over the promotion of the officers under him?—Their promotion is a matter of seniority mainly until they get near the top of the tree, but the Inspector-General has influence in the selection of the stations or appointments to which they are posted, which is a very important thing.

14362. With regard to the power of the Government of India to criticise the details of any scheme proposed by a Local Government, is it not generally the case that if one provincial Government adopts a particular scheme all other Governments agree to adopt the same course of procedure?—I do not think so at all, unless pressure is put upon them by the Government of India to be uniform. Local conditions vary very much.

14363. Does all uniformity come from above? Is there no sort of trend of public opinion, quite apart from the Government of India, which forces one Local Government to adopt the proceedings of another?—I cannot think of any particular case.

14364. Would there be no danger of that kind?—I think not. I think under my suggestion (viz., that the Local Government should be given a free hand in matters of detail) there would be less danger than exists at present.

14365. Have you any particular complaint to make with regard to Directors and Inspectors-General?—No; I think, generally speaking, their work is found to be beneficial; the Inspector-General of Agriculture at any rate has been most useful.

14366. Supposing an Inspector-General advised the Government of India not to do, or to do, a particular thing which a provincial Government desired or objected to, would you wish, before the Government of India adopted his view, that the matter should come before the Local Government for further criticism?—Yes, we should like to see what the Inspector-General has to say.

14367. Is that not the course now adopted?—I think not.

14368. Do you mean that it may be adopted, but that it is not adopted to your knowledge?—Of course the Government of India may put the matter before us and say, "This view has been presented."

14369. Would you like to see the formal and detailed advice of Inspectors-General communicated to you in full?—It occurs to one as a remedy; of course it might possibly lead to friction, but I think the advantages would be greater than the disadvantages.

14370. Friction between whom?—I will not say exactly friction, but a certain amount of feeling. The Local Government might not like to see strong criticism by a man in a subordinate position.

14371. Whom afterwards they might actually employ themselves?—That is possible.

14372. Might it even lead to the overlooking of the particular officer who had offered the criticism?—I could not say that.

14373. Do you have much difficulty with regard to the collection of revenue in this province?—Very little indeed.

14374. You used the term "Settlement Officer." What is the Settlement Officer in this province?—It all depends on what the settlement is. In some settlements the settlement staff not only ascertain the area and boundaries of each holding and the existing rates of rent, but also fix the rates; in others the zamindar applies to have them fixed.

14375. Does the Settlement Officer deal with the permanently settled districts?—Yes, and he disposes of all sorts of questions as regards the status of the raiyat, etc.

14376. Do you mean that he disposes of differences of opinion between raiyat and zamindar?—Yes. He settles disputes regarding status, rates and rent, etc.

14377. Has the Permanent Settlement been of any advantage to you?—It has been a disadvantage.

14378. Have you anything to say with regard to the proposals to try to recreate an interest in village communities to deal with matters of Local Self-Government? There never has, as I understand, been anything in Bengal in the way of a common village interest?—With a few local exceptions the only village organisation we have got is one of our own introduction, viz., the chaukidari panchayat. We have made efforts to improve the state of the panchayats and increase their powers, and we are anxious to persuade the villagers to refer disputes to them for arbitration. I should not like to go very far in the way of extending their powers until we have seen the result in other provinces where there is an indigenous system.

14379. Have you a system of village panchayats in this province?—We have only the chaukidari panchayats; we have Honorary Magistrates, but they are mainly at district and sub-divisional headquarters.

14380. What is a village panchayat in Bengal?—It exists primarily for the collection of the chaukidari tax.

14381. Is a member of the panchayat the village head-man?—He is appointed by Government; you can scarcely call him a village head-man. The panchayat usually consists of three members, one of whom is President. The President has been vested by Government with certain powers.

14382. In Bengal at present would it be possible to join him with three or four other people who would be of assistance to him in settling petty civil and criminal disputes?—I think experiments might be made in selected cases, but I would not do it generally.

14383. Would you like to see a beginning made in that direction?—Yes I should like to see a beginning made with regard to selected cases in districts where

the District Officer would be able to pay special attention to them, but I would begin very slowly; in Bengal I do not think it is a thing which should be hurried at all; there are other provinces where the experiment might be made with a better chance of success.

14384. (Sir Frederic Lely.) Have you had a good deal of experience of district work?—I have been in charge of five districts altogether.

14385. The Joint-Magistrate is the Assistant at headquarters and generally the senior Assistant?—Yes, but he is almost extinct in Bengal.

14386. So that the Collector has to depend chiefly on the Sub-Divisional Officer?—On his deputy Magistrates at headquarters and the officers in charge of sub-divisions.

14387. Are the Sub-Divisional Officers distributed over the district?—Yes. There are 65 sub-divisions in Bengal, but very few of them are manned by Civilians. The rest are manned by Deputy Collectors.

14388. But the Deputy Collector has practically the same power as an Assistant Collector?—Yes.

14389. Does each Sub-Divisional Officer live in his sub-division?—Yes, with only one exception.

14390. Who is the Sub-Divisional Officer's agent through whom he deals with the people?—He has practically no local staff at all.

14391. Then there is no one who takes the place of the tahsildar?—No, in ordinary administration there is no one.

14392. Supposing the Sub-Divisional Officer wanted to make some enquiry connected with vital statistics, how would he do it?—The police are the usual agency.

14393. In ordinary administration, if the Sub-Divisional Officer takes any action, would he do it through the agency of the police?—Yes.

14394. Is that system a good one?—No, it is not a good one but it is difficult to suggest a remedy.

14395. Would the people look to the police officer under the Sub-Divisional Officer as the representative of the Government?—They regard them as the local officers of Government.

14396. With regard to touring, does the Collector make regular tours in the district?—Yes. In the majority of districts 120 days in the year is the standard, but in a few districts it is only 90 days a year.

14397. It has been said that regular touring by District Superintendents of Police is practically now no longer done, but that they pay flying visits to particular parts of the district; what have you to say with regard to that?—The District Superintendent of Police confines himself very largely to inspecting thanas and visiting places where heinous forms of crime occurs. He does not tour as the Collector does.

14398. You do not approve of Advisory Councils? Will you explain why you do not?—My reason is that I would not go too fast. It is always difficult to make a backward movement, and it is quite possible that they might not prove to be a success for various reasons. I should look upon it as a good goal to work up to by slow degrees.

14399. You are a strong advocate for the Collector consulting with the chief people of his district with regard to any important point; have you any such thing in Bengal as a darbar list containing the names of people who might be consulted?—Yes, every district has its darbar list.

14400. So that, if a new man went into a district as Collector, he would have a ready means of ascertaining who the representative persons in his district were?—He would, no doubt, have a note left by his predecessor giving him a good deal of information. A good officer always leaves a note for his successor.

14401. Are these darbar lists formally recognised? Do the people themselves know whether their names are upon them or not?—It would all depend upon whether darbars were being held or not; there is no publication of the darbar list.

14402. I was rather referring to a list which might be prepared for the use of the Collector, containing the names of representative men of every class in his

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district with whom he might consult?—A darbar list is a list of people who are entitled to be invited to darbars.

14403. Are there no recognised means by which a new-coming Collector can ascertain who are the men in his district who would be most worth consulting?—I know of none except a reference to the notes left by previous Collectors; you would probably find several such notes left by each.

14404. But such notes may or may not exist?—They always do exist. For instance, when I left Ranchi, I left not only my own behind me, but the note of my predecessor.

14405. But those notes are not public, and no man in a district, however important he may be, would feel that he was a personality whom the Collector might wish to consult?—I think any man of importance would tell you that he finds successive generations of Collectors consulting him as a matter of course.

14406. Would not the publication of such a list be a safe step to take, and would not the people think it an honour to be placed upon a darbar list of that character?—I think it would be a little invidious to publish a list of that kind; inclusion in a darbar list depends largely upon a man's berth, but what you are suggesting would depend upon certain qualifications.

14407. The darbar list would not include men of certain castes of course?—No.

14408. Then would it be a wise step to take?—I do not think so.

14409. In the Commissioners' conferences, is the non-official element represented at all?—The matters which are to be discussed at conferences are divided into two classes, those which are purely of official importance, and those which are of general importance; and at the discussion of the latter Indian gentlemen are asked to attend. At the last conference for instance, several Members of Council attended, and one or two other leading men.

14410. Is the Commissioner expected to introduce any gentlemen from his division whom he may think desirable?—We state beforehand what subjects are coming up for discussion, and ask each Commissioner to nominate one or two gentlemen in his division who he thinks would be qualified to represent public opinion, and to assist in the deliberations.

14411. Do such gentlemen attend?—Yes, they are glad to come.

14412. Has a Collector an effective influence over every branch of Government work in his district, or not?—It all depends upon the Collector; I should think a good Collector would.

14413. Does the system secure to the Collector an effective influence over every branch of Government work?—I think the amount of business very often prevents him exercising that close control that he ought to do.

14414. If he had time, would attention to the outside departments be considered part of his work? For instance, taking excise, has the Collector direct control over excise matters in his district?—Yes. It is his duty to inspect all excise shops, and to look into proposals for the opening and closing of shops; and he usually holds the excise sales himself.

14415. Suppose when inspecting shops he found something of which he did not approve, what would he do?—That would depend. If he finds an offence under the Act has been committed, he would prosecute.

14416. That is as to the law, but has he any personal authority to act, supposing he finds a shop is being conducted so as to be clearly a nuisance?—When sending up his proposals for the next year's settlements he would suggest either removing the shop to a new site, or closing it altogether.

14417. Has he any power over Public Works?—He has not very much power. The Commissioner is very often shown the budget for the next year, but I think, generally speaking, the Executive Officers might be consulted more than they are at present.

14418. At present the administration of Public Works stands in an entirely isolated position?—It does to a certain extent, but in practice a great deal depends on the personal element. I think a Commissioner who wished to interest himself in Public

Works would have his views listened to. When I was Commissioner of Chota Nagpur I succeeded in getting the Public Works Department to take up the question of making roads and bridges where they were needed.

14419. Supposing the grossest frauds were being perpetrated with regard to Public Works in a district, would the Collector be held responsible?—Not at all.

14420. Has he any control with regard to education?—Yes, over lower education he has considerable control. In the case of secondary education he has not very much power.

14421. Is he bound to pay visits to schools?—He is not bound to do so, but he is told it is desirable that he should do so, and he does all that he can to raise an interest in regard to school work.

14422. Supposing that the discipline in a Normal School had become very lax would it be held to reflect upon the Collector at all?—It would depend upon whether he had had opportunities of finding it out. It would be his duty to report it if he had found it out, but I do not think he is bound to keep himself sufficiently informed upon such a matter as that.

14423. Do you not think, in his position as the representative of the Government, he ought to have a hand in all branches of administration, such as education and Public Works?—Certainly, up to a certain point, but I think higher education is, more or less, a special subject.

14424. I do not mean that the Collector should interfere in technical work, but ought he not to have an authoritative standing to prevent abuses in all Government matters?—If he found that discipline was lax, and reported it, there is no doubt his report would receive every attention from the educational authorities.

14425. Would blame attach to him if he did not report?—Not unless it was a matter which was so notorious that he ought to have known of it.

14426. With regard to municipalities, do you think that any development of self-government or delegation of powers would be advisable?—I do not think so, but I think that the control of education might very well be vested in the Municipality of Calcutta.

14427. Is the Chairman of a municipality usually elected?—Yes.

14428. Is he usually a non-official?—When he is elected, he is practically always a non-official.

14429. Is any further development with regard to that advisable?—Not immediately.

14430. Is it the fact, as we have been told, that Government has power to get an assessment of the house-tax made by a specially appointed assessor?—Yes. There are two modes of assessment, one by the municipal Commissioners themselves, and the other by an assessor whom they may ask Government to appoint.

14431. If they do not ask for his appointment, may the Commissioner impose it?—If the assessment is inequitable the Local Government on the report of the Commissioner may call on them to raise it, and in the last resort may insist on the appointment of an assessor.

14432. As to District Boards, have you any suggestion to make as to the way in which they are appointed?—We have submitted proposals recently to the Government of India for widening the basis of selection and securing the representation of different classes.

14433. Is the main portion of the Road Cess spent on the roads?—It is spent on the roads and sanitation. A comparatively small portion is spent on sanitation.

14434. Does sanitation include dealing with wells and tanks?—Yes.

14435. Are those small works done by the people, or by the staff of the Board?—They are usually done by the staff of the Board, but periodically Government makes special grants-in-aid for the construction of tanks. What usually happens is that the Local Government gives a third, the District Board gives a third, and the other third is given by the person wishing to excavate the tank, who makes his own arrangements for carrying out the work. As a general rule wells are always made by the District Board's staff.

14436. In the case of a road through the estate of a zamindar, is the grant in respect of that road ever handed over to the zamindar to spend himself?—Practically never, unless he happens to be an indigo planter.

14437. Would it not be a good thing to extend such a system, if you could find the men?—Finding the men is the difficulty, and, of course, there are other difficulties connected with a system of that kind. Various obstacles are put in the way. It has been tried in special cases. I know of cases in a good many districts where it has been tried, but only with regard to selected men; it is done largely in planting districts where the owners or managers of indigo concerns or tea-gardens undertake to repair their own roads.

14438. Would you advocate an extension of that system?—I think the advisability of it is sufficiently recognised already, wherever a suitable agency is forthcoming.

14439. With regard to village panchayats, are they elected or are they nominated by the Government?—They are nominated on the spot; an officer goes round and makes a selection, and we try as far as possible to obtain representative people.

14440. Would you entrust the carrying out of local works in a village to the existing panchayats?—I think it would be difficult to do so.

14441. Would not the panchayat be able to carry the help of the village with them in such a work as constructing a tank, for instance?—I do not think it would be easy for them unless they were persons with considerable influence, such as a zamindar, or a zamindar's agent.

14442. Does it not often happen with regard to transfers that if a man comes back from leave and is sent to an unpopular district, though a senior man he claims to be removed because of his seniority to a better district?—There have been at times cases of the sort, but not recently.

14443. Would it be well if an attempt were made to equalise districts, and, as far as possible, to assimilate the length of service in healthy and unhealthy districts amongst officers?—Yes, I think that would be desirable. I think there ought to be some compensation for having to serve a great length of time in an unhealthy or unpopular district.

14444. With regard to the Under-Secretary, it has been suggested that all the work done by him alone without reference to the Secretary should be handed over to the Commissioner, or to some inferior officer; would that be possible?—It would be possible to delegate to other authorities the power to dispose of cases which the Under-Secretary disposes of now, but the Under-Secretary does an immense amount of work besides disposing of cases. He has for example to see that all cases are properly presented and to pass many of the drafts based on the orders of higher authority.

14445. Is the Under-Secretary generally chosen for his special ability from among the junior officers?—Yes.

14446. What would you say as to the appointment of a permanent Under-Secretary?—I do not think it would be a success as a rule.

14447. The work performed by the Under-Secretary is not work which calls for any special ability?—I think it does; and it needs first-hand knowledge of work in the districts. I think a Civilian would usually do the work much better.

14448. You would not approve of any change?—Not as a general rule, but there may be exceptional cases.

14449. With regard to the Board of Revenue, you have described the work under the new system inaugurated in Bengal, and, as I understand, the Board of Revenue is now brought into more immediate contact with the Lieutenant-Governor?—But only as advisers; there is no attempt to divide the control.

14450. The next step would be to make them his colleagues?—No; there is an essential difference between that and the present system.

14451. Would it not strengthen the Government if you were to associate those two members with the Lieutenant-Governor, so that any action taken should

be their joint action?—I think with a Governor in Council the different Members of the Council dispose of a great bulk of the work without its being seen by the Governor himself.

14452. But it issues with the authority of the Government?—It issues with the authority of the Government, but there is a divided responsibility.

14453. At any rate it would obviate a great many official references?—The Board would not have to take the Lieutenant-Governor's orders, and the present members of the Board, who would then be Members of the Council, would dispose of matters instead of submitting them to the Lieutenant-Governor, but I see no advantage in this. The saving in time would be only one day, and I think it is desirable that the Lieutenant-Governor should see everything and dispose of it himself.

14454. As a matter of fact many things do not go before the Lieutenant-Governor?—All important things go before the Lieutenant-Governor; all cases in which it is proposed to over-rule a Commissioner or a Head of a Department go to him; and all letters to and from the Government of India are seen by him.

14455. (Mr. Dutt.) If the members of the Board were made colleagues of the Lieutenant-Governor, all important matters would be attended to by the three?—Very important matters would.

14456. Would orders in those very important matters be passed by the Government as a whole?—No doubt.

14457. Therefore in that respect would not the Government be somewhat strengthened?—I do not think it would necessarily mean that the Government would be strengthened. The Lieutenant-Governor is the responsible authority, and he always has the opinion of the Board before passing any orders.

14458. But still the orders at present are his own?—Yes.

14459. While, under my proposal, the orders would be the orders of three Members?—This might resolve itself into the orders of one, because there might be a conflict of opinion.

14460. In that case it would be a majority of the three Members which would decide?—Quite so, but the majority would consist of one, and it might happen that the opinion of a junior Member would in that case prevail.

14461. That is to say if he agreed with the Lieutenant-Governor?—Whether he agreed with the Lieutenant-Governor or not; the latter might be in a minority against the Members of the Board.

14462. But the majority would have to agree?—Two out of three, of course, would agree.

14463. You would allow the Local Government to give a liberal interpretation to the rules laid down, the Accountant-General being told that he must not interfere if a case was such that the Government of India would be likely to support the Local Government in any interpretation they might have put upon the rules? How would that be carried out? If the rules are there, and if the Accountant-General is there to interpret the rules, he is bound to interpret them as strictly as he possibly can?—There are a great many rules, but they cannot be framed so as to cover all cases. The Local Government at present has no power to make an exception; but if a reference is made to the Government of India, very often a thing is allowed as a matter of course; the Accountant-General knows from his experience that the Government of India is likely to deal with a particular case in a particular way, and if he thinks the order proposed by the Local Government is one which would under the present system be sanctioned by the Government of India, he would not interfere.

14464. Would the Accountant-General, as Accountant-General, be justified in passing over these exceptions?—He would be justified in carrying out the orders of the Government of India, and if the Government of India gave him instructions on those lines he would be justified in carrying them out.

14465. Would a schedule have to be made of such points?—I think it might very well be left to his discretion, because he would have been trained in the department, and know the principles underlying the rules.

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14466. But when rules are framed, the Accountant-General, as Accountant-General, would be bound to see that they were carried out strictly?—It would depend upon the instructions given him. He is quite right at present in insisting on a reference to the Government of India, but if a rule was laid down giving the Local Government a certain latitude, he would only insist upon references when he thought that the Local Government was going too far.

14467. It would be rather difficult to allow him latitude in such matters?—Of course it would have to be left to his discretion.

14468. Do you say that it would not be wise to provide for delegation of legal powers which have formed the subject of debate in Council, except by an amending Act?—I think this procedure should be adapted only in cases where the question as to who should exercise those powers has formed the subject of animated discussion when the bill was passing through Council.

14469. Would it not be difficult to find out in what cases a point has been the subject of animated discussion in Council?—The proceedings of the Council would show.

14470. Would you refer to the proceedings of the Council to make a distinction of that nature?—If a question arose, one of the points to ascertain would be whether the question as to what authority should exercise the power had, or had not, formed the subject of discussion in the Council, and if it had, I would say "This is not a case which ought to be dealt with under the general delegating Act," or *vice versa*.

14471. In cases where the power was reserved to Government there would not be any occasion for discussion?—Yes, that is so.

14472. If the Government propose that the power should be kept in its own hands it would not form the subject of discussion at all; under those circumstances would you not rather recommend that in every case, if a delegation was intended, it should be done by an amending Act?—No, I would not go so far as that, because that gives a lot of trouble. I think some other safeguard might be found. I think it would probably meet the difficulty if no delegation was allowed until previous publication of the intention of Government to delegate, and if no delegation were allowed except with the sanction of the authority superior to the authority proposing to make the delegation.

14473. But that would not secure a debate in Council?—It would not secure a debate in Council, but it would secure the ascertainment of public opinion.

14474. Would it minimise labour if a schedule of the powers proposed to be delegated were prepared, which, at the same time, would give an opportunity of raising a debate with regard to anything mentioned in the schedule?—That would be a circuitous method; and would involve delay. Some Act containing powers of delegation is necessary, and in future I think it might be a good thing if the power to delegate were expressly provided for in the body of the Act. This is already done sometimes, as in the case of the Epidemic Diseases Act. I think delegation should be made with a certain amount of caution under a general delegating Act, but I think notification would meet the case. If Government announced an intention to delegate in the Gazette, I think that would be a sufficient safeguard. I assume, of course, that Government would listen to hostile representation. If public opinion was strongly adverse to the proposed delegation, Government should either abandon the proposal or make it the subject of an amending Act.

14475. With regard to appeals to the Government of India, would you only give the right of appeal to an officer drawing Rs. 500 or upwards?—Yes.

14476. That would exclude Deputy Collectors?—I would put men in graded services in which the maximum pay was more than Rs. 500 in the same category as men drawing Rs. 500 and upwards.

14477. There may be Services where the men get up to a maximum of Rs. 200 or Rs. 300, or even Rs. 400?—Yes.

14478. In those cases, if a man is dismissed by the Government of Bengal, would you deny him a right of

appeal?—I should be prepared to allow an appeal in the case of all Gazetted Officers, and all officers whose maximum pay is Rs. 500, or upwards.

14479. Would it save much trouble if your scheme were carried out?—The number of appeals is small, but they give a very great deal of trouble.

14480. On the whole would it not give a greater sense of security to Government officials if you left the rules untouched in this respect?—As a general rule the authority which should have power to appoint, has power to dismiss; and as we have asked for power to make appointments up to Rs. 500, I think we should have the same powers in regard to dismissal.

14481. With regard to the right of appeal to the Local Government, do you propose any change at all?—No.

14482. Has it been the practice for a number of years to invite Indian gentlemen to annual conferences?—It has been the practice for the past two years.

14483. Is it intended to continue the practice?—Yes. I may add that the non-official Members of Council are now invited informally to discuss the budget before it is framed.

14484. Are you of opinion that District Officers should consult leading men of their districts, and would you also recommend a kind of periodical conference of the District Officer with the leading gentlemen of his district, in order to ascertain their views?—I should prefer to begin by insisting strongly on the necessity of consulting Indian gentlemen regarding all important matters, and I think certainly it would be a very good thing to ask them periodically to come in, and discuss important matters; if something could be done towards developing more social intercourse than has existed up to now, it would be a move in the right direction. The advantages would be two-fold; not only would it give the Government more correct information with regard to native feeling, but it would also tend to remove misunderstanding as to the objects of the Government.

14485. Would you have any strong objection to laying it down that such a conference should be held at least once a year?—No, I would have no great objection, but I think it is as well to go slowly at first and lay down no fixed rules.

14486. Supposing some of the gentlemen invited to these conferences had any proposals or representations to make, would you allow them to make them after giving previous notice?—I would recognise at any time the right of an influential person to bring to notice proposals he wishes to put forward. Any man of position should have free access to, and receive sympathetic attention from, the District Officer.

14487. Do you say that the functions of the chaukidari panchayats are limited to raising money?—That is the object with which they are first appointed, but they have recently been given a good deal of control over the chaukidars.

14488. You have no objection to adding cautiously to their functions?—Quite so, but I should prefer to see any big experiment conducted in some province where there is already an indigenous village community.

14489. Have you any objection to having that experiment made in certain selected areas in Bengal which might be called advanced districts?—I would prefer to say in selected unions.

14490. Would you propose the appointment of a Special Officer to deal with the matter?—Certainly, I think that is essential.

14491. In cases of officers of the Indian Civil Service who are considered unfit for higher appointment, you would propose that they should be compelled to retire on such pension as they may have earned; would you extend that rule to other Services?—Of course, it would get rid of a certain number of inefficient people, but I should rather hesitate to lay down any hard-and-fast rule for the Provincial and Subordinate Services, because, amongst other things, one sees so much divergence of opinion expressed regarding the same officer. The fitness of a man in the position of a Collector of a district is a matter regarding which there can be little room for doubt, but a Deputy Magistrate may possibly be judged upon the results of a particular case.

14492. You would not extend that rule beyond the Indian Civil Service?—I would not extend it to the Provincial Service.

14493. Or to the Ministerial Service?—No, I would deal with any case there under the ordinary rules.

14494. Have you had experience in the management and working of District Boards in different districts?—I have not had to do with many District Boards.

14495. Have you known men upon them who do give some assistance to the District Officer in the performance of his work?—Yes, undoubtedly.

14496. As a body, do you think the elected members go there mainly for the purpose of self-advertisement?—Mainly? Certainly not. Of course there are a good number of elected members whom it pays to be before the public.

14497. You would not agree with the criticism that the work is mainly confined to men whose object is self-advertisement?—It is difficult to say. My own opinion is that it is not the main object, but I think the elected members belong largely to a class whom it pays to be before the public.

14498. In the Civil Service Regulations the rule is laid down that a recurring honorarium or reward requires the same sanction as an increase of salary. Is that a sound rule?—Quite, and we do not propose to make any exception to it.

14499. But you say that it should be for the Local Government to decide whether an honorarium is, or is not, a recurring fee?—That is not an exception, it is only an interpretation of the rule. The Local Government is to decide whether the fee which is paid is of the nature of a recurring fee or not, that is all. Supposing, for instance, a man gets an honorarium for presiding at an examination, the Accountant-General may say: "This man has presided two years running, therefore it is a recurring fee"; it should be open to the Local Government to say it is not recurring.

14500. And you think the decision of the Local Government ought to be accepted as final?—Yes. The Local Government knows all the relevant facts.

14501. Are not mining leases granted by the Government of India in Native States?—Yes.

14502. Is there any reason for making an exception with regard to Orissa?—We are not suggesting an exception; we are proposing that all Local Governments should have the same powers to grant mining leases as they have in British territory.

14503. You do not see any difference between British territory and the Feudatory States in that respect?—No essential difference.

14504. Would there not be more danger of abuse in a backward State?—We begin by assuming that the Chief wants to give the lease.

14505. But the Chief is not always a man of very sound education?—No, but the Local Government is on the spot, and knows the conditions, and I do not think there is any danger in giving that power.

14506. With regard to the transfer of officers, it is suggested that the power to transfer a Deputy Magistrate might be delegated to Commissioners; would that not sometimes lead to difficulties, because a Deputy Magistrate is transferred sometimes from one division to another?—It is only intended to delegate the power to transfer within the division. A man who has been serving in an unhealthy division for some time might come and say: "I should like to be transferred somewhere else"; in a case of that kind the Local Government would still in its discretion order a transfer, but usually, I think, it should be regarded that the posting of all officers within the division is a matter for the Commissioner.

14507. Are not Deputy Magistrates considered to be officers for the whole province?—Yes.

14508. And is it your idea that hereafter they should be considered officers of a division?—They should remain in a division unless there was a strong reason for removing them. A man who was in the Presidency Division might say: "I have been in this place a long time, my health has suffered, please transfer me to a better climate"; but usually I would keep them in one division. This is desirable for several reasons. The proposed procedure is already in vogue with regard to Sub-Deputy Collectors, and it

gives rise to no trouble whatever; in fact it is very convenient, because the Commissioner is able to post men to places where they are likely to be most useful, and it saves delay.

14509. When leave is granted to a Deputy Magistrate, do you propose that the Commissioner should have power to grant it?—Yes, provided the Commissioner can arrange to carry on without asking for an officer from another division.

14510. With regard to appointments, would not a man carry a higher prestige if appointed by Government?—The order appointing him would be signed by a Secretary to the Government, but I do not know that that would make much difference.

14511. With regard to the sanction to forest leases, if your proposal were carried out might it not sometimes lead to abuse?—Sometimes injudicious leases might be granted, but I do not think there is much danger, as the Conservator of Forests would always be consulted.

14512. Would it not be safer to leave that in the hands of the provincial Government as the number of cases is very few?—I do not think there is such a strong case for delegating that power as there is in regard to some of the others. I may mention, however, that the only case we have had this year involved a good deal of correspondence, and that we ended by accepting the recommendations which the Commissioner had originally made.

14513. Then there is a recommendation that the appointment and promotion of certain Gazetted Officers should be delegated, but in the case of the appointment and promotion of those officers should not the power be retained in the hands of the provincial Government?—I think a reference should be made to Government in the case of proposals for supersession, but a great majority of the proposals for promotion are purely routine, and I do not see the necessity for referring them to Government.

14514. Are promotions and appointments ordered on the recommendations of the Heads of Departments?—The Heads of Departments send in their lists which are approved.

14515. If that is so, does it give the Government of Bengal much trouble in sanctioning and gazetting?—If you take one of these proposals for delegation by itself, it does not involve much trouble, but in the aggregate it means an enormous burden of routine work.

14516. But would not the officers themselves rather like the order to issue from the Government, as it would give them greater prestige in the eyes of the people?—That is possible, but I am not sure that the people know who gives them their promotion.

14517. Do not the orders appear in the Gazette?—But who sees the Gazette? Only their brother officers; the people know nothing about it.

14518. Do you not think that, in the estimation of those who do know about it, these officers would carry more prestige if appointed by the Government instead of being appointed by the Heads of Departments?—Possibly.

14519. (Mr. Hitchens.) With regard to recurring honoraria, how would you apply the control in this case?—It is purely a question of fact. The Local Government give an honorarium to a man, and it is for the Local Government to say whether it is an isolated case, or whether it is a recurring thing. For instance, if a man is appointed a regular examiner in a particular subject, whatever reward he gets would be a recurring one. But if the question is reconsidered each time, it would not be, even if the same man happens to be selected.

14520. Supposing the Local Government sanctioned an honorarium to-day, which in the opinion of the Accountant-General was a recurring charge, would he report it to the Government of India?—He would ask the Local Government to refer it.

14521. How would you alter the powers of the Accountant-General?—I merely want to limit them. I would only let him insist on a reference where the interpretation of the rule is unreasonable.

14522. But who is to judge if it is unreasonable?—I would leave the Accountant-General the right to

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judge; from his previous experience of the way in which the Government of India deal with these things, he knows perfectly well what the Government of India would be likely to do if the case were to come up to them.

14523. That would give him a good deal of power?—Yes, but he already has that.

14524. Are you prepared to allow the Local Government to say absolutely that such a fee is not a recurring honorarium, and that the Accountant-General should not raise any question?—Yes; it is purely a matter of fact.

14525. Why are you not prepared to say generally with regard to all regulations that the interpretation of them should be left with the Local Government?—I think that is going rather further than I should be prepared to do. I think the Accountant-General ought to be able to say, "You are straining the interpretation; the Government of India would not approve of this sort of procedure." Under the present system, if a rule is infringed, we have to refer to the Government of India, and in many cases they allow the exception. The Accountant-General knows from his experience whether they are likely to allow it, or not; therefore, I would give him power to ask for a reference to the Government of India, but I would tell him only to do so in cases where he thinks that the Government of India would not approve of the action taken.

14526. Do you say that the police are the administrative agents of the Sub-Divisional Officer?—They are the agency through which the Sub-Divisional Officer gets his information. I think it is unfortunate that in Bengal we have no other agency.

14527. Can you suggest any remedy for that?—No, I am afraid I have none to suggest.

14528. You do not suggest the appointment of any officer?—No, it would be too big a business altogether.

14529. So that although it is unfortunate, it is unavoidable?—It is almost unavoidable in the circumstances of Bengal.

14530. How long has the new procedure as regards the Board of Revenue of which you have spoken been working?—About four years.

14531. Has it been a success?—It has brought the Board into much closer touch with the Government. It has certainly expedited work, and it has prevented misunderstanding. The whole of the papers come up now, and if an official letter is incomplete you can remedy the omission by reference to the file, so that there is no correspondence backwards and forwards, and orders are thus issued more promptly. Therefore, so far, it has been distinctly a success. It imposes, however, a certain amount of work upon the Secretary to Government which was formerly done by the member of the Board.

14532. Does it mean in practice at all that the Board's Secretary becomes, so to speak, Under-Secretary to the Secretary to Government?—To a certain extent, undoubtedly. It does not, however, alter his work in any way; instead of submitting the case to the member, he submits it to the Secretary to Government.

14533. He submits it as an Under-Secretary might?—Yes; the Under-Secretary to Government is eliminated from the chain.

14534. And for all practical purposes he is the Under-Secretary?—Yes; or Deputy Secretary; of course a great part of his work is not seen by the Government Secretary at all. The bulk of this work is connected with ordinary revenue administration, for which the Board are responsible themselves. It is only in "Government cases," where a reference has to be made to Government, that the Board's Secretary submits cases to the Government Secretary.

14535. We have been told that the number of rules and regulations, speaking generally, is excessive, and that the tendency is to pass a rule or regulation to cover every conceivable case which might arise, rather than to leave matters to the discretion of individual officers. I should like your opinion with regard to that?—I do not think I can agree with that altogether. In some directions the rules have reduced work a good deal.

14536. You would not say that regulations in practice were passed upon matters which were too minute to be regulated by a rule?—I do not think I should say so, generally speaking. It is easy enough to turn up a rule.

14537. Then is it your opinion that that criticism is not a fair one?—That is my opinion. I do not think the rules are too elaborate, and in fact I think it is desirable, when further powers are delegated, to lay down the principles which should be followed in exercising those powers.

14538. Would you agree that it is desirable to allow a large amount of initiative to an individual officer?—Undoubtedly, but in dealing with the case, for instance, of allowing an officer to take his horse by train at Government expense, it is desirable to specify the circumstances under which this should be done; otherwise there will be no uniformity of procedure. I do not think, as a rule, the regulations are too detailed, but they are applied too rigidly.

14539. It has been alleged that officers spend most of their time in trying to find out precedents, what do you say as to that?—I do not agree with it, and another thing is you can always ask the office to quote the rule if it is one you are not familiar with.

14540. Is your position with regard to the interpretation of rules and regulations that rules and regulations to be framed under an Act should be made by the Local Government?—That is not the point; the point is, supposing the Local Government propose to introduce some new scheme which has to be submitted to the Government of India, the Government of India should pass orders only on the general principles, and should leave the decision as to the details to the Local Government, after consideration of any criticism that may be made by the Government of India.

14541. Another way of putting that would be that the Government of India should lay down general principles in an Act, but that the regulations or rules for the carrying of them out should be left to the Local Government?—I think that rules which are applicable to the whole of India might very well be laid down by the Government of India. I was not thinking so much of rules under Acts, as of general administrative work.

14542. Would you agree that there are a large number of regulations of a more or less minor type—certain regulations which could not be called general principles, but which it is desirable to have uniform?—Undoubtedly; for instance, under the Explosives Act, it is most desirable that the rules should be issued by the Government of India.

14543. What is the procedure to-day with regard to matters of that sort? Are uniform rules issued by the Government of India?—In a great many things they are. They prepare the draft rules which are circulated to the Local Governments and published in the Gazette for criticism; after the Government of India have received all the criticisms the rules are considered and brought out.

14544. Is that a satisfactory procedure?—Yes.

14545. Does it not lead to great delay?—I do not think delays are so much to be deprecated when it is a case of elaborating rules under which action is to be taken in future; these rules merely replace existing rules of procedure and the change is seldom very urgent. It is in the disposal of individual cases in which prompt action is called for that delays are so harassing.

14546. In the case of explosives, for example, would it be a good thing to have a small conference of the officers of the different Governments to deal with the subject and so reduce correspondence and delay?—It very often happens that the officers of the different Governments know very little about special subjects like that; for instance, with regard to the rules under the Explosives Act, the Secretary is not an expert in explosives, and his personal opinion would not be of much use; he would first have to obtain his information from other people qualified to advise.

14547. The Local Government to-day can put forward its views in writing, but there is no opportunity for general discussion?—No.

14548. Would that not be a good thing in regard to the rules and regulations with reference to explosives?—I do not think so; I think that the matter can be

very well dealt with under the present system. It is mainly a matter for experts, and I am not aware that it has given rise to any marked difference of opinion.

14549. Have you any suggestion to make with regard to the class of regulations that should be left to the Local Government and the class which should be called general?—It would perhaps be easiest to answer by quoting a particular case in connection with the Local Self-Government Act. We proposed to amend it in such a way as to ear-mark the Road Cess for Public Works and sanitation. The Road Cess was originally levied under an Act, a section of which laid down that the cess was to be spent on communications and sanitation, but afterwards that section was repealed, and for some years the Road Cess was spent partly on other items, such as education. Then the Indian press agitated about it, charged us with a breach of faith in devoting the Road Cess to objects for which it was not intended, and so forth. There was a great deal of dissatisfaction, and we, therefore, proposed to revive the old section and ear-mark the Road Cess as before; but the Government of India, while agreeing with us that the Road Cess should be spent on the objects for which it was originally intended, said it was inexpedient to tie ourselves down by legislation. I think that is a case which the Local Government ought to have power to deal with. The principle was accepted, and the only objection was that it would be inconvenient to tie ourselves down.

14550. With regard to Inspectors-General, would it be advisable if the Local Government consulted them before submitting any scheme to the Government of India?—I do not think it is desirable; the Local Government consults its own experts, and I think any further consultation would cause unnecessary delay.

14551. Is not one of the main purposes of these Imperial Officers to advise?—Yes, they do advise.

14552. Then surely, in a big scheme it is not advisable that they should be consulted?—They collect information and they advise the Head of the Local Department; for instance, the Director of Agriculture gets a good deal of information and advice from the Inspector-General of Agriculture, but I do not think the Local Government should submit its schemes to a man of that standing before sending them up to the Government of India.

14553. Not necessarily the Local Government, but the officers responsible for preparing such a scheme? In the case of a large sanitary scheme, for instance, would it not be advisable that it should be submitted to an authority which had already discussed such matters?—Yes, I think so.

14554. Could you not apply that system generally, and say, if Inspectors-General are there for the purpose of giving advice, before a scheme was submitted, that the Local Government should see at any rate what these officers' views were?—I think the tendency would be to bring the local officers more under the control of the Inspector-General, and to weaken the control of the Local Government; this is what I apprehend would be the result if the local officers had to obtain the approval of the Government of India expert.

14555. I do not suggest that they should obtain his approval, but his opinion. Is there likely to be less friction if that is done first than if the scheme is submitted after the local officer has given his approval, and then a difference of opinion occurs? Is not the local officer more likely to be convinced before definitely committing himself to a scheme on paper than he would be afterwards?—I think that with such a system there would be a tendency for the man with the Government of India to have more power than he should have, and that due weight would not be given to the diversity of local conditions.

14556. Is that your objection to it?—That is my objection. The local officer would know that what the Inspector-General approved would be more likely to receive sanction, and he might thus be persuaded to recommend things which were not suitable to local conditions.

14557. Do you object to the Inspector-General acting as the adviser to the Government of India?—I do not object to his acting as an adviser; but I think

when he expresses an opinion adverse to a scheme, the Local Government should have an opportunity of knowing what he has said before the Government of India pass orders. When cases go up to the Government of India, which are within the department of these officers, their opinions are noted on the file; they have the last word and there is always a danger that the Government of India may accept their opinions and decide accordingly, without giving due weight to the views of the Local Government.

14558. What, briefly, is the general principle underlying the revised rules as to appeal?—The general principle is that in the case of inferior servants, that is to say, in the case of men whose pay is Rs. 10, or less, a month, there should be only one appeal; that in the case of other people there should be two appeals, subject to the condition that, with a man whose pay is less than Rs. 50, there should be no appeal against the order of the Commissioner, or Head of Department, or Board of Revenue.

14559. Under that practice what is the maximum number of appeals that can be made?—There can be two appeals in practice; the appointing officer would dismiss and there would be an appeal to the Commissioner and an appeal to the Board.

14560. Broadly, can the man who appoints dismiss?—Yes, that is the rule.

14561. Speaking from the point of view of the public, the function of appointment is just as important as the function of dismissing?—Except, of course, that there is no appeal in the case of a refusal to appoint.

14562. Should a man who is capable of appointing be capable of dismissing?—Yes, subject to appeal.

14563. Do you not think one appeal is enough; why do you want more than one?—We only allow one for subordinates, but in the case of a man with better pay I think it as well he should have an opportunity of appealing twice. I think a man has a sort of feeling that there is safety in a second appeal. I mean that a ministerial officer, liable to dismissal, feels more secure in his appointment when he has a right of second appeal. Supposing he is in a sub-division and is dismissed by the Sub-Divisional Officer, he would feel more secure with two appeals.

14564. Is not the result of having more than one appeal to keep inefficient members in the Service who ought to be turned out of it?—I do not think there is very much risk of that. Of course one has known cases of men being put back, who, one thinks, ought not to have been put back.

14565. Does it not prevent the officer who would dismiss taking action, because the procedure is so tedious and cumbersome?—I do not think so, and after all it gives no more trouble to the officer who originally dismisses a man if that man appeals a second time, because he has no fresh report to write.

14566. But there is the additional risk of his decision being upset?—Yes, but I do not think that is a great thing.

14567. (Mr. Meyer.) With reference to your evidence with regard to the interpretation of the Civil Service Regulations, all financial powers are delegated powers?—I suppose they are.

14568. Under the Act of Parliament of 1858 the control of expenditure is vested in the Secretary of State?—I am not sure.

14569. The Secretary of State delegates the powers to the Government of India, and then, in turn, they are delegated to the Provincial Governments. Are not these Civil Service Regulations intended to set forth the limitations of the powers thus delegated?—From a theoretical point of view, it may be so.

14570. Would it not be dangerous to allow Local Governments to be themselves the judges as to the limits which should be imposed upon them?—We are not suggesting that we should be the judges; we are suggesting that the Government of India might give us further powers.

14571. It is suggested in certain cases that you may tell the Accountant-General to stand aside; for instance, that you are to settle what a recurring honorarium means, and what it does not mean?—Yes, that is a question of fact which we know.

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14572. What would be the use of a rule then, saying that a recurring honorarium should be treated as a part of salary? Could not the Local Government evade this rule if it had power to say whether honoraria are recurring or not?—Of course, if it comes to a question of evasion, it would not be safe to delegate anything to the Local Governments. You must give Local Governments credit for common honesty.

14573. Would it not be far better to relax the general rule, than to give discretionary dispensing powers to Local Governments?—We are not asking for discretionary dispensing powers to Local Governments; we are asking that the Local Government's statement should be accepted on what is really a question of fact.

14574. Would you maintain that in the case of an action on a point of law the Local Government should interpret it?—There is a great difference between the two things, because the certainty of the law is the essential thing. If there is no great expenditure involved in the interpretation of a financial rule, I do not see any harm in leaving its application to Local Governments. If a large sum of money is involved, then the matter ought to go up to the Government of India; if it is a small thing, a large amount of time and trouble would be saved by the Local Government dealing with it.

14575. Do you say that the Accountant-General is to be overruled by the Local Government?—Yes, if it is the case like the one of recurring honoraria with which the Local Government can deal best as being mainly a question of fact.

14576. Are you aware, as a general principle, that an officer of the Government is supposed to do work for municipalities and District Boards?—Yes.

14577. Are there not claims now and then on the part of officers for allowances for doing municipal work?—I cannot recall them at the moment.

14578. Might not that principle be evaded in general practice by the granting of liberal honoraria?—If a Local Government is to be looked upon as likely to evade the rules, why delegate any power at all.

14579. There are many rules under which the sanction of the Secretary of State is required, and you are probably aware that the Audit Officer can challenge the Government of India; would you similarly allow the Government of India to interpret those rules?—It seems to me quite reasonable that the same thing should be held to apply.

14580. You spoke of the desirability of giving the Local Governments larger powers in matters of detail as apart from principle; do you include appointments and pensions, and matters relating to the Civil Service Regulations generally, in detail?—The detailed powers which we think should be delegated are mentioned in the schedule appended to my letter.

14581. I was speaking of your answer in which you say: "The Government of India should avoid interference in matters of detail." When a scheme goes up it includes a number of appointments; do you consider the creation of an appointment a mere matter of detail?—No, I do not.

14582. By "detail," do you mean such instances as you gave with regard to Road Cess?—Yes or to take another: we recently applied to the Government of India for funds to alter the beat system in Calcutta. We sent up a scheme to the Government of India which had been carefully worked out with the Commissioner of Police, and in reply they said they did not approve of it, and suggested a different scheme. I think that was interference in matters of detail.

14583. Is it not sometimes an advantage that you should have an opportunity of thinking over a scheme and testing it?—It is sometimes, but the result is, as a rule, that the thing is delayed so long that everyone gets tired of it. In this particular case the alteration in the beat system, which we suggested, was recommended by the Police Commission and had been mentioned at the time with approval by the Government of India, and we had sent it up with an intimation that we found it would be peculiarly suitable for Calcutta.

14584. With regard to the Road Cess, which you mentioned, was not the original provision set aside by

actual law?—It was not set aside exactly, but the section was repealed.

14585. Was that not setting it aside?—To a certain extent, of course it was; but for a long time past it had been recognised that it was wrong to set it aside.

14586. It is not the case that four or five Lieutenant-Governors took one view of the matter and the present Lieutenant-Governor took another view?—It may be so.

14587. And the Government of India said: "We agree with you, but you had better not put it into a stereotyped form of law," because it was thought that other Lieutenant-Governors might differ again. Do you not think that reasonable?—I do not think you should veto things because you think the opinions of the Local Governments may change.

14588. Let me take another case. There was an educational matter in which a Lieutenant-Governor wanted a wholesale transfer of educational institutions and the Government of India objected, rightly or wrongly. Do you consider that a matter of detail?—No, I do not think the whole scheme was a matter of detail. It included the transfer of the Engineering College to Ranchi, and it was a big scheme.

14589. You put forward the view that in matters of detail Local Governments ought not to be overruled except by the Council of the Governor-General as a whole; are you aware that under present conditions Local Governments cannot be overruled without reference to the Viceroy?—But the Viceroy has no local knowledge in these matters.

14590. And that the Viceroy may direct any matter to go to Council?—Yes.

14591. But you desire that the question of referring matters to the Council should be transferred from the Viceroy to the Lieutenant-Governor or the Head of a province?—I think if a Local Government wants to have a matter reconsidered, it ought to be considered by the Council.

14592. Are you aware of any authority in England subordinate to the Government which could require the Prime Minister to submit a case to the Cabinet?—No, but I do not think the cases are at all parallel. We are not asking that the Local Government should have power to insist on a reference to Council, but that the Government of India should themselves extend the principle which you have just referred to.

14593. Is not the Government of the Lieutenant-Governor a single-man Government?—It is a single-man Government, but the Lieutenant-Governor does not pass orders until he has the opinions of all his advisers.

14594. A Lieutenant-Governor might be a man of impulsive character, and he might go contrary to the advice of his advisers?—Of course, all things are possible.

14595. There would be nothing to indicate to the Government of India that that was so, and conceivably there might be a Member, or a Secretary in the Government of India, who knew more about the province than a Lieutenant-Governor?—Yes.

14596. Would you still propose that the Lieutenant-Governor, under such conditions, should not be overruled except by Council on matters of detail?—What I mean is that I do not think in matters of detail the Lieutenant-Governor ought to be overruled, and that, if detailed criticism is made, it should be made in the form of criticism, and left to the Local Government to adopt, or not, as it may think fit. I am not objecting to the control of the Government of India on matters of principle at all; it is only that tremendous delay is caused by having details thrashed out in the course of correspondence.

14597. With regard to Imperial Inspectors-General, you resent the Government of India overruling you and your advisers, but at the same time you are not prepared to seek their advice?—That is not quite as I put it. I think the business of an Inspector-General is to furnish information or give advice to local departments; if the local departments think it necessary to obtain that advice regarding any scheme, I would not object, but I would not make it a rule that they should be obliged to seek it.

14598. What is to prevent you seeking the advice of any one on any matter?—There is no harm, and it is already sometimes done, but I would not have a regular rule laid down that it should be done.

14599. You may be overruled as to details on the advice of the Inspector-General, but is it not more likely you would be overruled as to details if there were no Inspector-General acquainted with the details of the province, and the matter went to some one who did not know the province?—The latter would probably not have the time to go into detail which the specialist could devote to it.

14600. Have you been overruled more since there have been Inspectors-General than you were before?—I have not sufficient experience to enable me to say, but I think the tendency is probably in that direction.

14601. As regards listed appointments, did you say that you could not ordinarily fill appointments that were not listed by Deputy-Collectors?—Yes.

14602. Is the reason that the Act of Parliament, subject to certain exceptions, vests the appointments in the Indian Civil Service?—Yes.

14603. Are you of opinion that this Act should not be departed from save in exceptional cases, and for short vacancies?—I was only dealing with the question of expediency without any reference to existing law.

14604. But you recognise the distinction between a listed appointment and one which is not listed?—Yes.

14605. The Lieutenant-Governor has not full power over the appointment of members of the Board of Revenue?—He has to get sanction.

14606. Is that under one of the local laws?—Yes; he has to go for sanction to the Government of India. I remember only one case in which there was any interference.

14607. With regard to the system of dealing with the Board's work, have you not a double office doing the same work?—I think there has been a good result from the double office, because you have an independent examination of the case, and very often the Government office is able to look up precedents and things which are not open to the Board, so that it corrects the Board, so to speak. It does seem to be redundancy, but at the same time I think it has its advantages.

14608. As I understand, a matter goes from the Board's clerks to the Government clerks; then from the Government clerks to the Board's Secretary; then from the Board's Secretary to you, skipping the Under-Secretary?—Yes.

14609. And you can, if you like, call upon your clerks again to give you information?—I could, but I usually deal with the Board's Secretary.

14610. You say more precedents would be available, but if the Board's separate office were abolished they would have the precedents in the Secretariat here?—The Board's office could not be abolished because a great part of their work is concerned with the revenue administration of the country, as to which their authority is final and no reference is made to Government.

14611. But they could still deal with that as a branch of the Government Secretariat?—I should prefer to see the present system continued, for some years longer, at any rate.

14612. But is it necessary to keep on your Under-Secretary?—My Under-Secretary still has plenty to do. He does not have to do with the Revenue Department, except in respect of famine and forest; but he has to work up all cases in the Political, including the Police and Appointment Departments. This is quite enough for one man.

14613. You do not think the reduction sufficient to warrant dispensing with the Under-Secretary?—No; I think he is still over-worked.

14614. In regard to the chaukidari panchayat system and an extension of it, do I understand you to say that before giving further powers you want to see how the system works in other provinces?—Yes, before widely extending the powers.

14615. Is there any other like system in existence?—There is no similar system, but there are village agencies in other provinces.

14616. One is a natural village, and yours is an artificial agglomeration of villages?—Yes, therefore I

would not give any more powers to the people in charge of this artificial agglomeration of villages until we see how the people are able to exercise those powers where there is a natural system.

14617. Would that afford you any evidence?—It might afford negative evidence at any rate.

14618. When you make a new departure, is it not always better to proceed by way of experiment in small areas?—Yes, I think so.

14619. On what grounds do you allege that Bengal is worse off than other provinces in respect of establishment?—We have only six Commissioners for our 54 millions, as compared with nine Commissioners for 45 or 50 millions in the United Provinces.

14620. But you have hardly any revenue work to do compared with that of the United Provinces?—We have an enormous amount of revenue work to do, but it is of a different kind; our *tauzi* roll, for instance, involves separate accounts and an immense amount of trouble; we have numerous petty Government estates in every district; there are 2,000 altogether mainly on the banks of the rivers; they are continually being washed away and thrown up again; then there are partitions, land registration, revenue sales, Court of Wards work, etc.

14621. Surely you have no work in connection with remissions and reassessments?—No, but we have other things instead.

14622. You spoke of the desirability of having more Joint-Magistrates; your Joint-Magistrate, I understand, is a sort of personal assistant to the Collector, or District Magistrate, is he not?—Where we have a Joint-Magistrate he is practically in independent charge of all the criminal work. He receives complaints, disposes of police reports, looks after the conduct of cases before the subordinate Magistrates, and sees their registers every week.

14623. But he has no independent territorial charge?—No, but he has well-recognised functions.

14624. Would you keep the headquarters subdivision at its present size, putting it under the Joint-Magistrate as a Sub-Divisional Officer?—I think I would keep it at its present size as a rule.

14625. And convert the Joint-Magistrate into a Sub-Divisional Officer?—Where there is a Joint-Magistrate he might be in charge of the headquarters subdivision, but we should never have enough Joint-Magistrates to go round; we have only asked for Joint-Magistrates in 12 or 14 of the biggest districts.

14626. Do you see any objection to the system in force in Madras being applied to Bengal?—It would be very difficult to have a wholesale re-arrangement of the existing administrative arrangements.

14627. Have you certain sub-divisions allotted to Civilians and others to Deputy Collectors?—Yes.

14628. With regard to the point that you have no intermediate officers, might you not increase the number of your Sub-Deputy Collectors, if necessary, and give them charge of the areas covered, say, by a couple of thanas?—That would mean a large increase of establishment.

14629. You have them now at sub-divisional headquarters?—But every sub-divisional headquarters has not a Sub-Deputy Collector.

14630. Are there not enough Sub-Deputy Collectors to go round?—Not when you consider the number needed for special work such as settlement, and so forth.

14631. I put it to you as a possible solution, though it might involve expenditure; do you see any advantage or disadvantage in it?—I am not sure whether there would be enough work for them to do.

14632. Would the supervision of the chaukidari panchayats be part of the duty they would attend to?—Yes.

14633. You have these Sub-Deputy Collectors in a provincial list?—Why should not the Commissioner appoint them?—They are appointed mainly on the recommendation of Commissioners; each Commissioner sends up his nominations.

14634. Why not go a step further and make the Commissioners the appointing authority?—We have other sources of appointment as well; we get a few from nominations by Heads of Departments.

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14635. Could not the Commissioner consider those?—He could. I think it is better to have a provincial list. As a matter of fact Sub-Deputy Collectors are posted to divisions.

14636. Does it not result sometimes, in a Sub-Deputy Collector going from a division where he knows the language and people to a place where he does not?—They are not moved very freely from one division to another; and when they are, it is usually because of the demands of the Settlement Department. The Director of Land Records at the beginning of the cold weather asks for a fresh staff, and a lot of men may be nominated from one division who have to be replaced by transfers; as far as possible, we try to keep Biharis in Bihar and Bengal in Bengal, but we cannot do it altogether.

14637. As the Commissioner has power of allotment for minor works, would you not go further and give him a regular little budget, including Public Works, which he might sanction?—We are going one step in that direction this year by increasing the works for which he can sanction funds up to Rs. 5,000 instead of Rs. 2,500.

14638. But you only give him Rs. 10,000 in all. The idea would be to increase his grant very largely; would you be in favour of that?—I think I should be in favour of that.

14639. Would you be prepared to give a Commissioner more control over the educational work of his division, with regard to expenditure on schools and so forth? With regard to primary education, the District Board has the control; with regard to secondary education, I am rather doubtful; I think if the Commissioner had any views on the subject he would be always listened to by the Director of Public Instruction.

14640. To put it generally, one view which has been held is that the Commissioner should be regarded more as a sub-governor; does that view recommend itself to you?—Yes, it does, but I think in most matters he has a great deal of control already and a great deal has been done of late to increase his powers.

14641. Are there not a great many appeals in regard to administrative matters to the Board of Revenue?—In most cases it is a matter of revision, not an appeal, when a case gets to the Board of Revenue; the Board have power to revise, but they do not exercise it very freely.

14642. The power can be exercised so as to make it a complete appeal?—There is no cause of complaint in that respect.

14643. Might it not be possible to limit the procedure in this respect?—No, I do not think it would; I think it might be possible to abolish the Excise Commissioner.

14644. At any rate an economy could be effected somewhere?—Possibly.

14645. (Sir Steynning Edgerley.) Do you think the function of the Government of India in relation to Local Governments is simply to settle the principles and rules of administration and that everything with regard to particular detail is the work of the Local Government?—Yes.

14646. Would you make that an absolute line of division?—I would lay that down as the principle. Of course there might be cases where it could not always be applied in practice, and the Government of India would have to decide where exceptions should be made.

14647. Would you advocate a general revision of the Civil Service Regulations and the Government of India Codes on that basis?—I think it would probably suffice if the latitude which I advocate were given to the Local Government to make exceptions in certain cases.

14648. In fact you would bridge the gap by a system of delegation, subject to the submission of a return. Would that be sufficient?—There would then be two safeguards; one is that the Accounts Officer, if he does not think anything reasonable, can insist on a reference, and the other is the return you refer to.

14649. But do you think that would get over the difficulty of construing the relations between the

Government of India and the Local Government?—I should not put much reliance on a periodical statement; things are very likely to be overlooked, and unless they were very fully stated, it would be very difficult for the Government of India to know exactly what was the case in point. A return, to be of any use, would take much trouble to prepare.

14650. Supposing a general delegation took place, would you base it on that principle, namely, that the functions of the Government of India should be simply to lay down principles of general policy, and that all details and particular cases should be left to be disposed of by a lower authority?—Yes, I certainly would.

14651. Taking it broadly, would that be your principle, subject to whatever exceptions there might be?—Yes, that would be the general principle.

14652. As to the Delegation Act, taking it altogether, you are in favour of a general Act?—I am in favour of a general Act, but I think there ought to be certain safeguards.

14653. The safeguards are, I take it, preliminary notification, the sanction of higher authority, and the power to withdraw?—Yes.

14654. As regards the sanction of higher authority, supposing your preliminary notification disclosed that there was no objection at all, would it be necessary?—No. It would only be necessary in cases where there was a conflict, or where objection had been raised.

14655. Was it not suggested that it might be possible to define certain spheres which a general Delegation Act should not touch?—Yes, we have thought it over, and we think there would be great difficulty about it.

14656. One sphere, for instance, was taxation, which it has been suggested should be dealt with by specific legislation; what do you think about that?—It is difficult to lay down rules.

14657. Do you think the other safeguards sufficient? I cannot quite say that, but I cannot see any practical safeguard which one could add.

14658. As to the expert advisers of the Government of India, whether they are called Inspectors-General or Directors-General, would you limit them to offering advice on principles only?—I see no objection to their advising on details if the Government of India pass on that advice simply in the form of comment which the Local Government may adopt or not.

14659. But if the functions of the Government of India are confined to principles, what is the object of their advising on details?—If the Local Government send up a scheme which requires the sanction of the Government of India, the Government of India goes into it as a whole, and if certain criticisms on minor points present themselves, which very likely may be improvements, it is desirable that they should be stated for the consideration of the Local Government.

14660. They would say: "Our expert advisers have noticed these matters of detail which we hope you will consider?"—Yes.

14661. In certain cases you rather object to the advice of the Inspector-General being obtained before the Local Government has expressed its opinion?—I would not mind the local officer consulting the Inspector-General at any stage informally, but I should object to its being laid down as a rule that he was to consult him.

14662. Taking the illustration which was given in Burma of forest working plans, they go from the Chief Conservator to the Inspector-General, and then to the Local Government which passes final orders. Do you see anything in that to object to?—We have had one or two cases in which the criticism has been valueless, perhaps due to ignorance of the local conditions, but I do not object in the ordinary way.

14663. If the Inspector-General's criticisms preceded those of the Local Government would it not make the former very much more careful how they dealt with these matters?—I do not think so, and I think it would tend to make the correspondence more cumbrous.

14664. Assuming the procedure that I put to you were adopted, would it not be possible for the Government of India to say to themselves: "Our expert

has advised, or will advise, therefore we can at once give the Local Government final power?"—Yes, it might be so.

14665. And they might in that way become an instrument of further decentralization?—I am not quite sure on that point; it might or might not.

14666. You used the word "inspection," with regard to the advisers of the Government of India; do you mean inspection, or do you mean study?—I would go further than study. Take, for instance, the case of an experimental farm: I think it would be a very good thing that the Inspector-General of Agriculture should make an inspection, the result of which he would not necessarily send to the Government of India, but to the local Director of Agriculture for his information.

14667. Then assuming you once permit inspection, would it be right that the Inspector-General should, on leaving a province, send a memorandum of everything he has seen in the province to the Lieutenant-Governor?—Yes; or to the Head of the Department.

14668. Is it the case that they occasionally take information past the Local Government, and the first you hear of it is by letter from the official department of the Government of India?—I cannot think of any case, but I cannot help thinking it might be likely.

14669. The other system suggested would prevent that?—Yes, I think so. In fact we have just suggested that in connection with the proposal made by the Inspector-General of Forests to send a man to report on our working plans.

14670. Have you not had to deal recently with the proposals of the Police Commission. You mentioned a controversy with regard to the beat system in Calcutta which arose out of the Police Commission proposals?—The beat system which we proposed to introduce was the system recommended by the Police Commission, and which the Government of India had previously, more or less, approved of.

14671. And you told the Government of India that you did not like the alternative scheme?—We have not replied to it yet.

14672. Have you had any great difficulty in carrying out your proposals with reference to the Police Commission?—No, not generally speaking.

14673. One witness mentioned that certain proposals with regard to inspectors had been negatived; that would be against your principle, and is an illustration of interference?—I do not remember the case.

14674. Can you give any illustrations of Acts of general delegation passed in Bengal?—I have here two lists of statutory provisions in force in Bengal authorizing delegation, and also a list of delegations made under those Acts.

14675. Are you aware whether the existence of such provisions, or the use of them, has led to any public complaints?—No, not to my knowledge.

14676. Supposing you were laying out the area of Bengal again, what would be your constitution of the province with regard to the Local Government?—I think I should advocate the existing one.

14677. You would have the Board of Revenue plus the Commissioner?—Yes.

14678. Do you know that a system of Chief Commissionerships has been recently publicly suggested?—Yes.

14679. Do you think that a system of six Commissioners with very large powers under the Local Government would be a good one?—It is practically our system now, except that we think the Commissioners might have more powers; we already have only six Commissioners for 54,000,000 people.

14680. Would it be a good change in your opinion, to increase the number of your Commissioners, and simply to absorb the Board of Revenue in the Local Government?—I do not think the Board of Revenue could be done away with; they correspond on the revenue side to the High Court on the civil side; you must have some central revenue authority and zamindars have great faith in the Board of Revenue.

14681. Do you think the Government so constituted could not deal direct with the Commissioner?—I do

not think you would have the same continuity as now when the two most experienced men in the province are members of the Board; I think you would have the risk of friction and divided responsibility.

14682. What would be your criterion for division of functions as between the Local Government and the officers subordinate to it?—I think the Local Government should deal with questions of policy or principle and other matters of general public importance and leave the subordinate authorities to deal with the details of local administration and matters of local interest.

14683. Practically, are you in favour of the principle of maintaining as much power as possible in the higher offices?—It is very difficult to think of any powers now exercised by Government, other than those included in the schedule of proposed delegations, which could be delegated with advantage and safety; you want a certain amount of uniformity of procedure throughout the province. We have for some years been engaged in delegating powers which can be safely delegated.

14684. It was suggested in Burma that the principle should be to vest powers as low down as possible with safety; what do you think as to that?—I agree.

14685. The difference of attitude would probably be that you would build up from the bottom instead of unloading from the top. In preparing our schedule of proposed delegations we examined the tables of cases disposed of by Under-Secretaries and the Proceedings of Government for the last three years and the Acts and rules under which references to higher authority are now required. We have proposed to delegate all powers which it is considered safe to delegate, especially matters which are found to involve frequent references under the present system.

14686. With your present system of working with the Board of Revenue, how do you provide for a separate record; do you duplicate the whole record?—No; if it is an unprinted case it is kept as the Board's record, but if it is a printed case, we take out the papers which would otherwise form the Government record and print them only.

14687. Will that cause any difficulty, say, twenty years hence?—Of course it is a thing that wants watching. I have found difficulty in some respects owing to delays, but I think difficulties of that kind will be avoided as the system settles down.

14688. You have six Commissioners in Bengal; how far do their charges represent natural linguistic divisions?—The Orissa Commissionership is confined to the Uriya-speaking people; in Chota Nagpur the language is chiefly Hindi; in Bihar, where there are two Commissioners it is Hindi; and in the Commissionerships of Bengal proper the people speak Bengali.

14689. With regard to transfers, it has been suggested that it would be possible to avoid them in some small degree by distributing the reserve of officers. At present the whole reserve is kept in the lowest grade of Civilian, is it not?—Yes.

14690. The suggestion was that in order to be able to provide for leave and a reserve for special duties there should be two or three Collectors in excess of the number of districts?—Yes, either that or our proposal for extra Joint-Magistrates.

14691. Would it be a good thing to have several extra Collectors?—I think if you had the extra Joint-Magistrates, you could do without them.

14692. What is a Sub-Deputy Collector exactly?—He was originally intended to be an officer for local enquires, but he has gradually developed into a Magistrate of a subordinate grade, either at district or subdivisional headquarters; if he is at subdivisional headquarters, he generally does treasury work.

14693. One witness has pointed out the great hardship to people engaged in petty cases, in getting their cases disposed of at present; where does a petty case come for disposal?—A great many of them are tried by the ordinary Magistrates.

14694. If the Sub-Deputy Collector could be developed into a revenue enquiry officer and residential

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Magistrate, would that add considerably to the convenience of the people?—Yes, but you would have large to increase their number.

1467. Could some reduction then be made in the police force?—No, I do not think you could do that. Our towns are very big as it is; there are very few thanas less than 100 square miles.

14696. But you could relieve them from all this outside work?—You could, but still I do not think it would be possible to reduce their number.

14697. Would you allow compulsory retirement for Civilians who had failed, on the same terms as retirement under medical certificate?—Yes.

14698. The idea is to say you would put inefficiency on the same footing as misfortune?—I think it would be an administrative gain to get rid of incompetent men even on those terms; and in order to avoid hardship as much as possible, I would treat them liberally; I might have said, perhaps, that unsuitable men should be retired on the same terms as were allowed until recently for those who have to go on medical certificate. The rules for the latter have recently been made more liberal than they were formerly.

14699. Have you a strict probationary period for the Provincial Service?—We have probationers, but there are very few cases in which they are not confirmed.

14700. From the point of view of pensions, would it not be wise to considerably lengthen the period of probation so as to enable you to fully test a man?—It would be so in theory, but it might make it more difficult to recruit the class of men; men who are willing to come to us now, might not come if they thought they were liable to be turned out.

14701. Does any recruit come into any Service with the idea that he is going to a failure?—No. held is that when, how will it affect you?—Because a man as a sub-go—another cast after a time, and he man might do a great deal of work done of late

many: Mr. H. C. STREATFIELD was called and examined.
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14709. (Chairman.) You are On Board and Judicial the Government of Bengal in the Civil Department?—Yes.

I do not consider that any good so Local Government powers can safely be given on which the ments. There are many points of detail, extensions and control of the Imperial Government; but leads to delays and unnecessary correspondence. The main principles of that control are the extension of importance of continuity in our administration of policy supreme; frequent change in the main heads of the must necessarily cause uncertainty in the heads of the officers of Government and confusion. Head of faction in those of the general public. I think every the Local Government changes of necessitate while five years, frequently at shorter intervals; arinicipation the impress of a personality on the admining w; the is often healthy, it is most undesirable to Loonda-principles of the administration should be the mentally altered at short intervals according to the of personal predilections of its Chief. The contrivance of the Government of India has the effect of preserving a general continuity of policy, and I should thereof regret to see it relaxed; and this control can be exercised by means of financial rules. I am not therefore in favour of any general relaxation of the existing financial rules. Though there are numerous details in which those rules might be modified with advantage.

As regards principles, the control exercised by the Supreme Government is not unduly close; but Local Governments should have a free hand where no questions of principle are involved. There is a general feeling that the proposals and schemes of Local Governments are unduly delayed and hampered, and their officers discouraged, by unduly detailed criticism on the part of the Government of India. In my own short experience a number of cases have occurred, especially in regard to educational matters, where it has been impossible not to feel that a hypercritical attitude had been taken up by the Supreme Government. Much delay and friction might be avoided if it were understood that where the proposals of a Local

would say to himself that it was not safe to run the risk of a similar fate.

14703. (Chairman.) Has the Commissioner power to post officers, not merely in the subordinate ranks of the Provincial Service, but in the Civil Service?—No, the only officer he can post is the Sub-Deputy Collector; he has no power to post Deputy Collectors, but I think he should have. It has already been decided to give him this power when the recent increase in the cadre becomes effective.

14704. What is the training for an Accountant-General?—The Accountant-General is generally a Civilian who has been dealing with general work for several years; then he is transferred to the Accounts Department as an Assistant Accountant-General, and after serving as Assistant Accountant-General in several provinces, he is promoted to Accountant-General.

14705. Is he an officer of sufficient experience and capacity, as a rule, to be entrusted with the rather large powers which you propose to give him?—Yes, I think so, you might have an eccentric man now and again, but generally I would entrust him with all those powers.

14706. Are you certain, as a class, that Accountants-General could be trusted with the delicate and extensive powers which you propose?—I do not consider that I have proposed to give him extensive powers; I have proposed to define the cases in which he might insist on reference to India.

14707. Are there a great number of manuals in existence?—Yes.

14708. Has any attempt been made by the Government of Bengal to codify them, or amend them and bring them up to date?—That is being done constantly.

(The witness withdrew.)

Government are accepted in principle, that Government should be trusted to work out details, and criticism on points of detail should be confined to suggestions, which the Local Government should be at liberty to accept or reject after considering all the circumstances. Schemes should not be returned for revision on points of detail unless this course is for special reasons unavoidable.

There are objections to the delegation by executive order of powers conferred by Statute on a particular authority. For instance, the authority by whom a certain power is to be exercised may very well be a matter on which a Legislative Council has strong views; and it seems to me doubtful whether those views, once incorporated in the law, should be modified otherwise than by a change in the law itself.

The right of appeal to higher authority is greatly valued by the people, and is in accordance with the traditions of the country. There is no question, however, that, with approved communications appeals have become infinitely more frequent, and that a result of this is general disregard for authority. The protection afforded to officers in Government Service by the existing system of appeals unquestionably adds greatly to the prestige and value of that Service. I would not, therefore, recommend any curtailment of the existing rights of appeal. However, more authority would rest with the local officers if it were understood that appeals, except where made under Do provision of law, should not be considered in had tail as a matter of course, but should be summarily value missed unless there is *prima facie* reason to believe tiont a mistake has been made. I hold the same views to 1466t appeals to Local Governments as about those to alled Supreme Government.

the the-ogards the relations of provincial Governments A withe authorities subordinate to them, any general with k ition is impracticable. Unless the system of modif,umhent is to be completely altered, the Head of a Govern. Ad Government must have absolute discretion provinc,ptecontrol over subordinate authorities. Any-as to hisInde form of a constitution is outside the form thing in e l politics. A great deal in the way of of practic

devolution in matters of detail has been done in Bengal of recent years—and probably more might be done—but I see no opening for any general change.

As regards Court of Wards' work the final authority might rest with the Board of Revenue, who should have a specialised officer under them who would work direct with the managers, Commissioners and Collectors being only advisory authorities with no definite responsibilities. The necessity of relieving District Officers of some portion of their work is generally admitted. Court of Wards' work is of a specialised nature; and, except on certain points, requires little local knowledge. On the other hand, the work, especially where newly-assumed, encumbered, or litigious estates are concerned, falls very heavily on the Collector. Expert managers are rare, and the Collector is constantly called on at a moment's notice to go into complicated legal questions and decide off-hand the action to be taken with regard to pending litigation.

Allotments to local officers for special objects may be made more freely than at present, but the idea of separate budgets for divisions and districts seems to be quite impracticable. This would necessitate small local Secretariats and greatly increased audit offices.

There can be no question that the authority of local officers has fallen off of late years. This is in part due to the pursuit of departmental efficiency. For instance, in the Registration Department, the old system of part-time local Registrars has been supplanted by a highly qualified whole-time provincial establishment. But in the main the improvement of communications has made this inevitable—formerly the difficulties of appeal to higher authority rendered it wiser to accept the decision of local officers. There is now no doubt that in a great part of the province the order of a local officer is regarded merely as a vehicle for an appeal to higher authority. Transfers also have much to do with this. It is vitally important that a District Officer should know his people, and even more important that his people should know him. Transfers are certainly far too frequent, but this is owing to unavoidable circumstances, specially the shortness in the supply of officers capable of managing important districts. In Bengal the difficulties of avoiding transfers are increased by the unhealthiness of many of the districts, and the language difficulty is accentuated by the fact that the Bengali-speaking districts are, as a rule, the least desirable in every respect. No officer would wish to be in the Bengali area longer than he can help, and has therefore little motive to become expert in Bengali. No officer should be confirmed in the charge of a district until he knows its language really well, and special allowances should be attached to those districts of which the amenities are the least.

Office work is certainly too heavy to allow sufficient contact with the people. Many districts are too large, and the absence of competent subordinates ties the District Officer to his desk. A good Joint-Magistrate is a necessity for every large district. Selection of officers on a freer scale than at present is desirable. If obviously unsuitable candidates could be weeded out before the open competition, it would save much vexation later. At the same time every safeguard is necessary to ensure that the power of selection is used reasonably—it would ruin the Service, and with it the administration, if any suspicion of personal animus governing promotion once got established. There is no question that we are short of officers in Bengal, and that the ever-increasing demand for picked officers for special work has lowered the average qualifications of District Officers. The ordinary district administrative is in the lump infinitely more important than any department, and it would be lamentable if the idea were established that it was carried on by junior men and comparative failures.

I am not in favour of the grant of larger powers to local bodies or the creation of Advisory or Administrative Councils until, by a revised election system, or some other means, we have contrived to arouse more general public interest in local institutions than exists at present. In my personal opinion the village community in Bengal is defunct past any possibility of resuscitation.

14710. With what matters do you deal?—I have to deal in the General Department with education,

emigration (that is inland emigration and emigration to the colonies), registration, ecclesiastical, and miscellaneous matters such as mines, factories, excises and things of that kind. In the Judicial Department I deal with all questions directly affecting judicial matters, criminal and civil appeals in which Government is concerned, departmental appeals of all kinds from all departments, and with the Jail Department.

14711. Have you any remarks to make upon Mr. Earle's suggestions as to making the Director of Public Instruction a Joint-Secretary to Government?—I am not in favour of that proposal myself. Educational matters, when they come up from a specialist such as the Director of Public Instruction, should be considered from a non-departmental and general point of view before they are ally submitted to the Lieutenant-Governor, and although it might be very well that matters should be discussed by the Director and Secretary before the Director formulates his proposals in an official letter I think it is right that he should have the opportunity of putting generally what he has to say in a form before it is criticised by the Secretary, as it would be very difficult for the Secretary to criticise before he had the proposals in a complete form before him.

14712. Is the Director of Public Instruction invariably a specialist?—At present he is not, but as a general rule he is.

14713. Would your objection to this principle be fatal?—I think it would be better for his own sake that the Director should have a chance of fairly stating any scheme which he might wish to push through.

14714. While you think the Local Government should have freedom in detail, is there any objection to there being some control in matters of principle?—No.

14715. How are you going to draw the line between principle and detail?—The principles, I should say, were laid down by the financial rules. For instance, if a scheme costs more than ten lakhs of rupees, it would have to go up for sanction. Possibly rupees, it would hardly be the right words to principle and detail. They have a full right to objected to a scheme in toto, they have a full right to veto it, but, on the other hand, if they approve of a scheme, it leads a good deal of delay and discouragement on the part of the officers who have sent it up, if it comes before minor matters of detail, such as the class of instruction and site, and other things of that kind.

14716. You have referred to a work costing ten lakhs of rupees which you have now power to sanction. Have the Government of India an adviser in the Public Works Department?—Yes.

14717. Suppose on examination of the principle of your scheme their expert adviser detects serious defects in details, are the Government of India to make any objection?—Certainly, I should say they could make an absolutely final objection in that case.

14718. But they ought not to object to details although they might object on matters of principle?—Where they simply advise alterations in matters of detail, it should be left to the discretion of the Local Government to accept those amendments or to go on with the scheme as originally devised; but where fatal objections, even in the matter of detail, were discovered by the Government of India, it is only right that they should say the scheme should be altered.

14719. Who is to be the judge of whether an objection is a fatal one or not?—The Government of India themselves.

14720. Therefore they must examine the details?—I think they should examine the details.

14721. Then with regard to educational matters, you think there has been rather a hypercritical attitude taken up by the Government of India? Will you give an example of what you mean?—The transfer of the Sibpur Civil Engineering College, which was a very large scheme, came back with a suggestion that the playground and laboratories of the College should be amalgamated with those of another College. The suggestion did not cause any

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delay, but it might have been taken for granted that the Local Government would be able to deal with a point of that kind.

14732. But upon the details of education, do you imply that they are supersensitive?—No, I do not, and I am not prepared really to say that in any particular case the objections of the Government of India have been unreasonable, but a large number of schemes have come back during the six months I have been in the office and the experience has been such as decidedly to discourage the sending up of big schemes.

14723. Do you say that a large number of matters have come back to you in the last six months?—Four or five matters. Upon smaller matters, such as the salary proposed for a Head Mistress and things of that kind.

14724. Do you know whether that would be because there were similar classes employed by other provinces at a rate similar to that which you proposed should be paid?—No, I think in that particular case of the Training College for girls at Patna the idea of the Government of India was that a lower salary would have been sufficient and that a lady employed in the country would be as good as a lady got out from home.

14725. Is the Director of Public Instruction inclined to correspond, with your cognizance, with the Director-General of Education?—I have never heard of such a case.

14726. As a matter of fact, does such correspondence as he carries on with your knowledge shorten your labours?—I do not think while I have been in the office, there has been any correspondence with the Director-General, which has come to my knowledge at all.

14727. Or any conference?—Just recently there has been a conference which had to help matters, I think.

14728. Would you alter the title of the Director-General to that of Adviser-General, as rather connoting what his duties ought to be?—That might be of advantage.

14729. Have you ever found in disciplinary matters the Director-General has trenchantly upon the functions of the Local Government?—I have only been six months in the Department and during that time the permanent Director-General has been on leave, so that nothing of the kind has come up.

14730. So far as you know, has there been any trace of it in former times?—No.

14731. Do matters connected with the Court of Wards come before you?—No.

14732. You say that the final authority regards the Court of Wards work might rest with the Board of Revenue; whom does it rest with now?—The final authority is the Board of Revenue, and my proposals were that they should be brought into direct touch and control of the whole thing. I think the Board of Revenue should be brought into control through a special officer who should be advised by the Commissioner and District Officers, but that these officers should no longer be directly responsible, as they now are, for the management of any estate.

14733. Would that not tend to put a fifth wheel into the coach; things must go through the Collector and Commissioner?—The thing I was principally thinking of was litigation in which the Court of Wards is concerned. In one case I had to enquire into, and immediately come to a decision upon, a legal matter, although I am not in the least a specialist as regards Civil Law matters.

14734. Was it a case of a question of law, or a question of fact, in regard to the administration of the estate?—It was a question of debts, and whether we should admit certain claims.

14735. Surely that is more a question of common sense than of law?—No, there were some very complicated matters to deal with. It is principally with a view to relieving the Collector of what, by experience, takes up a great deal of his time that I make this proposal.

14736. And you would like to see an expert Director at headquarters?—Yes. It is a very special branch of work.

14737. Have you been a Commissioner?—Only for four months.

14738. Is the idea of separate budgets for districts and divisions quite impracticable?—I do not think it would be practicable. It would require petty Secretariats, as it were, to keep control of the budget, the expenditure and so on, and there would be a lack of continuity generally. I would rather see the present system continued.

14739. Are transfers too frequent and are there difficulties with regard to the vernacular?—Yes.

14740. Are many transfers caused by illness and officers going on sick leave?—A considerable number certainly are due to such causes.

14741. Is that due in any way to the fact that officers stay out here too long on their first appointment. They come out here and have to stay for eight years, have they not without leave other than privilege leave?—Yes.

14742. Is that too long to stay in the country straight on end?—I cannot think of a case of breakdown attributable to that fact.

14743. But does it lead to a man getting attacks of fever and so on?—After four or five years a man should certainly have six months' leave.

14744. Are there many officers in this province who get as much as two years' leave straight on end?—I have had it myself, but 18 months is more usual.

14745. Is that too long a time to be away, from the Government point of view?—No, I do not think so.

14746. Has a man the same command of the vernacular on his return, and the same knowledge of what is going on, as he had before?—Of course he has lost touch with regard to what has gone on in the interval, but as regards the work of his district I do not think there is any difficulty. In fact, he seldom returns to the same district after long leave.

14747. Should there be greater selection and the exercise of more discretion in regard to promotions and so on?—Considerable safeguards are necessary, in order that there should not be a possibility of any idea getting abroad that one bad report might seriously affect a man's whole career, and lead to his being shelved.

14748. Do you think the Local Government are perfectly capable of, and ought to exercise, a considerable power of selection?—Yes, I certainly do.

14749. (Sir Steyning Edgerley.) With regard to the desirability of the Government of India control for the purpose of ensuring continuity, does that mean that you have practically come to the conclusion that you think a Lieutenant-Governorship does not make for continuity of policy?—I think it is very possible that it may not.

14750. Do you mean that a man comes and has his way for five years, then goes, and is replaced by another who has his way for five years?—I do not say that it is so, as a matter of experience, but there is a possible tendency to that result.

14751. That result would, of course, be less marked if the Government consisted of a Council?—Yes, it would probably be less marked in that case.

14752. Is your position as to the relations between the Supreme Government and the Local Government that the Government of India should pass orders as to matters of principle, but not as to matters of detail?—I think where a scheme is before them, and they require the details, they should examine them fully.

14753. Do you mean that they should pass their orders as to principle, and deal with the details by suggestion?—Yes, that is my idea.

14754. Should their expert advisers be bound by the sort of self-denying ordinance?—If you mean the Directors-General and so on, I think they should be carefully consulted as to matters of detail.

14755. Should the Local Government concerned see what they write?—I should be inclined to recommend consultation with the Director-General by the local Head of the Department before the Government expressed its opinion.

14756. How long would it take an expert adviser of the Government of India to become able to advise

an authority upon, say, a Bengal matter?—The only Director-General I know anything about is the Director-General of Education, and I should have thought directly he came out he might recommend matters like the training of teachers, though, of course, subject to criticism by people with local knowledge.

14757. Should the suggestions of the Director-General of Education come first to the knowledge of the Local Government, or should they go direct to the Government of India?—I think there can be no objection to their coming before the Local Government.

14758. With regard to appeals, you wish for some understanding that they should not be considered in detail as a matter of course, but how would that understanding operate in practice?—That is a question for the appellate authority really to decide for itself, as to whether it will send a case back and call for a report on matters of detail.

14759. Have you any suggestion to make by which it could otherwise be secured?—I think there is too great a tendency to treat the matter almost as a legal appeal which has to be considered in all its details.

14760. Should there be an appeal in all cases as a matter of course?—In many cases, yes.

14761. Are you against limiting the right of appeal?—Yes. When I said that the order of a local officer is regarded as a vehicle for an appeal to higher authority, I was alluding more to the case of ordinary executive orders which are not so much the subject of a regular appeal as a reference to a higher authority, in order to get an order set aside. Departmental appeals against punishments and supersessions are on a different footing.

14762. Are the appeals laid down by law in most cases?—By law or rule.

14763. With regard to the Court of Wards, you suggest a special officer such as we know in Bombay as the Manager of Encumbered Estates. What is the total number of encumbered estates under management in the province?—It is very large, and it is increasing.

14764. Could one man do that work?—Perhaps not.

14765. Would it not practically require one man for each division?—That is quite possible.

14766. In other words a new department?—Yes, I am afraid it would mean that.

14767. Might not another remedy be to decentralise and to delegate the work to the authorities below the Board of Revenue?—That is another remedy.

14768. With regard to the question of litigation, what assistance has the Collector got in dealing with these estates?—None, except the Government Pleader, as a rule.

14769. Does the estate pay the Government Pleader?—Yes, some estates pay their own pleaders, but the standing rule is for the Government Pleader to be employed.

14770. Does he advise the manager in litigation?—My experience is that he comes to the Collector and goes through the whole thing probably in company with the manager.

14771. Mr. Earle, and some of the other witnesses, complained very much of the difficulty in getting the stores they wanted; have you had any experience with regard to that, or found there is any difficulty in that respect?—Only one case has come to my personal knowledge, and that was with regard to some machinery which was required for an Engineering School; it was a lathe and some other machine which ought to have been got from home but we found it necessary to get them locally, which was more or less an evasion of the rules.

14772. Supposing that in one of the schools they wanted a Singer's sewing machine, how would you get that?—I think it would have to come direct from the Director-General of Stores, unless it was urgently required.

14773. You can see them in every village in East Bengal, and it would be quite possible to get a thing of that kind without going to the India Office. Could not a schoolmaster be trusted quite as much as a villager to get as good a one as he could?—I think so.

14774. (Mr. Meyer.) You say that allotments to local officers for special objects might be made more freely than at present; but that the idea of separate budgets for divisions and districts seems to be quite impracticable, as it would necessitate small local Secretariats and a greatly increased number of Audit Officers; why do you think that?—Because I do not think a Commissioner would be able to control a budget under some of the various heads under which expenditure occurs in his division without, at any rate, a financial assistant, or something of that sort, and I think there would be a tendency for departmental subordinates to gather round him.

14775. There has been a point, which was put before us in Burma, as to whether the Commissioner should not decide which Public Works should be executed and provide for the cost out of funds available; have you considered that possibility?—I have had very small experience as a Commissioner, but I should think that that is quite practicable.

14776. But would that require an accountant's staff and all the rest of it?—But the Superintending Engineer does everything surely, and the Commissioner would simply be consulted.

14777. But the suggestion is that instead of being consulted, the Commissioner should have a say as to the allocation of funds, the professional control remaining with the Superintending Engineer, as now. Do you think that would not be a bad thing, and that it would not involve any special staff for the Commissioner?—Yes.

14778. If you gave him a small allotment from which to make any payments, would that involve any Secretarial functions?—No, possibly not, but if you gave him a dozen or fifteen heads under which he had to make definite budget allotments, it would be very difficult for him not to exceed the amount under certain heads and there would be difficulties about re-appropriation.

14779. But would not the Accountant-General see to that?—I take it, it would simply be an allotment from Government, and I do not think there would be any difficulty. The objection that I should have then would be that there would be a tendency to increase expenditure, because you would have to allow each Commissioner a reasonably liberal allowance, and he would make a point of spending it, instead of its being distributed, as wanted, from headquarters.

14780. Is not one of the complaints now that there are constant lapses?—Yes.

14781. And so far, assuming that the Commissioner spent the money wisely, it would be rather an advantage?—Yes, if he dispensed it wisely.

14782. Then you are not against giving Commissioners larger spending powers, subject to budget allotment, provided it does not mean starting a small Secretariat?—Certainly.

14783. You referred to the Registration Department as having assumed the authority of local officers—will you tell us how?—Previously a Rural Sub-Registrar was a local zamindar, or pensioner, appointed practically by the District Officer, and he did the registration of documents in his spare time; but gradually, in addition to the checking of documents to see that they were not forged, he was called upon to classify them under various heads, which required more or less the work of a specialist, and the result is that now they are appointed from headquarters like everybody else.

14784. How does it interfere with the authority of the District Officer?—Because formerly he had the appointment in his own hands.

14785. Then the District Officer has lost a little patronage?—And his authority as regards that department.

14786. Is it not a department which was bound to increase as time went on?—It is as things are now, but I do not know that it was so at the beginning; it was intended formerly merely as a check upon fraud, I imagine, and not as a statistical department in any way.

14787. You say that every safeguard is necessary to ensure that the power of selection is used reasonably; do you see objections to selection by one man, however highly placed?—No; but I see objections to any

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one man having a final power of supersession. I think every man superseded should have a second period of three years, or something of that sort, and be tested again; and that there should not be any feeling that merely the dislike of a certain superior officer might result in the ruin of a man's career.

14788. Taking the case of a man not fit to be a Collector, would you leave that to the entire discretion of the Lieutenant-Governor, subject to an appeal to the Government of India, or is it your idea that there should be a Committee selected to sit and decide the point?—I do not think you could lay it down as a rule that representatives of the Service were to be consulted, and thereby limit the powers of the Government in the matter.

14789. But it would not be limiting the powers of the Government if a man had to be found unfit by a carefully selected Board, and the sentence had to be confirmed by the Lieutenant-Governor. That would afford a safeguard against any individual prejudice?—Yes.

14790. Would you allow, in that case, an appeal to the Government of India?—I should think so, certainly.

14791. Taking the case of a man who has been passed over for a Commissionership, would you allow him to appeal to the Government of India, or should the decision of the Local Government be final?—I think he should have an appeal.

14792. You spoke about evading some rule with regard to stores; is that frequently done?—No, I do not think it is.

14793. But there is a tendency, if a rule happens to be unpleasant, to try and evade it?—I suppose there is a tendency, but I think, on the whole, the rules are loyally obeyed, though there are occasions when attempts have been made to evade them.

14794. And if there was a dispensing power vested in the Local Government, or any other authority, with regard to Articles of the Civil Service Regulations, might there not be a tendency to use that dispensing power so as to break down a rule altogether if it was found to be an unpleasant one?—No, I think not, if the responsibility was placed on the Government.

14795. (Mr. Hitchens.) Would you add that the Local Government would interpret the rule in accordance with the interests of the province as a whole?—I think so.

14796. And if the rule was found to be undesirable in the view of the Local Government, the probability is that it would be a bad one as far as the province was concerned?—I think so.

14797. You say that the control of the Government of India has the effect of creating a general continuity of policy; is that because the leading officers of the Government of India are more permanent?—I do not know whether it is that, or whether it is that they simply work more on precedents and so on. I have no experience of the Government of India myself.

14798. Is it not conceivable that the Government of India might be just as liable to be influenced by new ideas as a provincial Government?—That is so, but I think the originating authority is more likely to vary its lines of policy than a controlling authority, as a general rule.

14799. At any rate you did not mean that the Directors-General, for example, were more permanent?—No, that was not my intention at all.

14800. It was simply on the general ground that the critic, that is to say, the Government of India, would be more likely to be conservative?—Yes.

14801. But, on the other hand, the Government of India might initiate, in which case they would not be the critic, and in that case your general principle would not apply?—No.

14802. How is primary education financed?—The money is disbursed by the local authorities, but it originally comes from a Government grant; the local cess pays only for communications and certain local requirements, and a contribution is made to meet the cost of education.

14803. Is nothing paid out of the District Cess Fund in aid of education?—Theoretically they pay

nothing. The municipalities pay something, but the Road Cess is supposed to be devoted to communications and one or two other matters of that kind.

14804. Does the money for education come from provincial sources?—It comes from provincial revenues.

14805. Does it come from any definite cess?—No.

14806. Have District Boards a free hand with regard to the disposal of that money?—Technically they have, but practically the requirements for grants and so on are drawn up by the sub-inspectors who are under the Education Department, and the Board, as a whole, very rarely criticise them; the District Officer, as Chairman of the Board, may do so.

14807. After the budget is drawn up, is it submitted to the Education Department?—Yes.

14808. And approved by them and then sent on to the Board, and if they differ, is it sent back to the Education Department?—I am not quite sure.

14809. At any rate, speaking as the Secretary in respect to education, would you say that the control exercised by the Government was complete?—Now it is. Sub-inspectors have recently been placed under Government. They were formerly under the District Boards.

14810. Might some independence be given to the District Boards?—I doubt it; as they are at present constituted, we do not get on the District Boards men with a real knowledge of the interior who would be able to say that a certain village school required more help.

14811. If you were satisfied that the District Boards were more representative of public opinion, would you give them a freer hand in matters of primary education?—Yes.

14812. What would you say with regard to secondary education?—I do not think I would be prepared to extend the power with regard to secondary education at present, and by secondary education I mean the high schools. I think that those schools should not be under the Boards, for the present at any rate.

14813. It was stated in Madras that the tendency of the District Boards would be to encourage secondary education, because the class of men who got on the Board was rather composed of those who would require education of that class—what do you say with regard to that?—That is a tendency which has to be fought against.

14814. (Mr. Dutt.) It has been suggested that the power of transferring Judicial Officers may be delegated; at present is leave to all Gazetted Officers granted by Government?—Yes.

14815. Is there any strong reason for changing that rule?—Questions of leave and transfers do not come to me in the Judicial Department; they are all done in the Appointment Department, but I should think there is no particularly strong reason.

14816. Of course leave would very often necessitate transfers?—One man's leave necessitates the transfer of another man, and possibly of a string of men.

14817. With regard to the appointment of Honorary Magistrates, they are now appointed by Government?—They are appointed by Government.

14818. A question has been raised with regard to giving Commissioners of divisions power to appoint Honorary Magistrates with third class powers; is there any strong reason for making any change?—I know of no strong reason beyond the general desire to delegate powers, as far as possible, to the local officers.

14819. Would not the Honorary Magistrates themselves rather like to be appointed by Government?—I take it they would sooner be appointed by Government.

14820. And similarly in vesting ordinary Magistrates with powers, is there any reason for taking that out of the hands of the Government and giving it to Commissioners?—It is purely a formal matter; if a Commissioner recommends that second class powers should be given to a certain man, Government would practically never refuse it, and I do not suppose the man would know whether the Commissioner empowered him, or whether the Government did so.

14821. But it would appear in the Gazette?—Yes.

14822. Then there is no very strong reason for changing the present procedure?—No, there is no very strong reason.

14823. A proposal has been made that the promotions and postings of Provincial and Subordinate Educational Officers might be delegated to the Director of Public Instruction; are not the Provincial Educational Officers sometimes officers of standing?—Officers of the Provincial Service are often of considerable standing: the Subordinate Service goes up to about Rs. 200.

14824. Would you not rather keep that in the hands of the Government?—I am inclined to think that promotions and transfers in the Provincial Service should remain in the hands of the Government, of course on the recommendation of the Director.

14825. It has been said that the village community is practically defunct in Bengal and past all hope of resuscitation; has any endeavour been made during the last fifty years or so to create any of these communities and invest them with large powers beyond giving them powers under the Chankidari Act?—Not that I am aware of. I do not consider that the chankidari panchayats are village communities at all.

14826. Would it not be worth while to make an endeavour to give them some limited powers, and to allow them to look after village matters under proper supervision?—Do you mean, by village matters, sanitation and things of that kind?

14827. Yes, and also the disposal of petty cases, both criminal and civil. With regard to the disposal of cases, either criminal or civil, I do not think now-a-days it would be tolerated that cases should be disposed of summarily without proper record, and the preparation of a proper record gives a great deal of trouble. Even now, in certain cases where Honorary Magistrates are doing excellent work, there is constant trouble with regard to procedure when their cases go before appellate authorities, and I think the same trouble would arise in the case of Village Magistrates.

14828. If third class powers were given and fines limited to Rs. 10, and good men were selected, would that meet the difficulty?—If a practical scheme could be evolved, it would be highly desirable that these petty cases should be dealt with on the spot.

14829. It would prevent a large number of people having to come to the Courts?—Yes, and being unnecessarily worried, and it would also prevent matters being appealed in a great number of cases.

14830. Might such a thing be tried?—If a practical scheme within a certain area could be worked out, I should certainly support it, but my point is that unless you have a hereditary village headman, it is very difficult to create an artificial community where the old village community does not exist.

14831. (Sir Frederic Lely.) With regard to the work under the Court of Wards, which you say is specialists' work, does it not mean the management of land, or landed estates?—Yes.

14832. I suppose if he had time, no one would be more fitted for that special work than the average Collector?—As regards the actual management of the land and the getting in of the rents, that is so; but where an estate is heavily encumbered, and there are complications as to successions and so on, then I do not think he would be more competent to deal with the matter than any one else.

14833. Would your objection be on the ground of the time occupied?—Yes.

14834. Would he not be a valuable link as between the land-owner and the people?—In a case of a genuine Ward's Estate, and where one is actually saving the property for a family, I think so; but my experience has been with regard to estates where the families are usually opposing the Collector.

14835. But it is recognised pretty well amongst the people, that the connection of a Collector with an estate like that is ultimately of great advantage?—I think it is.

14836. And in this province you could ill afford to lose a link like that?—Probably not.

14837. Do you endow Second Class Magistrates with powers to commit to the Sessions?—No; in practice I do not think it is usual to empower Second Class Magistrates to commit to the Sessions.

14838. (Chairman.) Does the Director of Public Instruction communicate directly with you, or do his letters go to the department?—I see all his letters that are of importance, and generally I discuss them with him personally.

14839. There is no intermediary in practice between you two?—Practically none; there may be a little delay in the office, but correspondence always comes to me very quickly.

14840. Are the bulk of his communications answered by you, or by your Under-Secretary?—By the Under-Secretary. Anything which is of any importance would be answered by me; purely routine things, like promotion of officers or anything of that kind, would be answered by the Under-Secretary.

14841. Of what standing is the Under-Secretary?—He has about eight years' service.

14842. Speaking generally, are these matters of routine which your Under-Secretary disposes of all purely questions which the Director of Public Instruction is perfectly competent to dispose of himself?—In the majority of cases he would be perfectly competent, but there may be circumstances in which it is necessary that Government orders should be passed on the grounds of principle and the precedents underlying them. A Director knows perfectly well what orders would be passed, and I cannot think of a case in which there would be any objection to his passing them himself.

14843. What proportion of your correspondence is answered by your Under-Secretary?—As regards education, I should think it would be about half and half, but I am speaking entirely from recollection.

(The witness withdrew.)

The Hon. Mr. C. E. A. W. OLDHAM was called and examined.

14844. (Chairman.) You are Financial Secretary to the Government of Bengal?—I am officiating as such, since one month.

The authority of the Local Government in budgeting for requirements under the several provincialised heads should be more final than at present, subject to the reservation that the working balance in normal years shall not fall below the minimum prescribed by the Government of India (twenty lakhs in the case of Bengal). Reductions in the estimates of the Local Government should be made only if its forecasts of the revenue appear to the Government of India to be over-sanguine and not justified by facts and past actuals. On the other hand, the Local Government may properly be authorised to sanction expenditure in excess of the total provincial budget grant, provided that the provincial balance, as estimated in the Financial Statement, is not reduced.

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Much has already been done in the direction of separation between imperial and provincial finance during recent years, and the existing settlement is a great improvement on preceding settlements; but even now the revenues assigned to the Local Government are barely sufficient, even taking into account normal expansion, to meet the increasing demand for development in the different departments of the administration. It would be an improvement if, omitting railways, opium, and salt, which might be retained in the imperial account, the whole of the remainder of the revenues collected in the province were transferred to the provincial account, a certain fixed percentage (calculated with reference to the respective requirements of the Imperial and provincial Administrations) being reserved for imperial purposes and the balance, after making due provision for insurance against famine, made over to the

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provincial Government. I am not prepared to say that Local Governments should be given borrowing powers.

At all events in respect of the provisions of the Civil Service Regulations in regard to travelling allowances and pensions, all the powers now vested in the Government of India might, without objection, be delegated to the Local Government. In regard to other restrictions imposed by the codes and regulations, what is wanted is not the abrogation of such restrictions, which are salutary on the whole, but that a Local Government should be allowed a wider discretion in giving effect to the rules and in sanctioning a departure from them in special cases for adequate reasons.

In regard to the application to local conditions of general lines of policy laid down by the Government of India, it should be recognised that the Imperial Government should not interfere with the discretion of a Local Government in matters of detail, except by way of suggestion.

The most satisfactory way of dealing with any relaxations which may be contemplated of restrictions imposed by law or by rules having the force of law, would be by a general Act authorising the Local Government to delegate powers reserved to the Local Government or other authority to subordinate authorities where, in the opinion of Government, such delegation might be made without detriment to the public interest. It would be a good thing if the Local Government had authority to vest with powers, at present reserved for higher authorities, specific officers subordinate to such authorities in whom Government could place full confidence that they would exercise those powers with propriety and discretion. This would act as an incentive to officers to merit by their work and conduct the confidence of their Government.

Occasionally cases do occur which point to a tendency to consider matters too much from a purely departmental standpoint, but such cases are rare. The best remedy is to select for Secretariat appointments officers with adequate *mufassal* experience and of tried administrative capacity.

The proper sphere of work of Directors and Inspectors-General is to inspect and to make suggestions. In cases in which proposals made by a Local Government are submitted to such an officer, who is regarded as a specialist, and where his recommendations are against the proposals of the Local Government, the Local Government should be allowed an opportunity of seeing the views expressed before its proposals are overruled by the Imperial Government.

It will be highly undesirable to lay down that no appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist. I would not curtail the right of appeal at present existing.

In this province allotments are now made to Commissioners of Divisions to enable them to make grants on the spot for purposes of a public nature, or to remedy small defects brought to their notice at the time of inspection, with a view to avoiding correspondence and consequent delay. Small grants might be made on the same principle to District Officers.

Sufficient weight is not always given to the views of the Commissioner in matters other than those appertaining to the Land Revenue Department. It should be definitely understood that the Commissioner of a Division has full authority to take cognizance of any irregularities or other matters calling for remedy in any department of the administration that may come to his notice, and either to deal with them himself, or advise the departmental authorities, or the Government, how they should be dealt with.

Opportunities of personal contact with the people undoubtedly exist, though Executive Officers are sometimes prevented by excessive clerical duties from availing themselves of them; but the chief obstacles are insufficient acquaintance with the vernacular and the customs and prejudices of the people, and, in the case of some officers, exclusiveness. I consider that far more attention should be paid to the acquisition by young Executive Officers of a thorough knowledge

of the language and acquaintance with the religious and social customs and feelings of the people.

Transfers are at present undesirably frequent. The staff is insufficient. There should be a senior Joint-Magistrate and Covenanted Deputy Collector at the headquarters of almost every district in the province. This is a matter of the utmost importance.

Municipalities have ample powers under the existing law. In the case of District Boards, if their constitution be amended so as to give due representation to the various classes of the community, further powers might perhaps be given them. My experience of Local Boards is that they are ordinarily of little or no use. Something might be done in the direction of giving greater powers to the village community. In this province the panchayats might be further utilised, especially with a view to arbitration in petty criminal and civil cases.

14845. Before you became Financial Secretary, you were Director of Agriculture?—I was.

14846. Is there any connection between your duties as Financial Secretary and your duties as Director of Agriculture?—No, except from a finance point of view.

14847. Probably the training you received as Director of Agriculture is entirely thrown away in your present department?—I cannot say that, because one acquires general experience of the province as Director of Agriculture.

14848. Do your duties as Director of Agriculture help you in dealing with financial questions?—In purely financial questions, they do not.

14849. Previously to that you had been Under-Secretary in the Financial and Municipal Departments?—Yes.

14850. Were your duties as Under-Secretary in those departments of any use to you as Director of Agriculture?—Not specially.

14851. Looking at it from a Government point of view, might it have been very much better to have kept you either on the financial side or on the agricultural side when you were in the Secretariat?—I do not see how I could have been kept on the financial side in the Secretariat, because the term of an Under-Secretary is limited to three years.

14852. When you were brought back, would it have been more useful to have brought you back to the Financial Department?—I have been brought back to the Financial Department; the Agricultural Department is not part of the Secretariat; it is a department under the Board of Revenue.

14853. It is rather a distinction without a difference?—It is not a department of the Secretariat.

14854. I understand that you are Secretary, not only with regard to finance, but for municipal and Local Self-Government?—Yes.

14855. And also for medical, plague, sanitary matters, and *inter alia*, the Botanical Gardens?—Yes.

14856. Do you find it difficult to combine all these duties? Take, for instance, municipal questions; you have practically, I suppose, all the municipalities, with the exception of Calcutta, under your observation?—Yes, and matters come up from the Calcutta Municipality as well.

14857. Are the municipal budgets submitted to you?—The Calcutta Corporation budget is not submitted to Government.

14858. Are the budgets of the other municipalities submitted to you?—We review the accounts in the annual reports; they do not come up to Government for sanction. They are dealt with by the Divisional Commissioners.

14859. What is the composition of the Sanitary Board in Bengal?—It consists of the Second Member of the Board of Revenue, the Secretary of the Public Works Department, the Secretary of the Irrigation Department, the Sanitary Commissioner, and the Sanitary Engineer.

14860. Are its proceedings sent to you?—Yes, if necessary; if the Board has to refer anything to Government.

14861. Have they any power of decision?—Practically none.

14862. Do all their proceedings come up to you as recommendations, and do you submit them for the orders of Government?—The Board deals chiefly with drainage and waterworks schemes which ordinarily come up to Government.

14863. Have you, as Secretary, any power of decision?—If I thought a thing did not need a reference to His Honour, I would deal with it myself; if it were a routine case, I would deal with it; but if it were a matter which required the attention of the Lieutenant-Governor, I would send it to him.

14864. Supposing a scheme came to your department involving, say, an expenditure of Rs. 2,000, would you feel that you were competent to deal with it?—If it were a new scheme, it would go to His Honour; but if it were a matter of intermediate detail, I might be able to dispose of it.

14865. As Financial Secretary, have you any professional knowledge of sanitary questions?—I have no professional knowledge with regard to sanitary questions; but there are the Sanitary Commissioner and the Sanitary Engineer both on the Board.

14866. In what capacity does it come to you?—It may come up to me on a financial question, and it may come up on an administrative question of general policy.

14867. Would it be possible to prevent this reference to you; the scheme, as a scheme, having once been sanctioned in principle, what is the necessity of its passing through your office?—Ordinarily there would be no necessity.

14868. Then you are in charge of the Medical Department?—Yes.

14869. Do you deal with the promotions of Medical Officers, or is that a question which goes to the Government of India?—Promotions in the Indian Medical Service are regulated by the Army Regulations. Appointments such as those of Assistant Surgeons and Civil Hospital Assistants are dealt with by the Inspector-General of Civil Hospitals and by the Local Government.

14870. Have you any reason to suppose that there are in the Indian Medical Service officers under you who, from the point of view of a Local Government, it would be desirable to get rid of?—As to particular officers I cannot say—I am not aware of any such.

14871. It has been stated in evidence before us that it is extremely difficult, owing to the intimate connection between the Medical Officers under the provincial Government and the Indian Medical Service, to get rid of undesirable officers. Do you know whether that is the case in Bengal, or not?—I cannot say that any such case has come before me.

14872. You state that reductions in the estimate of the Local Government should be made by the Government of India only if the forecasts of revenue were over-sanguine, and not justified by facts. Do you wish to eliminate from the powers of the Government of India over provincial finance the power to object to the expenditure of money by the Local Government?—I do not object to the power of the central Government generally; I think that the Local Government might have more finality.

14873. We have been told that the objections of the Government of India frequently take the form of saying to the provincial Government: "You are not able, by comparison with the past, to spend what you desire to spend, therefore we limit your expenditure." Why do you think that is an unfair and undesirable power for the Government of India to possess?—I think it is carried too far. I have seen a few cases in which small amounts were cut down in a way which seemed to be quite unnecessary. In some cases they have been, no doubt, correctly cut down, but in others not, and the estimates of the Local Government have been found to be more correct eventually.

14874. Is the provincial Government's estimate of its capacity to spend a given sum within a financial year, as a rule, correct, or incorrect?—I think it has the best means of deciding what it is able to spend itself.

14875. Do you desire to have full power over expenditure subject to the provincial balances being kept intact?—That is the suggestion.

14876. And if there is an accidental surplus of revenue, do you think that the Local Government should be able to spend that up to the hilt?—I think that would be only reasonable.

14877. Do you desire that the Local Government should not be overruled until it has had an opportunity of criticising the remarks of the Government of India?—Not of the Government of India, but of the specialist advisers of the Government of India.

14878. Would you like to see those specialists' criticisms in detail?—I think it would be useful to the Local Government to have them before it.

14879. Might it not hurt the individual who made those criticisms, subsequently?—It might, no doubt.

14880. As Financial Secretary, are you in agreement, not only with the grants now made to the Commissioners for various purposes, but with the extension of the same principle to District Officers?—I think so.

14881. To what extent?—I would say a grant of one or two thousand rupees to each Collector according to the size and importance of his district.

14882. Would you carry that principle lower down, and apply it to a Deputy Collector?—I would not.

14883. (Mr. Hichens.) Do you rather object to the interference of the Government of India with your own estimates?—I do not object to the general principle of a power of control vesting in the Government of India; but the power of control is at times carried too far.

14884. Do you mean that they alter your figures sometimes?—Yes, sometimes.

14885. Why do you mind that—how does that hurt you?—It creates a feeling of insecurity, and the Local Government do not know whether their figures are going to be accepted or not.

14886. Does it give you much bother, for example, in the way of having to cut down your estimates to meet their requirements?—It might do so. I have heard of a case in practice in which a budget was cut down; a lump deduction was made, and it caused a good deal of trouble in re-arranging the various items of the budget.

14887. Would that be the main objection, or does any other objection occur to you?—The chief object was that the Local Government might fairly be allowed to spend any unforeseen increase in its revenue.

14888. I was rather speaking of the actual alteration of the figures in your budget on the ground that the revenue was unduly sanguine, or the reverse; have you any objection to the power of control exercised by the Government of India in that respect?—I have not. Sometimes estimates may be over-sanguine.

14889. You say that the authority of the Local Government in budgeting for requirements under the several provincialised heads should be more final—what do you mean exactly by that?—That it should be made more final than at present.

14890. Do you mean that to apply to the disposal of their moneys?—Yes, and to cases of unnecessary reductions, and small deductions under specific major heads.

14891. You do not object to the Government of India cutting down your estimates on the ground that they are faulty?—In some cases it might be necessary for them to do so.

14892. But what you do object to is their curtailing your expenditure in any way?—I object to their curtailing our expenditure unnecessarily.

14893. But do they do it in practice?—I cannot cite a case yet.

14894. Would you give the Government of India certain revenues, and transfer the remainder of the revenues to the provincial account, leaving any deficiency in the imperial revenue to be made up by means of a species of tribute from the various provinces?—I have thrown out a suggestion which might simplify matters, I think. It would be a certain percentage—it would not be a fixed tribute, but a percentage, and, therefore, liable to increase as the revenues expanded.

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14895. Would not the position be that the Government of India would make up their budget, and would leave any deficit there might be to be distributed *pro rata* amongst the different provinces in proportion to the revenue of each province?—No; the percentage to be paid by each province should be fixed for each province separately, in consultation between the Imperial Government and the provincial Government.

14896. In what way would that be simpler?—It would be fairer, because in some provinces there are certain expandable heads of revenue which do not occur in others; in Bengal, for instance, our land revenue is practically fixed—there is very little increase or decrease in it owing to the permanent settlement, and, therefore, a distribution on the same principle as in Bengal might not be fair to the other provinces.

14897. With regard to the organizations of local authorities, can you give me any information; is not the first thing a union committee?—There are only union committees in a few districts; in every district there is a District Board.

14898. Am I right in assuming that union committees have not been a success?—Yes.

14899. Can you give me any reason why they are not a success?—I believe they do no useful work, but I have never been in a district where there is a union, and I cannot speak from personal experience.

14900. As Head of the Municipal Department, what is your opinion?—That is generally the accepted opinion of the officers who have had to deal with union committees. I think it is because there is no moving spirit upon the union committee to guide and direct.

14901. What is the next body?—The Local Board; for each subdivision there is ordinarily a Local Board. Then comes the District Board.

14902. How is that recruited to-day?—Partly by nomination, partly by election from the Local Boards in the district.

14903. Can you give me any information with regard to the financing of the Local Boards?—The Local Boards are financed from the District Boards' funds.

14904. Does the Local Board get the amount of the cess collected within its borders?—No.

14905. Do they get a certain portion of the cess?—That is not the case in this province. The distribution is made at the discretion of the District Board.

14906. Is there not also a Government grant made to District Boards?—Certain specific grants are made for certain specific purposes.

14907. Does not the Government of India give a specific grant of a certain amount which has to be distributed amongst the District Boards?—They give it to the provincial Government, to be distributed amongst the District Boards.

14908. What is the principle upon which the Government distributes it amongst the Boards?—The Commissioners of divisions are asked to state their requirements.

14909. Does the provincial Government distribute the amount received *pro rata* on any fixed scale?—No, it is distributed according to supposed local requirements.

14910. Although a District Board cannot count for certain on getting anything, in practice would they not get something, although they would have to make out a very good case in order to get a big sum?—Yes.

14911. Does the provincial Government add to the contribution of the Imperial Government at all?—It makes grants over and above that contribution sometimes; at present it makes large grants for communications. They are not annual and recurring grants, but they have been made now for several consecutive years.

14912. Are they for some capital work, such as the construction of a new road, or the construction of a water-works?—Yes, they are made sometimes for the construction of a new road; or bridge, and in some cases for metalling a road; it is not a permanent endowment.

14913. Therefore, the District Boards are really dependant on what they can collect locally, *plus* what they obtain from the Government of India?—Yes.

14914. Is there a fund called the provincial Cess Fund which is collected by the provincial Government?—Yes.

14915. Is that distributed among the District Boards?—It is assessed on each district separately according to the rates laid down in the Act, district by district; the Cess is assessed on the land.

14916. By whom is this money collected?—It is collected by the District Officer.

14917. Has he got the spending of it?—The District Board has the spending of the Road Cess, but not the Public Works Cess.

14918. Is the Public Works Cess collected by the District Officer?—Yes, along with the Road Cess; they are both collected together.

14919. Does the District Officer have the spending of the Public Works Cess?—No, not under the present rules.

14920. The position with regard to that is that all the money collected in respect of the Public Works Cess is centralised?—Yes.

14921. And then it is doled out?—I do not control the doling out of it.

14922. Would it be advisable, instead of giving the Boards an indefinite amount—an amount that they cannot count on annually—to give them a definite *pro rata* contribution each year so that they would know where they were?—The amount available for expenditure by a Board is not so indefinite as you seem to think. In respect of the Government contribution it might, perhaps, be more settled.

14923. With regard to loans, have district authorities any powers whatever of raising loans?—District Boards can only raise loans at present with the consent of the Government of India; they can obtain loans from the Local Government.

14924. Has the provincial Government a reserve sum which it can put at the disposal of the District Boards?—Yes, I think all ordinary requirements can be met, but such applications are not numerous.

14925. Should you say that reasonable facilities exist for a progressive District Board to get any money it is justified in asking for at a reasonable rate of interest?—I think so.

14926. Is the financial endowment of District Boards, whether through the District Cess, or otherwise, sufficient to enable them to carry out a reasonable policy of improvement and progression?—No, I do not think their total funds are sufficient for their requirements; but now that the Government of India are coming to their rescue, I think it may be so.

14927. And that being done, would your opinion be that the financial resources are adequate?—I think that then their financial resources will be adequate.

14928. Is the maximum cess which they collect half-an-anna per rupee on the annual value?—Yes.

14929. There is no elasticity with regard to the revenue?—Not with regard to the Road Cess.

14930. Is it desirable that there should be any elasticity?—No, because that would mean fresh taxation. I am not fully prepared to give an answer.

14931. Do the municipalities get the main bulk of their revenues from an assessment rate?—Yes, a local rate either levied on holdings, or on persons.

14932. Is the maximum that they can raise laid down by law?—It is.

14933. Can you tell me from your knowledge of the work whether they raise the maximum, or not, in practice?—Yes, the maximum is generally raised in regard to the rate on persons and holdings, but in the case of certain other rates they do not always impose the maximum—for instance, in the case of the water-rate.

14934. Would you say again, broadly speaking, that there is no elasticity with regard to the revenue of municipalities?—No.

14935. Have they ample powers of increasing their rates if necessary?—Yes, I think so.

14936. Do they receive any Government grant?—They get certain small grants but there are no large grants given to municipalities.

14937. Are they what one might call *ad hoc* grants?—Yes.

14938. Is there any differentiation between a municipality and a District Board; is it fair to argue that because a District Board receives a grant-in-aid a municipality should have it too?—It has been generally found that District Boards have shorter funds than municipalities have.

14939. Is there anything in the argument that land throughout a district pays heavier taxation to the country than land included in municipal areas does?—I do not see how that argument can apply.

14940. Is there any reason why a municipality should not have a grant-in-aid from the Government?—Ordinarily, their resources are sufficient to meet the requirements of their administration.

14941. Are their powers of taxation sufficient already to enable them to carry on?—I think so, but for special work, such as water-works, or large schemes of drainage, they come up for assistance from the Government, and Government is always very liberal in granting that assistance.

14942. Might the Government make a grant towards making certain local water-works, while the local authority would not have enough money to run them when they were made?—I think they ought to be able to arrange for the upkeep.

14943. (Mr. Dutt.) You are in favour of a General Act authorizing the Local Government to delegate powers to subordinate authorities?—Yes.

14944. When certain powers have been reserved to the Government by specific Acts, and the Government delegates those powers to the Commissioner or Collector under a general Act of devolution, do you not think that, to some extent, public expectation is defeated?—I think the public ought to have the right to object; any such intention to delegate power ought to be notified in the Gazette so as to give the public an opportunity of raising an objection, if they have any, by memorial or petition.

14945. But when an Act is passed and certain powers are reserved to the Government, is that not done with the idea that such powers shall not be delegated except by another Act?—Yes.

14946. Therefore would it not be a better procedure, to delegate those powers by an amending Act?—That would be a troublesome process.

14947. Looking at it from the point of view of the public, or of the Government Officer?—There are very few cases in which the public would have any reason to object to delegation; the Local Government would only do it when it was satisfied that there would be no detriment to the public interest.

14948. But there would be no opportunity of raising a debate in Council; the public would only have an opportunity of sending a memorial?—But the question might be raised in Council in the shape of an interpellation.

14949. Do you make any recommendation for curtailing the existing rights of appeal?—Personally, I do not.

14950. You think that the existing rights are good in the way of fostering a sense of security in Government officers?—I think they are regarded in that light.

14951. As a District Officer, you have been Chairman of the District Board?—Yes.

14952. Have you had elected members who are really anxious to help and advise you?—I have.

14953. And who have proved useful and prudent advisers?—Yes.

14954. Then you are not prepared altogether to support the criticism that a system of election will not secure persons who would be both good and useful?—I have not said that all the elected members are of use to the District Officer—there are some no doubt who are. I think the system of election might be improved on, and that we might get better representation than we have at present.

14955. But you do not agree that the present system of election will not secure such persons?—Not always.

14956. With regard to nominated members on District Boards, I suppose you have found many who are respected and whose action is independent?—Yes.

14957. A nominated member is not necessarily an object of suspicion by the people?—Certainly not.

14958. And he is not often the object of vituperation by his own countrymen?—I do not think so.

14959. With regard to the appointment of Europeans, the Government of Bengal has asked for power to appoint in cases where professional or technical qualifications are required? Are such cases very rare?—They are.

14960. Therefore there is no urgent necessity for the Government of India to withdraw their power in that matter?—It is a power which the Local Government ought to have; there would be many more references from other Local Governments.

14961. But so far as the Local Government of Bengal is concerned, the necessity is not urgent?—It is desirable that they should have it.

14962. Would it save very much trouble and work if that power was granted?—Not very much, but it might be that an urgent matter might arise; for instance, in the Marine Department an urgent case might arise, and it is very undesirable that the matter should have to be referred, say, to Simla.

14963. Is the rule made by the Secretary of State?—It is a rule of the Civil Service Regulations.

14964. Recommendations have been made that Municipal Commissioners should be appointed by the Divisional Commissioner instead of by the Government; Should the power be kept in the hands of the Government?—No, I think it could be properly delegated to the Divisional Commissioner.

14965. When a Chairman is elected under the present law, his election is sanctioned by the Government?—Yes, it is a mere formality.

14966. A recommendation has been made that such election should be sanctioned by the Commissioner of the Division; do you agree with that?—It would save a great deal of unnecessary correspondence; it is a pure formality.

14967. But does it give the Government very much work?—Yes, it does; I do not know how many cases there have been, but there have been a large number.

14968. But does it involve much work in each case?—Yes, two or three letters have to be written.

14969. Would Municipal Commissioners themselves prefer appointment by the Divisional Commissioner or by the Government?—I do not think they would trouble much about it.

14970. There is a recommendation that Assistant Surgeons, who, I understand, are Gazetted Officers, should be posted by the Head of the Department to actual vacancies?—Should not their appointments rest in the hands of the Government?—I do not think it is at all necessary; in fact, the Government is practically bound to accept the Inspector-General's nomination.

14971. I find that there have been only 34 such appointments made during the last three years, so that there would not be much saving of work?—If you take individual cases, of course, there would not be, but taking them altogether there would be an enormous amount of work saved.

14972. In that matter also you do not know exactly what the Assistant Surgeons themselves would like?—I cannot say.

14973. (Sir Frederic Lely.) In one respect you have had rather an exceptional experience, having been five years a Collector of a district. Can you give us any explanation as to why you remained so long?—Simply because I remained there, and did not take any leave.

14974. Do appeals from the Board of Revenue come through you?—Yes, any matter coming to the Government comes through me.

14975. Does a great portion of your work consist of appeals?—Appeals are generally dealt with by the Board of Revenue.

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14976. Do they virtually terminate with the Board of Revenue?—I think so.

14977. (Sir Steyning Edgerley.) If a general delegating Act were passed, would it be passed by the same Legislative Council as passed the original Act, or would it be passed by a superior Legislative Council?—Probably by a superior Legislative Council.

14978. If such an Act were passed, would the public cease to expect the Government to proceed by specific legislation?—Yes, I imagine so.

14979. (Mr. Meyer.) As a matter of fact, are the budget estimates as modified by the Government accompanied by a letter from the Financial Secretary explaining that such modifications as have been made are made in the interests of financial accuracy, and that there would be no objection to Local Governments spending more if they can find the money?—Latterly that has been done, but I do not know if it was always done.

14980. Is not the position that the Local Government can make reappropriations within its own budget, so long as the total of the budget estimate is not exceeded, but if the total is exceeded, they have to go to the Government of India?—That is so.

14981. Have you ever had to go up as regards that?—I have only been in charge for a month.

14982. It would be necessary, in any case, that you should inform the Government of India of any extra allotments you are making?—Yes.

14983. You are in favour of an arrangement under which the Government of India, after taking certain imperial heads of revenue, would get a fixed percentage from the provincial heads? Is not that the system in force now, and does not the Government of India divide the heads with you?—Certainly.

14984. And you get the whole of the rest?—Yes.

14985. Then what is the difference between your proposed system and the present one?—We do not get a share of the customs revenue.

14986. Do you think you should get a share of it?—Yes. It is a very expanding revenue. I have not suggested railways, because I do not think the Imperial Government would ever give that up.

14987. With regard to customs, a great quantity of goods which are consumed outside Bengal pays the original duty in Calcutta?—I cannot say.

14988. Who pays for the goods eventually—the persons who consume them?—Yes.

14989. Therefore, you would be levying a tax on the consumer in, say, the United Provinces?—Possibly.

14990. Is the chief object in having a change to get more revenue?—More of the expanding revenue, yes.

14991. You propose that all the powers vested in the Government of India with regard to the Civil Service Regulations should be transferred to the Local Government?—Not all; only those in respect of travelling allowances and pensions.

14992. Are not pensions largely paid by the Government of India?—Yes. Local Governments would naturally only deal with the pensions paid from provincial funds.

14993. You say there should be a senior Magistrate in every district—do you mean a personal assistant to the Collector?—At present the Joint-Magistrate is not

a personal assistant to the Collector, or at least cannot be described as such, but he generally disposes of all the more important criminal work, and to relieve the District Magistrate of that would enable him to devote more time to his revenue functions.

14994. Are you in agreement with other witnesses who have suggested that the best way to relieve the Collector is to have a Sadar Sub-Divisional Officer?—I think he ought to have that as well. One of the chief functions of a Joint-Magistrate would be to preserve continuity. When an officer goes on leave, or is removed from his district, or from any other cause, the Joint-Magistrate would hold charge.

14995. Then you want the Collector to be relieved of the work of the sub-division and to have this officer as well?—Yes.

14996. Is that done in Bombay?—I do not know. The Collector in Bengal has not immediate charge of the Sadar sub-division; he has immediate charge of the whole district, but there is no separate administration for the Sadar sub-division. The criminal work is done by the Deputy Magistrate at headquarters; the revenue work is done by the Deputy Collectors at headquarters.

14997. Is there no separate officer with territorial responsibility over the Sadar sub-division?—No, there is not; in Bengal those territorial duties are practically nil; there are no separate revenue functions to perform in respect of the sub-divisions as distinct from the general revenue work of the district which is done at headquarters.

14998. Is the Sadar Sub-Divisional Officer to act as a Magistrate?—Yes, his functions would be almost entirely magisterial and police.

14999. Mr. Gait explained the new system introduced by the Lieutenant-Governor under which cases were dealt with, which had to come from the Board of Revenue to the Government; is the method described by him that which prevails in your department?—Yes.

15000. Taking the case of a municipality starting a waterworks scheme to which you give assistance in regard to the capital account, is it able to levy a rate in support of the scheme?—Yes.

15001. And the persons benefiting by the water are supposed to pay?—Yes.

15302. In most provinces there is a land cess of one anna in the rupee, the whole of which is taken by the District Board; in Bengal, as I understand, there is a system under which only one half goes to the existing District Board and the other half is taken by the Local Government as Public Works Cess; on the other hand, out of that half does not the Local Government give about a half again—that is to say about a quarter of an anna in the rupee, to the various District Boards in the shape of subsidies?—It makes grants equal to a quarter of the Public Works Cess.

15003. Not rateably to each Board as a whole, but to the Boards collectively?—Yes.

15004. Reference has been made to the fact of the District Engineer being taken away from the control of the Board; would that be altogether satisfactory to the Board?—Personally I do not; as Chairman of a District Board I have had a good deal of difficulty with the District Engineer, and I think he ought to be entirely under the control of the District Board.

(The witness withdrew.)

The Hon. Mr. W. A. INGLIS was called and examined.

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15005. (Chairman.) You are Chief Engineer in the Public Works Department and your duties are more particularly concerned with irrigation?—Yes. I am also Secretary in the Bengal Public Works Department. In Bengal there is no absolute separation between the Irrigation Branch and the Buildings Branch of the Public Works Department. Executive Engineers in charge of Canal or Embankment Divisions have also charge of the Government roads and buildings within the territorial limits of their charges. At the

same time there are certain divisions and circles which deal only with buildings and roads. There are two Chief Engineers and Secretaries to Government. One deals with buildings and roads. The other with irrigation, embankments, navigation and drainage. It follows that the Chief Engineer of the Roads and Buildings Branch has dealings with the Superintending Engineers of all Circles, while the Chief Engineer of the Irrigation Branch deals only as a rule with the Superintending Engineers of Irrigation Circles.

The following is the present strength of the Gazetted staff of the Public Works Department in Bengal, as a whole:—

Chief Engineers	...	2.
Superintending Engineers	...	8.(a).
Executive Engineers	...	27(b), (c).
Assistant Engineers	...	24(d).
Temporary Engineers	...	6.

The sanctioned cadre of the province provides for 30 Executive Engineers and 30 Assistant Engineers. There are also 114 members of the Upper Sub-ordinate grades on salaries ranging from Rs. 80 to Rs. 500 a month, whose appointments and promotions, etc., are notified in the Gazette, and who, to a large extent, hold the sub-divisions of the executive charges and are in the position of Resident Engineers. The officers of the Department have to design, construct, and maintain all provincial or imperial works. The Superintending Engineers are also Inspecting Officers of local works, mainly roads.

I control, as Chief Engineer, the working of the Irrigation Branch of the Department. I also, as Secretary, advise the Lieutenant-Governor on all matters connected with canals, rivers, embankments, and drainage. As Secretary in the Marine Department, I have to deal with questions relating to the Bengal Pilot Service, of which the Port Officer is the executive head; the Calcutta Port Trust; the various acts relating to shipping, including appointments of Courts of Enquiry in cases of casualties and the survey of vessels, both sea-going and inland; the administration of the Steam-boilers and Prime-movers Act and the Smoke Nuisances Act; and the Petroleum Act. In the Railway Branch I have to deal with Bengal Tramways Act and with light railways and the Darjeeling-Himalayan Railway. The Bengal Government has no control over, or responsibility for, the larger railway systems, but questions have to be dealt with in respect to the acquisition of land for railway purposes. Also in cases of projected lines the opinion of the Local Government is given with respect to general alignment and to the provision of waterways and road crossings.

The sanction of the Government of India is required to rules made by the Local Governments under the provisions of most of the Acts which we administer in the Marine Department. As these Acts have mostly a general application throughout India, it is right that the rules should be considered by the Government of India, and no relaxation is required.

There is a tendency in the direction of making regulations which are too rigid and which do not allow sufficiently for varying local conditions. For instance, it is, in many parts of this province, hardly possible to comply with the regulations in the Public Works Code, on the subject of the provision of residences for Government officers, and deviations have to be referred to the Government of India and are not always received sympathetically. The Local Government might be given a wider discretion, and it might be left to the Financial Department of the Local Government to exercise a check on any tendency to extravagance. Again, in respect to the scheme now being carried through for housing Officers in Calcutta, or for giving a house allowance in lieu of a Government residence. It is a mistake to try to make one set of hard and fast rules which shall be applied to all Departments. The conditions as to salaries and pensions vary materially, and I see no reason why there should be absolute uniformity in the matter of house allowances. The Indian Engineers who, as a rule, always preferred service in Calcutta on account of social amenities and educational advantages, are distinct gainers, while the European and Eurasian Engineers are distinctly worse off than they were before the present scheme was initiated. It would be better to let each department or branch of the Service work out its own scheme to suit its own conditions.

- (a) Of these one is Sanitary Engineer, and four have charge of Irrigation Circles which include buildings and roads. Three have charge of buildings and roads only.
(b) Of these seven are Assistant Engineers with temporary rank.
(c) Twenty-four imperial, three provincial.
(d) Fourteen imperial, ten provincial.

A broader view might with advantage be taken in discussing schemes suggested for irrigation and navigation which, though desirable in themselves, do not promise to yield a sufficient profit on the capital outlay to bring them within the category of productive public works as defined in the Public Works Code. More consideration should be given to the value which such works have to the State, over and above the direct cash return to Government. To illustrate this, we have at present in this province a scheme for an irrigation canal from the river Damodar. The net revenue which can be safely reckoned on is sufficient only to pay 4 per cent. on a capital of 30 lakhs. It does not appear probable that the capital outlay would be less than 40 lakhs. The scheme has therefore to be put on the shelf, as the conditions of the country commanded, in regard to scarcity or famine, are not such as would justify outlay on a purely protective work. In the season just past, when there was a great need of irrigation, sufficient water was flowing uselessly down the Damodar to provide for nearly 100,000 acres of rice, and if this could have been supplied, it would without doubt have been of great value to the country. In the case of schemes such as this a grant-in-aid might be made from ordinary revenues, whether provincial or imperial, which would rank as deferred stock. The appropriation from loan funds might then be permitted up to that sum, on which the revenues of the project could be depended on to give a return of at least 4 per cent.

We have under consideration a scheme of considerable magnitude for a canal to allow inland steamers and flats more direct access to Calcutta. It is doubtful if the estimate can be kept within limits which would admit of its being classed as a productive public work, and the same question arises whether it would not be proper to supply a certain amount of the capital from ordinary revenues without seeking a profit. In several European countries much money is expended by the State in giving such facilities as a measure of general administration, and without expectation of direct gain to the State revenues. It seems to me that a departmental spirit and desire for direct return on all outlay does here obstruct the general consideration of what is a very important matter of administration. Similarly, this Government has asked for some time that a general enquiry may be made into the possibilities of improving the natural waterways. So far this has received no apparent consideration by the Government of India.

The only Inspector-General with whom I am brought in contact is the Inspector-General of Irrigation. His sphere should be to criticise and suggest in regard to the technical or engineering aspect of a scheme, and it is better that he should not intervene in regard to the administrative aspect.

As far as the Public Works Department is concerned, the existing regulations on the subject of appeals are suitable.

The Government of India have recently suggested that Superintending Engineers and Executive Engineers should be given wider powers to enable them to deal finally with details of designs and estimates of works to which administrative sanction has been previously given, and also in respect to making contracts. I am in agreement with those proposals.

The tendency of the provincial Secretariat is not unduly departmental or unduly dominated by considerations of revenue. The provincial Government, having a more intimate acquaintance with the requirements of the case, takes a more general and broader view than the Government of India.

In the administration of the canals our Executive Officers are brought into constant contact with the cultivators. The vernacular question is rather difficult in Bengal, as a knowledge of three vernaculars is required, viz., Hindi in Bihar, Bengali in Bengal proper, and Uriya in Orissa. It is desirable that officers employed on canals should be encouraged to have a better knowledge of vernacular than they possess at present, and also to study the history and the religion, and the manners and customs of the people.

In the matter of transfers, there is not much to complain of in regard to the Public Works staff. It

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is impossible at times, e.g., cases of illness or emergent work, to avoid transfers which are in themselves undesirable, and I am unable to suggest any remedy.

The Bengal Government has recently appointed District Committees to advise Government in respect to projected schemes for embankments, minor irrigation works or drainage. At present it would not be advisable to give such District Committees any executive authority.

The sale of water for irrigation by volume to village communities has always been regarded as an ideal to be aimed at, but there does not seem much prospect of putting it in practice. In my early days on the Sone canals, when I was in close touch with the cultivators, I often discussed the question with them. They always said that they preferred to have the Government officers to make the detailed assessment, as they would be unable to do it themselves with fairness and without quarrelling. If, however, self-government is ever to be more than a name, it must begin with simple matters of this nature in which there is a strong local interest affecting the whole community.

15006. You say that there is no absolute separation between the Irrigation Branch and the Buildings Branch in the lower ranks?—Up to the grade of Superintending Engineer there is no distinction. The distinction comes in above that.

15007. Is that an advantageous system?—It is obligatory under the condition of the province. The irrigation works are on a small scale in Bengal, and the Irrigation Engineers are quite able to look after the roads and buildings under their charge.

15008. Have you a Provincial Service under you?—The Provincial Service and the Imperial Service run together; there is no distinction in regard to the duties, only in salary.

15009. How do you appoint to the Provincial Service?—The Government of India appoints on our nomination under certain fixed rules.

15010. Might the system be altered advantageously to the Service?—Yes, I think so.

15011. Who appoints to the Subordinate Service?—The Local Government; the Secretaries nominate, and the Lieutenant-Governor appoints.

15012. Do you find as a rule that the opinions of Local Government, with regard to matters with which you are concerned, are treated with respect?—I think so now.

15013. Has your position, therefore, with regard to the Government of India improved of late?—I think so; much more attention is paid now to the wishes of the Local Government.

15014. With regard to residences for officers, you desire to see some relaxation made?—The Local Government might be given extended powers of discretion. At present if a residence costs more than a certain sum, which is calculated on the salary of the officer, the sanction of the Government of India is necessary, although the money is entirely spent from provincial revenue funds.

15015. Is the difficulty which exists in connection with these buildings due to the Public Works Code?—The rules are those of the Code.

15016. Is that not an exceedingly complicated Code?—Yes. It is contained in two large volumes. It is issued under the authority of the Government of India.

15017. And some of it, no doubt, under the direction of the Secretary of State?—I presume so.

15018. Has any attempt within your knowledge ever been made to simplify this Code?—I do not know of any attempt.

15019. Could it be advantageously simplified?—Yes, I think so. It would require an examination of it in detail to say in what particular direction.

15020. Are both you, as a department, and the Government of which you are Secretary, landed in ludicrous positions on account of the provisions contained in that Code?—Yes, in certain cases, such as, for instance, if a lead pencil is bought—things of that kind are ludicrous.

15021. We have heard of a witness who had to live in a house for two years without doors or windows in consequence of some regulation. Was that due to the Code?—I should have thought it was due to a want of common sense on the part of the officer in not disregarding the provisions of the Code.

15022. Is there due consideration on the part of the Local Government first, and secondly on the part of the Government of India, in respect to the projects they sanction, having regard to revenue?—Perhaps more consideration should be given to the indirect advantages of irrigation works.

15023. Is a work which is unproductive from the point of view of revenue therefore more useful to the public generally than a work that produces revenue?—Not more useful, certainly not.

15024. If the work which produces revenue is equally useful to the public, what is the harm of executing that work rather than a work which, though of equal use, brings in less revenue?—I quite admit that the preference should be given to the more productive work, but it means then that certain localities would have to remain almost indefinitely without works which would be very useful.

15025. Are you speaking of works constructed from capital or from revenue?—If it is a non-productive work, it must be constructed from revenue.

15026. Would it not be rather difficult to find, say, 40 lakhs of rupees from revenue?—The suggestion I make is that 10 lakhs should be found from revenue and 30 lakhs should be found from loan funds.

15027. If 10 lakhs had to be found from revenue that would mean that something else would have to go without?—Yes.

15028. But might there not be an outcry in regard to other schemes?—Undoubtedly.

15029. Therefore, there is considerable difficulty in deciding as between the schemes of various kinds?—Yes, great difficulty.

15030. And it might be that the work which produced revenue would be equally valuable to the public and equally wanted?—The question would also arise not only between revenue-producing works, but also roads, which are unproductive. The revenues are limited and there are many claims upon them, and I only plead for a share of the surplus revenue of the province for my particular branch.

15031. Is there undue favouritism with regard to, say, works of irrigation which produce revenue as against roads which do not produce revenue?—No, I should not say that.

15032. Have your officers a good knowledge of the vernacular?—Fairly good. I would not say more. I think it desirable that they should have a better knowledge.

15033. There is very little irrigation work in Bengal?—We irrigate about 800,000 acres—a comparatively small area compared with other provinces.

15034. Under whose responsibility is the actual distribution of the water?—Under the responsibility of the Canal Engineers. In this province we have probably more complete control than in any other; we not only distribute the water, but we collect the water-rate.

15035. Do the people of the districts in which there is any irrigation come quite naturally to you?—Quite, and they are in immediate touch with our Canal Officers.

15036. (Mr. Meyer.) Referring to the Calcutta housing scheme, you say that tends to favour the Indian engineers, but are there many Indian engineers concerned?—We have about half and half. We have about as many Indian engineers as Europeans.

15037. Do you count Eurasians on the European side?—About one-third are pure natives.

15038. You mentioned some matter with regard to the Public Works Department Code; is not the general feature of it excessive centralization?—The Superintending Engineer has very wide powers of sanction. The whole of the funds for maintenance, which are large sums, are entirely at the disposal of the Superintending Engineer, who sanctions all estimates for repairs and maintenance.

15039. How much can he sanction in the way of new work?—With regard to new work he has very limited power—up to Rs. 2,500.

15040. Is that not undue centralization?—Yes, I think so, and the proposal which the Government of India has made is to extend that power.

15041. Up to what?—A distinction has to be made between administrative sanction and sanction of a detailed design. It is proposed by the Government of India that the Superintending Engineer should deal finally with sums up to Rs. 50,000 for imperial works and one lakh for provincial works. Occasionally, some Superintending Engineers are allowed at present to sanction up to Rs. 10,000, but it is not very often exercised.

15042. Until the Government of India proposed the other day to decentralize, no one moved in the provinces, or at any rate in this province. Were you satisfied with these restrictions?—It is not a matter which makes very much practical difference. The period of the administrative sanction is that at which the work is considered first.

15043. The administrative sanction is one with which other people are concerned besides the engineers?—Quite so; we are not directly concerned with the administrative sanction.

15044. Your own powers really come in when the estimates are being discussed?—Quite so.

15045. Will you explain your proposal with regard to productive works and non-productive works?—Under the rules of the Public Works Code no work can be classed as a productive work for which money can be given from loan funds unless it will bring in 4 per cent., but if the probable revenue represents, say, only that percentage on 20 lakhs, and you require 30 lakhs for the work, then if you advance the 20 lakhs from loan funds, upon which you can earn your first dividend, the other 10 lakhs might be advanced from provincial revenues which will take its chance of getting a return or not.

15046. But is that not juggling with figures?—It seems to me it is not an improper use of loan funds, and it is not adding to the unproductive debt of the country.

15047. In speaking of the difficulty of financing projects of this sort, is it not always open to the Government to give money from current revenues?—Yes, but the current revenue could only finance up to a moderate sum.

15048. You might possibly, with regard to one of these projects, apply for an advance from the Government of India?—Yes, and we have done so in some cases.

15049. As regards the Inspector-General of Irrigation, you say his sphere should be to criticise and suggest in regard to the technical or engineering aspect of the scheme, and he should not intervene as to the administrative aspect. What do you mean by the administrative aspect?—Perhaps I might illustrate it by a case. We have at present a scheme for a canal to connect the Bidhiadhari river with the Hooghly. This Government wished to act in conjunction with the Port Commissioners of Calcutta, and certain works would have to be done at the expense of the Port Commissioners, but the Inspector-General criticised the scheme rather severely, and treated the Port Commissioners as if they were more or less in a position of a different power and rather the enemies of the Local Government; that, it seems to me, was not an engineering question but an administrative question. Then there was another instance in connection with another projected canal where the Inspector-General criticised the scheme rather severely as regards the action of this Government in the past in giving water for a very small rate.

15050. The canal, if it had been carried out, would have been a project for which you would have tried to get money from outside?—That would have been a large scheme costing 60 lakhs, and we should have had to come to the Government of India.

15051. Then was not the Inspector-General of Irrigation quite warranted in asking you to consider whether the Port Commissioners might not do it?—It was not a question of the Port Commissioners making

the canal; it was a question of our trying to adapt our works so that they would fit in with the works of the Port Commissioners and assist each other.

15052. Is it not sometimes difficult to draw the line between technical and administrative matters? You will admit that in the case of a productive irrigation work the Inspector-General is entitled to criticise the estimates of the revenue to be obtained, I suppose?—Absolutely.

15053. A suggestion which was made in Burma was that, subject to financial rules, the appointment of the *cadre* of the Subordinate Engineering Service should be left in the hands of the Local Government—would that meet your views?—Yes; the Government of India have usually accepted our proposals.

15054. It was also suggested in Burma that the Local Government should have the same power of appointing Superintending and Chief Engineers as the Governors of Madras and Bombay; that is to say, that they should have their own superior engineering *cadres*; do you agree with that?—No, I do not; the Service is too small.

15055. You have eight Superintending Engineers?—One is a Sanitary Engineer, four have charge of irrigation works, and three have charge of buildings and roads.

15056. Does the Government of India, as a matter of fact, interfere with the appointments of Superintending and Chief Engineers?—Some years ago when an alteration was made in this province, by which most of the provincial Public Works Divisions were abolished and the provincial buildings and roads were placed under District Boards, the Government of India said that every second vacancy to a Superintending Engineership in this province should be filled from the local administration, and they have supplied a good many Superintending Engineers who have come to Bengal from other provinces.

15057. Speaking generally, do you find that satisfactory, or have you had any reason to complain about it?—No, we have had no reason to complain.

15058. Has your engineering *cadre*, then, been since increased?—It was reduced, but it has been increased a little again for building purposes.

15059. Who are the District Board Engineers—what class of men are they?—The majority of them are recruited from the local engineering schools.

15060. Are they men who would be sub-engineers in Government service?—They would be Provincial Engineers.

15061. Are they good men on the whole?—My personal opinion is that they ought to be better.

15062. What is the salary they can rise to?—I think there is one District Engineer who gets Rs. 1,000, and others can go up to Rs. 800.

15063. Have you officers over them called Inspectors of Works?—The Inspector of Works is a purely inspecting officer; he has no control over them. Each Superintending Engineer is an Inspector of Works.

15064. Is the Superintending Engineer able to do superintending work satisfactorily in addition to his ordinary work?—It is an administrative question—I think in many cases he is not.

15065. District Board Engineers to a certain extent do Government work?—There are now only four districts in which they do Government work in the Burdwan Division. They used to do it to a larger extent.

15066. Why has the practice been given up?—In some cases the District Boards disliked it; they disliked having their Engineer under two masters; and in other cases the Government did not like the way in which the works were carried out.

15067. Was the original idea economy?—Yes.

15068. And you found it not to be economical in practice?—I think it was shown that there was no marked economy and not so much efficiency.

15069. Would you be in favour of placing District Engineers in a provincial list?—That I understand is the practice in the United Provinces, but I have no experience of it. The advantage claimed for it is that you can transfer men from one district to another

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easily, but, personally, I have no direct work with District Engineers, and I am not prepared to speak upon it.

15070. Have you made any proposals as to larger powers for the Port Trust?—I have made no proposal. I do not think larger powers are needed.

15071. What is their power with regard to sanctioning their own work?—They can sanction works up to Rs. 50,000.

15072. Have they a qualified engineering staff?—Absolutely.

15073. Do you not think they might be allowed a little more power than that?—I think one might say in nearly all cases it is a nominal power which is exercised by the Local Government, but it is more a question as to whether the Government should know how much the Trust is spending, and whether it has the money to pay.

15074. But that comes separately into the financial sanction?—If they started a set of big works they would carry them out by a loan, to which they would have to get the sanction of the Local Government, would they not?—New works, yes.

15075. And again, they have to submit their budget to you?—Yes.

15076. So that you would see what large projects were contemplated and whether there were ways and means for them?—It is only the estimate that will be seen.

15077. This is rather a different matter—this is what one may call the professional sanction?—In the Marine Department we do not give any professional sanction as regards the technical part of the work itself because it is not required by the Act: we give the sanction which the Act requires.

15078. Suppose you could alter the law, would you alter it?—I think as far as the sanctioning of the technical work is concerned it is unnecessary, especially as far as any engineering questions are concerned.

15079. Do you know of the proposals put before us here and in Burma as to the Commissioner having a sub-budget of his own from which he might sanction, financially and administratively, smaller Public Works, the professional powers of your department remaining, of course, as they are?—Yes, I think the Commissioners should be given an increase beyond their present powers of sanctioning, which is up to Rs 2,500.

15080. The suggestion goes a good deal beyond that. It means that they might have a couple of lakhs of rupees a year, or so, from the present budget, keeping only the main works and provision for them at headquarters?—I think that would be a good thing.

15081. (Sir Steyning Edgerley.) Have you found any difficulty, in the matter of language and so on, with Superintending Engineers coming from a different province?—I do not know of any practical difficulty having arisen.

15082. With regard to the District Board Engineers, if they work for you, do you pay them?—Yes.

15083. And if you do work for them, do they pay you?—We have never done any that I know of. We do not charge for inspection.

15084. Would it be a good thing to revise the Public Works Code on the basis of placing power as low down as it can safely be placed?—Yes. The question of the audit of accounts is the chief thing; that is what involves the largest amount of correspondence.

15085. Could that be simplified?—That I can hardly say. It is a very thorough, a very complete, and a very efficient system, but it is also very laborious.

15086. Is the Bengal Pilot Service under the Port Trust?—No, that is under Government.

15087. Do you know why that is so?—It dates back to the days before there was a Port Trust, and the practice has always been to keep the Service under Government.

15088. Does it bring in any revenue to the Government, or do you spend all the money?—Practically all the money is spent; we have recently purchased two new steam pilot-vessels which cost a large sum of money.

15089. (Sir Frederic Lely.) Have the younger members of your department to pass an examination in the language?—They are all obliged to pass the Lower Standard.

15090. (Mr. Dutt.) I understand that Canal Engineers realise the irrigation rate in Bengal?—Yes.

15091. Is it a very small rate?—Not so very small; on the Sone Canals it is Rs. 3 an acre. That is the rate there for rice crops. It varies according to the crops.

15092. Is it entirely separate from the land revenue?—Entirely.

15093. And is it entirely voluntary?—Entirely. It is done under a system of leases for a term of years.

15094. What is the percentage of profit on the capital sunk?—On the Sone Canals we are earning about 3½ per cent., but the other canals earn nothing, practically.

15095. (Mr. Hichens.) Has the Commissioner any direct control over the Superintending Engineer, or his subordinates?—No, none at all.

15096. Has he not a certain amount of administrative control?—He has to be consulted on all points, but he cannot give an order to the Superintending Engineer.

15097. Do you approve of that position?—Yes, quite.

15098. Should not the Commissioner be the local Head as to Public Works?—I think it would cause a great deal of friction if he was.

15099. And would it lead to extravagance in the sense that the Commissioner might not know what to do as well as the Engineer?—I think it would certainly be undesirable, but I am hardly prepared to say it would create extravagance.

(The witness withdrew.)

Adjourned.

TWENTY-FIRST DAY.

CALCUTTA, Saturday, 28th 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.

RAJA BAN BIHARI KAPUR, C.S.I., was called and examined.

15100. (Chairman.) Where is your residence?—At Burdwan. The last occupation I had was serving the Government as manager on behalf of the Court of Wards of the Burdwan Estate for a little over 17 years.

The present financial settlement made with the provincial Government is a good one. I do not advocate complete separation in any way between imperial and provincial finances. I would delegate powers to the provincial Government up to a certain salary to sanction the creation of new appointments and the enhancement of pay of the officers and others, and I would relax the restrictions imposed by the Civil Service Regulations and Civil Account Code to a certain limit, so as to reduce formal correspondence.

The sphere of Inspectors and Directors-General should be limited to the inspection of the main principle and application of the funds allotted by the India Government to any particular work only, and the detailed working of the province should not be interfered with. Keeping in view the general principle of administration, I would advocate leaving the provincial Governments to develop their administration on their own lines.

I would grade the salaried servants of the Government, and limit their appeal to different grades of officers and different heads of administration. It would not be proper to lay down that the person preferring an appeal must get a certificate from the officer against whose order the appeal is made. I would not curtail the existing power of appeal on personal matters in any way.

Executive Officers have not sufficient opportunities for personal contact with the people. They are too much overworked. A Joint-Magistrate should be added to the district and the work of the District Officer divided to a certain extent. Where this is not possible, a senior and experienced Deputy Magistrate should be appointed as personal assistant to the District Officer, to assist him generally and to dispose of routine work in particular. I would not ordinarily divide districts. Officers are not sufficiently acquainted with the vernacular. The majority possess a limited knowledge only which serves them in carrying out their business.

I think greater care should be shown in the selection of officers, and care should always be taken to delegate powers to the officers of tried merit. Special care should be taken of the whimsical as well as men with hobbies.

No officer should be transferred at least for five years from a district. This applies to all officers, i.e., the District Officer, Judge, Deputies, Subordinate Judges and Munsifs, District Superintendent of Police and his Assistants or Deputy Superintendent of Police and Subdivisional Officers.

From the Secretary of State downwards, delegation of powers should be made with a view to curtail and prevent unnecessary correspondence, reports and returns, &c. The Viceroy acts as a post office in many cases; he has no real power, and this should be given. Similarly provincial Governors and Lieutenant-Governors should have powers on matters dealing with their own provinces.

15101. Are you satisfied with the general management and the general relations of the Court of Wards with the Government?—Yes, generally, I am satisfied.

15102. You do not approve of any curtailment of the right of appeal?—No, I do not want any curtailment. The present right of appeal gives satisfaction, and perhaps injustice might be done if the power were curtailed.

15103. You think there ought to be some increase in the number of Joint-Magistrates?—Yes, there ought to be a Joint-Magistrate in every district, and wherever a Joint-Magistrate is not available, a competent Deputy Magistrate should be provided to give the Magistrate and the Collector general assistance. Also I would have some division of work between the Collector and his Assistants, so that the Collector might have some time to spare, because, as it is, he has too much to do.

15104. Does that prevent Collectors seeing and coming into contact with the people in their districts?—I think it does. When I was manager under the Court of Wards, if a person came to see me and I was too busy to see him, the natural feeling on my part was "What a bother," and I am sure the Collector must think the same. If a visitor calls, the Collector, although he may see him, cannot help feeling that it is a bother, and that it is interfering with his work, because he has too much to do. Similarly, when I was a manager, I had a lot to do, and if during business hours any one called, I had to see him, but I always felt annoyed. Therefore, I think if Collectors had a little more leisure to go about and more time to spare, they would be very glad to see the people and make their acquaintance.

15105. Is there a constant change of Collectors and Joint-Magistrates?—Yes.

15106. Does that also prevent them becoming acquainted with the people of a district?—I think it does.

15107. Is the feeling on the part of the people: "This officer is only here for six months, and it is not worth while going to see him"?—Yes, and there are other things; unless an officer remains longer in a district, he cannot learn the district and its people. If an officer remained longer in a district, he would naturally come to know his district and the people living there, and he would be able to judge for himself what help they could give him, whom he can trust and so on; but if a man is only there for a short time, he has no opportunity of doing it.

15108. How long ought a District Officer to remain in a district?—Not less than three years—I should say three to five years.

15109. Would you say not more than five years?—Not more than five years, because they have to rise gradually to higher appointments, and it is better that they should get an insight into other districts as well.

15110. Would you apply that to officers of all ranks—Collectors, Assistant Collectors, Judges, Munsifs and so on?—I would apply it to all ranks.

15111. Ought there to be something like an Advisory Council to the Commissioner, and should it be

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selected from the Deputy Magistrates and Honorary Magistrates?—I would leave the Commissioner quite free to choose his men

15112. Do you think an Advisory Council, the members of which would perhaps know how to deal with sanitary questions and so on, and who would be fully acquainted with the circumstances of the districts, ought to be appointed?—I think the Commissioner ought to be able to choose his advisers. He might call the medical practitioner, for instance, into Council when dealing with sanitary matters; he might call the zamindars or the middle men into Council when he was dealing with questions of famine, and so on. I would rather leave him free to choose his own men.

15113. Would you like it to be a rule of the Government that the Commissioner should have an Advisory Council, but that he should be free to call them together when he thought best and also to select whom he should summon?—Yes, that is my opinion.

15114. What sort of number should such a Council consist of?—I have not considered that; it ought not to be very large—perhaps ten or twelve.

15115. (*Sir Frederic Lely.*) Have you been much in contact with the people in the course of your life, so that you know pretty well what the prevailing impressions are amongst the people in average villages upon most matters, and their relations to Government especially?—Yes.

15116. Is there a prevailing impression among the people that if a man has a little grievance he cannot get access readily to the responsible authority in order to state that grievance?—That is a very difficult question to answer, but I think they consider they have not got enough privilege in the way of stating their grievances.

15117. What, in their view, are the obstacles?—In the first place a villager's life is different from town life; the uneducated poor masses do not know how to come and lay their grievances, and if, for instance, several tenants are suffering in a village, their only course is to lay their grievance before the Magistrate, who will either depute the Deputy Magistrate to enquire into the matter, or enquire into it himself. If at the time of the enquiry they are able to represent their case properly, it will be heard, but, in many instances, if it is a case against some of the subordinate officers, it will not be heard, because things are manipulated in such a way that the proper persons who could throw light on a particular subject are not brought forward.

15118. Why not?—That is the difficulty—something will happen which will prevent them coming forward and saying what their answer is.

15119. But the aggrieved person in any case can always get access to the responsible authority and state his grievance?—Theoretically he can, but practically he cannot.

15120. Why does not the practice accord with the theory?—People are supposed to get relief from their grievances, but in all cases they do not.

15121. If a man has a grievance and he gets it put down on paper, surely he has a means, and he knows he has a means, of bringing that grievance before the person who can assist him?—Yes—he would go to someone who can write for him and put in his petition, but in the majority of cases he will probably say to himself: "I shall not get any remedy, I will not trouble."

15122. Then really the cause is more his own diffidence than from any actual reception he may get?—No, I think it is difficult for him to get redress.

15123. Supposing a man wants a grievance removed and he draws up a petition to the nearest European officer, what is there to hinder him going to that officer, presenting his petition, getting it read and receiving an answer?—There is no difficulty in getting the petition written, or presenting it, but the difficulty is to have it heard.

15124. You do not mean to say that the European officer would not listen to the petition?—No, he will fix a day to hear the application, but if it is a complaint against some minor official, or against some other villager, probably there will be pleaders appearing on both sides, and I do not think the real truth would be got out.

15125. Is that in consequence of any action of the minor official?—Yes, that is exactly it.

15126. In your experience do District Officers make arrangements for seeing everyone who comes to see them every day or every other day, or at any fixed hours?—Probably some officers see persons coming in at any time, but other officers fix two days, or one day, in a week between certain hours to receive visitors.

15127. Do you find, as a rule, that every District Officer does have a certain time during which anyone, and everyone, can make sure of getting a hearing?—Anyone who goes with a written petition or complaint must go to the office.

15128. Is such a person sure of seeing the Collector?—I think he would have more chance of seeing him there, but the Collector does not always go punctually to his office, and the petition will be received by whoever is acting for the day.

15129. As a rule would you say a raiyat can get access to his superior?—Yes.

15130. Do you hear much about the *chaprasies* and whether there is any difficulty with them?—It is a common and well-known thing that anyone who wants access to the Commissioner must pay the *chaprasi*, and the person making the largest payment gets his hearing first.

15131. Would it be useful to issue an order by the Local Government that waiting rooms should invariably be provided to which any respectable person might have access as a matter of course, without asking the leave of the *chaprasies* or anyone else, and that his case should be taken in its turn?—Yes, that might be done. It would be useful, because if a respectable person goes to see the Magistrate, and he has to wait any time, it would be good to have a waiting room.

15132. As a matter of fact, is it a generally felt grievance amongst the people that arrangements are not made for the reception of respectable people who wish to state anything they have to state to the Collector?—That is the general feeling, and that there is not enough courtesy shown to them.

15133. (*Mr. Dutt.*) Objection is made to the present arrangement that there is no link between the Sub-Divisional Officer and the villagers except through the police; is that not the only link between the people and the Government?—That is so.

15134. Could that be remedied by the appointment of Revenue Officers in local circles, so that the people might be able to go to them upon general matters and to the police station upon criminal matters. Would that mend matters a little?—I doubt very much whether it would, but it might. It depends very much upon the officers; if it is known that a particular officer is a considerate gentleman, and anyone going to him will get a hearing, then there would be no difficulty, but the majority of them have no time because they are too much hampered with work, and others do not want the bother, if possible, and they are not easily accessible.

15135. At present the Sub-Deputy Collectors are stationed at the headquarters of sub-divisions?—Yes, and also at the headquarters of the district.

15136. Supposing Sub-Deputy Collectors were appointed to be in charge of small circles consisting of one or two thanas, would not the people be able to meet them more frequently than they could meet the District Officer, or the Sub-Divisional Officer?—Certainly, but it would depend very much on what his functions were to be.

15137. At present all the work which has to be done in villages beyond general administration, such as the relief of epidemics or relief in cases of famine and the distribution of cholera pills, has to be done by the police?—Not in all cases, it used to be so, but sometimes now it is done through the panchayats and the post office.

15138. Do you not think if a Sub-Deputy Collector were appointed in charge of one or two thanas specially to look after the panchayats and foster them it would have a good effect, and would bring him in touch with the people of the villages?—If you did that I think it would bring the people more in touch with the Sub-Divisional Officer.

15139. During the 17 years that you were a manager under the Court of Wards, did it strike you that sometimes there was a great deal of delay in obtaining sanction from the Board of Revenue in regard to ordinary matters?—Sometimes.

15140. In small matters would a devolution of powers to the Commissioner or Collector facilitate work?—Yes, and remove unnecessary correspondence. In my case the Government was pleased to grant some extra power in small petty matters; I had larger powers than any other officer, so that I did not find any difficulty with regard to small affairs, but still there were cases in which there was delay, and I consider that in a matter where formal sanction only is necessary, and where no alteration has to be made, powers may very well be delegated in succession from different authorities.

15141. You would recommend the formation of Advisory Boards under Commissioners; would you advise the formation of similar Boards under District Officers for their own districts?—No, I would not.

15142. Do you not think a District Officer could get any real help by consulting the leading men in his own district?—I think if he desires any help he can very well ask them to come and see him without making a formal Committee of it.

15143. Would a rule compelling District Officers to meet the leading men of the district once a year, or once in six months, to discuss important matters, be a good thing?—I would not do that. If the Collector is not inclined to consult them, the rule will not make him consult them.

15144. You recommend that District Boards should have the power of supervising the work of small municipalities in their own districts, but is not the work of a District Board quite different from the work of a municipality?—Yes, quite separate.

15145. Do you think, therefore, that that would lead to any practical results?—I do not think it would lead to any practical results, but the supervision at present lies with the District Officer, so that if it was removed from his General Department to a District Board Department, I think it would be useful.

15146. In that case the members of the District Board would have power to approve or disapprove of municipal matters; would that be a desirable thing?—The small municipalities might not like it, it is true.

15147. As to the creation of village communities, is it desirable and possible to give village communities greater powers with regard to the disposal of local affairs than they have at present?—Yes.

15148. You refer to sanitary matters and things of that kind?—Yes, and trying small cases.

15149. Would you give them limited civil and criminal powers?—Yes. In the old days village panchayats used to exercise them, and when I visited the Madras Presidency, a few months ago, I found the village munsif, who was getting Rs. 8 a month, had power to try small cases, and it answered all right.

15150. Do you recommend the introduction of a similar system into Bengal?—Yes.

15151. In that case would there have to be an increase in the numbers of the panchayat and a selection of proper men who could be given power to try petty civil and criminal cases?—Yes.

15152. Would you place their work under some sort of supervision?—Yes.

15153. Would that do a great deal of good in the country?—I think it would, only you must select the panchayat. There are some panchayats now who think that their appointments are dependent upon keeping the Collector in a good humour, but if you choose good panchayats who will not consider such things, then I think you might delegate certain powers to them; but as long as we are not able to improve the status of the panchayat, I would not extend the powers very much, because there are some panchayats now who collect more than it is proper or legal for them to collect.

15154. (*Mr. Hitchens.*) What were you alluding to just now when you used the word "panchayat"—did you mean a body of persons?—I simply meant a person who has been nominated as a member of the

15155. How would you select them in a village?—My present idea is that some of the villagers should be asked to select a panchayat. At first the police used to send in the name of the panchayat, but now I believe the villagers do it. There are factions in some villages, and one faction sends in the name of one man, another faction sends in the name of another man, and a selection is made; but if the panchayats status is raised a little, I think we might get good men. There are men who do not want to serve as panchayats because they know that they would have to serve the interests of a particular party.

15156. How would you raise their status?—I would attach some responsibility to the post, and I would treat them better than they are treated at present.

15157. Are there any union committees in your district?—There are.

15158. Have they worked satisfactorily?—I have not seen much of their work yet—they have only been started a short time.

15159. You said you thought that additional small powers might be delegated to the Commissioner in regard to the Court of Ward's works; would it be possible to delegate the whole of the work to Commissioners and give them full responsibility in regard to the Court of Wards, thus avoiding all appeals to the Board of Revenue?—I do not think there is any harm in delegating the whole of the powers, but it would all depend upon the Commissioner; all Commissioners might not be the sort of people to whom I would wish to have the powers of the Board given.

15160. (*Mr. Meyer.*) What were the sort of things as to which you had to make a reference to a superior authority during your work as a manager under the Court of Wards?—For instance, in regard to works costing about Rs. 500 we had to make application for the sanction of the Board of Revenue, but anything up to Rs. 500 the Commissioner had power to sanction.

15161. Did those go through the Collector or straight to the Commissioner?—Through the Collector—he is the medium.

15162. Could the Collector sanction anything?—Yes, he had power to sanction up to Rs. 100.

15163. Supposing you wanted another clerk or two, what happened?—Everything with regard to the permanent establishment, even to the extent of one rupee, must be sanctioned by the Board of Revenue.

15164. Supposing you wanted to give some remission of rent to tenants in a bad year, who would deal with that?—The Commissioner had the power to deal with that. He had full power.

15165. And I suppose every year you drew up a budget of receipts and expenditure showing how you proposed to allot your money?—Yes.

15166. Who sanctioned that?—The Commissioner, but in sanctioning the budget the Commissioner generally used to say that on certain heads the Collector could sanction up to Rs. 500, and in other cases he would say "This is sanctioned, but no amount should be spent without the previous sanction of the Commissioner."

15167. Then you were really under three authorities—the Collector for small things, the Commissioner for some large things, and the Board for some larger things still?—Yes.

15168. And you think that the Commissioner might replace the Court of Wards? Would you do that with regard to every estate—a great estate like Burdwan, for instance?—It would all depend on the officer.

15169. I am assuming that you have an able Commissioner?—Yes, but it is not only an able Commissioner that is wanted, but you might have persons with hobbies, and they might initiate certain things which would not be profitable.

15170. And the Collector at the same time might have some larger powers with regard to works and establishment?—Yes; at present he has not much authority.

15171. That is to say, speaking generally, what the Board of Revenue does now a Commissioner might do, and what the Commissioner does now the Collector might do?—Yes, and what the Collector does now, he might delegate.

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15172. At present the Collector has the largest sub-division of the district in his hands, more or less?—Yes.

15173. In Madras the whole of the district is divided into sub-divisions with every division under an officer—would a similar system in Bengal assist the Collector?—Yes.

15174. As regards Advisory Councils to Commissioners, if a Commissioner differed from the Advisory Council would you allow him to act on his own judgment?—Yes, I would not hamper him; I would allow him to have the benefit of any person's views, and he must act as he thinks best.

15175. In a matter which he could not decide, but which he had to report to the Board of Revenue, should he say that his Advisory Council held different views from his?—Yes, he should do so.

15176. Are you in favour of a selection system and of making the Commissioner much more of a Sub-Governor than he is at present?—Yes.

15177. Have you sufficient knowledge of administration to say that the Commissioner is now a person more in the nature of a post office?—As regards that I think the Viceroy also is a post-office; a delegation of powers from the Secretary of State downwards is necessary.

15178. Would you like to see the Commissioner vested with larger powers of control over Public Works expenditure and education and other matters outside revenue work?—At present he has them, and I would give him that control.

15179. A suggestion was made in Madras that the Collector of a district should become, as it were, a Collector in Council, like the Governor in Council; that he should have two experienced Indian colleagues to advise him, who would deal with the minor work; that all important matters should be submitted to the Collector; and that it might be a matter of consideration whether he could overrule his colleagues at once, or, as one witness suggested, refer the matter to the Board of Revenue and Government. Would you be in favour of any such system?—No, I would not, because the work would not go on.

15180. (Sir Steyning Edgerley.) Is there in your Court of Wards Act any section which allows the Court of Wards to delegate powers or the Lieutenant-Governor to delegate powers?—Yes. It was under that provision that I was given the extra powers to which I have referred.

15181. Do you remember when the Court of Wards Act was passed—was it in your time?—No, it was before my time, but an amendment has been made twice in my time.

15182. Can you say whether those amending Acts were the subject of much discussion in the legislature?—Yes.

15183. Having had so much experience with regard to delegation under the general section of the Act, and seeing that a great deal of the work of decentralization must be the getting rid of power from a higher authority to a lower, of the two suggestions which have been made to us, which would you be in favour of—one is to proceed by a general section, and the other to go to the Legislative Council on every occasion and say, "Please pass a specific Act making this delegation?"—Having to go to the Council in each case I think would be very cumbersome. I think if there was a general law that the Lieutenant-Governor, or the Board of Revenue, could delegate their powers, it would be better, provided there was some safeguard.

15184. Have you thought about it sufficiently to say what sort of safeguard you would suggest?—No, I have not considered it sufficiently, but I think some safeguard would be necessary.

15185. Have you considered at all the question of the touring system?—At present there is a touring system, but I have not considered it in any special light; it takes a Magistrate, I think, at least 90 days now to tour.

15186. Do you think that that takes the Magistrate sufficiently out into the villages in his district?—He must put in his 90 days; whether he be in one sub-division, or whether he is able to go through all the

sub-divisions, he must put in 90 days, but wherever he goes he carries his work with him; he has to spend lots of time in disposing of his bundles, and his bundles increase, so that he has not much time for outdoor work, and whenever he is in camp he has not much time to see people.

15187. Can he remain out at present for a month or six weeks at a time?—He cannot remain months—I believe only a fortnight or three weeks.

15188. With regard to Advisory Councils to Commissioners, do you suggest that a Commissioner should consult people on different subjects?—Yes.

15189. Would you suggest that he should keep up anything in the shape of a roster of gentlemen who would be satisfactory advisers in districts on any subject?—I think as Commissioner of the Division he should try and find out all the persons he could consult.

15190. Of course there is a darbar list, but suppose a new Commissioner came, and has a big subject to deal with a month afterwards, the darbar list would not disclose to him anything with regard to the knowledge of the people on the darbar list?—No.

15191. Then would you have anything in the shape of a list kept up, or would you leave each Commissioner to find out what the respective qualifications of the people might be?—I should leave the Commissioner to find out. If each Commissioner in succession left a note in his office, probably that would help a newcomer to find what good men he could consult.

15192. With regard to Sub-Deputy Collectors, would you give them magisterial powers?—Yes; they have got some kind of magisterial powers now to try small cases.

15193. If you introduced that system might you possibly do with fewer appeals?—I have not given any thought to that, but I do not think so.

15194. Have you a system of Honorary Magistrates?—Yes.

15195. Is that capable of expansion usefully?—I think it might be.

15196. You said you thought it advisable to improve the position of the panchayat, but will not that necessarily follow if magisterial and civil powers devolve on him?—At present, as constituted, I do not think they have any position excepting the collecting member of the panchayat, who has some slight position.

15197. You said that there might be a risk in entrusting certain powers to Commissioners, because some Commissioners had hobbies and so on. Is it not from the Commissioners that the members of the Board of Revenue are selected?—Yes, that is true.

15198. You have known a good many members of the Board of Revenue?—I have.

15199. I do not want any names, but do you think any of them had hobbies?—I think one had during my term of service.

15200. You have known a good many Lieutenant-Governors too?—Yes.

15201. Do you think any of them had any hobbies?—Yes, certainly.

15202. Then I suppose you must take the risk somewhere. If you are to have appeals as a protection against hobbies, where is it going to stop?—That is true, but it should be remembered that when a person becomes a member of the Board of Revenue, or a Lieutenant Governor, he is not likely to have a hobby because he will have gradually acquired experience; the Collector is the person who should be watched more for hobbies than the Commissioner.

15203. Does a Commissioner get his Commissioner-ship, after 23 or 24 years' service?—Yes, and after he has acquired a good deal of experience.

15204. Do you not think, from your experience of Europeans in this country, that about that period constitutes the cream of their usefulness?—Yes, undoubtedly.

15205. And if ever they are to be worthy of confidence, they should be worthy of it by the time they have lived amongst the people for 20 years?—Yes.

15206. Then is there any very great risk in conferring powers upon men with that experience of India?—No, there is no great risk; but I referred more particularly to the delegation of powers to Collectors.

15207. Then you would not feel inclined to delegate powers of the Court of Wards to Collectors?—I would delegate some of the powers to them and the rest to the Commissioners.

15208. One of the Court of Wards' Acts allows the Court of Wards to delegate all or any of the powers of the Court to any other person, and I suppose he might not be an official at all, or he might be a

RAJA PEARY MOHAN MUKHERJEE was called and examined.

15210. (Chairman.) You are a zamindar of the Hooghly district?—Yes.

15211. Have you been a member of the Bengal Legislative Council?—Yes. I was a member twice, once in 1879 and the next time in 1906. I have also twice been a member of the Viceroy's Legislative Council, once in 1884, and again in 1886.

The principles which regulate and the rules which govern the financial relations between the Imperial and provincial Governments are equitably based on the results of large experience. In justice, however, to the Local Government and the people of Bengal, a portion of the customs revenue may well go to the provincial revenues. It would be in consonance with the practice which obtains in the United Kingdom, where a sum of £203,104 18s. 4d. was granted from Customs revenue in aid of the local taxation of England, Scotland, and Ireland in the year 1905.

I am opposed to the grant of borrowing powers to Local Governments. The possession of such powers leads to extravagance and to the permanent increase of expenditure. It adds to the burden of interest, and thereby cripples the resources of future Governments, and compels them to have recourse to additional taxation.

I would not curtail the right of appeal wherever it is granted by law or practice. Owing to the immense increase of work of the Secretaries of Local Governments, appeals from the orders of Divisional or District Officers do not receive the requisite amount of attention and consideration. The abolition or curtailment of appeals would make matters worse. Even at present a Local Government may withhold sending an appeal to the Government of India, if in their opinion no reasonable grounds for it exist.

I would allow the rules regarding appeals by public officers to remain as they are, subject to the existing restrictions.

The right of appeal to the Local Government, allowed by law or by executive practice, should be allowed to remain intact. To restrict that right by a provision for a certificate as to the reasonableness of the grounds of appeal would be a virtual denial of the right.

The Local Governments are not unnecessarily liberal in disposing of petitions of appeal against orders of dismissal and other orders affecting public servants. In justice to these officers such petitions should receive more lenient and liberal consideration.

In the matter of establishing new ferries and declaring an existing ferry to be a public ferry, Local Governments are led too much by considerations of revenue regardless of the rights of riparian land-holders.

Want of leisure and of sufficient knowledge of the vernaculars are the great drawbacks in the way of Executive Officers coming into closer contact with the people. The work they have to do is unnecessarily heavy and multifarious. A number of the returns, reports and statements they have to submit periodically should be done away with.

So far as my knowledge extends, the divisional and district administrative staff is sufficiently large, and there is no district of which the area need be reduced.

The practice of transferring an officer from a district after three years' service is founded on a sound principle. It gives officers the necessary training for higher appointments. A knowledge of the customs,

Deputy Collector or anybody?—Yes, anyone who is in the service of the Court of Wards for the time being.

15209. (Chairman.) Would you prefer that power with regard to the Court of Wards in the management of estates should be in the hands of an expert adviser, or that it should rest, as it is, largely with the Commissioners and Collectors?—I should keep it as it is. May I venture to say, when you asked me about Commissioners and their 23 years' service, the present condition of our service is that many junior men act as Commissioners.

(The witness withdrew.)

institutions, systems of land tenure, and of the agricultural and industrial resources of different districts, is a necessary equipment for public officers. Districts should be given their turn of good and bad officers. A long tenure of office in a district is likely to engender friendships and prejudices which are inimical to just administration.

The powers exercised by municipalities are large enough. It is a standing complaint of ratepayers that the municipalities interfere too much with their domestic affairs, and that assessments are made of their holdings on the basis of a valuation much above their real value. It is desirable that the Municipal Commissioners should be vested with absolute control in the matter of assessment of holdings, and that Section IIIA of the Bengal Municipal Act, which empowers the Government to get the assessment done by an assessor on the requisition of the Commissioner of the Division, be repealed.

The powers of the District Boards, too, do not admit of enlargement.

Advisory or Administrative Councils would be of little use either to the District Officers or to the people themselves. As members of municipalities and District and Local Boards the people have a voice through their representatives in all the important affairs of the districts. Few persons would take kindly to the obligation of having to attend the Magistrate's office periodically. At the meetings of the Agricultural Association we have rarely a quorum.

The constitution and functions of the two bodies are so totally different that it would serve no useful purpose to make municipalities subordinate to District Boards. In many municipalities the Commissioners are, on an average, persons of a higher social position than members of District Boards, and it is an established fact that municipal elections evoke much keener competition than elections for membership of District Boards.

Village communities, as they existed in old times, are rarely to be found at present in a large number of districts. The panchayats do not represent the community, nor are they composed of desirable men. If not treated, as at present, as servants of the State, the constitution of panchayats will improve, and they will gradually be composed of men who command the respect and confidence of the village community. It is then only that civil and criminal powers may be given them.

15212. You think that in certain cases Local Government has been rather influenced in its policy towards the people by considerations of revenue rather than of equity. Will you state briefly what it is that you refer to?—You will find from the regulations of 1816 and later that the right of establishing ferries was granted to Government only in cases where a ferry was necessary for connecting a line of road used for the purpose of marching troops and other important matters, and it was not intended to be a source of revenue to the Government. The right of zamindars to establish ferries has always been recognised, and it was so decided by the Judicial Committee of the Privy Council not long ago. I think it unjust to us, the landowners, for the Government to establish ferries according to their own sweet will and pleasure regardless of the rights of zamindars to establish them. It may be contended that private ferries are not subject to that control to which public ferries are

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subject, and that, therefore, there might be risk of life and greater risk of accidents if the number of private ferries were allowed to be increased, but there is a law by which all private ferries are subject to very strict control by District Officers, so that a public ferry is not more free from risk of accident than a private ferry, because both are equally subject to the same control.

15213. To some extent, by this action of the Government, the revenues of the zamindars have been interfered with?—Yes.

15214. Are there a very great number of returns and periodical statements which you think could be done away with?—Yes, particularly the agricultural returns. Most of them are worthless.

15215. Taking the returns of what are called vital statistics, do you think that they are very inaccurate?—Yes, they are very inaccurate.

15216. How are they obtained in Bengal?—Mostly through the police. When a child dies in a man's family, naturally he is not in a condition of mind to think of his duty in the way of reporting the death to the police, and I know of several cases which have come before me, when I was a Magistrate, of default to give notice to the police. In these cases to inflict a fine or any sort of punishment upon the men is sheer cruelty.

15217. Do you mean that heads of families do not report cases to the police, and that the police in making returns of deaths are not really aware of the number that have taken place?—Yes; they do not get exact information, and as to the nature of the disease that, too, is doubtful. For instance, a man may die of cholera, and it may be reported as a case of fever, or *vice versa*.

15218. Do you therefore think that these returns might very well be abolished?—Yes.

15219. Did you hear the last witness say that he would keep a District Officer in a district for a period of five years?—Yes, but I am opposed to that—I think three years is long enough.

15220. Could an officer get round his district sufficiently in three years?—Yes; an officer could learn everything connected with his district, if it was not too large, in a month or two months. He would get to know the principal men and the principal institutions in the district, and the features of the district; that would not take him a long time to learn.

15221. Why do you think three years long enough?—In the first place for the training of officers it is necessary they should have a knowledge of the customs, and the institutions, and the agricultural and natural resources of a number of districts before they can be qualified for higher appointments, and to deprive them of that training, as you would do if you kept them five years in any one district, would be wrong.

15222. In the old days had officers greater knowledge of their districts than they have now?—Yes, a good deal more.

15223. How long did they stay in their districts then?—In some cases they had a long tenure of office in a district, but that was by private influence, I should think.

15224. Are the powers exercised by municipalities large enough?—Yes, quite large enough; I would rather curtail them than make any addition to them. I think with Mr. Herbert Spencer that a country least governed is best governed. If a man wants to add a room to his house now he has to go to the municipality, and in many things they have to go to the municipality for permission, but why should it be so?

15225. Would they not use any further powers more usefully than they use those which they have now?—Yes.

15226. Does the same thing apply in your opinion to the District and Local Boards?—Yes.

15227. Could anything be done in the way of extending the power of village communities?—Village communities in the sense in which we read of them in books do not exist in the neighbourhood of Calcutta, or in the Bengal districts.

15228. Therefore you think that nothing really can be done in that way?—Yes, and the panchayats are composed mostly of men who are quite undesirable—the respectable and worthy men of a village will not consent to serve on the panchayats; a large number of the members are undesirable men.

15229. (*Sir Stepping Edgerley.*) Do you suggest that in the matter of ferries Government rather look after their own interests?—Yes, why should they make it a source of revenue?

15230. In Bombay, all the revenue from the ferries goes to the District Board. Is that the case in Bengal?—Yes.

15231. Then Government, as such, gets nothing out of them at all?—Except indirectly by saving the money which they would otherwise have to give to the District Boards.

15232. When you said that a District Officer could get to know his district in a month or two, you did not mean that he could personally visit the whole of it, but that he could only learn about it?—If he were an intelligent officer and knew the language, and had some experience, he might easily learn about it.

15233. But you do not mean that he could personally visit the whole district in that time?—No, of course not.

15234. How long would it take him to do that?—Collectors finish their tours in two months in the cold season.

15235. But would it take him one touring season or two?—Collectors do not visit every place; there are certain places which no officer visits, because there are not, perhaps, convenient roads or places where they can get food.

15236. (*Mr. Meyer.*) Do you desire that a portion of the customs revenue should go to the provincial revenues?—Yes.

15237. Do you mean any large proportion?—A small proportion—in the proportion which the local taxation in England, Ireland and Scotland receives assistance from the customs.

15238. You mentioned the sum of £200,000 as having been granted from customs revenue to aid local taxation in England, Scotland and Ireland, in the year 1905, but are you aware that the customs revenue in the United Kingdom amounts to many millions of pounds?—Yes.

15239. So that the sum you mention is quite an infinitesimal percentage?—Yes.

15240. What is to be gained by granting this infinitesimal percentage in Bengal?—I think Bengal should have a hold on the sources of the revenue which are principally fed by the consumption of the people themselves.

15241. But a considerable part of your customs revenue represents the consumption of all the people in the United Provinces?—Yes, but we do not get our share of the customs revenue.

15242. You say that you are against any restriction of the right of appeal? On the other hand you say that owing to the immense increase of work of the Secretaries of Local Governments, appeals do not receive the requisite amount of attention and consideration. Is not the increase of work, of which all officers complain more or less, very largely due to the frequency of appeals, and are not appeals made much more freely than used to be the case 30 or 40 years ago?—I think not.

15243. Has not the work greatly increased?—The work has greatly increased on account of the large increase of subjects. Questions with regard to District Boards, and other matters come up to Government which did not come up before.

15244. But you admit that the Local Government may withhold sending an appeal to the Government of India in certain cases where there is no reasonable ground for sending it on?—Yes, but I know of a gentleman who was dismissed by a local officer and wanted to appeal to the Government of India, but the Government of Bengal said they thought there were no grounds for appeal. The man came to me for advice.

15245. Do you think, then, that in everything there ought to be an appeal right up to the Secretary of State?—No, not to the Secretary of State, but to the Governor-General in Council.

15246. You say that the municipalities do not do much good. There are a number of quite small municipalities in Bengal with a population of less than 10,000 people?—Yes.

15247. Would you abolish those and convert them into Local Fund unions or would you keep them on?—It would not do to abolish any riparian municipality because for the purpose of carrying out comprehensive schemes the joint action of a number of municipalities along the banks of a river becomes necessary, but in regard to an outlying municipality if it consisted of small agricultural villages, I think it would be much better that it should be converted into a union.

15248. Two or three witnesses have suggested that the Collector should cease to be the Chairman of the District Board—is that your view?—No.

15249. Should he remain the Chairman because it gives him a valuable means of finding out the requirements of the district?—Yes, for that reason, and also the Collector is a much better read man than any of the members of the Board. I suspect that if you left the entire control of the District Boards to unofficial gentlemen there would be very great risk of matters not being conducted in a proper way—I mean few, if any, of the members of the District Board have taken the trouble to read through carefully the Local Government Act or the Civil Service Regulations, so that in the matter of granting leave or sick leave, and those kind of things, the District Collector certainly knows more than anybody else. In fact few members know anything about these matters. I would make the Collector head of the Board.

15250. (*Mr. Hichens.*) If you gave these non-official people some responsibility might they not rise to it? I am not an advocate of honorary work; I think paid work is much better done, and only in exceptional cases do you find that a non-official gentleman will take the trouble to qualify himself thoroughly to be Chairman of a District Board.

15251. I understand you to say that the Chairman of a District Board should be a paid official?—Yes, if he be a paid servant, whether he is an Indian or an

Englishman would not matter much, because a paid man would feel the responsibility of qualifying himself for the post.

15252. You do not think that the other members of the Board should be paid too?—No, I do not think they need be paid.

15253. (*Mr. Dutt.*) Do you say that if they were not treated as servants of the State the panchayats would improve?—Yes.

15254. At present the panchayats are, to some extent, under the control of the local police?—Yes.

15255. And therefore respectable people do not like to serve on the panchayat?—They do not.

15256. If you are to improve the panchayat, should they be made completely independent of the police?—Yes.

15257. Under those circumstances, and if proper men are appointed, will the panchayat command the respect and confidence of the villagers?—Yes, and much good might be done by conferring on them civil and criminal powers.

15258. Will you kindly explain in what matters?—In the matter of any breach of sanitary rules or regulations and such like things, I think criminal powers might be vested in the panchayat, and also in the case of disputes as to irrigation and boundaries, and such things. Those things might be very profitably handed over to the panchayat to deal with.

15259. And that would save people the trouble of going a long distance to have their cases judged?—Yes, and there would not be so many false cases as at present. The people try to throw dust in the eyes of a Magistrate, but they would know very well that if they tried to bring any false case before their neighbours it would not stand for a moment.

15260. (*Sir Frederic Lely.*) What part of Bengal are you specially acquainted with?—I have estates in six districts of Bengal.

15261. With regard to village communities, do you say that they are rarely to be found at present as they existed in the old times?—That is so.

15262.—Does that apply to Chota Nagpur?—No, there are still panchayats there. I am speaking of Bihar and Bengal.

(*The witness withdrew.*)

MAHARAJA MANINDRA CHANDRA NANDY OF COSSIMBAZAR was called and examined.

15263. (*Chairman.*) Where is your residence?—I live at Cossimbazar, in the district of Murshidabad. There is considerable scope for further decentralization and delegation of power to Local Governments and local authorities; and in order that such extended powers may be exercised to the best advantage of the administration and the people, some machinery should be devised whereby the Local Governments and authorities may be placed in possession of authoritative local opinion, to which definite recognition should be extended.

I would give to Local Governments the power of borrowing money in the open market up to a certain limit and subject to the revisional authority of the Government of India. The Corporation of Calcutta and the Calcutta Port Trust which are subordinate bodies possess this power. There is no reason why the Local Governments should not be invested with the same power. I would allow them to create new appointments, carrying salaries, say, up to Rs. 250 a month, and to enhance salaries of subordinate appointments up to the same limits, the essential condition being that the budget limit of expenditure should not be exceeded.

The two most notable reforms which have been inaugurated in recent years, viz., Local Self-Government and the expansion of the Legislative Councils, proceeded from the Government of India. Local Self-Government was Lord Ripon's work. The expansion and reform of the Councils was recommended by Lord Dufferin. In my opinion provincial Governments should not be permitted to develop their administration on their own lines, adopting or not at their discretion suggestions

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from other provinces. In a matter of this importance they should be under the controlling authority of the Government of India, the effect of which would be to secure greater uniformity in these reforms.

I would not impose any limitations upon the right of appeal as it now exists. The right of appeal is highly prized; and even where it is a hopeless case, it is some consolation to the appellant to know that he can go up to the highest authority and obtain a hearing. The curtailment of this right would be highly unpopular.

I would delegate larger powers to Magistrates and Commissioners of Divisions, subject to the condition that they are assisted by Advisory Councils. These Advisory Councils would place the local authorities in closer touch with the people than now, and would go far to adapt local administration to local environments and needs. Two-thirds of the members of the Advisory Council should be elected, and one-third nominated by the Magistrate, or the Commissioner of the Division, as the case may be. The elected members of municipalities and of District Boards should form the constituency for the election of the members of the Advisory Council. They should be consulted in regard to all important matters except judicial, and they should have the right of offering advice even when not consulted upon any matter which they deem to be of sufficient importance. The Advisory Councils would prove highly useful, as Executive Officers have not sufficient opportunities for personal contact with the people. The chief obstacles in the way of personal contact are the want of time, unfamiliarity with the vernaculars, in the sense that

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they are not able to hold conversation in the language of the people, and the presence at many district headquarters of a fairly large European population, with whom, naturally, European officials prefer to spend their leisure. The creation of Advisory Councils would go far to remove the obstacles to which I have referred.

District Officers must always be carefully selected. Everybody is not fit to be a District Officer. It is an office of high responsibility which needs the exercise of great tact, judgment and care. The delegation of larger powers will, of course, involve more careful selection. But if there are Advisory Councils, the risks of an unhappy selection are very much minimized.

I do not think that any general increase in the district staff is required. Their work would be lightened by the creation of Advisory Councils. Some districts may appear too large, as, for instance, Midnapore in Old Bengal and Mymensingh in the new province. But there is a very strong feeling against partition of any kind, and local feeling should be respected. Sometimes District Officers are kept too long in a particular district, and they imbibe prejudices which a prolonged association with the environments of a particular place is apt to produce. Sometimes again transfers are too frequent; and an officer is sent away just as he has got in hand the threads of the administration, or is in the middle of a local undertaking of importance.

As regards municipalities, I would strongly recommend an extension of their powers. In Bengal the municipalities under Lord Ripon's Local Self Government Resolution were created in 1884. Nearly a quarter of a century has now elapsed; but their powers remain the same as at the time of their original creation, although Lord Elgin's Government, in a formal resolution, declared that the local bodies had, on the whole, been successful throughout India. At present the Magistrate exercises a minute control over the smallest details of municipal administration. I think this control should be relaxed and should be confined only to the major heads of the budget. In selected municipalities which might be named in a schedule, even this measure of control might be withdrawn and the municipalities permitted, as in the case of the Calcutta Corporation, to frame their own budgets in their own way. I would not invest District Boards with the power of supervision over municipalities. A Central Board like the Local Government Board in England might be formed, consisting of two or three members, one of whom should be an experienced non-official Chairman of a municipality, to control the municipalities of the province.

As regards the District Boards the Magistrate and Collector, who in Bengal is always the Chairman, should be released of this responsibility and a non-official gentleman should be appointed. The work of the Board is often practically done by the Vice-Chairman, who is a non-official member. The District Board is practically a department of the Government, and the Executive officer and the Government exercise minute control over its operations. Its powers in respect of education, medical aid and sanitation are largely controlled by the Government; and the power of making rules reserved to the Government regulates and restrains the functions of District Boards in the exercise of many of the functions.

It is both possible and desirable to group together a number of villages and invest them with powers in the disposal of local affairs relating to revenue, police, sanitary, educational and other matters, such as the disposal of petty civil and criminal cases.

15264. Are you in favour of giving the Local Government power of borrowing money in the open market up to a certain limited extent?—Yes.

15265. Are you engaged yourself in any occupation, or in finance, in such a way as would lead you to know what the state of the local money market is?—No, not particularly.

15266. Can you tell us whether there is, at all events in Bengal, a rupee market which is untouched by the issues of the Government of India at present?—The whole of it is already touched.

15267. Would you like to see, in the case of Bengal, the Head of the Government assisted by an Executive Council?—Yes. Such an Executive Council should consist of two or three members.

15268. Then would you like to see very much larger powers given to the Commissioners so as to make them like the Commissioner in Sind.—Yes. I have been in Sind once, but I am not acquainted with the Government.

15269. You do not wish to see the control of the Government of India removed from the Local Government? Will you tell me why?—Because if there is to be any check it must be done properly.

15270. Are you afraid if the control were removed that the Local Government would get out of hand?—Yes.

15271. Would you leave the Commissioner the right to nominate persons upon the Advisory Council?—I think that should be done by the higher officers, and, of course, the Council for a Magistrate would be nominated by him with elected members.

15272. You would like to see the Commissioner's Council partly elected and partly nominated?—Yes. I think two-thirds should be elected, and one-third nominated.

15273. Would you like the Collector to have a similar Council?—Yes. There would be two Councils, one for the Commissioner and one for the Collector.

15274. Do you think that on the whole, the District Officers know the people who live in their districts pretty well?—No, from my own personal knowledge I can say that the District Officer does not know them pretty well.

15275. Which particular district do you live in now?—I live in Murshidabad; I have been in many districts in Bengal, and from my personal experience I know that the Magistrate and the local officers are not acquainted with many of the people.

15276. Are they intimate with you?—Yes, of course, they are with me.

15277. But not with persons who are in a lower social position?—Quite so.

15278. Do you think that they, perhaps, go to see the gentlemen of high position and do not go amongst the people?—Generally the Magistrate does not go anywhere; we go to him to pay our respects, and when we go to him he asks questions about the district, and whenever he goes out on tour he usually goes to a European resident of the place. Of course if there is anything important to enquire about, he enquires about it, and then goes back.

15279. When the District Officer comes into that part of the district where you live, does he make a call upon you, or do you go to see him?—I go to see him.

15280. Does he return the call?—No. Some Magistrates pay return visits but not all.

15281. Does the Commissioner pay you visits?—Not always; sometimes.

15282. Do you think it would improve things if, when the District Officer went round and native Indian gentlemen called upon him, he always returned their calls?—Yes, that would be a good thing no doubt because he would find out the proper state of things.

15283. And then, perhaps, he would have a greater knowledge as to whom to put upon the Advisory Council?—Yes, he would meet gentlemen who could give him all sorts of information with regard to different parts of the district.

15284. Do you find in any cases complaints that District Officers are not very courteous to people who come to see them?—I have seen it, but not with regard to all.

15285.—You have found them discourteous once or twice?—Yes.

15286. That is very regrettable and tends to keep the people at a distance?—Yes.

15287. Have you noticed that more lately, or has it been less than it was?—Some three years ago a Magistrate was posted in our district of that nature.

15288. And, of course, the people kept away from him?—Yes.

15289. The last witness stated that he did not think it was very much good giving increased powers to

municipalities. Do you agree with him?—I think that increased power should be given to district municipalities.

15290. Do you think that a Magistrate exercises too much control over its budget?—Yes, and not only the budget, but as to minor details. I would like to see his power confined to major heads.

15291. Supposing that that control was very largely removed, do you not think there would be some unwise spending of money by the municipalities?—Yes, but the people would pay more attention to their affairs, whereas if the Chairman and Commissioners know that what they suggest will be checked by the Magistrate, they will not take much interest in them.

15292. You think that if the control of the Magistrate was removed, although there might be wasteful extravagance, still there would be an improvement in time?—Yes.

15293. Would there be at first a certain amount of corruption?—No, because there are several persons on the Board.

15294. When the municipality were able to spend money more as they liked, would there be a certain amount of corruption, as, for instance, some one might want to put his brother, or his cousin, into some place?—I do not think so, because the Municipal Chairman and the Commissioners are all gentlemen and men of education, and they would always take care of that.

15295. But there might be extravagance. Would you say the same thing with regard to District Boards?—The District Boards are different. At present in almost all districts in Bengal the Magistrate is the Chairman of the Board, and it is a Government office. There are some elected members, but they follow the advice and orders of the Magistrates, and therefore at present it is a Government office, and the power of making rules is in the hands of the Government, so that the Government power is increased. If more power is entrusted to the elected members, and if an influential gentleman were appointed as Chairman of the Board, I think it would be an improvement.

15296. If it ceased to be a Government office would the members of the Board take greater interest and feel greater responsibility in their work?—Yes.

15297. There again there might at first be some extravagance?—No, I think not, because the money would be checked by a Government auditor, and there is very little chance of extravagance.

15298. Do you not think a District Board, if freed from the control of the Magistrate, might want to raise the pay and salaries of its servants, for instance?—That would be at the discretion of the Board, but I think if there is any necessity for increasing the pay, it should be considered by the whole of the members and the Chairman and Vice-Chairman.

15299. Do you agree with the other witnesses that something might be done to increase the powers of the village communities?—Yes.

15300. Might there be found in a village respectable men who could be joined to the panchayat and made into a village Bench for the purpose of trying petty criminal and civil cases?—Yes.

15301. Would that tend greatly to the building up of a sort of Local Government?—Yes.

15302. (Mr. Meyer.) For what purpose would you allow Local Governments to contract loans?—Sometimes for public business they require more money, and it cannot always be allotted.

15303. The Government of India already borrows money for railways and irrigation works which more than pay the charges, including interest?—Yes.

15304. Do you wish to alter that system?—But the Government of Bengal requires money sometimes.

15305. You mean for something, perhaps, which does not pay its way—such as a navigable canal, for instance?—Yes.

15306. Do you say that you would not reduce the right of appeal even where the appellant is absolutely wrong?—I do not mean to say where the appellant is absolutely wrong, but, if he thinks he has not been fairly dealt with, I would allow him to appeal.

15307. But does that not mean a large waste of time to superior officers?—What I say is that even where there is some hopeless case the appellant would get some consolation if he has the power of appeal and getting a hearing in the upper Court.

15308. The petitioner gets consolation, but the Magistrate or the Lieutenant-Governor, as it may be, has his time wasted in reading over the papers merely to reject them?—I do not speak in that sense. I am taking the case of a poor man whose case has been dismissed, and if he has the power of appeal, he has a chance of winning his case; but if he has no power of appeal, or any hope of appealing to the higher authority, he may think that justice has not been done him. I am not for an appeal in a case which is not a true case.

15309. You want to give larger powers to Commissioners, I understand? But if everything they do is to be appealed against to the Lieutenant-Governor, or the Board of Revenue, will it be much good giving them larger powers?—Yes, they can do something, I think.

15310. Do you mean the Advisory Council you suggest to be purely advisory?—Whenever an important case came before him, and he wanted the help of the Advisory Council to decide it, I would let them advise him.

15311. But supposing the majority of the Advisory Council said, "You are to do this," and the Commissioner said, "No, I do not think that is advisable, I want to do something else," what would happen?—In that case there must be some Appellate Court, no doubt.

15312. And therefore you would refer to the Government or the Board of Revenue?—Yes.

15313. And the same with a Collector?—Yes.

15314. You say that the work of the District Officer would be lightened, but how could that be if he has to consult a number of people, and then refer to a higher authority if he did not carry the opinion of his advisers with him?—I think if the true circumstances of the case were brought before him there would be very few appeals. Generally appeals take place in cases which are not properly represented, and the officer trying the case does not know the facts and there are mistakes in his judgment; but if he is enlightened with the help of the other members, he can decide whether the case is a true one or not, and I think then the number of appeals would be lessened.

15315. But you say that they should not have the right of intervening in judicial matters?—Yes.

15316. Would you have this Advisory Council elected by members of the District Board and others?—Yes.

15317. Would you get a proper representation of the people in that way?—Yes.

15318. Would it not be likely that you would get a great many pleaders and people of that kind on the Board?—Not only pleaders—you would also get people of the merchant class and the educated class, and zamindars—you would get all sorts of men.

15319. But do large zamindars like yourself usually occupy a seat on the Board?—There are some who take a seat on the Board.

15320. Would you get quite a good Advisory Council simply from the District Boards and municipalities?—Yes.

15321. You speak of a Board of Control at headquarters over municipalities like the Local Government Board in England. Are you aware that the Local Government Board in England is a mere fiction, and that the whole of the work is done by a single Cabinet Minister with his staff?—We only know that there is such a body in England.

15322. Do you desire to dissociate the Collector from the presidency of the District Board, and would you also take the magisterial work from him?—Yes.

15323. If you take him away from the presidency of the District Board, do you not dissociate him from the work in connection with roads, sanitation and education? You would make him a mere collector of revenue and a trier of cases?—Yes.

15324. Is that a satisfactory position for a Collector?—The Collector has power to deal with all the officers of the district; being the District Magistrate and Collector he has power to deal with education, irrigation, roads and everything.

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15325. But you said that the District Board should have power to allot money and do everything that is wanted?—Yes, and that the District Magistrate should see to it from time to time.

15326. But would not the Chairman of the District Board become a much bigger person in a district than a Collector. The real person to whom the people would look to do things for them in the way of roads, schools and drainage would be the elected Chairman of the District Board, and the Collector would cease to be the real representative of Government then?—Yes.

15327. You say that there are certain municipalities which you would like to treat like Calcutta; do you mean the very large ones, or a great number of them?—I mean the very large ones—not a great number.

15328. (Sir Steyning Edgerley.) You think that a preferable constitution for a province would be a Governor and Council and Commissioners. You did not make it quite clear whether you required a Board of Revenue under that system?—Yes.

15329. If you magnify the Commissioner's powers and also add a Governor-in-Council, is not the Board of Revenue rather squeezed out—what useful work could it do?—I think not; they would have something to do. I would still leave the Board.

15330. With regard to appeals you suggested that there should be no change, but do you refer simply to appeals by officers, or to appeals by litigants?—I refer to appeals by litigants and officers also.

15331. As regards litigants, there are always two parties concerned, and in obtaining your suggested consolation for an appellant are you not rather ill-using the man who has won his case in two or three Courts?—That may be so, but in some cases it would not be so.

15332. Supposing a case where the two first Courts were absolutely concurrent and certain about the facts, would it not be rather worrying a man who had won to allow an appellant to carry him on from Court to Court?—In some cases it might be. It is very difficult to say, but my point is that an appeal should be granted notwithstanding the hardship.

15333. You have recommended certain Advisory Councils and village panchayats, and various things of that description, but would you not want legislation if you once had election to these Councils?—Yes.

15334. How would you proceed; would you proceed by an Act which should endeavour to make an exact constitution for each Council, or would you have a very general rule-making clause which would enable you to make experiments?—I would have a general rule.

15335. So that you might try one thing in one district and another thing in another?—Not in that way; an experiment in one district would do.

15336. But you would not try to be precise in the first instance?—Yes.

15337. Would you try a precise Act, or would you try a very general Act giving power to make rules?—I would have a general power to make rules.

15338. (Sir Frederic Lely.) How do other people regard a District Board in a district; do they regard it as really representing them, and do they consider that they have an interest in its proceedings?—The people think that it is a Government office.

15339. Do they not evince any interest in its proceedings?—No.

15340. Then it is not, in any true sense, a representative body?—No, it is not at all.

15341. In Bengal villages is there a good deal of faction, and a great deal of jealousy of the panchayat, for instance?—Not in every village, but there are villages, or village people, who have jealousies.

15342. As a matter of fact, if power is given to anyone in a village, would not that usually mean in Bengal power to the zamindar?—No.

15343. Is not the zamindar all powerful on his estate?—But you do not find a zamindar in every village.

15344. Practically every village is in some zamindar's estate?—No.

15345. Most of them?—No; in many cases the zamindar never interferes with village matters. In

some cases, such as boundary questions between two villages; and with regard to money matters and other things, he does act.

15346. Do you think generally in village matters the zamindar would leave the people to themselves and not interfere with them?—Yes.

15347. Is your proposition that District Councils are to be elected by municipalities and District Boards?—Yes.

15348. Then the lower castes would have no representation?—Yes, even in the lower castes you can get good men now-a-days, but I do not say in every village.

15349. Do you know of any District Board at present which has a low caste representative member on it?—No.

15350. Or any municipality?—Yes, I do, he was elected.

15351. Do you know of more cases than one?—No.

15352. Would a low caste man have much chance of being elected to the District Council?—I cannot tell you whether he would be elected by the people, or not.

15353. Would you yourself stand for election?—Yes, I am Chairman of the municipality. I was elected.

15354. (Mr. Dutt.) The members of the District Board are now partly nominated and partly elected?—Yes.

15355. Are the zamindars and men of social standing prevented by the prevailing feeling of the country from seeking election?—I cannot speak as to that.

15356. Would they willingly appear as candidates for election do you think?—Yes.

15357. They would not be disgraced in the eyes of their countrymen if they stood as candidates?—No.

15358. When pleaders are elected as members of the District Board, do you, as zamindar, think that your interests are neglected?—Yes, if only pleaders are elected, of course in that case I should think my interests were neglected.

15359. Do zamindars themselves sometimes elect pleaders as their representatives?—Formerly it was the custom, but now-a-days it is not.

15360. Have zamindars elected pleaders as their representatives on Councils and District Boards?—Yes, but not as pleaders, but as their qualified representatives.

15361. A proposal has been made that every class should return a member from their own class so that cultivating raiyats should return such a member; in your opinion, in a small sub-division, would the raiyats be able to find a properly qualified raiyat to represent their interests on a Board?—No, I do not think they would be able to find such a man among their class, but in some places you can find them.

15362. So that if you restricted the selection to their own class, their interests would suffer?—No, their interests would not suffer; but it would be better if there was a representative for all classes of people; if, however, a representative cannot be found from each class, they should be allowed to select one from some other class.

15363. Would you allow the people to select a representative from any class they liked?—Yes.

15364. With regard to nominated members, when men of position and local standing are nominated members of a Board, do they lose the respect of their countrymen?—Yes.

15365. They are no longer respected by their countrymen?—No.

15366. What is the cause of that feeling?—Because it is felt that they will follow the advice of the Magistrate.

15367. But supposing they are independent men?—If such a man be an independent man he will be regarded as a respectable man, no doubt.

15368. So that depends more upon his own personality?—Yes.

15369. (Mr. Hichens.) Does your work as Chairman of a municipality take up a lot of your time?—Yes, at least two hours a day.

15370. Would there be any difficulty in getting unofficial people to take that work up?—There would be no difficulty in Bengal; I cannot speak for other provinces.

15371. Are the other members interested in the work?—Yes.

15372. Are there any committees or sub-committees in your municipality?—Yes.

15373. Do they take an interest in the work?—Yes, a great interest; they always help in the administration of the municipality.

RAI KISORI LAL GOSWAMI BAHADUR was called and examined.

15378. (Chairman.) Where do you live?—At Serampur, in the district of Hooghly. I am a zamindar. The people of this country do not want the controlling power of the Government of India over the provincial Governments to be in any way relaxed or diminished, or the right of appeal to the Government of India to be curtailed in any way. A strict central control should be exercised in such a way as not to unduly restrict the legitimate degree of local independence of the provincial Governments.

The most important official in direct touch with the people is the Collector, who, under existing arrangements, has to perform the two-fold duties of Collector and Magistrate. I beg to suggest that—

The Collector should be purely an Executive Officer, directly responsible to the Government or Board of Revenue, and he should actively co-operate with the Heads of the special Departments under the provincial Government in their respective work, and so far as his district is concerned, he should have all the powers now vested in the Divisional Commissioner.

The Divisional Commissioner, as an intermediate authority between the provincial Government or the Board of Revenue and the Collector, is a superfluity. The Divisional Commissionerships were created under Regulation I. of 1829. The reasons given in that Regulation for the creation of this intermediate supervising authority do not now hold good.

The Collector should be an officer of at least 12 years' standing, and should ordinarily hold charge of a district for at least five years at a stretch. At present many junior officers are entrusted with the charge of districts and transfers are much too frequent.

The Sub-Divisional Officer should be shorn of all judicial powers and should be a purely Executive Officer directly under the District Officer. He should be an officer of at least six years' standing, and he should ordinarily hold charge of a sub-division for at least five years at a stretch.

The number of the members of the Board of Revenue will, perhaps, have to be increased if the Commissionerships are abolished, so as to enable them to inspect the work of the District Officers.

The Sub-Divisional Officers and District Magistrates should possess a sufficient knowledge of the vernacular of the district in which they are posted so as to be able to make themselves quite intelligible to all classes of people who can talk only in the vernacular of the locality and to be able to understand what they say. The examinations to test their proficiency in the vernacular languages should be more strictly conducted. They should at least be able to understand petitions written in the vernacular of the district when read to them.

The Executive Officers have sufficient opportunities for personal contact with the people, but they are not generally availed of in a manner which would conduce to establish mutual confidence. The stiffness and overbearing manners on the part of some officers repel the people, and a want of knowledge of the manners and social aptitudes on both sides lead to misunderstanding. Personally I have met with courtesy and attention in all my interviews with the officers, notably with the higher officers.

15374. (Chairman.) What are the population and size of the municipality of which you are Chairman?—The population is about 25,000.

15375. Are the returns and statistics and general work of the municipality in English?—Yes.

15376. Is that a good thing?—At the present day it is a good thing, no doubt, because every one knows English—previously it was not so.

15377. Does that not increase the number of papers and returns and correspondence?—Yes, no doubt it does.

(The witness withdrew.)

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Some of the districts are much too large for one District Officer, such as Midnapore. The areas of all the districts ought to be revised in the light of the population, area, and the accessibility from the headquarters to all parts of the district.

The official control over the municipalities and the District Boards should be relaxed. The provision in the Local Self-Government Act for the election of a Chairman of the District Board is practically a dead letter. The experiment of having non-official Chairmen, in advanced districts, where capable persons can be found, ought to be tried. Section 124 of the Local Self-Government Act lays down the circumstances under which the District Magistrate or the Divisional Commissioner can suspend the execution of any order or resolution of a local authority. Unless the injury, or annoyance, or breach of peace be of a serious character, this power should not be exercised; cf. section 63 of the Bengal Municipal Act. The power given both under the Local Self-Government Act and the Bengal Municipal Act to the Divisional Commissioner to modify the budget prepared by the local bodies is much too wide. His powers of interference should be limited only to cases of contravention of any provisions of the aforesaid Acts or any rule or bye-law having the force of law, or of any specific direction or order of the Local Government.

I am in favour of the creation of Administrative Councils to assist District Officers. It will be very helpful to the officers to understand the popular views and wishes in all important matters. The Administrative Council may be partly constituted on an elective basis. I venture to suggest the following:—

Constitution.

- There ought to be an electorate of landholders residing in the district having a net annual income of Rs 3,000 or more a year from landed properties ascertained from Road Cess papers or otherwise. They may return four members.
- The non-official members of the District Board—one member.
- The non-official members of all the Local Boards of the district—one member.
- The non-official members of all the municipalities—two members.
- Three panchayats of the district to be selected by the District Officer.
- The non-official members of the Provincial Council residing in the district.

Any, or all, of the following officers may be asked by the District Officer to attend the meetings of the Council:—The Sub-Divisional Officers; the Civil Surgeon; the Inspector of Schools or Deputy Inspector of Schools; the District Engineer.

The District Officer may call meetings of the Administrative Council as often as he may deem necessary, to consider such subjects as he may think proper. There should be at least two meetings of the Council in each year. A requisition from half the number of members of the Council to consider any particular question at a meeting should be given effect to by the District Officer. The District Officer should not, without special sanction of the Local Government, do a thing which is opposed to the views of two-thirds of the members of the Council.

I think the Madras system of village administration might be introduced in Bengal. Selected panchayats

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might be given the powers which are vested in the village headman in Madras; that is to say, they may be vested with the powers of Magistrates to try petty cases, and may maintain law and order in the village, applying for assistance to the higher authorities, if necessary, and reporting to them the occurrence of crimes and the movements of criminal gangs. They may also act as village Munsifs to try petty cases.

15379. The Commission have had before them other Indian gentlemen who have stated that the Local Government ought to be a self-contained Government which should be capable of managing its own affairs without the interference of the Government of India; will you tell us what your reasons are for holding the contrary view?—As the administration is at present constituted, it would be better that the control exercised by the Indian Government should continue, for in several cases the administrative measures with regard to the provincial Government are controlled by the Government of India in a way which produces very healthy results.

15380. Do you think that a Government which has to do with the affairs of many millions of people, and deal with many thousands of square miles, is not capable of exercising a discretion in large, as well as small, matters?—In my opinion it would be much better that things should continue as they are at present.

15381. But can you give me any particular reason?—We find the control as at present has a very healthy effect in regard to all matters.

15382. Will you tell me with regard to one particular matter how it has?—I think that the very existence of such a control makes the Government more careful.

15383. Should you think it right, for instance, that if the Public Works Department wanted to spend, say, more than 10 lakhs of rupees, it should have to go to the Government of India for sanction to that work?—Yes.

15384. You think that it helps forward the affairs of the locality which perhaps wants some small drainage work, or some public building?—I am not speaking with regard to those small matters; those things are really sanctioned as a matter of course.

15385. But is a reference in those matters to the Indian Government necessary?—In small matters the control might be relaxed.

15386. What are the larger matters in which you think it ought to be retained?—I am speaking of schemes involving large expenditure, which ought to be subject to the sanction of the Government of India.

15387. Have you ever been brought into contact with some of the higher officers of the Public Works Department, for instance?—No.

15388. So that you cannot personally judge of their capacity to execute the work or not?—No.

15389. Have you been brought very much into contact with the higher officers of the Government—with Lieutenant-Governors and members of the Board of Revenue?—Yes.

15390. Do you think, as a rule, that they are not capable of exercising discretionary powers in regard to large questions?—Certainly, I consider them capable, but control is salutary.

15391. You wish us to think that the acquaintance of the Collector with the people is very superficial?—You live in the *mufassal*, and I daresay you have come across a great number of District Officers?—Yes.

15392. Do the people hesitate to go to them?—Yes. Some of them allow ready access to them and treat the people very well, but there are others who are the very opposite, and there is a prevailing feeling that they do not desire the people to approach them, because in many cases the people do not receive the treatment they expect to receive.

15393. Is that owing perhaps to some mistake on both sides?—Yes, it is partly due to mistakes and want of knowledge of the vernacular of the country on the part of the Magistrate, and also to the want of knowledge of the manners of the people.

15394. Would it be possible to collect information with regard to the manners and customs, so that some

small book could be written upon each province which would instruct young officers on the subject?—I do not know whether books would exactly enable one to find out what were the manners and customs. It might help a little, but one must be prepared to associate with men and for some little time put up with what appear to be rather strange manners and customs.

15395. You think, then, that there are misunderstandings on both sides?—Yes.

15396. But such a book as I suggest might help a young man coming out first of all?—Yes, I think it would.

15397. It would give him some instruction, which would be supplemented, of course, by contact with the people of the district?—Yes, a tactful superior officer might put him in possession of the way in which to do the thing much more quickly.

15398. Are the superior officers, the Commissioners and Collectors, wanting in knowledge of the manners and customs of the people?—Yes, in several cases they are, and in some cases they are very good men.

15399. Is five years long enough for any District Officer to stay in a district?—Yes. He perhaps may initiate some measure or work, and if he is there for any shorter time he never sees the end of the thing, and his successor, who might be a young man, would possibly drop it. I think the Magistrate should be in a district five years in order to get to know all about it, and take an interest in it.

15400. Ought he to be there longer than five years?—He should not be there longer, I think, than five years, but he should be there as close to five years as possible.

15401. You are of opinion that the Commissioner should be abolished and that the Board of Revenue should take his place? What makes you think that that would be a good plan?—As a matter of fact, so far as I know, Commissioners have not really much to do, and the Collectors, who are both Collectors and Magistrates, are absolutely overworked. That is one of the drawbacks, and why they cannot be quite nice to the people who visit them.

15402. Would the better way be first to give the Collectors and then Commissioners greater powers of decision in settling matters instead of being, as some have called them, mere post offices?—I think it would be much better that the District Officer should not have any judicial work to do, but should be an Executive Officer pure and simple; that is to say, that he should do the Collector's work, and if he is assisted by an Advisory Council, I think the Commissioners would not be required as a second check, in addition to that exercised by the Board of Revenue and the Government.

15403. The Commission were told that a Collector would not have sufficient experience to deal with matters in relation to the Court of Wards, but that the ripe experience and knowledge of a Commissioner would be required—do you hold that view?—I do not think so; if you have, as Collectors, men with mature experience of the Service and selected men.

15404. Do the Commissioners move about much in their divisions?—They go about, and they have a fixed groove to go through; they visit the district officers and inspect hospitals and jails, and talk to a few leading men who are introduced by the Collector; I do not think the Commissioner does much more than that.

15405. Therefore, it would be better to have a stationary officer to deal with these matters?—Yes, and, if necessary, I would increase the number of members of the Board of Revenue in order to do the inspection work.

15406. Then would you have the Board of Revenue moving about?—Some of the members may inspect the district offices.

15407. Are some of the districts too large for one District Officer?—Yes. They might be split up. Some districts as compared with others are very large and too much scattered.

15408. Would you like to see some extra powers given to municipalities and District Boards?—Yes, they have already very large powers under the Act. I have only recommended just a few, but I think they have fairly large powers.

15409. Do you say that a Collector ought to supervise the works of the municipalities and District Boards?—Yes.

15410. Would you have an elected Chairman of the District Board or municipality, and their work supervised by the District Officer?—Yes, but in the case of District Boards one should be very careful to find out a proper non-official gentleman, because a District Board is very different from a municipality where the Chairman has to deal with a small area, while the District Board covers a very large area. I do not think in many districts qualified non-officials, able and willing to devote their time to the work, could be found.

15411. Then you would have your paid Chairman, and the supervision of the Collector?—That perhaps would be better in the case of District Boards.

15412. In the case of municipalities would you have the present arrangement again with the supervision of the Collector?—Yes.

15413. Might something be done in the way of instituting a system of village Councils in the various villages?—Would you give larger powers to the village panchayat?—Yes, as exist now in Madras.

15414. Would you add to the panchayat three or four of the respectable men of the village?—Yes, and if you gave them larger powers it would be possible to get a better class of people to become panchayats; as it is at present, it is hardly considered respectable to be a panchayat, but the contrary.

15415. Is the panchayat rather open to a bribe at the present time?—I do not think they are very good people who act as panchayats now; they are too much under the control of the police.

15416. (*Mr. Hichens*). Do you know that, in Calcutta, the Municipality makes up its own budget without submitting it to the Government?—Yes.

15417. Would you allow municipalities and District Boards to have that power?—No, they should be able to prepare their budget, but should submit it to the Commissioner—that is what I think they should do, but the power of interference of the Commissioner should be limited. He should interfere only in large matters.

15418. Would you have all the members of the municipality elected?—I think the present system is all right—two-thirds elected, and one-third nominated.

15419. Would there be any difficulty, as far as municipalities are concerned, in getting good men to come forward as Chairmen?—No difficulty at all.

15420. Is it true to say that people standing for a municipality do so in order to get a certain amount of prestige and perhaps patronage, and do not care much about the work?—They do not entirely shut their eyes to that, but that is not the main object of their serving.

15421. (*Mr. Dutt*). Is not your proposal to abolish Commissioners, while increasing the number of members of the Board to permit of their doing inspection work, tantamount to a proposal to give the Board's powers to Commissioners who will travel about, and to ask them to sometimes act in consultation with each other on important and large questions?—The occasions for that are not many.

15422. But supposing the proposal is made to keep Commissioners, while asking them sometimes to meet in consultation on large questions, and to abolish the Board, what would you say?—I would rather keep the Board.

15423. If the Lieutenant-Governor was provided with a representative Council of two members would it be possible to devolve larger powers to him?—I think it might be possible, that is to say, there would be the same organization as in the Bombay and Madras Presidencies.

15424. In that case would you recommend a devolution of larger powers to the Bengal Government?—Yes.

15425. In what respect are the village panchayats under the control of the police?—Practically the police have the selection of the panchayats and the collections are made under their supervision.

15426. If they were freed from the control of the police would you entrust them with small criminal and civil powers?—Yes.

15427. As a rule do you find that the elected members of District Boards perform their duties satisfactorily?—So far as my experience goes they do not.

15428. In what way would you suggest an improvement?—I think the sort of members who generally come on to the District Boards cannot, somehow or other, be quite independent.

15429. Have you any remedy to suggest in that respect?—I think membership of a District Board at present is not very attractive to the best people, because they think that they cannot do much on the Board, and that the will of the District Magistrate will prevail.

15430. Does not the law provide for the creation of sub-committees of the different branches of work under the District Boards?—It does.

15431. Are sub-committees in existence on many District Boards in Bengal?—They exist, but I believe that the Finance Committee is the only committee which really meets.

15432. Does the Finance Committee prepare the budget?—Yes.

15433. Is there any educational sub-committee to look after schools?—Yes.

15434. At any rate your general idea is that the members of the Board should act more independently?—Yes, and the reason why they cannot act independently is because the Magistrate has these very large powers, and the idea prevails that it is sometimes risky to resist his will.

15435. Are nominated members men of position and respectability?—They are mostly officials, such as the Civil Surgeon and Inspector of Schools—most of them are *ex-officio*.

15436. Are there not any leading men on the Boards?—There are just a few.

15437. Are they on the whole fairly satisfactory men?—They are fairly satisfactory, but I think they go with a heavy heart, because they think that things will be done by the Magistrate—that is the whole idea.

15438. When they are nominated by the Government as members of the District Board, do they lose the respect of their countrymen?—I do not think so.

15439. (*Sir Frederic Lely*). Are you a member of a District Board yourself?—No, I am not, but I am Chairman of a municipality.

15440. Then you only speak with regard to District Boards from hearsay. Are you an elected Chairman of a municipality, or nominated?—Elected. I am elected both as a member, and as the Chairman.

15441. You spoke of the want of courtesy shown by officers sometimes, and you said, personally, you yourself had never met with anything but courtesy. Can you mention any particular specific instance of discourtesy to anyone else without mentioning names?—Yes, I know that it has been so in another district.

15442. Can you suggest what the discourtesy consisted of in the cases you have known?—A gentleman who went to see a Magistrate made a mistake in entering the room by one door instead of another, and the Magistrate used insulting language to him.

15443. But was there not a *chaprasi* there to prevent a mistake of that sort?—There were *chaprasis* there, but I know really of such an instance occurring in my own district.

15444. Would you think it a useful rule to be made by Government that at every place where a District Officer sat to receive visitors, there should be attached a waiting-room where any gentleman of position might sit, as a matter of course, waiting his turn?—Yes, certainly it would.

15445. Would it tend to smoother intercourse between the District Officers and the people?—Yes, but it mainly depends upon the man.

15446. With regard to Advisory Councils, it has been suggested that instead of an Advisory Council, the Collector should get into practical touch with the chief people of his district informally?—Yes, that is what is now done to some extent.

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15447. You say that the District Officers should call meetings of the Council as often as they might deem necessary to consider such subjects as they might think proper?—Yes.

15448. Then would it not come to pretty much the same thing as now?—No, a regular constitution would rather oblige Collectors, I think, to refer to these Councils. I have suggested merely to start the thing; it might be developed later on if it is found that it works well.

15449. Would you have compulsory and regularly fixed times, with compulsory subjects?—Yes.

15450. On the other hand would it not take away very much from the cordiality and sincerity of the intercourse between the District Officers and the people?—I do not think so.

15451. Supposing a Collector wanted to get the opinion of the people on a certain subject and sent for a representative of the people, would he not consider it rather an honour to be personally selected for consultation?—Yes.

15452. There would not be that kind of feeling in the case of an Advisory Council, would there?—Yes, I think the members of an Advisory Council would consider it an honour to be members of it.

15453. It would not be considered an honour as between them and the Collector; there would not be the personal feeling of friendship or pleasant acquaintanceship that is implied when a Collector sends for a gentleman, and has some private talk with him for his own information?—But in the case of an Advisory Council it is not necessary that all the members should meet, except to discuss important questions; in other matters particular members of the Advisory Council might be asked for their opinions.

15454. Would you leave such a course as that to the discretion of the Collector?—Yes, but if he has some such official status as a member of the Advisory Council, I think a gentleman would be better treated by the Magistrate.

15455. You say that a District Officer should not, without special sanction, do a thing which is opposed to the views of two-thirds of the members of the Council; but supposing one view of the members was that income-tax should not be collected, ought the Collector to refrain from collecting it?—But that would be against the law; that cannot be done, or anything else, against the special orders of the Government.

15456. (Sir Steyning Edgerley). If you have a Governor in Council, as your suggestion is, why do you also want a Board of Revenue?—The Board of Revenue is also under Government, but with larger powers delegated to it.

15457. Then practically the Governor in Council, suggested by you, would administer territorially; next you would have an authority which would administer by subjects, as the Board of Revenue at present does; and then you would go back to the territorial principle for the administration of the divisions and districts?—Yes.

15458. Do you think that the inspection of a province by a Board of Revenue would be at all adequate?—I think so.

15459. Then you suggest various Advisory Councils and Village Councils, but your Advisory Council is not at all the same, as was suggested by the last witness?—No, it is not.

15460. Would it be well to try more than one kind of Council, or would you only try your own proposition?—I would rather like to try my suggestion, because I think people would feel more interested.

15461. Your particular Council would make a pretty fair District Board?—It would be something like it.

15462. Why should you have both an Advisory Council like that and a District Board?—The District Board is engaged in doing a particular kind of work only.

15463. But you could enlarge its functions? If you are going to create anything by legislation, you could make the District Board into a larger and wider body?—If that is done, it would practically come to the same thing.

15464. Would you then be content with one Board?—Yes.

15465. Would you have legislation specific, or would you have it sufficiently elastic to allow of modification by rule?—I would have it by rule in matters of detail in conformity with the main principles embodied in the body of the specific legislation.

15466. Would there be any objection in the case of experiments in regard to these Councils to having a very wide rule-making power?—No.

15467. You say that the Head of the district should be a purely Executive Officer relieved of all magisterial duties, and you say the same of the Sub-Divisional Magistrates simply as to Court work?—Yes.

15468. Any Magistrate has very important powers which he exercises outside the Court, such, for instance, as the control of the investigation of crime, and the prevention of crime?—Yes, but not judicially.

15469. You would not relieve him of that work?—No.

15470. (Mr. Meyer). With regard to the control by the Government of India over the provincial Government, do you desire that purely in the interests of uniformity as between one province and another?—No. I do not attach importance to that.

15471. Do you think these provinces are quite separate entities, or do you recognise that there is some common national Indian feeling amongst them?—I think it is coming to that.

15472. Are not the provincial boundaries rather artificial?—They are.

15473. From that point of view, might not the control of a central Government be necessary?—But even in the case of a Governor and an Executive Council, the control of the central Government would not be entirely taken away.

15474. Do you consider that the control of the central Government is essential in any case for India?—Yes.

15475. And there is a certain amount of control exercised by the Secretary of State over the Government of India?—Yes.

15476. Just as the Government of India has control over the Local Government, should the Secretary of State control the Government of India?—Yes.

15477. You say that you wish to relieve the Collector of magisterial case work, and that you also wish to relieve him of the District Board work in some cases? Would he not then sink into a mere Collector of revenue?—No, he would have the power of supervision, because if there is no Commissioner he would possess those functions.

15478. But will he not be taken further away from the people if he stands outside and supervises the District Board, than if he was intimately concerned in dealing with projects relating to roads and sanitation and other matters?—But he would be bound to tour in the district, and he would carefully watch all the proceedings just the same as is done by the Commissioners now.

15479. In that case would it not be just as easy to let him preside over the District Board?—It is not easy to find an unpaid non-official gentleman to do the work of Chairman, but if the judicial power is taken away from the Collector perhaps people will venture to be more independent. As it is, I think the members of the District Boards are much less independent than they should be.

15480. Do you seriously tell us that the members of District Boards are afraid of being brought to book by the Collector?—No, but there is a feeling that they are not independent.

15481. And you think that that feeling will not exist if the Collector ceases to be District Magistrate, and that he might then safely be Chairman of the District Board?—He has so much work to do that any relief in that way will be very desirable.

15482. Is your municipality a large one?—It is a fairly large one, with a population of 45,000.

15483. Most of the matters as to which you have to go to Government for control are disposed of by the Commissioner, such as with regard to your budget and so on?—Yes. We very rarely have to go to the Local Government.

15484. Might such powers of control as are still required very well be exercised by the Collector?—Yes.

15485. You referred to the section of the Local Government Act under which the District Magistrate or the Divisional Commissioner can suspend an order of the local authority. Is that section much applied in practice?—No, not at present; there is hardly any necessity for it, because the District Magistrate is the Chairman.

15486. But the section also applies to municipalities. Is it in practice applied to municipalities?—Very seldom: there is a difference in the wording. In the case of municipalities the District Magistrate can only suspend the operation of any order of the municipality if there is a chance of any riot or breach of the peace, and the word "serious" does not appear in the Local Self-Government Act.

15487. You have referred to powers which might be given to the village headman in Bengal, following the system in Madras, but is there not a material difference between a Madras village and a Bengal village: in Madras there is a real village community which has always existed, but in Bengal you have no real village community?—It has practically ceased to exist, but we want to revive it.

15488. Is it safe to predicate from what has been done in Madras that it may be done equally well with regard to the chaudiari unions in Bengal?—I have not much experience with regard to the working of the unions.

15489. You spoke of the panchayats being under the control of the police, but is it not the fact that lately the Bengal Government remedied that state of things and have endeavoured to make them independent?—Yes, they have just recently commenced to do that.

15490. Have you had any opportunity of watching the working of that system?—No.

15491. (Chairman.) Would you remove the right of the Commissioner to interfere in any way with municipal budgets?—Yes, I want to restrict his power of interference.

15492. The last witness said that he would give him power to interfere as to major heads of the budget, but not with the details. Would you prefer the suggestion which you make, or would you accept the limited power of interference which the last witness suggested?—I stick to what I said.

(The witness withdrew.)

Mr. MADHUSUDAN DAS, C.I.E., M.A., B.L., was called and examined.

15493. (Chairman.) Where do you live?—In Cuttack. I am a pleader and a merchant and landed proprietor.

15494. You have been Chairman of the Local Board and Vice-Chairman of the District Board, and also a member of the Legislative Council of Bengal?—Yes.

An Act of delegation on the principle of Act V. of 1868, somewhat modified, is necessary in the case of Orissa. The jurisdiction of the High Court should not be interfered with.

Extended powers, in matters relating to revenue, should be given to the Board of Revenue and to the Commissioners. The existing powers of the Collectors are not properly exercised, because the Collector has not sufficient time. The Collector should be relieved of his magisterial duties. The Magistrate should be a different officer. Extended powers regarding matters relating to the Court of Wards should be given to the Board of Revenue by extending their power to manage estates of proprietors who seek their help, though not disqualified. The Board's and the Collector's powers to do anything which affects the interests of the ward should be cut down.

It is desirable to allow Commissioners to control expenditure in their divisions.

To ensure public confidence in British justice one appeal (above board) should be allowed, and that not to Government, but to the Board of Revenue. Appeals to Local Governments in the generality of cases serve only to shake public confidence in British justice, as they serve no practical purpose.

I do consider the influence of the provincial Government is in the direction of excessive rigidity. Reform should be in the direction of greater latitude of discretion to the Board of Revenue and Commissioners.

Executive Officers have not time, inclination and language qualification for personal contact with the people. To make up for contact with the people they derive information from some whom they wrongly believe to represent the people. They do not possess sufficient knowledge of the vernaculars. In some cases the existing territorial adjustment of districts and divisions entails the knowledge of more than one vernacular, which is not desirable. An increase in the administrative staff is necessary in some cases.

The grant of larger powers to Commissioners will involve greater care in their selection, and the rule of seniority should not be allowed to override the personal qualifications.

Transfers are unnecessarily frequent. Sometimes the transfers increase the evil they were meant to remedy. A minimum period of district and divisional service should be fixed, and this should be extended in consideration of the satisfactory discharge of duties.

The Heads of Departments, such as Registration, Police, should have greater power in the matter of appointments and punishment of their subordinates.

District Boards should have non-official Chairmen, and official interference should be withdrawn.

I am in favour of Advisory and Administrative Councils—by election of two-thirds of the members, and one-third by nomination, and they should deal with all matters which concern the interests of any appreciable portion of the public.

Petty criminal and civil cases might be entrusted to village communities. In matters sanitary and educational they might at first be entrusted with the work of helping the Government officials with a view to prepare them for a future responsible share in the work.

Decentralization in Orissa should aim at bringing together the whole of the Uriya-speaking tract under one local administration. In the present administrative adjustment of the Uriya-speaking tract, the Uriya-speaking population is distributed among three Local Governments. This is injurious from the Government's, as well as the people's, point of interest.

15495. Would you like to see Commissioners in Bengal vested with powers similar to those of the Commissioner in Sind?—Yes, that is my opinion, from my experience with regard to Orissa; I cannot speak as to other parts, because my experience has been confined to Orissa.

15496. Do you know whether there are, or are not, a number of sales in connection with the land revenue?—Yes, there is a large number in Orissa. Sometimes in the Cuttack district alone, the cases in which the people have failed to pay on the sunset day are as many as 150.

15497. In connection with these sales, is the mode of collection of the revenue unduly harsh?—Some of these estates do not really pay the person with whom the settlement has been made, and, as a matter of fact, there are some estates which are always being sold; somebody buys an estate, and he very soon afterwards finds out that it does not pay; so he lets it go to auction again, and the result is that there are some estates which no one will buy.

15498. That, I suppose, is one of the difficulties of the permanent settlement?—We have a temporary settlement in Orissa. The reason is that the last settlement was made in rather an unsatisfactory manner.

15499. Then is it more due to accident than anything else?—I do not think it is due to accident; I think it is due to a wrong principle in the selection of officers for the settlement.

15500. Is there anything inherently bad in the laws or rules?—Yes. Under Regulation 7 of 1822 settlement was to be supervised and conducted by the Collector and Commissioner who would understand all about the district and about the revenue, but, instead of that, the last settlement was conducted, as the present revision is being conducted, by men who are not actually responsible for the actual administration of the place; they are people who are sent from

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other places to make the settlement; they go out and do the work and the Collector and Commissioner are not consulted at all.

15501. Would you like to see the settlement of a district conducted, not by a special Settlement Officer, but by the Commissioner or Collector?—It might be conducted by a Settlement Officer, but he should be subordinate to the Commissioner and Collector.

15502. Are Settlement Officers independent now?—Yes, they are; they are directly under the Government, and the Land Records Department is a Secretariat of the Government.

15503. You say that the powers of the Collector are not properly exercised? In what particular direction?—For instance, the Collector has several departments under him (about 20), and each department is entrusted to one of his Deputy Collectors. These departments in the majority of cases are really administered by the Deputy in charge, but whenever there is any complaint or an appeal from an order passed by the Deputy Collector to the Collector, instead of taking it up himself, the Collector generally sends for a note from the man who made the mistake or error, and the head clerk brings the record and places it before him. That is really not exercising the power of a Collector, because it is the head clerk who has made the mistake, or who did the wrong thing, and he is allowed to deal with the papers.

15504. Do you mean that the Collector should do that work himself and not by a Deputy?—Yes; the Collector does not see complaints and other things himself. In the case of a petition being sent in, a note is made in English; that note goes to the Collector, and he passes an order without ever seeing the people.

15505. How long ought a Collector to remain in his district?—I do not think there ought to be any limit of time, unless his removal be necessary on the ground that he is not doing his duty.

15506. It has been suggested by other witnesses that a Collector should be kept at least three years in a district; would you think that term too short?—Less than three years, I suppose, would not enable him to know a district, and would not give him an opportunity of doing his duty.

15507. Do you think a man ought to be removed from a district at the end of five years' service?—Not if he were doing his work well.

15508. Might further powers reasonably be given to municipalities?—There are certain minor municipalities in sub-divisions where larger powers, altogether independent of supervision, might not be desirable, but in the towns, of course, municipalities can be run on self-governing lines.

15509. Ought the District Boards to have larger powers, or are their powers sufficient?—Perhaps District Boards should have larger powers. When I was Vice-Chairman of a District Board the Chairman delegated all his powers to me, and never attended a meeting until he was ordered to explain why he did not, so that I think the powers might be delegated by the Chairman. The Collector might retain his power of supervision.

15510. Might larger powers be given to village communities in matters connected with criminal or civil jurisdiction?—For some time there have been orders that no case where the value of the property does not exceed one rupee should be actually enquired into or sent up. Now there is an order that thefts below the sum of five rupees should not be taken cognizance of, so that there are now little things which can be disposed of by the village people very well; for instance, it might not be desirable to punish an offender really according to the criminal law, and offences might perhaps be checked more effectively if dealt with out of Court. There are many little cases of theft, especially on the part of children, which are made too much of, and small criminal powers might be entrusted to the village communities.

15511. (Mr. Dutt.) In Orissa some of the estates are permanently settled, but most of the estates are temporarily settled, and I understand they are undergoing a sort of revisional settlement just now?—Yes.

15512. Was the last settlement made ten years ago?—Yes.

15513. Are the mistakes made at the last settlement to some extent being rectified now?—No, not at all; no doubt that is the object, but it is not being done. I say it is not being done because it is not being done legally. The other day there was a judicial pronouncement, that the whole proceedings were illegal, and on examination the Settlement Officer had to admit that they had not followed the law.

15514. With regard to the suggestion that the District Board should have a non-official Chairman, while official interference should be withdrawn, do you not think that the District Officer ought to have some means of checking their proceedings?—Certainly.

15515. Not necessarily by interfering, but that there should be some power of control and supervision?—Certainly; and not only that, but if the District Boards do not exercise their powers properly, they should pay forfeit.

15516. Then you think that Collectors should have power under the law to make them do their duty?—Yes.

15517. Are you in favour of Advisory and Administrative Councils in every district?—I would advise an Advisory Council.

15518. Do you mean that a number of leading men should be made members of the Council, and that the Collector should take their advice on all important questions?—Yes, and not only take their advice in that way, but that he should take their written opinions.

15519. Suppose the Collector differed from them, would you give him power to act on his own responsibility?—Certainly I would give the Collector power to act on his own responsibility, but I would also give the Advisory Council, supposing two-thirds of them differed from the Collector, power to forward their opinions to Government.

15520. Would you recommend an Advisory Council for the Commissioner on the same principle?—Yes.

15521. Generally do you recommend that the powers now exercised by the Lieutenant-Governor should devolve on the Commissioner of Orissa?—Not all the powers, but some of the powers—where the exercise of powers by the Lieutenant-Governor actually does injury to Orissa is on account of the seeking for uniformity with other divisions of Bengal, without taking into consideration the peculiar features of Orissa. Generally, circumstances are different in Orissa, and consequently it is necessary that there should be a man on the spot to decide what Acts of Bengal should be extended to Orissa, and the power of extending or withdrawing such Acts ought to be vested in the Commissioner of Orissa.

15522. Should the application of any new Act to Orissa be left with the Commissioner and not with the Lieutenant-Governor?—Quite so.

15523. With regard to granting powers to village communities to deal with petty criminal and civil cases, are not the present village communities in Orissa only the chaukidari unions constituted for the purpose of the chaukidari tax?—Yes, but there are still in Orissa villages with what I may call communal life, out of which could be developed a panchayat system, and by panchayat I do not mean one person who is called a panchayat, but I mean what the word literally means—five people forming a body with certain powers.

15524. Would you like the panchayats to be formed on a better basis and composed of better men, and that enlarged powers should then be granted to them?—Yes.

15525. In that way could they do a great deal of useful work which would be appreciated by the people?—Yes.

15526. (Sir Frederic Lely.) Does Orissa differ from Bengal in language and customs?—Yes.

15527. Is it a popular place to live in—do Englishmen like to live there?—Many retired Englishmen have stayed there, and it is considered a healthy part.

15528. Has it happened, within your experience, that officers have been transferred from Bengal for a year or two to Orissa and then transferred back again?—Yes.

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15529. Has it also happened that officers who have had all their training in Bengal, say for 10 or 12 years, have been transferred to Orissa?—Yes, very often.

15530. In that case those officers could scarcely have much influence in the country?—They have no influence, and what is worse, they have no insight into the peculiar conditions of life there.

15531. That is to say, Orissa in all respects is a totally different province from Bengal?—In many respects it is totally different, and special administrative provisions should be enforced.

15532. Does the work in Orissa require altogether a different training from the work in Bengal?—Yes, it does.

15533. Is the land system in Orissa different?—Yes, and the law of inheritance is different; we live under the *Mitakshara* law and Bengal is under the *Dayabhaga* law.

15534. On the whole, would you say that Orissa owing to its connection with Bengal, has been forced more or less into a foreign groove?—Yes. For instance, in the Legislative Council we are coupled with a Bengal division, and are only represented by one member, and since the introduction of the representative principle in the Legislative Council there has only twice been a native of Orissa on the Council, and he had to represent Orissa and Chota Nagpur.

15535. Would you also suggest any change in area so as to make a homogeneous territory?—Yes, I would suggest that the Uriya-speaking tract should be under one Local Administration. In the present administrative adjustment the Uriya-speaking population is distributed amongst three Local Governments, which is injurious from every point of view.

15536. Do you think that a Commissioner endowed with powers such as those of the Commissioner of Sind would be sufficient to meet the case?—Yes.

15537. You would not advocate the Constitution of a Chief Commissionership, on terms totally independent of Bengal?—I would advocate a Chief Commissionership, if it would not interfere with the jurisdiction of the High Court.

15538. Otherwise would you wish for a Chief Commissionership? The area would be scarcely big enough for a Chief Commissionership, would it?—I have no idea what the requisite area is for a Chief Commissionership.

15539. Is your village existence rather different from that in Bengal?—Yes.

15540. Is the village system more established in your case?—Yes, there is still a headman of the village who is recognised.

15541. And the village constitution exists to a certain extent?—Yes, for purposes of private life.

15542. (Sir Steyning Edgerley.) If you had a Commissionership with the status you suggest in Orissa, you would, I assume, oust the jurisdiction of the Board of Revenue?—Yes.

15543. Would you suggest that the Act of 1868 should be somewhat modified?—Yes, with regard to powers that ought to be delegated.

15544. Do you mean that it should be confined to a certain sphere of delegation?—A certain sphere of delegation may be necessary to be taken into consideration.

15545. Would there be likely to be any complaints about an Act of that sort in Orissa?—If it were exactly on the lines of general delegation without specification, there might be some objection. But as regards a Chief Commissionership, though there was a difference of opinion, the majority were in favour of it when it was discussed.

15546. Would the majority acquiesce in such an Act?—Yes.

15547. Supposing the Act contained the safeguard that, before the provisions were exercised, a provisional notification should be issued inviting objection, would that be an efficient safeguard?—That would be an efficient safeguard.

15548. If you have a Commissionership of that sort, all such questions as the Board of Revenue interfering with Court of Wards' estates, and so on, would vanish?—Quite so.

15549. From your experience as Vice-Chairman of the District Board, do you think that if the collector gives a vice-chairman an absolutely free hand, keeping the ultimate control in his own hands, but simply watching what his vice-chairman is doing, that is a bad system for the purposes of political education?—I think that would not be at all a bad system.

15550. And under your existing Act it is possible for any Collector to do that?—Yes.

15551. (Mr. Meyer.) Are Chairmen of Local Boards usually elected in Bengal?—Yes.

15552. And the Vice-Chairman of the Board too?—He is also elected.

15553. Your Local Board has very small powers?—It has no powers, or very little, and that is why they do no work, or are never considered as doing any work; but the truth is that they are given no opportunity to do it.

15554. In Madras the Sub-Divisional Boards have a considerable amount of work in connection with roads, vaccination, and so forth—would it be a good thing to devolve like powers on your Boards in Bengal?—It would be a very good thing if the District Board were more of a supervising body.

15555. Did the Collector who left you a free hand as Vice-Chairman of the Board and who never attended a meeting for two years, take an interest in the matters dealt with?—Very great.

15556. That is to say, although he did not attend meetings in person, he was there in spirit, as it were?—Yes.

15557. Would a Collector usually take as much interest in such matters if he merely came in from outside as a checking officer, as if he presided over the meetings and attended the discussions of the Board?—The difficulty is, of course, with the Collector, and whether he wants to encourage Local Self-Government. If he happens to be a person who does not like the idea of it, he would not delegate the power, and that is the difficulty.

15558. Is not the Collector likely to get to know more of the actual needs of a district in respect to education, sanitation, and roads if he attends the meetings of the District Board as Chairman than if, as in the way you propose, he sits outside and only intervenes when he thinks the Board is going wrong?—Yes, he is likely to know more, but there are very often a number of people who are *quasi*-officially connected with him who give their opinions whichever way they imagine will please the Magistrate.

15559. Is not that tendency disappearing; is it not the case now that gentlemen like yourself speak their minds freely?—It is disappearing, no doubt.

15560. I suppose you have heard something as to the proposals to have District Boards elected by classes of persons?—Yes.

15561. Do you think that is a good idea?—Yes, it would be better than the present arrangement.

15562. In the villages in Orissa is the chaukidari panchayat union necessary? If you have a natural village do you want an artificial grouping of villages into a chaukidari panchayat?—A grouping of villages into a chaukidari panchayat is necessary for the chaukidari management.

15563. Are your villages grouped together for chaukidari purposes?—Yes. Several distinct villages are so grouped.

15564. Would you prefer the Madras system by which each village maintains its own watchman?—But sometimes you may have a village too small and there may be no respectable man in one village, whereas, if you were to take two or three together, you could get a respectable man.

15565. Respectable men are not chaukidars?—The Madras system is to put the chaukidar under the village headman; have you a village headman in Orissa?—We have a village headman, but there are some villages where no high class men live, and consequently you could not have a panchayat out of that village.

15566. You might have a low class headman?—Of course if the village were left to itself and left to

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elect its own village headman to look after it; but if you group it with other villages, then you might get several castes who would not care to sit together.

15567. Is it better to leave a village by itself, or to group it with other villages for chaukidari purposes, for instance?—I suppose it would be necessary to group them together, otherwise the chaukidari tax would be very heavy.

15568. Supposing a village had a little money to manage a school, would you leave that to a single village or to a group of villages?—I would leave it to the villages which fed the school: each village cannot possibly have a school; it must be fed by a number of villages, and those villages should have the management.

15569. And if you have a group system do not the low class people go to the wall?—They should not be allowed to do so.

15570. What would you do to protect their interests?—I do not think they should be allowed to sit together, but they should be allowed to elect.

15571. But would they not have to stand at a distance and make their wants known?—As it is now, they have to do so.

15572. With regard to enlarging the boundaries of Orissa, was there not an agitation in that direction some years ago in which you yourself took part?—Yes.

15573. Are you aware that the proposal was discussed, and the Madras Government gave what seemed to the Government of India very strong reasons against it?—Yes, and when we went to the Government of India Lord Amptill happened to be presiding over the Government of India.

15574. You dwell on the desirability of great care being taken lest the circumstances and needs of Orissa should be sacrificed to Bengal ideas; is there not a possible advantage in a reference to the Government of India in regard to matters which the Local Government might otherwise desire a free hand over? Do you think the Government of India would exercise any check on the Bengalisation of Orissa, to coin a word?—I do not think I should be justified in giving an opinion on that subject. I am not prepared to say one way or the other.

15575. You were Chairman of the Local Board?—Yes.

Mr. H. R. IRWIN was called and examined.

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15589. (Chairman.) You represent the Darjeeling Planters' Association?—Yes. Executive Officers have certainly not sufficient opportunities for personal contact with the people. The obstacle is that their time in any one appointment is too limited to admit of their becoming acquainted with the residents of the districts. In this district (Darjeeling), the full period for which a Deputy Commissioner is appointed is now only two years (it used to be five), and many do not remain the full period. Two years is too short a time in which to become acquainted with the residents and wants of a district like this. It is of the greatest importance that officials, in outlying semi-barbarous districts such as this, should have, as far as possible, an accurate knowledge of the vernacular, but, except in very rare instances, such is not the case, and the want of it is a great impediment to the effective administration of the same. It is no fault of the officers concerned, as the language cannot be acquired in the short time at their command, in addition to their other duties. The only remedy that suggests itself to me is, that provinces should be split up into sub-divisions, and that the junior officials should, as far as possible, be confined to their own particular sub-divisions. Either the areas of districts should be reduced, or the period for which an official is appointed should be extended, either of which would enable him to get more into touch with the residents and wants of the district he controls.

Transfers of officers are unnecessarily frequent and are a great impediment to the successful and effective administration of the country. Take the case of this most important district of Darjeeling, the main gate,

15576. (Mr. Hitchens.) Where did you get your funds from?—The District Board made an allotment in their budget.

15577. Can you claim a definite amount, or do you have to take what you can get?—We have to take what we can get.

15578. Did you look after roads and education?—We looked after the village roads and a little after the education. The Local Boards are left at the mercy of the District Board in these matters. The same people serve on both Boards; consequently the Local Boards are not given a fair chance.

15579. Would you like to do away with Local Boards altogether?—No.

15580. Would you give them increased powers?—Yes; the District Boards ought to supervise, and see that the Local Boards do their work.

15581. Would you give Local Boards independent powers of taxation?—No.

15582. Would you say that they were entitled to half the cess, for instance, collected within their area?—I do not think I should be justified in giving an opinion unless I knew what other charges there were justly due on the cess, but I think they ought to have an allotment of a fair proportion of it.

15583. Have the European officials in Orissa a good knowledge of the vernacular?—Not at all, neither Europeans nor natives.

15584. The members of the Provincial Service are not necessarily recruited from the district in which they serve?—No.

15585. Is it very desirable that these subordinate officers should have a proper knowledge of the vernacular?—Yes, I think so.

15586. Does that mean that the members of the Subordinate and the Provincial Services, as regards Orissa, should be recruited from that division?—No.

15587. From the province?—No, not necessarily always; I mean to say if the demands require it, get them from anywhere; but as many of them as can be recruited from Orissa certainly ought to be.

15588. If they were recruited from other parts of Bengal they would not know the language?—They would not know the language, nor the land tenure system, because the unit of measurement of land is different.

(The witness withdrew.)

as it may well be called, of Tibet, the artery through which the increasing trade with that country is conducted. During the last 21 months no less than five (I am not sure that it is not six) different officers have acted as Deputy Commissioners. In former years one official (since retired), at all events, was connected with this district in one capacity or another for almost the whole of his service, knew and could speak the vernacular fluently, and is now looked upon as an authority on all matters connected with this frontier.

The powers of the Government of India might advantageously be extended, so that its decision, in cases which affect the purely internal administration of the country, should be final and not subject to the veto of the Secretary of State in England. A case in point is that the proposed bridge over the Ganges at Sara; this scheme has been under consideration for the last sixteen or seventeen years or more, is supported by virtually the whole of the mercantile community of Calcutta, and I believe I am right in saying that not only the Government of Bengal, which province is principally affected, but the Supreme Government of India and the late Viceroy, some years ago, recommended its immediate construction, but it is barred by the Secretary of State, an official who has never been in the country and knows nothing of its internal needs or necessities. It has been openly said that this is due to pressure brought to bear upon the Home Government by wealthy capitalists and financiers in London for their own purposes. Whether this is true or not, of course I cannot say, but it is certainly within the bounds of possibility

such pressure for party purposes might be effectual, and it is a disgrace that the pressing needs of a great country should be subject to it.

There is no doubt that debt lies at the root of quite half the crime and distress which exist throughout India, and this is very largely due to the facilities which exist of borrowing money and the exorbitant rates of interest charged upon loans. This is intensified amongst the semi-barbarous, ignorant inhabitants of a district like Darjeeling. They willingly pledge themselves to pay any exorbitant rate of interest demanded of them by money-lenders, and when eventually, bled to the last farthing they possess, they are sued in court for the amount, they have not the means to employ pleaders to defend their cause, and being absolutely ignorant themselves how to proceed, they do not appear and the suit is decreed against them, and they become virtually enslaved to their creditors for the rest of their existence. This constitutes a very grave evil and has been brought to the notice of Government by the Association which I represent, on several occasions, but no solution of the difficulty has yet been attempted. The remedy seems to lie in some rough and ready system, by which a pauper can obtain justice, instead of the present slow and expensive method, which virtually debars him from defending a suit brought against him and places him at the mercy of his wealthy creditors. I believe a law exists in parts of India, which forbids the intervention of pleaders in certain cases, and if this could be extended so that paupers might have some chance of obtaining justice in the Law Courts, it would be an untold boon to thousands.

15590. Have you been some time in the country?—I have been over 30 years in the country. I live in the Darjeeling district.

15591. What is the size of that district?—Roughly speaking, I should think it was 400 square miles.

15592. The Deputy Commissioner has been removed, you say, no less than five times during the last 21 months?—Yes, that is to say that other officers have acted for him—I do not mean to say that a new Deputy Commissioner has been appointed five times.

15593. Do you say that in the Darjeeling district the District Officer as a rule is unacquainted with the vernacular?—Yes, I think so, certainly.

15594. Very much less so than many other Europeans in the district are?—Very much less so than the planters, because our work is entirely connected with the natives, and we know a good deal more than the man coming for two years, who naturally cannot pick up the language in the same way as a man who resides amongst the people and whose work is with them.

15595. Is there more than one vernacular spoken in your district?—It is principally one vernacular.

15596. You wish to draw attention to the case of the Sara bridge, and you represent that the non-erection of the bridge, which is of importance to your locality, is due to the undue centralization of power in the Secretary of State?—It is.

15597. Are you aware that the real difficulties in the case are not due to centralization, but to the quarrels of the Railway Companies as to the exact location of the bridge?—No, I understood that it was recommended both by the Viceroy and the Government of Bengal, but that it was barred by the Secretary of State.

15598. Will you take it from me that it is entirely due to the disputes of the Railway Companies as to the exact location of the bridge?—Certainly I will, if you tell me so.

15599. And that it depends entirely upon which is to capture the traffic?—But why should the two railways have that power?

15600. With regard to appeals, do you suggest that there are too many appeals?—The inhabitants are so absolutely ignorant of the procedure of the Law Courts, and have not the means to employ pleaders and lawyers to argue for them, that the consequence is that when they get into debt to a money-lender he can frighten them almost into doing anything; they are afraid to go into Court, and so they go to the wall.

15601. Would the remedy for that be the establishment of some judicial authority in the villages?—I do

not think it could be established in the villages; practically the villages are the tea plantations; there are no villages besides.

15602. What is your suggestion for the remedying of this particular evil?—I believe in certain parts of India there is a law by which the intervention of pleaders is forbidden in these cases, so that a man might have some chance of arguing his case direct before the Magistrate without having a lot of legal talent arrayed against him.

15603. Does a Magistrate always hear a case in the village in which the suitors reside?—No, never.

15604. Is it possible to institute a judicial Court which could hear a suit on the spot?—It would certainly be difficult, but it would be a great advantage if it were possible, and a Magistrate would certainly learn much more if he tried a case on the spot.

15605. Do you know whether the defendants and plaintiffs in these petty cases have often to travel with their witnesses long distances to get their cases tried?—Yes.

15606. (Sir Frederic Lely.) With reference to the Sara railway bridge, is your contention that the Government of India ought to have the power to step in and settle the dispute between the two Companies?—Yes, I think so.

15607. Has the Civil Procedure Code been introduced into the Darjeeling district?—Yes.

15608. (Mr. Dutt.) Do you consider that to be premature?—I think so.

15609. Is not Darjeeling a non-regulation district to some extent?—I think it is.

15610. There are very few villages in Darjeeling, and the population is very sparse and scattered?—The whole of the inhabitants are practically confined to the tea plantations; there are very few villages.

15611. Could you suggest any way by which the people could be saved taking these long journeys to get their civil or criminal cases heard or any legal organisation which would deal out justice to them in small matters?—If it was possible—whether it is or not I cannot say—for a Magistrate to hear cases when touring through the district on the spot, I think it certainly would be a great advantage.

15612. (Mr. Hitchens.) How long does it take a young officer to learn the language of a district—two years?—Yes, a man can learn it quite well in two years provided he is forced to.

15613. When officers are posted to the Darjeeling district have they every opportunity of acquiring it?—Yes, except, of course, that there is a very great deal of work to do, and they have very little leisure in consequence.

15614. You doubtless know a good many young officers who have been out about two years. Do they acquire a fair knowledge of the language after that time?—Very few of them stay two years in a district, I think.

15615. It has been represented to the Commission that a Collector should remain from three to five years in a district, but not longer on the ground that he might get into bad ways, or get lazy; would you endorse that opinion?—I think two years is too short a time; in the Darjeeling district it used to be five years, but for some time now it has been reduced to two. Of course Darjeeling being a Hill station it is a natural sanatorium, and men are sent there very often for the benefit of their health. I think the longer a Collector is in a district, the better, generally speaking.

15616. Would you say that what is of essential importance is that a man of the rank of Collector should be well known and trusted and respected in a district?—Yes, certainly.

15617. Would you say that the question of transfers to which you allude is one of the most important of all?—Yes.

15618. And that possibly considerable sacrifices, even in efficiency, ought to be made in order to secure that a man remained a long time in his district?—Yes.

15619. (Mr. Meyer.) Is not the rule with regard to limiting the tenure of office of a Deputy Commissioner

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at Darjeeling intended to prevent an officer staying too long in what is considered the most pleasant district in the province?—I am afraid I cannot say.

15620. Might it not be of advantage to a man after he has been in a certain district for a time to be sent to another district in order to see if things are done there in a similar way, or in a different way?—Yes, I daresay I was wrong in saying that a man should be kept quite so long in one place, but I think he should be kept long enough in a district to learn the language and to know the inhabitants of that district, and five years would be sufficient for that.

15621. If he stays too long he might get into a groove?—Yes.

15622. And if he is sent to another kind of post, would he not be hampered by the fact that he had only been before at one place?—Yes, that is so.

15623. With regard to petty cases, as to which you would like to have some rough and ready method of justice, are not you planters sometimes Honorary Magistrates?—Yes.

15624. Could you not settle those cases?—No, I think that would be beyond our jurisdiction; cases of heavy debt never come before us.

15625. Of course it would be understood that these powers would not apply to cases in which you your-

selves were interested, but as between one coolie and another, might it not be a way out of the difficulty if the planters, as Honorary Magistrates, were given some higher powers than they have now?—Yes, I think it would be a good way out of the difficulty.

15626. (Sir Steynning Edgerley.) Have you on your estates two or three thoroughly trustworthy natives?—Yes.

15627. And the planter himself is very well acquainted with the ins and outs of family life of the coolies and natives he employs?—Yes, I think most planters know their natives thoroughly.

15628. Would it be possible in cases of dispute, to have a small arbitration committee, each disputant nominating one, and one of your experienced natives sitting as head of such a small arbitration committee?—I am afraid that that would not work.

15629. Would you rather that matters were dealt with through the planters themselves?—Yes. I have been instructed to ask that a permanent representative of the tea industry should be appointed on the Viceroy's Council. For some years the industry was represented on the Council, and we consider that we should have some representation there.

(The witness withdrew.)

NAWAB A. F. M. ABDUR RAHMAN was called and examined.

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15630. (Chairman.) You are a Barrister-at-Law and Judge of the Presidency Court of Small Causes?—I am, since the last 12 years, and before that I was at the Bar for 15 years. My family originally came from Eastern Bengal, but it has been in Calcutta for the last two generations.

I am opposed to Administrative Councils, but I am in favour of the creation of Advisory Councils to assist Divisional or District Officers. For some time past a measure of the kind contemplated by the establishment of Advisory Councils has been considered as a growing want in India. In the interests of the Muhammadan community of these Provinces, I fully approve the scheme of the Government of India for the establishment and recognition of a determinate body of advisers to be called the Imperial and Provincial Advisory Councils. At the same time I would continue the policy of the Government in eliciting the opinions of Indian gentlemen in all ranks of society on various administrative measures, and Indian gentlemen who have had the privilege of advising District or Divisional Officers, Lieutenant-Governors, Governors or Viceroy's, should be encouraged to do so by continued confidence shown to them.

It is well known that the Muhammadan community had not hitherto received an adequate representation commensurate with their numerical, political and historical importance in Bengal; they, therefore, welcome with feelings of gratitude the concession which Government are about to make in recognising the principle of class representation and the special interests of the Muhammadan minority. The grievance of the Muhammadans of these provinces is, that notwithstanding their advance in education, their intelligence and administrative capacity, their number in the Provincial Civil Service, both in the Judicial and Executive branches, as also in the Education, Police, Registration, and other Departments of the Public Service, is exceedingly inadequate. They, therefore, anxiously hope that the Government will be pleased to extend the principle of class representation to the various departments of the Public Service, and thus safeguard the interest of Muhammadans and ensure their better and increased employment.

I would constitute local Advisory Councils to assist Divisional or District Officers on similar lines as the Provincial Advisory Councils. In each division and district Muhammadan noblemen and gentlemen of proved loyalty, good birth, education and influence should be nominated as members. Questions of legislation; questions involving free, primary, or secondary education; introduction of new measures, such as plague rules, vaccination or inoculation; improved methods of agriculture; questions regarding distress

or famine; sanitation and drainage or, in other words, all important matters affecting the well-being of the various classes inhabiting the districts, may be placed before them for opinion and advice.

In the event of the Government reserving a certain number of appointments in the Public Service for the benefit of qualified Muhammadans, the local Advisory Councils would be of great assistance in selecting young Muhammadans of good birth and education who would command the respect of the community.

It would not be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts. The smaller municipalities should be encouraged to develop themselves independently.

From my experience of village communities in Bengal and Eastern Bengal, I am of opinion that it is not desirable, even if it may be possible in some places, to give the village communities greater powers in the disposal of local affairs relating to revenue, police, sanitary, educational and other matters, such as the disposal of petty criminal and civil cases. Any such powers given to them are likely to be seriously abused.

15631. Would it be easy to get persons to serve upon divisional and district Advisory Councils?—I should think so. There might be places where there might be difficulty, but there are other places where there would be none.

15632. Is it advisable to give District Boards or the smaller municipalities any greater powers than they at present possess?—I would make the small municipalities independent of the District Boards and enable them to develop themselves, but I would not extend their powers.

15633. With regard to village communities, are they capable of receiving some larger grant of power?—In my opinion they are not.

15634. Is that because the community, as a community, is non-existent, or because the principal people in the village communities are not fit to be trusted with greater powers?—In some places the community is non-existent; in other places where they are in existence, they are not what they used to be at one time. In each village there is a faction, and I know from my experience in Bengal and Eastern Bengal, in each village there are two parties amongst Muhammadans and Hindus; these people are mostly under the influence of the zamindar, and the result is they are always fighting over something or other. That being so, it would be highly injudicious to entrust them with any powers of the character proposed.

15635. Would that apply even for the purpose of settling some small money dispute between two villages?—They have that power now, and that is done. The only thing that could be done in addition is that the local officers might encourage them to settle such disputes.

15636. Is there any legal power to settle such a dispute, or is it done by agreement?—It is done by arrangement. When once matters are referred to arbitration, or the disputes are so settled, they are taken on to the nearest Court, and the settlement is given legal effect to.

15637. Under the present system do disputants and witnesses often have to go long distances in order that some trivial legal point might be settled?—There may be places where that is the case, but the inconvenience is not very much felt, and even in places where it is felt, the chances are that the people would prefer it very much to having any power given to their own men, because they would very likely not get anything like justice in the latter case, and the whole thing would end in disaster. I think it would multiply litigation and add ten times to the expense.

15638. Are the members of the present village panchayat satisfactory?—Yes, I think so. They are the best available; one of the reasons for not securing a better class of men is that most of the young people leave the villages and go to the nearest towns. A man in a village who has made a little money sends his children for education to the nearest town, where they grow up and naturally do not like to take to village life again. Therefore, slowly and gradually the villages are losing their best men, and the remaining people are reduced to a somewhat lower class.

15639. Speaking generally, are village communities decaying?—I do not say that, but they are certainly fewer than they were.

15640. (Sir Steynning Edgerley.) What do you mean by establishing local Advisory Councils on similar lines to provincial Advisory Councils; do you mean that they should be entirely nominated?—No, there may be some election and some nomination.

15641. Assuming for the moment that they have to be nominated, are you in favour of having them wholly nominated?—Absolutely.

15642. By whom?—By the Collector of the district or the Commissioner of the division.

15643. (Mr. Meyer.) Would these Councils be purely advisory? Supposing the Collector differed from the Council, would he act on his own responsibility?—Absolutely. What I suggest is that the Council should be called upon for their advice only, and that questions of dispute may be placed before them for their opinion.

15644. If he had to report to a higher authority, would you have him say in his report that his Advisory Council entertained a different view from his?—Quite so.

15645. It has been suggested that the Collector should be relieved of the post of Chairman of the District Board, and that some different official should hold it; would you approve of that?—No. In some places it might be advisable and in others not.

15646. So as to bring him in direct communication with the needs of the district in regard to roads, communications, and so forth?—Yes, but in places where there are non-official Chairmen available I would certainly have them if you can get good men.

15647. Would it be a good thing to have the Collector dissociated from the control of roads and so on?—Certainly not.

15648. Would you have him exercising control from outside?—Yes, where necessary.

15649. Would that be as good as his taking a part in the discussions of the Board?—It might be.

15650. You say that the small municipalities should not be under the control of District Boards, but should be left to develop independently. In Bengal are there not a number of municipalities which are not towns at all, but are only a collection of villages?—There is room for improvement in them.

15651. Might they not come under the District Board control?—I should think not.

15652. Have you any real village community in Bengal?—I use the expression "village community" from my experience in the district I come from, and where I have lived in the village.

15653. But there is no corporate civil life, as there is in southern India?—No. The village community, in that sense, is not in existence either in Eastern Bengal or Bengal.

15654. And the only substitute is this artificial form called a chaukidari union?—Quite so.

15655. (Mr. Hitchens.) Do you want an Advisory Council both for the Collector and the Commissioner?—I should leave that absolutely to the discretion of the Local Government. There are places where one local Advisory Council in a division would be ample, but there might be other places where there are sufficient prominent and educated men, and where local officers might require their aid and help. What is wanted is that Commissioners and Collectors should invariably consult all the leading men on matters of importance.

15656. Is that all you want?—Yes, that is all I want, but having regard to the aspirations of the people and the feeling that they should have a better voice and more privilege in advising Government or taking part in local matters, I do not think there is any harm if local Advisory Councils are constituted in a cautious manner.

15657. In practice does the good Collector to-day get all the advice and does he do all the consulting that is necessary?—Certainly.

15658. Would the formal appointment of Councils be merely sentiment?—Not exactly. I think it might educate the people in some places, and it would be useful in the way of inducing them to take more interest in public matters.

15659. Then might you have a chaukidari union, a Local Board, a District Board, and in addition an Advisory Council all in one district, and that on the top of that you would have an Advisory Council for a province, and an Advisory Council for the Government of India?—Yes.

15660. Would that not be rather a plethora of Advisory Councils?—As it is, in my opinion, there are too many such things already, but when you have too many, there is no harm in having one more, and there may be places where there is no harm in trying the experiment, which might perhaps result in good.

15661. You would not make the District Board an Advisory Council, would you?—No, because there are men on the District Board or on municipalities who are a different class of men from those to whom I, for one, or the Collector of the district, would look for advice.

15662. It has been represented that if a Collector had an Advisory Council, and consulted that Council, he would feel more or less free in regard to consulting anybody else; do you think that would be so, and would it be a good thing if it were so?—No. I would continue the present system on which administration is carried on, and the better class of people, who are sensible, responsible men, should be entitled to advise on a particular subject, and their advice ought to be invariably sought. I think that class of people should be encouraged. They are people who do not want to come to the District Boards or municipalities, but at the same time there would not be any harm in constituting a Council and getting them to take a greater interest in it.

15663. Would the formation of Advisory Councils tend to the exclusion of other people competent to give advice?—I think not.

15664. Are there districts which you think are not fit for the creation of Advisory Councils, and there are other districts which are?—Yes.

15665. (Mr. Dutt.) Do you advocate that there should be two Advisory Councils in one district?—I did not mean that; what I meant was that in some districts an Advisory Council might be necessary, or that in some divisions there might be Advisory Councils. It might be that we might have a Divisional Advisory Council and Advisory Councils in districts.

15666. When these Councils are created you say that they should be consulted on questions of legislation. Do you mean that when a new Bill is drafted

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and sent to the Collector for his opinion, he should take the opinion of members of his Advisory Council before submitting his own views?—Not exactly. They should be consulted on such matters as a Bill for the drainage of the town, or on matters that may affect a particular village, or a particular place in a district. My idea is that it will help the Collector, to call in these local gentlemen and tell them what the view of the Government is, and consult them. Of course I do not mean with regard to all the Bills to be placed before the Legislature.

15667. Do you recommend the principle of class representation in appointing officers to the Provincial Service?—Yes.

15668. Do you desire that the number of Muhammadans and Hindus in the Provincial Service should be proportionate to the Hindu and the Muhammadan population in a province or district?—No, I do not mean that; I would leave that matter absolutely in the hands of the Government.

15669. Would you recommend that the same principle should be applied to the different castes of the same community, and that the different castes should be considered in filling up the Provincial Service?—I deal with the matter purely from a Muhammadan point of view, and point out that there are 418 Deputy Magistrates in Bengal and only 59 of them are practically Muhammadans. I would have a fair representation of the Muhammadan community in the Service, having regard to the importance of that community, but I would leave the number to the Government.

15670. Would you include sanitation, drainage, and other important matters affecting the well-being of various classes, as subjects to be placed before Advisory Boards for their opinion?—Yes.

15671. Are there many villages fit to look after matters of sanitation within their own limits?—They should be, and if they suffer from bad sanitation they ought to be capable of looking into it.

15672. Would you trust the villagers to look after their whole wants in regard to matters of sanitation?

KHAN BAHADUR SERAJUL ISLAM was called and examined.

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15679. (Chairman.) Will you tell me where you live?—I live now in Calcutta, but my home is in the district of Tippera in Eastern Bengal. I am a vakil of the High Court. I have been here about thirty-five years, but I go usually to my native district during the vacation, twice a year; I live here for the purpose of business.

I would not curtail the right of appeal to the Government of India or the Local Governments in any matter, as I think that the existence of such a power in the Head of Government operates as a wholesome check upon the subordinate officers, and also inspires confidence in the minds of those affected by the orders appealed against. If proper care be taken to select officers fit to exercise responsibility in dealing with their subordinates, then an unlimited right of appeal may not be necessary. It is not desirable to insist upon a certificate from the authority passing the orders appealed against that reasonable grounds of appeal exist.

The cold weather tours, no doubt, afford the District Officers some opportunities of coming in contact with the people, but these officers are not able to avail themselves of such opportunities. As a means of improving the relation between the rulers and the ruled, the District Officers ought to be allowed more time and opportunities to be able to come in contact with the people. This may be done by relieving the District Officers of much of their routine work. The main obstacles are that the District Officers are generally overworked; they are not in touch with the people, and the people generally are afraid of approaching them. The remedy lies with the District Officers themselves. If these officers make themselves accessible to the people and treat them sympathetically, and by their conduct inspire confidence in the minds of the people, the obstacles may be removed. No doubt some of the District Officers are acquainted with the vernaculars fairly

—I would not use the expression "trust." What I say is "advise." If there is a scheme by the Local Government, or if the Collector has a scheme, or the Public Works Department has a scheme, dealing with the sanitation of a particular village, I would get the opinions of the people of that village, and see how far Government might go with them, but I would not give them any power.

15673. In small matters, such as keeping a village clean, would you allow them to act?—Certainly; under the Bengal Municipal Act they have to do it. In dealing with cholera every householder has to keep his house clean, for instance.

15674. They have to do it in the towns, but would you trust the villagers to do it?—To such an extent as they are capable, but not further.

15675. (Sir Frederic Lely.) Do you say it is not desirable, even if it is possible, to give village communities greater powers in regard to the disposal of local affairs?—I would not give the village communities any more power than they have now.

15676. It has been said many times that village communities do not exist in Bengal, but is that not rather too absolute a statement; surely a number of people living together side by side must act collectively sometimes in the common interest?—But they do not, unfortunately.

15677. Supposing a local zamindar was intolerably oppressive, do you mean to say that the people would not unite and take some action in the matter?—No. There is some cohesion, but it is hardly worthy the name. What happens is that in each village there are Muhammadans on the one hand and Hindus on the other, and Muhammadans are also divided among themselves and Hindus among themselves. When some question of general interest, such as education, arises there is a little cohesion, but you practically cannot unite them.

15678. As a matter of fact, then, they never coalesce?—In my opinion they will not do so for many years yet.

(The witness withdrew.)

well, but they do not generally possess sufficient knowledge of the language of the district and of the colloquial vernaculars.

A general increase in the administrative staff is necessary. I would suggest the posting of an Executive Officer, a Deputy Magistrate or a Sub-Deputy at each thana, and convert each thana into a small sub-division. These Sub-Divisional Officers will then have ample opportunities of bringing themselves into closer contact with the people, and of investigating important cases themselves within their respective jurisdiction. This will do away with the necessity of retaining highly-paid Police Officers such as inspectors, in whom the people generally have not much confidence.

Transfers of officers are unnecessarily frequent. As soon as they begin to know the people and their manners and customs, they are generally transferred elsewhere. Every District Officer ought to be allowed to stay at least for five years at each station, unless he proves himself unpopular or unfit for any other reasonable cause. In every district there ought to be a Joint-Magistrate under the District Officer, who should work with him for five years; and when at the end of the 5th year, or later, the District Magistrate is transferred or promoted, the Joint-Magistrate may take his place as District Officer, and continue, as such, for five years or more with another Joint-Magistrate under him.

With regard to the powers of local bodies, I would confine my answer to the Calcutta Corporation only. I think in some respects larger powers ought to be granted to the Corporation:—(a) The Municipality ought to have control over primary and technical education. (b) The Municipality ought to have power of housing the poor, who are dislodged by the bustee improvements. (c) The power of the Municipality to enter into contracts involving an expenditure exceeding one lakh of rupees requires the approval

of the Local Government: the Municipality ought to have larger power in this respect. (d) In small matters of public convenience the Corporation might be entrusted to deal finally without reference to Government, e.g.—(i) the closure of burial grounds; (ii) bye-laws relating to water-supply, sanitary, drainage works, cattle sheds, etc.

I do not feel quite certain as to the usefulness of the proposed Advisory Councils, as Commissioners and Magistrates have ample means of consulting the leading men of their respective divisions and districts on any matter requiring their advice. But still I am in favour of the creation of such Councils (Advisory) on political grounds. The creation of such Councils will have the effect of satisfying the aspiration of the people to a certain extent, and make the members share the responsibilities in certain matters affecting the welfare of the people. I would constitute such Councils to assist the Divisional Officers in the following manner:—The Council might consist of six members, two to be elected by the municipalities and two by the District Boards within the division, and two to be appointed by the Commissioner in consultation with the District Magistrates under him. The last two should be selected from the higher classes, taking care that the old landholders of the division are fully and effectively represented. The subjects in respect of which responsibilities could be given are education, sanitation, epidemic diseases, religious disputes, and other matters requiring the intervention of the Magistrates in which the susceptibilities of the Indians are specially concerned.

So far as I am aware, village communities never existed in Bengal. It would be difficult to create them now. It is not desirable to give the village communities, if any, greater powers in affairs relating to revenue and police. I would not invest them with powers of disposing of even petty criminal and civil cases, unless the parties concerned submit their disputes to the arbitration of the village communities. It is a well-known fact that in every village there are factions, and every villager has some sort of interest or other by which he might be influenced. So it would be unsafe to invest the members of these communities with any such power.

15680. As regards District Officers, you are of opinion that the villagers are rather afraid of approaching them. What is the reason of that?—Because Europeans, especially a gentleman in power like a District Magistrate, inspire in the minds of the villagers a sort of fear. Villagers seldom ever see a European and, therefore, they are afraid of them, or any other foreigner, and the name of a District Magistrate inspires a sort of fear in them. Village people when they see a European passing are generally afraid of approaching him.

15681. Are they afraid of an Indian (whether a Muhammadan or Hindoo) Magistrate in the same way?—I do not think they are.

15682. What is the reason; do you think it is that Englishmen have an appearance of sternness?—If a villager knows that a person is a Magistrate, the very name of Magistrate frightens him.

15683. Do District Officers go about sufficiently amongst the people?—I do not think they do. During their tours they do; but I do not think they go to all the places they ought to; they generally go to such places as are easily accessible, and to places where there are dak bungalows, but they do not stay long.

15684. How long ought an officer to remain in a district?—I think five years should be the minimum. It might, perhaps, be a little longer, but at any rate five years.

15685. You wish to see a Joint-Magistrate associated with the Collector in every district?—Yes, and my idea is that a District Officer ought to remain in his post five years, and then, if he has had a Joint-Magistrate who has worked with him for five years, by that time the Joint-Magistrate would have acquired some knowledge of the country and the people and their manners and customs, and when the District Officer is transferred or promoted, the Joint-Magistrate would be able to take his place. Then, if he remained five years more, with his past experience as a Joint-Magistrate, it would be much better.

15686. With regard to Advisory Councils, you are in doubt as to whether they should or should not be

created?—Yes. I do not feel quite certain with regard to their usefulness. If Advisory Councils are simply to be consultative Councils, then the District Magistrate or the Commissioner has at present opportunities of consulting all the leading men—Hindus or Muhammadans—so that it will not be practically of much advantage; but at the same time I am in favour of creating Advisory Councils on the ground that the men of whom advice is asked are clothed with a sort of responsibility.

15687. Outside the members of the District Board, are there, in every district, gentlemen of sufficient position from whom a Collector could form such an Advisory Council?—Yes, there are some, but not in all districts, and that is why I confine my answer to Divisional Commissioners. But gradually, as the people improve in knowledge and education, and the Commissioner found that the system might be extended, that might be done; at present I would confine it to Divisional Officers, the members being selected from the division.

15688. You think it would be unwise to give village communities any greater power? Will you tell me your reason shortly?—With regard to village communities, they do not exist, in the proper sense of the term, in Eastern Bengal. There are some villages in which the people have some sort of public opinion, but there is nothing like a village community.

15689. Supposing two men had a dispute, is there no sort of village tribunal to which the dispute could be referred and a fair judgment be given?—The difficulty is to select the proper person to adjudicate. Some forty or fifty years ago in each village there were two or three elderly men in whom the people had confidence and to whom they used to refer matters. I do not think that class of men now exists.

15690. Has the tendency towards the young men migrating into towns swept that away?—Yes; amongst the younger generation there is more education, though they have not quite so much wisdom as their fathers. They read the papers, they get a little knowledge, and they think that their elders have not so much wisdom, and they do not treat them with the respect they used to do.

15691. (Mr. Meyer.) Are you opposed to any restriction of appeal?—Yes.

15692. Are you familiar with the provision of the Civil Procedure Code which provides that there shall be no second appeal upon questions of fact?—Yes, all that.

15693. Do you see any objection to applying into procedure to administrative appeals?—I am restricting appeals, and on questions of fact, the Board go to the last court of appeal. I am against the Board there was a any restriction on the right of appeal in any

15694. With regard to your scheme for a Joint-Magistrate, would that work, having regard to the leave Col- under which officers go home for leave periodically. —I have not thought of it in that respect, and I am not in a position to say how far it would affect the leave rules. I think in exceptional cases some exceptional rule might be made. As a general scheme, in my opinion, it is a good scheme.

15695. Are you an elected member of the Calcutta Corporation?—No. I am nominated by Government.

15696. Have you been there a long time?—I have been there since 1876; I was first elected about 30 years ago.

15697. Do you say that the Calcutta Corporation has nothing to do with education?—The power of the Corporation is simply to fix and to make a grant for the promotion of primary and technical education, but that does not give them any control.

15698. Having once made the grant, have you anything more to say as to the management of the schools?—Nothing.

15699. Do you desire a system by which you should have the power of spending your own grant?—Yes: I think the Corporation is in the best position to supervise its schools.

15700. Can you say roughly how much you have to pay for education now?—I think last year it was Rs. 15,000, and over and above that we exempt educational institutions from paying any taxes or rates.

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15701. Would you not have to pay a good deal more than Rs. 15,000 if you took the matter into your own hands?—Yes.

15702. With regard to the Advisory Council to the Commissioner and your proposed representation by municipalities and District Boards, would it not be simpler to have one representative from each District Board to be selected by the Commissioner or by Government? A Commissioner sometimes has five or six districts to deal with, has he not?—Sometimes he has three, sometimes four, and sometimes five, districts. I think I would allow District Boards as well as municipalities within a division to select two.

15703. I want to know whether, as an alternative, one member might not be selected from each district of the division, but if you prefer your own suggestion, say so?—I prefer my suggestion.

15704. Is the Eastern Bengal village really a village at all in many cases, or does it only consist of scattered huts?—There are some cases of that kind, but there are villages which contain 200 or 500 homesteads.

15705. (*Mr. Hichens.*) What is a bustee improvement and who carries it out?—Such schemes are for the improvement of the hut areas in the town. There is a department in the municipality, which is under the Deputy Chairman, which attends to these projects.

15706. Are you aware that, practically in every expropriation scheme in England dealing with houses, there is a clause which makes it compulsory on the municipality concerned to re-house the people whom they displace?—I am not familiar with that, but we have not that provision in the Municipal Act here.

15707. Not only have you not got that provision, but you have no power to re-house if you want to?—

That is so. Here I think the municipality has demolished about 2000 houses which used to contain from 8 to 10 people each, so that 20,000 of these poor people were dislodged and could not find any place to live in. My suggestion is that the municipality ought to have power to acquire land from the Government to provide some accommodation for the people who have been dislodged.

15708. Do you not think that the municipality not only ought to have power, but ought to be compelled, to re-house people whom they displace?—Certainly I do.

15709. (*Mr. Dutt.*) You were a member of the Bengal Legislative Council?—I was, twice.

15710. So that you have some experience with regard to legislation. In all the Bills brought before the Bengal Council, that is to say, important Bills, does not the Bengal Government take care to ascertain the wishes and opinions of important Societies and Associations?—Yes, and also of persons who are in the opinion of the Government able to advise them.

15711. What is your opinion with regard to the proposal that the District Officer should hold a conference with the leading men of his district once, or more frequently, a year?—There is no harm in that; but I think, as a matter of fact, they do; they generally meet them, and that is, I think, considered to be one of their duties; they fix a day to meet the leading men.

15712. But I was speaking of a general conference of the whole district or sub-division where all the leading men would be invited to talk over all the important matters which they might have to discuss. Do you recommend such a conference as that?—Yes, I would.

(*The witness withdrew.*)

Adjourned.

TWENTY-SECOND DAY.

CALCUTTA, Monday, December 30th, 1907.

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15708. live?— district of the H₂ five years, during the purpose of

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MAHARAJA SIR RAVANESWAR PRASAD SINGH BAHADUR OF GIDHAUR, K.C.I.E., was called and examined.

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15713. (*Chairman.*) In what part of Bengal is your zamindari situated?—In the district of Monghyr.

15714. You have some knowledge of the Local Government?—Yes. I was appointed a member of the Bengal Legislative Council for eight years between 1893 and 1907. I also have been a member of the Monghyr District Board for two or three years.

I should be prepared to give Local Governments borrowing powers for carrying out large Public Works with the sanction of the Government of India. Large works of irrigation and drainage are absolutely necessary in these provinces, and the Local Governments should be given greater powers in regard to financial matters for carrying out of such projects.

I do not think the giving of extended powers generally to Commissioners and Magistrates will be conducive to the public good.

Larger powers should be granted to Presidency municipalities, District municipalities and District Boards. The Presidency municipalities are now nominally elected bodies. There is no reason why two-thirds of the numbers should not be elected in those municipalities as in the District municipalities.

The municipalities and District Boards of the country should be freed from official control and

given larger powers and greater financial responsibility. The larger Legislative Councils and Advisory Boards are good in their way. But I consider the granting of real self-government to municipal and District Boards of greater importance.

15715. Suppose the Local Government went into the market to borrow money, would they be able to tap some sources of capital which the Government of India are unable to reach at present?—I do not think an independent Local Government should borrow money except with the sanction of the Government of India.

15716. What sources of revenue do you suggest the Local Government should pledge as a guarantee against their debt?—The sanction of the India Government would be the only thing on which loans could be easily contracted.

15717. How is the work done on District Boards; is it done by committees, or does the Chairman do it all?—The Chairman of the Board takes the opinions of all the members, and any work that is done is passed by the committees first.

15718. Is there any Finance Committee? When a District Board budget is made up, is it sent to the

members of the Board before it is considered?—Not when I was a member. Of course that would be a good thing to do?

15719. At present do the members see the budget for the first time when they attend the Board meeting, and is it passed in one single sitting?—When I was a member the budget was not sent to the members; we simply saw it when we took our places.

15720. Was there any committee which dealt with sanitary works, roads, and things of that sort?—During my time, no. That also would be a good thing to introduce.

15721. So that each member of the Board would feel he had some responsibility for the work of the Board?—Yes.

15722. Do you get a good class of member on a Board generally speaking?—All the members are not good class.

15723. If there were greater power and responsibility, would you get a better class of men anxious to serve on District Boards?—It may be; I am not certain.

15724. If there were a non-official Chairman to a District Board, would he have the same knowledge of the whole area contained in a district that the present Collector has?—If he was a local man, then of course he would have more knowledge. He would not have a knowledge of the whole district, but he would have a better knowledge of part of the district.

15725. Is the knowledge a good Collector has of a district advantageous to the Board?—Yes, I think so.

15726. And it might be difficult, perhaps, to find a non-official Chairman who would have so wide a knowledge?—Yes, I doubt whether a non-official Chairman would have such a wide knowledge as a Collector.

15727. And unless he was a paid official, he would hardly have time to gain that knowledge?—I think it would be difficult for him.

15728. What larger powers ought to be given to District Boards?—I have not gone into details, but there ought to be some extended powers given, and steps taken to free District Boards and municipalities from so much control.

15729. Bearing in mind what you have said with regard to a Collector knowing a district better, would you keep him as Chairman of the District Board, giving at the same time the members of the Board greater responsibility for the work done in the way of making each committee very largely responsible for its work?—That might be a good thing, but it has not yet been introduced into this country. I think it would work well.

15730. Would that be a better system than if the whole Council elected a non-official Chairman who might not know the district?—As far as I understand it, I think it would be better.

15731. (*Sir Frederic Lely.*) Is a District Board at present partly elected?—Yes, and some are nominated. A larger number might be elected.

15732. Would you say two-thirds?—Yes.

15733. Were you an elected member yourself?—No, I was nominated.

15734. If the method was election only, would you offer yourself for election?—Nowadays people do not like to stand for election.

15735. Why? Is it considered rather derogatory to their dignity?—Yes, some people think it so.

15736. Is that a general impression?—Yes, as far as I know.

15737. Would you have the Chairman elected by the Board?—Yes.

15738. Do not the duties of a Chairman of a large District Board require a good deal of training and business knowledge and habits?—Yes.

15739. Would you be likely to get a non-official man in many districts with those essentials?—You might, but very seldom.

15740. Would the chief difficulty in appointing a non-official Chairman to a District Board be the difficulty of getting a man with sufficient business habits and business knowledge?—Yes, I think so.

15741. You say that a District Board would be better managed if it had larger powers of control; would you yourself, if you were a member of a District Board, suggest any great changes in the present system of management? Would you expend the money differently, or do you think generally that it is expended on the most appropriate objects?—Yes, but in some ways it is not.

15742. Is it not spent as popular opinion would have it spent?—Yes.

15743. Did you find when you were nominated as a member of a District Board that you lost the respect and confidence of your countrymen?—No.

15744. (*Mr. Dutt.*) In the few cases where you could find eligible gentlemen, would you advocate the appointment of such men as Chairmen of District Boards?—I do not remember any at present, but there may be some.

15745. If you found them, would you recommend their appointment?—Yes.

15746. In that case would you expect them to travel about the district a good deal?—Of course, in order to make themselves acquainted with the state of things with regard to roads, bridges and institutions.

15747. Should the expense of travelling be met by the Government, or should they pay their own expenses?—They would not pay their own expenses.

15748. On those conditions do you think the work would proceed satisfactorily?—Yes.

15749. Is it the general feeling amongst all zamindars that it is derogatory to stand for election?—I have heard it from some, but I cannot say whether it is the general feeling.

15750. With regard to primary schools, which are aided by District Boards, are they managed now by the District Boards or by the Education Department?—By the District Boards. They are supervised by District Board sub-inspectors.

15751. Would you recommend the formation of Advisory Boards in districts or would you have an Advisory Board only in a division?—I would recommend Advisory Boards in every district.

15752. Would you have the members elected or nominated, or partly elected and partly nominated?—Partly elected and partly nominated.

15753. If the Collectors consulted them in all matters concerning the welfare of the people, in that way would the administration be brought more into touch with the people?—Yes.

15754. (*Mr. Hichens.*) How often did the Board of which you were a member, meet?—There was a meeting once a month.

15755. At those meetings was discussion quite full and open?—Yes.

15756. Did the members ever differ from the Collector?—Very few differed from him.

15757. Was that because they did not like to?—I do not know what impressions they had in their minds.

15758. Speaking broadly, do people hesitate to differ from a Collector owing to the powerful position he holds?—Yes.

15759. Could further powers be given to Local Boards under District Boards?—No, I do not think so.

15760. They deal with smaller areas?—Yes.

15761. And the people on those Boards would be naturally more interested in their own particular areas, and would know more what concerned them?—Yes.

15762. (*Mr. Meyer.*) Are there any members on Boards who might express really valuable views, but who are afraid of doing so to the Collector?—Yes.

15763. If they saw the Collector privately, would there be the same fear?—That I cannot say.

15764. Would the same thing apply in the case of an Advisory Council to a Commissioner; would a member of an Advisory Council be afraid of stating his views to a Commissioner?—No, I do not think an Advisory Council would be afraid to state their views.

15765. Apart from the point as to knowledge of a district, would it not be advantageous for a Collector

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to be brought into direct contact with the needs of his district in respect of education, sanitation and roads?—If he ceased to be Chairman of the District Board, I think he would not take so much interest in them.

15766. Would that be a good thing?—No.

15767. Are your District Boards concerned with vaccination work?—Yes.

15768. Have they a fairly free hand in the matter of primary schools?—Yes.

15769. Is it your experience that they are interfered with by the officers of the Education Department?—No.

15770. There are two cesses levied in Bengal, the Road Cess and the Public Works Cess?—Yes.

15771. The Public Works Cess goes to the Government, the Government in return making some grants to the District Boards?—Yes.

15772. Would it be a good thing if the District Board took both cesses?—I cannot say that.

15773. Do chaukidari unions work satisfactorily?—Yes, chaukidari unions work well.

15774. (Sir Steyning Edgerley.) You have not been on a District Board since 1893?—I resigned when I was appointed a member of the Legislative Council, and had to come to Calcutta. I live at Gidhour, but I had to come to Calcutta frequently, and I could not attend all the meetings.

15775. How often did you have to come to Calcutta as a Legislative Councillor?—Five or six times a year, and sometimes in the season I had to remain here a month.

15776. Are you a very busy man at Gidhour?—Yes; it was for want of time that I resigned.

15777. What advantage do you expect to get by the system of borrowing which you propose over the

present system?—I think Local Government should carry on their own business.

15778. But they can borrow from the Government of India at present?—Yes, but that takes some time.

15779. Do you think by the mode you suggest they could get money quicker?—I think a Local Government may know its own requirements better.

15780. But if they know their own requirements and go to the Government of India and say, "We want money for this, that and the other," do they not get it?—I do not know.

15781. How long has your present Collector been in the Monghyr district?—Only a few months.

15782. How long was his predecessor there?—Only for a year or so.

15783. Do you consider that either of those officers knew the district better than you do?—Yes, they know it better than I do.

15784. Although you have lived there, how many years?—Ever since I was born.

15785. (Chairman.) Does the provincial Government contribute to the expenditure of the District Boards?—Yes.

15786. If the Collector ceased to be Chairman, would the Government of Bengal have any representative on the District Board?—No, if the Collector ceased to be Chairman there would be no other.

15787. How then would the provincial Government know that the money which they gave to the Board was being properly expended or not?—It would be the duty of the Chairman to report. If the members spent the money according to rules laid down by the Government, that would be an efficient check.

(The witness withdrew.)

RAI TARINI PROSAD BAHADUR was called and examined.

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15788. (Chairman.) What is your position?—I am a pleader and landowner in the Bhagalpur district.

In my opinion larger financial powers should be given to provincial Governments generally in the following respects:—

(a) The minute details of the annual budget estimates of the provincial Governments need not be subjected to the scrutiny of the Government of India.

(b) Members of the provincial Councils are precluded from criticising imperial finance. This restriction should be removed and the members of the provincial Councils should be allowed to discuss imperial finance, so that the Government of India may know the views of the official and the non-official members of the provincial Councils, and may consider the same in framing the budget.

A more complete separation than at present exists should be effected between imperial and provincial finances.

Local Governments should be given borrowing powers. They should be allowed to raise local or provincial loans with an imperial guarantee, if necessary, to be gradually paid off by a sinking fund.

Members of the Judicial Service and of the Sub-ordinate Judicial and Executive Service, as well as ministerial officers, are overworked, but get tardy promotion. No doubt steps have been recently taken to relieve and encourage these services, but what has been hitherto done is not in my opinion sufficient. Local needs can be best understood by Local Governments, and so in the matter of the creation of new appointments, the enhancement of salaries, larger powers should be given to those Governments.

To avoid the unnecessary delay occasioned by frequent references to the Secretary of State in Council, and to avoid misconceptions of the needs of the country, it is desirable to add to the financial powers of the Government of India.

It is not desirable to curtail the right of appeal to the Government of India or Local Government, now granted in respect to administrative action—(a) by law or by rules having the force of law, or (b) by

executive practice or on personal matters. Nor is it desirable to lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist.

The Board of Revenue should have power to take under the Court of Wards not only estates paying revenue to Government, but also other important and large estates not paying revenue to Government, and the definition of an "estate" in the present Court of Wards Act should be modified accordingly.

Native Executive Officers have sufficient opportunities for personal contact with the people, but European Executive Officers have not. The existing obstacles with the latter class of Executive Officers are their disinclination, in most cases, to mix with the people; the expense of inviting people to parties or social gatherings; their insufficient knowledge of the vernaculars. The remedies seem to be greater sympathy on the part of the European Executive Officers in general; willingness to join parties or social gatherings of the people; improved knowledge of the vernaculars.

In the Executive line transfers are sometimes unnecessarily frequent. Too frequent transfers do not enable officers to get sufficient knowledge of their stations and should be avoided as far as possible.

The Municipal Commissioners should be authorised to modify allotments by transfer of any amount from one head to another.

The District Boards should have similar power, i.e. power to transfer grants from one head to another without any sanction of the Commissioner. I think it would be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts, as such municipalities may not, with their limited funds, be able to undertake works of utility which may be easily done with the help of the officers of the District Board.

I am in favour of Advisory or Administrative Councils to assist Divisional or District Officers. Such Councils should be constituted of men representing the various important interests in the country. The Councils should advise in all matters on which their

advice is sought by Government, or which they, of their own motion, choose to bring to the notice of Government. Such Councils may be consulted with advantage specially in matters of income-tax, excise, famine, sanitation and loans for land improvements and agricultural purposes.

15789. You think the Local Government should be given borrowing powers?—Yes. Because there are cases of urgent reforms in which it is necessary sometimes to raise money quickly, and it should be done without any reference to a higher authority.

15790. Is there any financial market in Bengal which the Local Government could reach, but which the Government of India at the present moment does not reach?—I do not say that there is any market in India which the Government of India would not reach, but it would save much time and bother if the provincial Governments were given power to raise loans without the sanction of the Government of India in cases of urgency.

15791. If the Local Government went into the market to borrow, would any loans which they might raise interfere with the power of the Government of India to raise money for larger purposes?—I think both Governments could borrow.

15792. But would the operations of the Local Government in the money market interfere with those of the higher authority?—It might be so.

15793. You think the rupee market is not large enough to hold the operations of both Governments. —Yes.

15794. But you would wish the Local Government given more freedom in the matter?—Yes, subject to some limit of course. I should suggest a lakh or two lakhs, or some such limit, in respect of which the sanction of the Government of India might be dispensed with.

15795. Do you wish to see a considerably greater amount of separation between the provincial Government of Bengal and the Government of India?—Yes, I am in favour of separation. The present scrutiny of the Government of India into the minute details of the annual budget estimates of the provincial Council is unnecessary, and I would suggest that the sanction of the Government of India should be given in respect of the total under each main head the details being left to the provincial Governments. The provincial Councils ought to have power to discuss imperial finance and pass resolutions which would assist the Government of India very much in framing their own budget for the coming year, as they would get much more information unofficially than they get at present.

15796. With regard to the right of appeal, do you wish to see it curtailed in any respect?—I do not, and that is the feeling of the public, so far as I can ascertain.

15797. Do you know anything about the Court of Wards. Yes, I have had some practical experience of it. The provisions of the law should be extended. The object of the law was that estates should be properly managed, and the rule, which has been in existence since 1793, that only those estates which paid revenue to the Government should be brought under the Court of Wards, ought to be extended.

15798. With regard to estates, whether under Government or not, should the Commissioner have power of dealing with them instead of all the details going up to the Board of Revenue?—With regard to matters not involving large questions, the Commissioner should have power to settle them without reference to the Board.

15799. Is it probable that the persons who are concerned in these estates would be glad if the expenditure which is thought proper upon them could be sanctioned by the Commissioner at once?—Certainly.

15800. Would they be satisfied with the exercise of his wisdom and discretion?—Yes, I think they would.

15801. Should larger powers be given to the Collector?—I cannot think of any specific power at present, but on principle I think some larger powers should be given to Collectors.

15802. Would you rather see the Court of Wards estates managed by the Commissioners of the various districts in which the estates are situated than have

an expert adviser at the headquarters of the Government?—I do not think there is any great necessity for an expert.

15803. Is there any hesitation on the part of Sub-Divisional Officers to speak to and deal with all classes of the community?—They do not freely talk with all classes of the people.

15804. Have the people access to the Collectors?—They have, but not to the extent necessary and desirable.

15805. Is that because the Collectors are disinclined to speak to them?—Not as a general rule, but there are some officers among the Collectors, of whom I would say that they are stand-offish, and a great deal of reform is necessary in that direction, because if Divisional Officers, District Officers and Sub-Divisional Officers were to speak to the people more freely, much in the way of improvement would be brought about. District Officers' visits are not so frequent as those of the Sub-Divisional Officers, who come more into contact with the people than District Officers, although most of them go on with the hearing of cases when in camp, which very much interferes with the real object of going about. They could very well improve sanitation, for instance, and suggest many kinds of reforms to the zamindars and tenants towards which Government have already sanctioned contributions, but these things are not done.

15806. Is there any disinclination on the part of either Hindu or Muhammadan gentlemen to mix with District Officers?—I do not know of any such disinclination; in fact, so far as the people themselves are concerned, they are not averse to it.

15807. Would the cost of either the Collector entertaining some of these gentlemen, or the cost to a native gentleman of entertaining the Collector be considerable, or would it be necessary to incur any cost?—Any social gatherings at the instance of the people would necessarily be rather expensive, because they would not think of inviting a Collector unless everything was done in decent style.

15808. Would a Collector feel it necessary to spend a good deal if he asked some of the leading gentlemen to come and see him?—I do not think the Collector would have to spend much; if he were to simply ask the people to call and see him, they would very gladly do so.

15809. Have you, yourself, living in a country district, ever experienced any incivility or discourtesy on the part of Collectors or Sub-Divisional Officers?—So far as I am personally concerned, I have never met anything of the kind.

15810. How long do you think it is to the advantage of a district that a Collector should stay in it?—I think three years should be the minimum.

15811. Would five years be too long?—Yes; because it would stand in the way of the promotion of an officer.

15812. From the point of view of advantage to the district, would it be too long, or might the Collector take sides or prejudices?—If a Collector knows his district, very well, no doubt it is an advantage, but there is the disadvantage that some people think a long stay undesirable.

15813. In former days did Collectors and Commissioners know their districts better than they do at present?—Certainly.

15814. And did the people like them to remain in a district a long time?—In those days I do not remember any instance in which people did not like a long stay.

15815. Therefore from the point of view of the interests of the districts it is best?—Yes, from that point of view it is advantageous.

15816. Could any powers be given to village communities?—It depends upon circumstances. There are districts in Bengal, and also some in Bihar, where it might do good, but there are others in which the people not being sufficiently advanced, the system would not work well. If it was introduced, it would have to be introduced very slowly and carefully.

15817. (Sir Steyning Edgerley.) Have the non-official members of the Bengal Legislative Council a right to elect a member to the Imperial Council?—They have.

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15818. Therefore, through that representative, they have an opportunity of discussing imperial finance?—They have.

15819. And they can ask that member to put forward any views which might approve themselves to them?—Yes, there is nothing to prevent it, but still I think it would be desirable to allow the provincial Council to discuss matters of finance and decide for themselves.

15820. Would you apply that principle also to the provincial Legislative Councils, and let all District Boards discuss provincial finance?—Yes, I think it would be desirable.

15821. As regards the supervision of the Government of India over major heads instead of minute details of expenditure, are you aware that that is exactly the present position? They do not interfere with anything below the major heads of the provincial budget, do they?—I think the minute details are also scrutinized by the Government of India.

15822. Is there not a section in the Act dealing with the Court of Wards, which says that the powers may be delegated to a Commissioner, Collector, or any other person in certain cases? I think there is.

15823. Then all the delegation necessary with regard to the Court of Wards can be done, as a matter of course, and at the discretion of the Local Government, without any further authority being given?—I think so.

15824. With regard to Advisory Councils, do you wish to see different kinds of them in different districts, worked according to the circumstances of particular districts?—Yes.

15825. You would want legislation to effect that purpose, of a very general character, allowing experiments in different districts?—Yes, necessarily.

15826. Practically a section giving the Local Government power to make rules?—Yes.

15827. Would that satisfy you?—Rules for the purposes of constitution and defining their duties—yes, but I think the election of the members of the Council must be by the people representing different kinds of interests.

15828. That you could provide for by rule, where it was suitable?—Yes.

15829. And where it was not suitable, you could provide for nomination?—Yes, it should be both by election and nomination.

15830. Do you not think it likely, as regards either a delegation of power under the section in the Court of Wards Act, or as regards a general rule giving power as to Advisory Councils, that there would be cause for public complaint?—So far as I can see, I do not think there ought to be any ground for public complaint in that connection. The question is how the rules themselves would stand.

15831. The rules, of course, would be published, and be subject to criticism before being passed?—Yes.

15832. (Mr. Meyer.) Have you any special experience of Municipal and District Board work?—Yes, I was a member of the Bhagalpur Municipality for about six years, but I have ceased to be a member for over eight years.

15833. As a member, did you take an active part in municipal work?—I did.

15834. The municipal budget has to be passed by the Commissioner? Supposing he finds the municipality is not spending enough money, for instance, on sanitation, can he increase the allotment for sanitation, and decrease the allotment for, say, education correspondingly?—He can.

15835. Do you want a municipality to have full power of making appropriation from one head to another?—Yes.

15836. Might not that defeat the Commissioner's order? The Commissioner may have cut down the education allotment by Rs. 5,000 and added it to the sanitation allotment, but by your suggestion the municipality could simply retransfer it again, could they not?—After the Commissioner has sanctioned the budget, if it becomes necessary, in the opinion of the municipality, that a certain amount should be trans-

ferred from one head to another, I think they should be allowed to do so without further reference to the Commissioner.

15837. Do you mean that they should exercise that power in order to defeat the decision of the Commissioner?—No, I simply say, after the sanction of the Commissioner, if it becomes necessary in the opinion of the municipality to transfer, having regard to circumstances springing up later on, from one allotment to another, then that it should not be necessary to refer the matter further.

15838. Is there not, then, the possibility that the municipality, supposing it differed in opinion from the Commissioner, could use that power to defeat the Commissioner's ideas?—I think the municipal Commissioners must be taken to be discreet people, and I do not think many of them would act against the views of the Commissioner simply to gratify their own views.

15839. If municipalities had this power of reappropriation which you want to give them, and the Commissioner found that power being abused, might he still interfere?—Certainly.

15840. Have municipalities much power with regard to the creation of appointments?—Very little. I do not think I should be justified in proposing any alteration in the present rules. Of course there are municipalities in Bengal and other places where that state of things may be remedied, but so far as Bhagalpur, Monghyr and other municipalities are concerned, I do not think very much larger powers are necessary at present.

15841. What is the size of the Bhagalpur municipality?—It is a big town.

15842. Are there not a number of municipalities in Bengal ranging in size from a big place like Patna to small villages?—Yes.

15843. Would it be advisable to discriminate and give larger powers to the bigger municipalities?—Larger powers might be given to a municipality like Patna, but I do not think it would hold good in all municipalities. I think the powers which the smaller municipalities have already got are quite sufficient.

15844. Has a municipal *employé*, if dismissed by the municipality, any appeal?—Yes.

15845. Who would dismiss a clerk in the employ of a municipality on Rs. 16?—The Chairman.

15846. To whom does the appeal lie then?—Straight to the Commissioner.

15847. Would it not be well to have an appeal from the Chairman, as the Executive Officer, to the municipal Council as a whole, instead of to an outside authority like a Divisional Commissioner?—Yes, I think so, and it would be desirable that a power of appeal should be given to the municipalities.

15848. Does the District Board deal with questions of vaccination and education?—Yes.

15849. Was there much interference in your time by the Education Department, or was the Board allowed to have its own way?—I do not think there was much interference on the part of the Education Department.

15850. Were you satisfied with your powers?—Yes.

15851. Had you committees to deal with these things?—Yes.

15852. In your opinion, is the Collector the proper person to be Chairman of the District Boards?—In the present state of things the Collector is the proper person, but if there were a qualified non-official member of the Board, I should prefer him.

15853. But has not a Collector a larger knowledge of a district as a whole than anyone else?—Yes, the Collector has a large knowledge; but should there be, among the members of a District Board, a man who has lived in the district itself for a large number of years with greater knowledge, and he is qualified, I should prefer giving the Chairmanship to him rather than to an official.

15854. But must not the Collector have something to do with education and sanitation and such matters? Do you propose to take those matters away from his control altogether in the case you mention?—I think

it is essentially necessary that he should have to do with those things, and, on the whole, he would be a more suitable person to be Chairman.

15855. With regard to the Santhal Parganas, is there a special system of judicial administration there?—Yes. The Commissioner of the Division exercises the powers of the High Court.

15856. Is that satisfactory?—It has been satisfactory, but I think there are some places which should not, in the present state of things, be kept under the Regulations.

15857. Does the Deputy Commissioner also exercise civil powers?—He has the powers of a District Judge.

15858. As to your desire that provincial Councils should be allowed to discuss the imperial budget, what kind of things do you look forward to their discussing—army estimates or what?—All items.

15859. Do you think that a provincial Legislative Council should discuss imperial legislation, imperial Acts, and imperial Bills?—No, I should limit it to the budget.

15860. As to Local Governments being allowed to issue loans of one or two lakhs of rupees, does any Local Government ever really want to borrow so little as a lakh?—I simply put that as a figure; it was more the principle I was dealing with.

15861. You deprecate any curtailment of the right of appeal. At the same time you say that District Officers are not sufficiently in touch with the people; might that not be due largely to overwork on their part?—I do not think appeals add much to the work, but at the same time the feeling of the people is so strong in this connection that I certainly would wish the present state of things to remain unaltered.

15862. Is there not a limitation with regard to appeals in civil matters? No second appeal is allowed on questions of fact. Do you see any harm in applying that rule to administrative and executive matters?—I think in matters in which appeals lie to the Local Government, the privilege ought to remain where it is.

15863. You desire that the Court of Wards should be able to take over estates which do not pay revenue direct to Government? What value would these estates run to?—May I give you an instance? I know of an estate which is at present in the possession of an Indian lady; the property is mismanaged and the income is wasted; in a civil suit the High Court has appointed a Receiver, and steps are being taken to bring that estate under the management of the Court of Wards on the ground that a portion of the property pays revenue to the Government, and therefore it comes within the definition of the section in the Act, but the bulk of the estate does not pay revenue direct to Government.

15864. Do you mean that the estate pays rent to an over-landlord?—Yes.

15865. Then would you put the Court of Wards in the position of tenants to a zamindar, which is what it would come to?—As trustees, no doubt, but at the same time I do not see that there is any harm in that. It would also protect the interests of the tenants.

15866. Would it not lead to friction between the Court of Wards and the local landlord?—No, and it is a matter of absolute necessity as I find by experience.

15867. Would it not be an advantage for the Collector to change his district occasionally, in order to see how things are being managed elsewhere?—I think that a Collector ought to stay in a district for three years.

15868. But you would not have a Collector stay his whole time in one district? It might be to the advantage of the Collector to be shifted, might it not; and therefore indirectly to the advantage of the people that he should have experience of two or three districts and be able to compare the administration?—Yes.

15869. Is it your opinion that an Advisory Council should be purely advisory?—Yes.

15870. The question would be somewhat like that of a Judge trying a case with assessors?—Yes; he need not necessarily act upon their advice. What I mean is that the opinion of an Advisory Council might be brought to the notice of the local authorities and the Local Government.

15871. Should their opinions be brought to the notice of Government as a matter of right?—Yes. It might be at the instance of the members of the Advisory Council, or it might be at the instance of the Local Government that important matters should be brought forward.

15872. In dealing with a matter which a Commissioner could dispose of himself, would it be necessary to refer the case to Government, if the Advisory Council and he differed?—Yes, I think so.

15873. Why do you consider that legislation would be required to bring this Council into existence? Might it not be done by executive instruction?—It might be, but no Executive Officer would then be bound to consult it.

15874. But if Government said, "You must send cases up to us if you and the Council differ," would not Collectors have to obey the order?—Yes; in that case it would be so, and legislation would not be necessary.

15875. (Mr. Hichens.) How long would it take a Collector to know his district?—He would be able to know his district generally in the course of a year, I should think.

15876. But how long would it take him to acquire a thorough knowledge of it?—Two years or so, I should say.

15877. So, practically speaking, if he is in a district for only three years, he would go away as soon as he has learnt it?—It might be so.

15878. Is that a sound thing?—It is sound from the point of view that there are instances sometimes in which the people do not want the same officer to remain for a very long period. It depends very much on the temperament, disposition, and work of the officer.

15879. If an officer does his work well and is popular, may not the people like him to remain, say, for 10 years?—Yes.

15880. Do you mean that they would like to get rid of an unpopular Collector after three years?—Of course, there ought to be some general rule or principle; I should think, three years is quite long enough.

15881. Would you base the rule on the assumption that the Collector is going to be unpopular?—No, I have no reason for making an assumption of that kind.

15882. Would it not be a sounder assumption that the Collector would be a good man, in which case he ought to stop for 10 years?—Certainly.

15883. Are you a member of the Legislative Council?—I was for two years—1902-3.

15884. Was the question of the financial settlement between the Government of Bengal and the Imperial Government being discussed during your time?—I think it was settled about that time.

15885. Was an explanation ever given in the Legislative Council with regard to the general trend of it?—Not so far as I remember.

15886. Was any statement published about it?—Did you ever have any chance of clearly understanding what the basis of that settlement was?—I do not particularly remember.

15887. Was the matter discussed in public or private?—Not that I know; but it was discussed later.

15888. You say that you want a further separation as regards financial matters between the Local Government and the Government of India. Would you go so far as to have a separate budget with regard to provincial funds?—I would like minute details in every provincial budget to be settled by the Local Government.

15889. Only the details? Are you quite content that the general budget should go to the Government of India as it does to-day?—Yes; I simply want minute details to be left to be settled by the Local Government.

15890. Is it a good thing that some outside body, that is to say, the Government of India, should control the expenditure of the provinces?—Yes.

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15891. Should a provincial Government be allowed to make its own budget as it likes without any criticism?—I think not.

15892. Supposing the budget were fully discussed in the provincial Legislature, would you modify your opinion with regard to the criticisms of the Government of India, and would you say under those circumstances it might no longer be necessary to refer it?—If the provincial Governments were given power to discuss imperial budgets, then, of course, I would certainly have no objection. But so far as minute details are concerned, I adhere to my opinion that they should be left to provincial Governments without having to go up for the sanction of the Government of India.

15893. (Mr. Dutt.) I suppose all those matters regarding the financial settlement are settled by correspondence between the provincial Government and the Imperial Government, and are not discussed in the Legislative assembly?—I think so.

15894. So that the Legislative Council has no opportunity of knowing what is being done in these matters until they have been decided?—That is so.

15895. Is the Bengal budget discussed after it has received the sanction of the Government of India?—Yes, always.

15896. Therefore if, in the course of the discussion, any changes appear to be necessary, there is no machinery for introducing those changes?—None whatever.

15897. So that practically the discussion is only academic and is of no practical value?—That is so.

15898. Would you like a scheme by which discussion might take place in the Bengal Council before the budget went up to the Government of India for sanction, so that if the Lieutenant Governor thought it desirable to make any changes in the budget after discussion, he might be able to make them before submission to the Government of India?—Yes.

15899. In speaking of the Bengal Government one means only the Lieutenant-Governor?—Yes.

15900. And the items in the budget are practically settled by the Lieutenant-Governor?—Yes.

15901. You referred to certain matters in regard to which the Local Government ought to have larger powers, but sometimes are not changes in administrative systems brought about too frequently?—Sometimes they are, but there are sometimes urgent reforms which must be dealt with.

15902. Has not every Lieutenant-Governor views and ideas of his own differing from those of his predecessor?—Every Lieutenant-Governor no doubt has some pronounced views different from those of his predecessor.

15903. And to some extent there is a change in the policy of a Government with every new Lieutenant-Governor?—Yes.

15904. Would there be more continuity of policy if Lieutenant-Governors were assisted by an Executive Council of two or more members?—Yes.

15905. On the whole, would there be less chance of sudden and needless changes if there was an Executive Council to help the Head of the Government?—Yes, I think it would be better.

15906. With regard to borrowing powers, did you mention a lakh of rupees as an approximate limit to which Local Governments might go?—No, I simply gave that as illustrating the principle I put forward; I do not say that that should necessarily be the sum; it might be a smaller sum.

15907. Have you any idea what approximate sum should be fixed?—No; I would leave that to the administrative authorities to fix.

15908. Would not the granting to provincial Governments of these powers lead to a multiplicity of loans in the country, and probably add to the indebtedness of the country?—I do not think so. It would not add to the permanent indebtedness of the country because a sinking fund might be formed, and gradually the loan liquidated.

15909. Is not the present check beneficial from the point of view that the provincial Governments are stopped from borrowing immediately they think a loan is necessary, and that they have to consider the

matter well before going to the Government of India for sanction to a loan?—I think, having regard to the urgency of some matters, the Local Government ought to have power to raise loans.

15910. In urgent cases, for instance such as famine relief, is there unnecessary delay in getting the sanction of the Government of India?—There is delay, and I want to prevent that.

15911. Would you like to give the Local Governments larger powers in the creation of new appointments?—Yes.

15912. Do you know that the powers of the Government of India are limited in that respect?—Yes.

15913. And you would not give the Local Governments larger powers than the Government of India have in matters of appointment?—No.

15914. Would you give them similar powers?—Yes, I would leave improvements in Services and certain other matters to the provincial Government instead of allowing them to go up to the Secretary of State.

15915. Are officers of the Provincial Service—Deputy Magistrates—also too frequently transferred?—Yes.

15916. There is a proposal to empower Commissioners of Divisions to transfer Deputy Magistrates from one place to another within their own divisions; would that be likely to lead to more frequent transfers of Deputy Magistrates?—Not necessarily.

15917. Would it be beneficial for the administration of divisions that Commissioners should have the power of moving Deputy Magistrates from place to place within their own divisions?—It would be an improvement on the present system, because the Commissioner knows the needs of a division better than anyone else.

15918. You propose to give District Boards some powers of control over the smaller municipalities within a district, on the ground that the smaller municipalities have very limited funds and that the District Boards might help them. Do you propose that a part of the district funds should be diverted from their legitimate purpose to the help of the municipalities?—No, I do not mean that; what I mean is that the smaller municipalities have limited means; they have no engineers, for instance, of their own, but District Boards have engineers, and in cases of settling questions of drainage, or anything of that kind, the District Boards might help.

15919. Without charging any fees?—Yes.

15920. With regard to delegation, supposing some powers have been vested by a Legislative Act in the Local Government, and under a General Act of Delegation the Local Government delegated those powers to Commissioners and Collectors, without any special amending Act, would that not be defeating the object of the original Act vesting the power in a particular authority?—Practically it would.

15921. Supposing the Local Government has power of sanctioning taxation in municipalities, and under a general Act of Delegation empowered all Commissioners and Collectors to sanction the imposition of fresh taxation within municipalities, would not that be defeating the object of the original Act?—It would be so.

15922. Would that be liked by the people?—I am not very certain as to what the popular feeling would be, but I would be disinclined to do it.

15923. (Sir Frederic Lely.) Has the action of the Court of Wards proved to be very beneficial in that it creates a link between the Collector and some, at any rate, of the landowners in his district?—So far as it goes, yes.

15924. If an estate in certain circumstances is not under the Court of Wards, it goes to ruin?—Yes.

15925. The Board of Revenue is practically the Chief Revenue Court of Appeal at present?—Yes.

15926. And parties have a right to appear before it in person or by pleader?—Yes.

15927. Is that a privilege which is greatly valued?—Yes.

15928. If that privilege ceased to exist, would it be popular among the people?—It would not be acceptable.

15929. In creating an Advisory Council, would you create it for a whole district?—Yes.

15930. Would the members be elected?—Partly elected, and partly nominated.

15931. Would they be living here and there all over a district, and at a distance from each other?—It might be so, but not necessarily so.

15932. You have enumerated certain subjects on which they should be consulted, the first being income-tax; how do you propose they should be consulted in that matter?—As regards the scale and rate, and also they might bring to notice how the Income Tax Officers have acted, and are acting; whether they have overassessed or underassessed people; in fact, in all matters.

15933. Would you invite their opinion as to the general rates of income-tax?—Yes.

15934. But so far as their opinion regarding a point of that kind went, they would be an Advisory Council, not to the Collector, but to Government?—Of course.

15935. In dealing with a case of overassessment, do you think a general Council, drawn from every part of the district, would have any opinion as to the means of any particular individual which would be worth

listening to?—No, but when the opinions of the various districts throughout the country are brought to the notice of the Government, the Government would consider the advisability of making any change.

15936. Taking the case of a man who the Council assert is overassessed, do you think the opinion of a General Council, drawn from the whole district, as to the means of that particular individual, would be worth anything at all?—I think the matter might be taken into consideration by the assessing officer the next year.

15937. With regard to excise, in what way do you propose an Advisory Council should give advice?—At present the system is not working very satisfactorily; as women and children in the villages have opportunities for getting drunk.

15938. Would the Council be more likely to know more about such a thing as that than the District Officer?—I think the Council certainly would know the people better than the District Officer, and might bring such a thing to the notice of the Government.

15939. As to the right of appeal, do you agree that the popular opinion is that every man has a right to go to the Head of the State?—Yes.

(The witness withdrew.)

The Honourable BABU KALIPADA GHOSH was called and examined.

15940. (Chairman.) What is your occupation?—I am a pleader and a landholder. I reside at Ranchi. The existing financial relations between the Government of India and the Government of Bengal do not require any material change. The financial settlement which was entered into between these two Governments in the year 1904, and on the basis whereof the Bengal Government budgets have been prepared and worked out since the year 1905, was a distinct improvement on the system which preceded it, and we have had no serious complaints to make regarding the existing system. The financial settlement entered into in 1904 was not limited to any fixed term, but it has been made for an indefinite period, and it is not now open to the Government of India to absorb any possible balance in the hand of the Local Government at the end of every five years. Of course, the Imperial Government have reserved the power of interference or revision, if occasion arises for it, and this power should be retained, as it is calculated to keep the Government of Bengal always alive to the sense of heavy responsibility in dealing with the extensive revenue at its command. But the power of the Imperial Government of making a demand on the provisional revenues should, if possible, be defined, so that they may not exercise this power except under circumstances so abnormal as to exhaust the imperial resources and necessitate a suspension of public reforms in the country. With this reservation in the power of the Government of India, I should say that the controlling power of revision which has been retained by the Government is salutary in its effect.

I do not consider the influence of the Departments of the Government of India is in the direction of excessive rigidity. If this influence is relaxed, the existing state of things may be rendered worse.

It is desirable to allow provincial Governments to develop their administration on their own lines, adopting or not, at their discretion, suggestions of reform brought to their notice from other provinces; the conditions obtaining in the several provinces in the country being different, the provincial Governments might be given some amount of discretion in developing their administration on a line that will suit local conditions and satisfy public opinion of the province.

I am not in favour of curtailing the right of appeal to the Government of India.

I do not think any extended powers need be given to the Commissioners of Divisions, Collectors or Deputy Commissioners, and Sub-Divisional Officers. The powers which they already exercise are very extensive, and a further extension of their powers is apt to demoralise such officers as have autocratic inclinations.

Commissioners and Collectors should be given the power of supervising the Public Works Department

expenditure in their division or districts. At present the supervision is entirely confined to the officers of the department. A contractor entrusted with the execution of any work has to pay ordinarily 5 per cent. of the amount of the bill to overseers and other supervising staff to get his bills passed, and in certain kinds of work a higher percentage is exacted, with the result that not only public money is thus wasted, but the work itself is often badly executed. This scandalous state of things may be remedied to some extent, if the Collector of the district in which the work is done is given powers to supervise the work generally.

I do not think it safe to curtail the right of appeal to the Local Government. Such curtailment may shake the confidence of the people, and make the officers concerned in some degree irresponsible. To lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist would not be desirable, as such a course may practically amount to a denial of the right of appeal. I am of the same opinion with regard to appeal to Heads of Departments and Commissioners. Generally speaking, I do not consider that the influence of the provincial Government is in the direction of excessive rigidity. Sometimes such influence may be regarded in that light, but it is an error on the right side.

I do not think that the provincial Governments are, as a rule, too impersonal and too much dominated by considerations of revenue, but a great deal depends upon the tendencies of the Head of the Administration.

The influence of the Commissioners in matters appertaining to departments other than the Land Revenue Department is sufficiently strong, and adequate weight is given to his views.

The Executive Officers have certainly sufficient opportunities for personal contact with the people, provided they choose to avail themselves of them. The obstacles in this direction are sometimes of their own creation, as they either lack due sympathy for the people entrusted to their care, or sometimes show too much favour to only certain individuals or classes, which has the effect of creating bitterness of feelings between different sections of the people. The Executive Officers, I mean the European Officers of comparatively short standing, do not possess sufficient knowledge of the vernaculars, and their success in their departmental examination, in the way in which it is now conducted, is no criterion for judging their knowledge of the vernaculars. It is by no means desirable to place junior officers in charge of a district, as they cannot be expected to have such knowledge of the vernaculars as a District Officer should possess.

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In my opinion any general increase in the administrative staff is not required. The work which a District Officer is now required to do is certainly multifarious in its nature, but it can advantageously be reduced. The District Officer's work in connection with (a) municipalities, (b) District Boards, (c) dispensaries, (d) primary education, can very well be entrusted to the local bodies in the district, and in addition he should be entirely relieved of all judicial work. The existing system requires that a District Officer should look to all departments in the district, and in addition to his heavy executive work, he is required to perform judicial (criminal) work.

Transfers of officers are unnecessarily frequent. As soon as an officer acquires some knowledge of the district or division, he is transferred to another place, and this is one of the reasons why an officer fails to enjoy the true sympathy of the people and their hearty co-operation. A sympathetic officer should be allowed to continue in a district or division for at least five years. Such transfers can be reduced by putting certain restrictions regarding leave and furlough, which are at present too frequently granted.

The District Municipalities and the District Boards can be granted larger powers in the direction of the management of dispensaries and educational institutions within their jurisdiction, and they should be entirely freed from all official connection. At present the District Officers and the Government nominees predominate over these bodies, at least in many districts, and the Divisional Commissioner has too large powers of interference, and the people enjoy the sham of Local Self-Government. This reform can be easily effected, as there is no lack of enlightened and educated men in the country to do the work.

I am in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. The members of such Councils should be elected, say, one by the District Board, one by the municipalities; and if more than two members be considered necessary, certain electorates, as of landowners or of professional people, may be formed, and each electorate may elect one member.

In my opinion it would not be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts.

15941. Have you any experience of Government either from the local or from the provincial point of view?—Yes, I have been a member of the Bengal Legislative Council for two years.

15942. As such, do you have much opportunity of seeing the working of the Executive Government?—No, not much.

15943. Therefore, perhaps, you are not fully acquainted with either the restrictions or the conditions with regard to the relations between the two Governments?—So far as the Executive side is concerned, I do not know much, but so far as finances go, we have some experience.

15944. Have you yourself at any time experienced any discourtesy from Commissioners or Collectors?—Yes, on some occasions, at the hands of Collectors.

15945. In what way was it exhibited?—I have known even when representative people of a district have wanted an interview with a Collector on certain important matters, they have been told he had no leisure to see them, and I have known of a case of a Collector on tour, when the local zamindar came to salaam him, telling the chaprasies not to allow him to come into his camp.

15946. Has that occurred in recent years?—No, not in recent years, some years ago.

15947. Was that the only occasion on which you remember such a thing happening?—I have known it happen twice or thrice in my experience.

15948. If it has only happened twice or thrice, would you call it a common trait?—No, it is not common; on the other hand, I cannot say that it is altogether uncommon.

15949. Is that the principal reason why you think no further power should be given to Collectors?—Not exactly the principal reason, but one of them.

15950. With regard to the Public Works Department, might there be some extension of power?—Yes,

I should say it is very necessary that the Collector should be given control over the Public Works expenditure.

15951. Who controls that expenditure now?—The officers of the department; the Collector and the Commissioner have nothing to do with the control of the expenditure.

15952. Do you suggest that contractors employed by the Public Works Department are in the habit of offering bribes?—Not that they are in the habit of bribing, but that they are compelled to bribe, that is my point.

15953. What class of officials do they generally bribe?—The officials in immediate supervision of the work, such as overseers, sub-overseers and supervisors.

15954. If the supervision of the Public Works Department was made over to the Collector, how would it be possible to prevent the overseers being bribed any more than at present?—I do not mean that the jurisdiction of the Public Works Department should be entirely transferred to the Collector, because it is absolutely necessary that it should remain with the Engineers; but the Collector should have some power of supervising the work, such as an Executive Engineer or a Superintending Engineer has.

15955. How would that stop the corruption?—If overseers and others knew that they were open to supervision by people who did not actually belong to the department, they would be more careful; because nowadays what we find is that if complaints are made against the overseers, they are not taken much notice of. Whereas if a contractor could make his complaint to the Collector, I think the Collector would take due notice of it, and, in the result, overseers and other people would not be so bold in demanding illegal commissions as they are now. It is a very gross scandal in our part of the country, where I know the whole of the contractors have to bribe these people, and they cannot make good a complaint to a Magistrate.

15956. If they cannot make good a complaint to a Magistrate, how would they be able to substantiate a case before a Collector?—That is another thing; to make a complaint to a Magistrate as a Criminal Judge is one thing, and making a complaint to a Collector is another thing.

15957. But it is not making the complaint; it is substantiating the charge?—Quite so, and if the Collector is entrusted with the supervision of the work, and the complaint is made to him, he would be able to deal with it.

15958. Do you say that a District Officer as a rule has not much knowledge of the vernacular?—I refer, of course, to junior District Officers. In most cases the senior Collectors have a good knowledge of the vernacular.

15959. After how many years' service does an officer begin to have a good knowledge of the vernacular?—I should say after ten years, and not until then.

15960. Do you think that Government hampers the activity of municipalities?—I do. In municipalities where the members are nominated, I do not think they do their work with any amount of independence; they simply attend the meetings as a formal matter and do not take much interest in the affairs of the district. But in cases where the members are elected, the elected members take a good deal of interest, and the Magistrate, who may happen to be the Chairman, also takes a large amount of interest in what is being done. I have no complaint to make against him, but my point is if the Magistrate's connection is cut off, and the management of affairs is entrusted to a non-official man, the Board will take a greater interest in the work.

15961. Are the places where the municipalities elect their members more numerous than the places where they do not elect them?—I cannot give you the exact numbers, but generally I should say yes, though not much. In the case of District Boards nomination is very large, but in the case of municipalities I think election and nomination are about equally divided.

15962. In municipalities do you find a greater number of intelligent persons?—Yes.

15963. Might not that account for the greater interest taken in the conduct of municipal affairs?—It might be so.

15964. Do you wish to see the connection between Government and District Boards somewhat reduced?—Certainly; I should make them purely non-official.

15965. Would you cut off the grant-in-aid which is now given by the Government to District Boards?—The Government only does that in special cases.

15966. If the connection between the provincial Governments and District Boards is cut off, would it not be just also to reduce the grant or cut it off altogether?—I think if the District Boards took all the taxes, it would be sufficient. Under special circumstances the Government may make a grant.

15967. What is the time an officer should stay in a district?—At least five years.

15968. If you cut off municipal and District Boards from the District Officer, what would he have left to do?—He would have the police duties to look after, income-tax, the Government estates, and, in several parts of the country, he would have to look after the Court of Wards and Encumbered Estates. He also has to deal with excise, and I am in favour of giving him Public Works; then he would have places to visit, which I think is a very necessary thing for him to do.

15969. If a District Officer has no connection with the District Board, when he went into a village or town, would he be received with as much attention as he is now?—So long as he is the Head of the police, I certainly think so.

15970. Would he retain his hold upon the district by virtue of his being the Head of the police?—Yes.

15971. Do you mean that he would only have influence with regard to criminally disposed classes of people? What interest would the respectable classes of the community have in the District Officer; they would not be in terror of him as Head of the police?—Of course, respectable people would not be in terror of the police, but if the District Officer is divested of some of his powers, I think the respectable people would still have regard for him.

15972. But would not divesting him of these powers lower his position?—No, I think not. I do not mean to say that the District Officer should not have the power to criticise the actions of the Board, only he should not preside as Chairman.

15973. Then would you still give him some power of supervision over their expenditure and action?—Yes, that is necessary.

15974. You are in favour of increasing the powers of municipalities and District Boards? Ought they to have both primary and secondary schools under them?—No, I think only primary schools.

15975. Should they have the management of village schools?—Those schools to which grants-in-aid are given by Government are under the management of the Education Department and the inspectors under it.

15976. Would you leave them under the Education Department?—Certainly; the Education Department should look to the technical portion, that is to say, the appointment of teachers and the specification of textbooks and so on; but as far as finances are concerned, I think the District Officer should look after them.

15977. In the event of any attempt being made to create village communities, would you give them any part in the management of schools?—No.

15978. Would you keep schools out of their hands entirely?—Certainly.

15979. (Mr. Hichens.) Are officials of a municipality appointed by the Chairman?—Yes.

15980. Who has the power to dismiss them?—The Chairman; but in certain cases within certain limits, he is bound to do it at a meeting of the Commissioners; he cannot do it himself alone.

15981. Have they any right of appeal from the Municipal Commissioners to the Commissioner of the division?—Yes. I would not do away with that.

15982. I thought you wanted to give municipalities real independence?—I am in favour of giving real independence to the Municipal Commissioners, but I am not in favour of doing away with the right of appeal from them, because they might not understand things properly in certain cases, and the people ought not to be deprived of any right of appeal.

15983. Are you prepared to entrust them to administer the local affairs of the municipality?—Yes.

15984. In that capacity would they not have to perform very important duties, such as imposing taxation and seeing that taxes were fairly and justly collected, and they would be responsible for the general efficiency of their municipality?—Yes.

15985. Would you entrust them with all these powers, and yet not allow them to be able to dismiss their officers?—I think the fixing of any rate should rest with the Local Government; I am not in favour of delegating that power to the Commissioners or any other body.

15986. Is it the case that the maximum rate of taxation which can be levied is laid down by law?—Yes.

15987. Would you give the local authority power to collect that rate up to the maximum without further sanction?—Yes.

15988. You would give them very large powers of taxation, and you would give them power to appoint, but would not give them power to dismiss. What is your reason for that?—I would give them power to dismiss, but I would not deprive the men who had been dismissed of any right of appeal.

15989. If you would give them absolute power in other matters, why not give it to them in that respect?—Simply for the reason that dismissal is one thing, and appointment is another. I think if a man makes an error which is not serious and is dismissed, he should have a right of appeal.

15990. The appointment of a bad man to an office under the municipality might affect the whole town?—Yes.

15991. Is that not an important matter?—Yes, but I do not think it is so serious as the case of a man being dismissed and not having a right of appeal.

15992. Have you ever been on a District Board?—No, but I represent all the District Boards in my division in the Legislative Council.

15993. Should further powers be delegated to Local Boards from the District Board?—I would not say so generally. It might be advisable in particular cases which would depend upon the constitution of the Local Boards, and the best body to deal with them is the District Board. I should not say that all the Local Boards ought to possess such and such powers.

15994. Broadly speaking, you do not think decentralization should get any further than the District Board?—That is my opinion, broadly speaking.

15995. Would you be in favour of giving further powers to the village panchayat?—I should theoretically, but the difficulty is we have not much experience of village panchayats nowadays in our country.

15996. Would you like to make an experiment?—I should.

15997. How often does a District Board meet?—Once a month.

15998. Has a District Board great local knowledge?—They have not as much local knowledge as they ought to have.

15999. Taking it that a Local Board would have more knowledge of its particular area, would you be in favour of doing something more for Local Boards?—Yes.

16000. (Mr. Dutt.) Do you agree with the last witness that the Bengal budget should be discussed in Council before being submitted to the Government of India for sanction?—Certainly; but the point is that the Members of the Council cannot discuss the budget, because it is cut and dried before it comes to them.

16001. Do you think that sometimes changes of administration are brought about too frequently according to the views of successive Lieutenant-Governors?—Yes.

16002. Would the appointment of an Executive Council to help the Lieutenant-Governor add to the continuity of policy in administration?—Most certainly.

16003. Would it be a desirable thing?—Yes. I am strongly of that opinion.

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16004. Are you of opinion that the whole Road Cess money should be paid over to the District Boards?—Yes.

16005. Is it not so paid now?—The Road Cess money is not wholly spent on the purposes of the District Boards, and that is a thing we are trying to introduce into the amendments of the Local Self-Government Act.

16006. Are you not trying to get a provision that the whole Road Cess money should be spent on communications and sanitation?—Yes.

16007. Is it your idea that the whole proceeds of the Public Works Cess should also be paid to the District Board?—No; that would create confusion, I think.

16008. You have suggested that District Officers should be relieved of the duties of presiding over District Boards. In that case, would you give them some power of control and supervision over the work done by the Boards?—I would.

16009. If a district Board went very far wrong, ought the District Officer to have power to make them do their work properly?—Yes.

16010. Would you give him any power with regard to municipalities within his own district?—Yes.

16011. Are you aware of the proposal that each class of men in a sub-division should choose members out of their own class on the Local Board?—Yes.

16012. Would the cultivating classes in a small sub-division be able to find a proper representative from among themselves?—No.

16013. If they were prevented from selecting a representative from any other class, would it not probably be detrimental to their interests?—Yes.

16014. Would you therefore allow them to select a representative from any class they choose?—Yes.

16015. Where the members of an Advisory Board differ from a Collector on any matter, should the Collector be bound by the advice, or should he be allowed to act on his own responsibility?—I should say that would depend on the number of the members. If two-thirds of the Council agreed on a certain point and the Collector differed from them, I think he should act upon his own responsibility.

16016. Then in fact you would allow him full discretion to act upon his own responsibility?—Yes.

16017. Would you propose that the power of sanctioning taxes in municipalities should be transferred to the Commissioner or Collector?—I would not.

16018. Generally speaking, if any powers are vested in the Local Government by a specific Act, would you allow the Local Government by a general Act of delegation to transfer those powers to Commissioners and Collectors?—I think more powers might be given, but generally I would not.

16019. Would you like it to be done by a general Act of delegation or by an amending Act?—I would rather have that done by an amending Act.

16020. (Sir Frederic Lely.) When you say that there are classes who cannot find proper representatives from among themselves, do you mean that it is impossible for any one of those classes to find among themselves a man who knows where the shoe pinches?—There are some men in our part of the country who are unable to put their grievances properly.

16021. Do you mean that they are unable to put it into legal language?—No, I mean that they cannot put them in an intelligible way.

16022. Did you ever go into a village where the people could not make their complaints known in an intelligible way?—In their way they could. Of course, we can understand them; but I doubt if persons sitting on a municipal or District Board would be able to understand them.

16023. Do you mean to say that in a popular assembly they would not be able to make their wants known?—Not always.

16024. Then they must be very extraordinary people?—Yes, they are; and in some parts of the country some of them cannot speak Hindi.

16025. With regard to the Public Works Department, you say that bribery is rampant; has anything

else come to your notice in connection with that department which you would wish to remedy?—No.

16026. (Sir Steyning Edgerley.) With regard to delegating powers, would not a general amending Act, properly safeguarded, do away with many present difficulties?—Yes.

16027. If such an Act were passed, would it not be very much simpler than having to go to the Legislative Council on each and every occasion?—There may be certain matters with regard to which it would not be necessary to legislate, but all important matters should be left to legislation.

16028. You think it should be limited as to spheres of work?—Yes.

16029. You say that the financial settlement entered into in 1904 was not limited to any fixed term, and it is not now open to the Government of India to absorb any possible balance in the hand of the Local Government at the end of every five years, but the Imperial Government has reserved the power of interference or reversion, if occasion arises for it. Is that a good thing?—Yes.

16030. Does it tend to keep the Government of Bengal alive to its responsibilities in dealing with the extensive revenues at their command?—That is my view.

16031. So that it is really a power of constant control over the Government proceedings?—Yes.

16032. Is that the general impression amongst gentlemen who have studied the subject?—We studied the subject when the new financial settlement was discussed in the Council, and it was the feeling of all the members that control should be kept.

16033. If the Bengal Government used its revenues in a manner which did not approve itself to the Government of India, would the Government of India step in and alter the contract?—Yes.

16034. Then that is hardly a final contract?—No.

16035. Do you suggest that these powers of interference should, if possible, be defined?—Yes.

16036. Can you yourself suggest any definition?—Not beyond what I have already suggested, namely, when the circumstances should be so abnormal as to exhaust the imperial resources, or something of that kind. It is very difficult to specify definitely.

16037. Is that a sufficient reservation?—Yes.

16038. Short of that you would not allow the Government of India to interfere with the contract?—No.

16039. (Mr. Meyer.) The financial settlement of 1904 to which you refer is no longer in operation? Was it not necessary to make a fresh settlement in 1906 consequent on the partition of the province?—But the new settlement is on the same lines as the previous one.

16040. In making that settlement, did not the Government of India say very much what you say now, namely, that they would not revise the settlement, except under some grave Imperial necessity, or if the settlement were found to be grossly unfair to the province in some way or other?—Yes.

16041. As regards the instances of discourtesy to which you have referred, if you wanted to see a Collector, and he wrote to you or said to you, "I am extremely busy just now; I must ask you to wait an hour or two, or come another day," would you think that was discourtesy?—No.

16042. Do officers coming from the Bengal districts speak Hindi well?—Not all of them.

16043. Should officers be kept a longer time at Ranchi than they are now?—Yes.

16044. You say that a Collector, though he should not sit on the District Board, should have outside powers of control; but would he not take more interest in matters of education, sanction and roads, if he sat on the Board and discussed them first-hand, than if he were an outside authority?—Of course, he might take more interest if he sat on the Board, but I say it is not desirable for other purposes that he should.

16045. But would it not bring him more in contact with the leaders of the people of the district who may

be on the Board, and would he not be able to see them and exchange views with them at the Board meetings?—Of course, if it was simply from a social point of view, it would be better; but my meaning is that his sitting as Chairman of the Board takes away the independence of the Board itself.

16046. Does his presence frighten the people?—Not exactly frightens people, but people cannot express their opinions so freely and with such independence as they would otherwise.

16047. Do you think anybody whose opinion was worth having would hesitate to speak out freely before him?—Yes. They might know a good deal of the country, because they are local people, but still with the feeling that their position on the Board was by nomination of the District Officer, and that he was present, they would not express their opinions freely.

16048. If they were elected, would they be frightened of him?—Not to such an extent.

16049. With regard to the Board's having larger control over dispensaries, do they not control them now?—Not absolutely; there are the Dispensary Committees.

16050. Is not the Dispensary Committee a branch of the District Board?—No, it is quite a different thing. The dispensary is under the Medical Department, and the District Officer is the Chairman sometimes. The District Board only makes a grant to the Dispensary Committee.

16051. Are not the members of Dispensary Committees members of the District Board as well?—Not necessarily; some of them may be.

16052. Does the District Board make the grant and have nothing further to say?—Yes.

16053. What is the character of your villages? We are told that in Bengal village communities do not

exist in the sense that they exist in Northern India; is that the case in Chota Nagpur?—We have villages, but not village communities.

16054. Have you no village headman?—Every village has a headman in that part of the country, who has some local designation.

16055. Do the villagers meet together; are there no village officers?—Yes; and there is a village headman called a *munda* in our part of the country; in this way we have village communities.

16056. Besides them, have you *chaukidari* unions?—No.

16057. Who manages the *chaukidars*?—The police.

16058. Has not the practice ceased now? We are told that in Bengal proper the *chaukidari* panchayats have become independent of the police. Is that not so in Chota Nagpur?—Not yet.

16059. You suggest that Collectors should get larger powers over Public Works? Might not that be achieved by breaking up the provisional Public Works budget to some extent and giving Commissioners allotments to distribute for different Public Works?—To some extent that could be so, but still the Collector, I think, ought to be given some power as to the actual supervision of the work.

16060. Would you give the Collector a small budget of his own?—I think so.

16061. With regard to class representation on Local Boards and municipalities, do you think, speaking generally, if that practice were adopted, you would get a better class of District Boards than you do now?—Yes.

16062. And that, therefore, they might receive larger powers which you would not propose to give to Boards and municipalities as at present constituted?—Just so.

(The witness withdrew.)

BABU SRIGOPAL BHATTACHARJEE, M.A., B.L., was called and examined.

16063. (Chairman.) You are Deputy Collector of Income-tax in Calcutta?—Yes.

Subject to the principle that the expenditure should remain within the limits of the provincial contracts, I would generally give the provincial Governments as large powers as may be necessary, in regard to non-recurring items of expenditure, in order to maintain the local administration in a high state of efficiency.

As loans involve the financial credit of Government and have to be raised with reference, among other things, to the state of the money-market, I would, as at present, leave borrowing powers in the hands of the Government of India, which can command the best expert advice.

I would give the provincial Governments as complete liberty as is possible in order to enable them to apply to local conditions the general lines of policy laid down by the Government of India. This principle is now recognized in a large measure, as regulating the relations between the Imperial and the provincial Governments. But a large mass of correspondence takes place in settling matters which involve comparatively minor questions of principle, in their relation to different local conditions.

Although the Imperial Secretariat considers matters from a more commanding standpoint furnished by precedents from other provinces, local conditions do not always impress it as effectively as they impress provincial officers. The result is that while, on the one hand, the Government of India take a broader view of matters from the varied materials at their disposal, they become, at times, too impersonal, and discussions become necessary before the local conditions can effectively modify the considerations of revenue. The proceedings of the Orissa settlement seemed to show traces of this tendency. But, on the other hand, the Government of India have, generally speaking, a marked desire to respect the wishes of the Local Governments in matters relating to revenue, and this, generally, prevents any undue predominance of revenue considerations.

I would not curtail the right of appeal either to the Local or the Supreme Government, or to Heads of Departments and Commissioners, notwithstanding

logical considerations in favour of curtailment. It is a privilege sanctioned by historic usage. It is a valuable symbol of personal Government which links the people to the royal throne. People have such a living faith in this right of appeal to Government that they instinctively invoke it when they feel aggrieved. Like the right of petition, this right of appeal has a high political value, which ought to be preserved.

For the purpose of revenue and administrative work I would amalgamate the Board of Revenue as closely as possible with the Government Secretariat. The two Honourable Members and the Chief Secretary may be formed into an Executive Council, having His Honour as President, and subject to His Honour's orders, the different departments may be distributed among these members. The creation of an Executive Council under His Honour will not necessarily extinguish the statutory powers of the Board of Revenue and, after the Council comes into being, the Board may continue to exercise its powers. In the very small number of cases where the law allows an appeal to Government against the Board's decision, the orders in the appeal cases may be passed by His Honour.

District Officers already possess, in matters of revenue and general administration, powers sufficient for one officer. But the most important reform will be to relieve the District Officers from the necessity of attending to petty matters of routine, so that they may have more time to keep themselves in closer touch with the people and to consider the more important questions.

Without superseding the authority of the Heads and other officers of special departments, I would give the Commissioners and Collectors a voice with regard to any important expenditure of these departments in their divisions and districts on matters in which the local public are largely interested. I think that, in matters relating to irrigation and drainage, the views of the Commissioner should have as much weight as the views of the experts when these matters affect any considerable number of residents of the division.

By tradition and by training, the provincial Secretariat establishment take a broader view of matters in the light of the precedents at their command, and,

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owing to their detached attitude, their judgment is not influenced by the prepossessions which local conditions are apt to create. But, while viewing matters from this departmental standpoint, they fail to observe them in their true local perspective. This drawback tends, at times, to make their decisions too impersonal, and also occasionally to give too much importance to considerations of revenue. But the district experience of the Secretaries operates as a corrective of the drawback, and the efficacy of this corrective force depends upon the measure in which these officials impress their personality upon the work of the general establishment.

Though the tours afford opportunities for personal contact with the people, the overworked District Officer cannot utilise them to the best advantage. In order to give this element of personal contact the place it deserves, as a means of improving the relations between the rulers and the ruled, the Collector should be allowed to delegate a considerable part of his less important duties to a gazetted subordinate who should have similar status and position to the Commissioner's personal assistant. Some of the inspection work, which now takes up so much of the Collector's time, may also be curtailed or delegated with advantage. Tours should be less hurried than they are now, so that, with more leisure at his disposal, the District Officer may understand his people better and that the latter may properly appreciate the personal qualities of the Head of their district. Many officers know some of the vernaculars fairly well. I think that a higher standard of knowledge of the written and colloquial vernaculars should be introduced.

Transfers used, in some former years, to be rather frequent. I cannot suggest any method for their reduction. In my own Service, they seem to have, of late years, become less frequent.

I have not much faith in the utility of formal Advisory or Administrative Councils. A tactful and sympathetic Collector or Commissioner can easily choose the right advisers and command their loyal advice and assistance. The creation of formal Councils will have certain drawbacks which may detract materially from their utility. In the District Boards the Collector has a Council which he can utilise for advisory purposes, and he may seek the advice of other residents not belonging to these Boards.

I would not subordinate the smaller municipalities to the District Boards.

I think that earnest and sustained efforts should be made to increase the powers of the village communities. Care should be taken to introduce the reform only in the more advanced villages where there will be comparatively little risk of abuse.

16064. You do not share the views of the last witness that the powers of the Divisional Commissioners and the Collectors of Districts are already too large?—I think that they might be increased.

16065. You say the tours of District Officers are apt to be rather hurried?—The District Officer has so many duties at headquarters to attend to that he has to return now and then during his tour. In former years tours used to be more prolonged, and an attempt ought to be made to go back to that practice.

16066. Then it is not that the officer wishes to get through his touring more quickly, but that he is compelled to cut it short?—He is; that is why I suggest a delegation of some of his headquarters duties to an assistant at headquarters.

16067. You are not very much in favour of formal Advisory Councils, but think the present system of informal consultations preferable?—Yes, and if any reform is wanted we might take steps to improve the present system rather than introduce a new system of formal Councils.

16068. Would an improvement of the present system be obtained by an instruction to all District Officers of whatever grade to constantly consult local opinion?—Yes, in such a way that it will inspire confidence in the people and encourage them to be candid with the District Officers.

16069. With regard to village communities, do you think something might be done in the direction of giving them slightly larger powers?—Yes.

16070. In the way of forming a village Bench for judicial purposes?—To a very limited extent for

judicial purposes—mainly for the purposes of sanitation and keeping the roads in proper condition; for municipal rather than judicial purposes.

16071. (Mr. Meyer.) Each Commissioner in Bengal has a Deputy Collector as his personal assistant?—Yes.

16072. What are the duties of a personal assistant?—He relieves the Commissioner of a large mass of routine work, and, subject to the orders and approval of the Commissioner, he carries out much of the Commissioner's duties in less important matters which form a considerable portion of the office work.

16073. Does he pass orders on behalf of the Commissioner?—Not in important cases, but in routine cases he passes orders, and there are certain classes of cases which he submits to the Commissioner after disposing of them.

16074. Do you mean cases such as sanction to expenditure?—No; he does not dispose of those matters; he submits the matter to the Commissioner in every case where expenditure is concerned.

16075. What are the sort of cases to which you refer?—There is a long list of them.

16076. Supposing the Commissioner's sanction was necessary to the spending of one hundred rupees, would he send that to him?—That is the practice.

16077. It was suggested at Madras that the limits of income-tax assessment might be raised; what are they in Bengal; who makes the original assessment?—Myself and my Collector. Of course, the lists are submitted by assessors. They are non-gazetted officers on pay ranging from Rs. 200 to Rs. 250 in Calcutta and from Rs. 80 to Rs. 100 in *mufassal* districts.

16078. They are practically clerks?—They are not exactly clerks, because they are treated as belonging to a class midway between the gazetted and ministerial classes.

16079. Are they permanent men or are they changed from year to year?—They are permanent men, but they are transferred from district to district at times. Nowadays assessors are distributed according to divisions, and a certain number are assigned to each division, and the Commissioner arranges the length of time they shall spend in a district.

16080. Who makes the assessment?—The deputy-Collector in cases where the income is less than Rs. 10,000 and the Collector in other cases.

16081. Does any case have to go to the Commissioner?—No, not for assessment.

16082. Have you a Deputy Collector in each district in charge of income-tax work?—The Deputy Collector who is in charge of excise is also in charge of income-tax.

16083. But are you not doing away with the Excise Deputy Collector class and substituting special excise superintendents?—The scheme, I understand, has not been introduced into Bengal.

16084. Are you speaking now of the headquarters sub-division?—The Deputy Collector who is in charge of excise and income-tax in the district is also in charge of the sub-divisional area, but he is to some extent assisted by the Sub-Divisional Officer in regard to the assessment of markets and big places lying within a sub-division.

16085. But as regards an outlying sub-division the assessment is made by the Income-Tax Deputy Collector, and not primarily by the Sub-Divisional Officer?—Except in markets, where the Sub-Divisional Officer makes it, and they are finally passed by the Deputy Collector.

16086. Should not income-tax assessment be made primarily by the local officer in charge of the sub-division who ought to know the circumstances of the people?—Yes, when the Sub-Divisional Officer has sufficient leisure for the purpose, that scheme might well be tried, but of course the advantage of having the work in charge of one officer for a district is that experience of other parts of the district tends to introduce a sort of uniformity.

16087. Taking your district administration, the Collector is in charge of the headquarters sub-division?—Yes.

16088. How many Deputy Collectors are there generally?—There are different numbers fixed for different districts; there are districts of four classes.

16089. Taking an average district, how many would there be?—I think four may be taken as the average number.

16090. You have at the headquarters sub-division four Deputy Collectors and one Joint-Magistrate?—Very seldom a Joint-Magistrate.

16091. Do your district establishment want strengthening?—I think the staff is not so very excessive, but making allowance for one officer to be set aside for the special excise and income-tax work, the remaining three are hardly sufficient for the whole work of administration. The staff has been recently increased to some extent.

16092. Would it not be better to have regular Sub-Divisional Officers to do the revenue and magisterial work under the Collector's supervision?—Yes, in some places a Sub-Divisional Officer could do the work, but his functions are mainly judicial; he has very little revenue work.

16093. Why should he not have both; why should he not be a regular Sub-Divisional Officer?—The revenue work in Bengal is centralized and has not been sub-divided according to sub-divisions as the criminal work has been.

16094. Similarly your Sub-Deputy Collectors are concentrated at district and sub-divisional headquarters?—Yes.

16095. Does much municipal work go up to the Commissioner for sanction?—Yes.

16096. Might some of the powers be delegated to the Collector or to the municipality itself?—Yes; an attempt might be made to delegate some of the powers, but very few.

16097. Speaking generally, is it your impression that a good deal of work comes to the Commissioner that need not come up, and that could be sanctioned as a matter of course?—Yes. With regard to Collectors I am sure that there might be a substantial amount of delegation, but with regard to municipalities I am not quite so sure.

16098. (Sir Steyning Edgerley.) Do you think an officer works harder when he is on probation than he does afterwards when he has been confirmed?—After his confirmation more important work is given him. I think after confirmation he has to work harder.

16099. Do you think he lets things go a little, while on probation, and after he is confirmed he works harder?—No, I do not think that, but less important duties are then given him, so that harder work is not necessary.

16100. Do you think he tries more when on probation than he does after he is confirmed?—He tries both while he is on probation, and afterwards, according to the individual nature of the officer.

16101. What advantage do you expect to get by the appointment of an Executive Council?—The more important work that now goes to His Honour will be reviewed by three officers.

16102. You would get a broader decision?—Yes.

16103. Do you suggest that the Commissioner should have enlarged powers in order to make him in the eyes of the people and officers under him the *de facto* representative of the Government in his division?—Yes.

16104. If you have a broader Government and a more powerful Commissioner, what room is left for the Board of Revenue?—The Board of Revenue will remain nominally in order to fulfil the requirements of certain laws and regulations which require the existence of that body.

16105. Does your work as Deputy Collector of Income Tax in Calcutta bring you into very close

connection with the commercial and native communities?—Yes.

16106. What, generally, is the reputation in commercial circles of the Port Commissioners; are they looked upon as an efficient body?—Yes, I have heard the Port Commissioners well spoken of.

16107. Do you make the original income-tax assessments?—I do a part of the original assessment, so does the Collector. The assessors' list of proposals are submitted to me, and after my scrutiny they are submitted to the Collector; sometimes the Collector and myself jointly scrutinise them.

16108. If you prepare the list what is the necessity of submitting it to the Collector; has he any data on which he can form a second judgment which you do not possess?—Some of the cases are very important and the Collector's views are necessary in those cases.

16109. Are those cases specially marked in any way?—No.

16110. Do you submit the list as a whole to him?—Yes.

16111. As a matter of fact, the Collector does not examine the whole list or anything like it?—He does.

16112. Does he make an independent examination?—Yes.

16113. What are the arrangements for appeals?—I take objections with regard to assessments on incomes below Rs. 10,000; appeals from my decisions do not lie to the Collector, but to the Commissioner; objections with regard to incomes above that amount are dealt with by the Collector and an appeal lies to the Commissioner.

16114. Are a good many of your assessments affirmed after examination of the books of the persons concerned?—Books are seldom produced at the initial stage of the assessment, but at the stage of hearing objections they are very often produced.

16115. Do you examine those books?—Yes.

16116. Then when the appeal goes up to the Commissioner, does he examine them again?—Yes, he calls for the books now and then, but very often he requires us to examine the books again, and submit the result to him.

16117. Is there a still further appeal from the Commissioner?—To the Board of Revenue.

16118. What course do the Board of Revenue generally take?—The Board of Revenue take the Commissioner's report, and pass orders.

16119. Do they generally call for another report from you?—Yes, through the Commissioner.

16120. Do they make any independent inquiry into the books or into the evidence?—Yes, sometimes.

16121. Does the matter end with the Board of Revenue?—Yes.

16122. Would not justice practically be done to most people if the appeal ended with the Commissioner?—Yes.

16123. As I understand, there is no special advantage in appealing to the Board of Revenue, for they do not, as a rule, make an independent investigation?—But sometimes questions of mixed law and fact arise which require the decision of the Board, and with regard to those cases it is better to leave the jurisdiction of the Board.

16124. Then you think two appeals are necessary?—One appeal will be sufficient for the great majority of cases where merely questions of fact are involved, but where any intricate principle of assessment is involved I think it is safer to leave an appeal to the Board.

(The witness withdrew.)

Mr. C. H. BOMPAS was called and examined.

16125. (Chairman.) You are the Magistrate and Collector of the 24-Parganas?—Yes, I have been so for the last two months. Before that a good deal of my time was spent in the Santhal Parganas.

Speaking broadly, the person who supplies the money must control the expenditure of it. Unless a local officer derives his money from local sources, he cannot really control expenditure. If the Local Government has surplus funds it may distribute them among

divisions or districts not in accordance with ascertained wants, but on the basis of population or wealth or some similar rough principle: it thereby parts with control of expenditure: but this is not possible where great economy has to be practised and is only legitimate when the money is to be expended on objects, such as communications, on which practically unbounded expenditure is justifiable. When funds are limited they must be allotted where they are most needed: and

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to estimate the relative needs of different districts amounts to control of expenditure. The Government of Bengal has recently made lump sum grants to District Boards through Commissioners: it has also given Commissioners lump sums to be distributed as doles to local institutions. This has been a very useful method of decentralization.

I think in all matters one appeal is sufficient. This should prevent all gross injustice. Beyond this there should only be power of revision, only to be exercised where new facts come to light or a manifest injustice has occurred.

The influence of the Government of Bengal has been in the direction of excessive rigidity and uniformity. This was due to the province being too large to allow of the central authority paying due attention to the needs of particular localities. The district of the Santhal Parganas is the main exception to an unfortunate uniformity. The fact that special laws even under present circumstances are from time to time passed for the Chota Nagpur division, merely shows the existence of a need, for such exceptional legislation is undertaken with great reluctance. I look to the creation of smaller provinces: they are essential if Local Self-Government is to develop. Something would be accomplished by localising the Services to particular divisions and thereby strengthening local opinion and concentrating attention on local wants.

A possible, and in my opinion an essential, reform is to stop transfers. Executive Officers have not sufficient personal contact with the people because the people have no object in keeping personal contact with ever-changing Executive Officers. Young officers have small inducement to master a vernacular which they may possibly not hear spoken for years. Frequency of transfers is almost considered an object in itself. That an officer has been three years in a sub-division or a district is a reason not for considering that he is just becoming useful, but for removing him elsewhere. This system of transfers is carried down to the lowest grades, even to a constable. One result is that if a District Officer wishes to know anything of what happened in his district five years before, he can turn to no one but a clerk: another result is that a habit is formed of dealing with everything by poring over papers. An officer spends his service in dealing with matters of which he and everyone with whom he deals is entirely ignorant. It is as essential that a district staff should be permanent as that the officers in a native regiment should be permanent. The fact that an officer has served three years in a Gurkha regiment is not considered a reason for *ipso facto* transferring him to a Sikh regiment. If officers know their district the district knows its officers, and knowledge begets sympathy. If an officer is to be a Collector for ten years of his service, I would require him to spend them in one district and not in five or six. Frequent leave is no drawback if the officer returns to the same district. I would let officers of the Subordinate Services freely act in leave vacancies even up to six months where the same permanent officer is to return. Officers of the superior services I would confine from the beginning to one division: officers of a lower grade as far as possible to one district. Administration would often not proceed so smoothly, but the present system mainly aims at preventing men from doing much harm: at the same time they are prevented from doing much good. The Santhal Parganas is a district where in the past some attempt has been made at continuity of administration and where officials and people are more in contact than elsewhere.

The question of a decrease in the area of districts is largely a matter of money: I think that the time has come when the question of a general re-distribution of districts should be investigated. Work is increasing every year in volume and complexity, and *prima facie* charges should be reduced. On the other hand, if officers had not to waste so much time in learning elementary facts about new charges they could do more work than at present. Unity of administration over a considerable area is also an advantage.

Greater care should be exercised in the selection of all Government officers. The assured prospects of Government Service bring enormous advantages in attracting a high class of men and inducing a high standard of conduct. Unless a Government officer embezzles money or is grossly insubordinate he can go through his service without ever doing an honest day's

work and earn a pension at the end. I would engage all Government officers for a first term of five years, with a bonus if the contract were not renewed: then for a second term of 10 years, again with a bonus: then for a third term of 10 years after which they would be entitled to pension. These terms would still be so much better than those offered by private employers that recruiting would not suffer, while men much below the average of efficiency would be weeded out, and the public interests would not suffer in order that unfit men might earn a pension.

16126. You have a particular system of Government in the Santhal Parganas, have you not?—Yes.

16127. The Commissioner has very large powers in all departments?—Yes, as superior to the Deputy Commissioner. The Deputy Commissioner is practically the person who exercises the powers and he has the local knowledge, but he is subject to the control of the Commissioner in every way, and the Commissioner is the High Court.

16128. What is the distinction between that collectorate and others?—The Santhals once rose in rebellion against an artificial system of government, and the idea was to abolish everything between the European official and the people. The ordinary laws do not apply unless they are specially extended; the ordinary departments have no authority unless they are specially empowered; there are no pleaders to come between the people and the officials; the High Court has no authority, because it acts on too centralized lines; the zamindars have had their powers of interference with the land curtailed, and throughout a greater part of the district the police were abolished, so that there is nobody between the people and the English officer.

16129. What has been the result of the peculiar system of Government?—I think those who can judge recognise that it has been very successful. People like the European managers of estates and land-holders in the district. It is not popular with the educated foreign class, that is to say, with the educated Bengalee, who comes into the country wanting to become a pleader.

16130. Is there much crime there?—No. I do not think there is more crime there than there is in regular police areas. The question was gone into the other day and the police said there was crime, but I do not think there is.

16131. On the whole, is it a satisfactory form of Government?—For a primitive people most satisfactory, and I should like to see it extended to all those districts where the people can be described as a primitive class.

16132. Does the Deputy Commissioner there have any particular grant made to him which he can spend more or less at his discretion?—There was a Road Fund which was practically spent at his discretion, but the budget requires the sanction of the Commissioner.

16133. Has the Deputy Commissioner no lump sum grant made to him as the Commissioners have in the rest of Bengal?—The Commissioner gets his lump sum and he gives it in smaller lumps to the District Officers.

16134. Did you get a lump sum such as the Commissioners get elsewhere?—I got my share of the Commissioner's lump sum.

16135. What is your view with regard to appeals?—I think in executive matters one appeal should be sufficient.

16136. Have you found that work well in the particular district of which you have been speaking?—There, there were two appeals practically; there was an appeal from the Sub-Division Officer to the Deputy Commissioner, and anything could be taken up from him to the Commissioner.

16137. And beyond him?—It could be taken to Government, but in practice that seldom occurred.

16138. With regard to revenue appeals, is one appeal sufficient?—Yes, except on points of law; on a point of law I think an appeal to the Board of Revenue is necessary to secure uniformity, just as an appeal to the High Court is sometimes necessary.

16139. What do you mean exactly by your remarks with regard to localising the Services?—I think it is desirable that Government officers should know more

about the people than they do, and it is impossible for a man to get to do that in a whole province, because the circumstances are so diverse and the languages so different. Therefore I would make it my main aim to keep officers in the same district or in the same division where the circumstances are similar so that he might feel he was getting acquainted with the people under his charge.

16140. How long would you keep him there?—His whole service so long as he was doing that particular work.

16141. You would bring an officer, say, to Bihar, and you would keep him in Bihar until he ceased to be a Commissioner?—Yes, as a general rule.

16142. Would that not lead to difficulties as regards healthy and unhealthy districts?—It would lead to some people having less pleasant lives than others, and it is possible that in some unhealthy districts you would have to make special arrangements for officers; you might allow them to spend two or three months in the year on duty up in the Hills; I would rather have a man for seven years, nine months in his district and three months away doing work from Darjeeling, than have seven different officers in a place in seven years.

16143. How long would you keep him in any one district?—I would keep an officer in a district until it became absolutely essential in the interests of some other district to take him there.

16144. Then you do not think there should be such a limited period of time as five or six years' service in one district?—No; I was six years in the Santhal Parganas, and when I left I believe I was only just beginning to be really useful.

16145. Are the present leave rules inconvenient, not to the individual but to the Service?—I have not thought over the matter, but I doubt whether it is necessary to let a man take furlough for two years at a time.

16146. By going home for such a long time does he lose touch with his work, and perhaps his knowledge of the vernacular?—I should think that would be probable.

16147. Would it conduce to ill-health to keep a man out here for eight years with only one period of privilege leave?—I think frequent short leave is very much the best thing from the point of view of health and from the point of view of work. I think six months' leave sets a man up and the oftener he takes leave the better, as long as he has not been too much run down to begin with. Of course, I do not say that officers would like it. I have a list here of the Collectors who have served in the district of the 24 Parganas since its formation, and you will see that at first they used to stay for five years and over, but gradually the period decreases, and I think it is impossible to conduct business satisfactorily on those lines.

16148. I see that one officer stayed 13 years, but of late years the average seems to be four or five months at the outside?—Yes. There are three or four who stayed a couple of years, but until the second year of their service I do not think their administration could have been satisfactory.

16149. How long would it take an officer to become acquainted with an ordinary Bengal district?—I consider you are no good under a year and you should know your district in three years. I do not think under that time one would be in a position to give an independent opinion on anything relating to his district, though one might be able to give an intelligent opinion which anyone could give.

16150. And it is your view that you certainly cannot get to win the confidence of the people under that time?—Yes.

16151. Ought a good deal more care to be taken in the selection of all officers?—I think more ought to be done in the way of weeding out the admittedly inefficient men in all departments.

16152. When does the Government begin to discover that a man is really inefficient?—I do not think I can make any general statement about that; it depends on the individual. A case came to my notice lately of two young Deputy Collectors who were in their second year and had just been confirmed, but everybody knew they were perfectly useless.

16153. And in spite of that they have been confirmed.—Yes. They worry through their probationary periods somehow; they have very little work to do while on probation, and of course a man is not likely to do anything while on probation so heinous as to prevent his confirmation.

16154. Then practically the probationary period is a mere farce?—I do not know what the figures are, but I should be surprised to find that anyone had not been confirmed after probation; certainly the number is infinitesimal.

16155. When ought this weeding out to begin to take place?—I would have two pauses in a man's service when one might say "Is he fit to go on?"—one after five years' service and another after fifteen years' service. If a man is hopelessly incompetent you would find it out during the first five years, or afterwards he might take to drink or something of the kind.

16156. Or he might become a useful officer?—Yes.

16157. (Sir Frederick Lely) As a matter of fact, few men do take two years' leave at a time?—Well—18 months is not uncommon—two hot weathers.

16158. Is it not also a fact that the majority of men take leave of some kind or other before their eight years are up?—Civilians do, certainly.

16159. Would it be a good thing to try and equalise matters by granting free quarters, for instance, to men in bad districts?—Do you mean as a sort of pecuniary compensation? I do not think that would make much difference. I think there are not many stations in Bengal in which, if you told a man he had to live his life there, he would not try to improve the conditions, but now he tries to get away as soon as possible.

16160. But it might possibly facilitate things, if a man were given a good house to live in?—Yes. There are one or two sub-divisions in Bengal where there is an allowance given because they are so unhealthy.

16161. Does your experience in the Santhal Parganas indicate any particular line of change which you would suggest as distinct from any other part of the Presidency?—I should like to see Chota Nagpur, where the conditions are very much the same, brought into line.

16162. Are there any particular points in connection with the administration of the Santhal Parganas which would bear on the system in the rest of the Presidency?—Not for Bengal proper. You cannot switch off one rail on to another altogether; you must continue on the lines you start on. The whole system is different. Of course, you might say that you would have a simpler form for administering justice in small cases as in the Santhal Parganas, and more arbitration, but then you would have the legal profession to fight against, and in the end you would find that you could not really do anything.

16163. Is not the village system there rather different from that in the rest of the Presidency; there is more or less a village constitution?—There is a very strong village constitution.

16164. Does that practically lead to self-government?—Yes. Each village has a headman who has police powers, and in a homogeneous village he has also large social powers by custom. Then in the no-police tracts the heads of a certain number of villages, 30, 40 or 50 in number, elect for a period of three years a local man of position who is called a *sirdar*, who exercises all the powers of an officer in charge of a police thana, and who is the representative of the Government in that area. At the end of the three years the headmen are called together and asked whether they like that man, or whether they would prefer another. They have a most elaborate system of local self-government.

16165. Are there any artificial creations of government in the form of District Boards or municipalities? There are municipalities and a Road Cess Committee.

16166. Is any attempt made to blend them on to the indigenous village community?—No, there is no connection between them.

16167. Would it not be a good thing to do that, and to bring the village communities into play for the purposes of spending the local cess?—As far as the villagers are concerned, the Road Cess Committee does not exist; it is the Deputy Commissioner.

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16168. Then is it not worth while to bring the villagers in?—Of course the expenditure does not concern the ordinary village; you cannot have a road to every village.

16169. Is the money spent on roads entirely?—The road fund is for roads.

16170. And do the villagers provide themselves with their ordinary wants—water-supply, and such like?—Yes, and they make their own roads, such as they are.

16171. That is to say those which you do not make? They make village roads. They are accustomed to being useful, and if they get an order to make a village road, they make it.

16172. (Mr. Dutt.) Is there a special grant given for Education in the Santhal Parganas?—Yes, we have funds for education too.

16173. Is it a lump sum allotted for the whole district?—Yes. The District Officer distributes it. There is a District Committee of Public Instruction. It does not trouble the Deputy Commissioner very much.

16174. You think some districts are too large in area?—Some are unmanageable.

16175. Is it not possible to carry on the work of those districts by adding to the number of officers?—You can cut a district into two, or you can cut the work into two and try the old system of having separate Magistrates and Collectors.

16176. Are some of the sub-divisions very large in area?—The Sadar sub-divisions will have to be cut into two directly they can afford to have Sadar Sub-Divisional Officers.

16177. Do you favour the idea of having a Sub-Divisional Officer for the Sadar sub-division?—I think it is essential all over Bengal. They are only waiting for men in order to do it.

16178. At present there is no local Revenue Officer between the Sub-Divisional Officer and the people, and the only medium is the police?—Most sub-divisions have a kanungo I think.

16179. Does he live at the headquarters of the sub-division?—Yes.

16180. Would the work in Bengal be improved by having local officers and entrusting them with revenue work, each in his own circle, and also with the work of looking after the village panchayats and village matters?—What sort of revenue work do you refer to?

16181. Any work in the circle?—What sized circle?

16182. I leave that to you. Would it be possible to create such circles—dividing a sub-division into two or three circles and placing a Sub-Deputy Collector, or an officer in a similar position, in charge of each, and then entrusting him with all the work within his circle?—I do not think there would be enough work for him to do unless you gave him both civil and criminal powers.

16183. If you gave him both civil and criminal powers might that plan answer?—It depends; I think if you made him a regular munsiff it would tend to increase litigation enormously.

16184. If he were given criminal powers and relieved the Sub-Divisional Officer to that extent what would you say?—Speaking broadly, he would be a sort of Sub-Divisional Officer, and the more officers you have the better the administration, but I suppose the expense would be prohibitive. I would like to have a Sub-Divisional Officer for every thana, but it is a question of money.

16185. Except on the ground of expense it is an arrangement which might improve the administration?—The more Government officers you have, the more efficient the administration would be.

16186. With regard to localising Services to particular divisions, would you localise all the men in the Provincial Service, Munsiffs, Deputy Collectors and so on?—Certainly.

16187. In a district or in a division?—As far as possible I would say that a man should stay in his district, and I would not, except under very exceptional circumstances, take him away from a division in which he knew the language and the manners and customs. In the Santhal Parganas I happened, by some chance,

to have a Deputy Collector who had been at headquarters for 20 years, which was most useful, for there is hardly ever an officer who can tell one what has happened three years ago.

16188. (Mr. Hichens.) Two objections have been urged against keeping a person too long in one district, one of them being that he is likely to get stale; what have you to say as to that?—I think the evil of a man being in a district for a short time, knowing he is only going to be there for a short time, and thereby prevented from taking an interest in his work, is much greater than any evil which might result from a man getting tired of the work. Speaking generally, the more you know about a district, the more interested you are in it.

16189. Perhaps also you would say that even if a man got stale he would get over it?—I think a man would be prevented from getting stale by taking frequent short leave, which I am much in favour of.

16190. The other objection is that a man's experience would be, comparatively speaking, limited if he were kept in one district, what do you say as to that?—He certainly would have a little experience of the other districts in his division. During the course of his service it would be found impossible to keep him in one district, but in the division he ought to have ample experience, and I think it better that he should know one class of work thoroughly than that he should get the smattering which he gets by being shifted from one end of the province to the other.

16191. Would you say that the mere fact of suddenly transferring a man from one end of a province to the other gives him a wide experience which is of value?—I do not think it is very valuable.

16192. The fact being that the matters which come under his notice and control are very varied and wide, and that in itself gives him a wide experience?—I think any district in Bengal provides quite enough for one man to think about.

16193. With regard to your statement that you think one appeal sufficient, what is your opinion as to what has been told us, namely, that it is part of the tradition of the country that a man should be able to appeal to the supreme authority, and that it would be impossible to eradicate it?—I think in the imagination of the people that the supreme Head of the Government may be taken to be, first, the District Officer, and, secondly, the King on his throne in England; they do not think that a Lieutenant-Governor is any nearer approach to the supreme authority than a Commissioner or the Viceroy, and if they once have the power of appealing to all of them they go up the whole scale.

16194. But is the tradition of the existence of a right of appeal to the supreme Head one to which it would be desirable to run contrary?—No, I do not think so. I think we have very largely taught the people to appeal from department to department, and the traditional feeling would only lead them to apply to the Emperor in England. You do get people sending home letters to the King.

16195. Are you in favour of creating substantially smaller provinces?—I should like to see it come.

16196. Would your idea be to have a considerable number of, say, Chief Commissionerships?—Or independent provinces; it would not matter what you called them.

16197. You base your idea rather on the fact that there is a large and diverse population than on the size of the areas involved?—Yes; if you get a homogeneous population, it does not much matter what the area is.

16198. Why do you lay such stress on the homogeneity of population?—Because there is no harm in passing an order that will be appropriate to a large population, and you may get such an order where the population is homogeneous, but where you have a heterogeneous population, it is seldom that you can pass such an order.

16199. If you take Switzerland, South Africa, and many other countries, you find the populations are not homogeneous, but at the same time they have one Government which to all appearance works satisfactorily,—why cannot you do that here?—I do not think you will find many parts of the world where there is a population of 60,000,000 governed by one Government; if you take Australia with its few millions, it has a dozen or more independent Chambers.

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16200. Is there any other reason than the mere fact that the populations are not homogeneous, which would urge you to divide them into smaller districts?—I think there are many arguments, one from the political point of view; if you are going to have some extension of Local Self-Government, you must have smaller areas. Any elected legislative body in Bengal cannot represent any particular portion of it or the interests of any particular portion of it.

16201. (Mr. Meyer.) How many sub-divisions do you usually have in a district?—I do not know what the average would be; some districts have none; a big district will have three or four.

16202. Do you include the headquarters sub-division or do you mean only the outlying sub-divisions?—Including the headquarters sub-division.

16203. On an average are there three—the headquarters sub-division, and two outlying sub-divisions?—Yes.

16204. Are the outlying sub-divisions in the charge of either a Deputy Collector or a Civilian?—Yes. He is mainly concerned with magisterial work.

16205. Does he take original first-class cases and appeals in second and third-class cases from Magistrates?—He does not hear appeals.

16206. Does he take second and third-class cases himself?—In many sub-divisions there is only one officer who does the work with the help of some Benches. He sometimes has a Sub-Deputy Collector.

16207. In that case does not the Sub-Deputy Collector take third-class work?—Yes.

16208. Does the Sub-Divisional Officer control the Local Board if there is one?—He may or may not; in my present district they have nothing to do with it; where there is a second officer the sub-treasury is in his charge.

16209. Then a Sub-Divisional Officer mainly tries first-class cases; has he enough work to do?—They are overworked in these sub-divisions, purely by magisterial work. Of course they do a good deal of touring, and they are supposed to inspect everything, but principally they act as Magistrates.

16210. Is not the headquarters division the apex of the district, and supposed to be directly under the Collector?—It is supposed to be.

16211. Then you have, or are supposed to have, a Joint-Magistrate at headquarters?—Yes.

16212. Then you have Deputy Collectors?—There is a fixed standard staff for each district; in a big district there may be six Deputy Collectors at headquarters.

16213. What work do they do?—One is in charge of the treasury, then there are men mainly employed on criminal work, and there are all the Collectorate Departments and the Certificate Department of which they are in charge. Income-tax is generally under a special officer.

16214. Have not steps been taken to start a separate superintendent of excise?—I do not think that will be proceeded with.

16215. I understood that there had been reports from Bengal suggesting that the work of Deputy Collector of Excise was not satisfactory and that regular establishments were wanted?—It was discussed at the last Commissioners' conference, and did not meet with favour.

16216. Then you think the old system will be retained?—That was the strong opinion at the Commissioners' conference.

16217. In Madras, everything is territorial, with the districts divided into sub-divisions and each Sub-Divisional Officer responsible for the territorial work in the sub-division, the Collector being the controlling authority. Do you not think it would expedite the work if the same kind of thing were done in Bengal?—It is so in some departments. Certificates are sent for the Sub-Divisional Officers to dispose of.

16218. At present whenever any person in a district is in trouble about income-tax, excise or land-revenue, instead of being able to go to a local officer, he has to go right up to headquarters. Is that a satisfactory arrangement from the point of view of the people?—With regard to exercise he would probably put in a

petition before a Sub-Divisional Officer; as to income-tax he would not, but there is no objection to his filing his petition before a Sub-Divisional Officer as to income-tax.

16219. Is it not more desirable, from the point of view of the people, that you should scatter these offices and have more local representatives of the Government scattered over a district?—It would be better in the more backward districts.

16220. Why do you object to it in the other districts?—I do not know the other districts so well. You do not get departmental efficiency by making subjects like excise and income tax over to a number of scattered officers.

16221. Do you get a certain revenue from your estates under Government management?—That is not done from the headquarters. It depends entirely on the circumstances of the estate; an estate may be large enough to support a separate manager or it may not. A Government estate lying in a sub-division would be managed by the Sub-Divisional Officer.

16222. Who deals with stamps?—In most cases the Collector himself, generally through a Deputy Collector.

16223. Have you no Regulation or Act in Bengal allowing the Collector of a district to delegate his powers as Collector to subordinate authorities?—No, there is certainly no general power. If any Act says a thing has to be done by a Collector, it has to be done by him unless the Act itself contains power to delegate, as most of them do.

16224. You have a certain number of Sub-Deputy Collectors at headquarters; without bringing in the question of increasing the staff, could you not utilise the existing staff by putting them in outlying portions, and grouping them into sub-divisions?—Yes, it could be done, but I would rather put a Deputy Collector than a Sub-Deputy Collector in independent charge.

16225. Several witnesses have suggested that the Collector requires, in addition to all this multitudinous staff, a personal assistant; do you share that idea?—No, the present Deputy Collectors are practically personal assistants in the different departments. I would like to have a competent officer in my present district to be my personal assistant.

16226. If you had such an officer at the headquarters sub-division who could take your place when you went on tour, would you want anything more?—Yes, I have that at present; I have a Joint-Magistrate.

16227. Have you got full power of appointing your own clerks?—Yes, but the appointment of *sharistadar* goes to the Commissioner.

16228. Does he make it or simply approve it? I do not know what happens in practice; in practice probably the Commissioner seldom interferes.

16229. What pay does the *sharistadar* get?—Somewhere between Rs. 100 and Rs. 150.

16230. What are your relations with the District Superintendent of Police? He is your assistant, I understand, in all matters affecting the order of the district?—Yes.

16231. As regards the organization of the police force is he under you; have you anything to say as regards the appointment and promotion of police constables and head-constables?—I have nothing to do with constables and head-constables, but recommendations for promotion to sub-inspectorships go through me to the Deputy Inspector-General of Police.

16232. And you simply write what you suggest should be done?—Yes; if I had been long enough in the district to know that a man was incompetent, I should say he was, and he would not be promoted against that opinion.

16233. Do you have anything to do with appeals or dismissals?—Yes; punishments of sub-inspectors have to be confirmed by the District Magistrate.

16234. A punishment like a fine for instance?—A punishment like a fine or awarding a black mark; I fancy all minor punishments have to be approved.

16235. Could you suspend a sub-inspector or would that have to go to a higher authority?—I could suspend a sub-inspector.

16236. Putting it shortly, then, you have a great deal to say with regard to the discipline of the police

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force?—Not in practice; I have a competent District Superintendent and I give him a free hand. I could interfere. I know what he is doing; that is practically what it comes to.

16237. The Commissioner being above you, does he intervene again?—Yes, there are two lines of appeal, and two authorities as to police, which I think is rather unfortunate.

16238. What are they?—A man might be dealt with by the Deputy Inspector-General of Police and dismissed, in which case an appeal would go up to the Inspector-General of Police without going through me at all; or he might be dismissed on the report of the Superintendent of Police, in which case the appeal would lie to the Commissioner.

16239. But how could he be dismissed by the Deputy Inspector-General without its going through you. Ordinarily the action would be taken by the Deputy Inspector-General, would it not?—Yes, but the Deputy Inspector-General knows what is going on, and I think he can dismiss without reference to me.

16240. Could a District Superintendent go straight to the Deputy Inspector-General and say to him,—"Such and such a constable ought to be dismissed"?—The report would have to come from the Deputy Inspector-General.

16241. Is that double line satisfactory?—No.

16242. As regards the mere discipline of the police force, would it not be simpler to leave it in the hands of the Police Department, leaving of course the District Magistrate to intervene in any case in which he thought the comfort of the inhabitants of a district was being endangered by the continuance of any particular police officer in any particular place?—Yes.

16243. As regards the Public Works Department, have you any control over the Executive Engineer?—No.

16244. Are you consulted as to what he intends to do in the district, in the way of expenditure on buildings, or roads, or irrigation, and so on?—I am consulted in the way of expenditure on all buildings with which I have any connection.

16245. And roads?—In most parts of Bengal, the Public Works Department have nothing to do with roads.

16246. Then, speaking generally, you have nothing to complain of as to being kept uninformed as to expenditure on Public Works?—No.

16247. As regards forests, what is your position?—The Forest Officer stands very much in the same position as the District Superintendent of Police.

16248. Does that arrangement work smoothly?—All these arrangements depend on the individual. If you have an individual with an ordinary amount of tact it works satisfactorily.

16249. If you do not agree with the District Forest Officer what happens, do you overrule him?—The matter would be referred to the Commissioner and the Conservator. With the present Conservator of Bengal the relations with the forest authorities are extremely amicable.

16250. He remains your assistant as long as he likes, but if he differs from you, he may appeal to someone else?—The District Officer would stop him and the matter might be referred.

16251. But can you say definitely, on a matter affecting the people's grazing and so on, to the District Forest Officer, "I do not agree with you, you must be good enough to do what I want"?—Yes. He would have to comply with the wishes of the District Officer until the matter was decided by a higher authority.

16252. But still he could require a reference in the meantime?—Yes, he could require a reference.

16253. It has been stated that a great deal of work falls on Collectors in regard to the partition of estates—is that so?—In some districts in Bengal.

16254. Can a Collector make any partition on his own authority, or has he to go up to the Commissioner in every case?—He goes up to the Commissioner in every case, under the law, however small the estate may be.

16255. Am I right in thinking that the Collector has no power to suspend revenue, not of permanently-settled estates, but of Government estates, in cases of

calamity and so on?—No. I think the effect of the rules is that he has to get sanction to a suspension. He does not have to get sanction for an individual amount, but sanction to adopt the policy of suspension, and the details would be left to him.

16256. He cannot suspend, for however short a time, without getting the sanction of the Commissioner?—As a matter of fact, what happens is that you do not collect.

16257. Are you in favour of giving Collectors power to suspend within the revenue year on their own authority?—I think that is a matter on which they might well consult their superiors.

16258. Am I correct in supposing that all remissions of land revenue have to go to the Board?—I think Commissioners can sanction certain remissions.

16259. You could not remit Rs. 5 for instance on your own authority, could you?—No, all remissions go down in a statement, even when there is no discretion about it. I think Collectors might have power to make small remissions on their own authority.

16260. As regards the writing off of sums that have been collected by mistake, have you any power? Sometimes, for instance, a man has paid more income-tax than he need have done, have you any power to refund any excess collection in those cases?—I could not say for certain; I think I can refund income-tax.

16261. It was represented to us in Burma that there was a very considerable refund there under the Stamps and Court Fees Acts; is that your experience here?—No, the conditions of refund are all laid down in the Stamp Act, and the Collector deals with it.

16262. And that in Burma, the people, not understanding the law, allowed the time for applying for refund to lapse, and consequently troublesome references had to be made; do you find that at all?—No, because I think it is only in the case of an application between six months and a year that it goes to the Board, and after a year nothing can be done.

16263.—An idea was put forward in Burma that there should be periodical divisional conferences consisting of District Officers and a few selected persons, once a year, to discuss matters relating to the districts generally,—would you be in favour of that?—We have them regularly as regards District Officers, but non-officials have not been admitted to them.

16264. You think that everybody should serve, as far as possible, in a particular division, and remain there to the end of his service. Bihar is a division by itself, is it not, differing materially in many ways—in the language of the people and a variety of other matters, from other parts?—Yes.

16265. With a self-contained division like that, would it be more desirable to keep it by itself?—It would be more expensive. That trenches on the larger question of politics on which I do not wish to express an opinion. I am talking about the efficiency of the present Service.

16266. You desire to split up the Provincial and Indian Civil Services between each division in any case?—Yes. But you might give promotion according to the general list. One of the objections of small *cadres* is that promotion is very unequal.

16267. Would you remedy that by a general list?—Certainly, I would begin with that.

16268. How would you manage when you came to the charge of districts?—Then you would have some inequality. It would be more obvious, but it would be really no greater than the inequality between different provinces now.

16269. In the same way the promotion of a Commissioner, being within a division, might be still more unequal?—Yes. I think the Services will certainly have to forego some of their amenities.

16270. Would you go a step further and let a Commissioner appoint his officers—appoint a man to be an officiating Collector, and a permanent Collector?—I do not see why he should not.

16271. *A fortiori*, of course, he ought to appoint his Sub-Deputy and Deputy Collectors?—Yes, a good many of them are appointed on the nomination of Commissioners now.

16272. You desire further that everybody should put in as much of his time as possible in one district;

would not that tend to develop in practice very considerable divergence in the administrative system as between one district and another, and still more as between one division and another?—I hope it would.

16273. I see your point in the case of divisions, but in regard to districts would it be equally useful?—In practice you would get a good deal of movement between the different districts, but they are under the supervision of a Commissioner who would ensure a certain amount of uniformity.

16274. You have referred as an analogy to a native regiment, but are you aware that a native regiment is moved every three years, and that it is not supposed to be good for the Officers and men to remain too long in one place?—Yes, but that is not quite the same thing; the officers are not moved from the regiment, but the whole regiment is moved to a different part of the country.

16275. What would the people in a district do if you sent an officer to Darjeeling for three months every year as you suggest?—If you take some districts, the District Officer would be just as available at Darjeeling as if he remained in his own district, where he might be 60 miles away from a line of rail.

16276. You have had experience of District Boards and municipalities?—I have had very little experience of District Boards.

16277. A witness has said that the Dispensary Committee was a committee consisting partly of members of the District Board, and partly of outsiders presided over by the Civil Surgeon, if not by the District Board Chairman, and all that the District Board had to do was to hand over their money to the Dispensary Committee to spend; is that so?—That is the system which is being gradually introduced.

16278. Previously, had the District Boards something to say with regard to the management of dispensaries?—Even where that system is in force, the District Board passes the budget, and the expenditure has to be made according to that budget. The object is that people who subscribe to the institution should know that their money is being spent properly instead of being swallowed up in the general fund of the District Board, as used to be the case.

16279. Then the Board passes a vote for Rs. 10,000, say, for dispensaries have no further concern with it?—It gives a grant to each dispensary. It says you must and "We will give you Rs. 1,000 this year, and sanction your spending Rs. 1,500, but you one: see if you can raise the other Rs. 500 by subscription, or by income from endowments."

16280. Where does the committee come in?—They supervise the work of the institution, and see that the money is spent in accordance with the budget, and that the doctor does his duty properly.

16281. I understand that there was one committee for the whole district?—No, each dispensary has its own committee.

16282. Does the District Board retain its full powers of control?—Yes. I think the District Board has rather too much power, or had; we want to decentralize it, and let the people feel, if they can get subscriptions, that the money will be spent on a particular dispensary.

16283. Can you do that and other things, by increasing the powers of the Local Boards?—As I understand, Local Boards have very small powers now?—They have small funds.

16284. Would you give them a larger share of the Red Cess or the district funds, however they are derived, and give them powers with regard to local education and roads, and so forth?—They look after the roads and that sort of thing now; but the real difficulty is where you have five or six Local Boards and one District Board in a district. They are not wealthy enough to pay for five experts, and if a Local Board is to exercise large powers, it must have a competent staff, such as an engineer and so on.

16285. In Madras the District Engineer serves the District as a whole—both the District Board and the *tabu* Board—could that not be done here?—If you make the District Engineer, who is at headquarters under the Chairman, the man to pass the estimates and give out the contract and pass the works, it does not seem to me to make much difference, if you merely pass the money through the books of the Local Board.

16286. The Local Board, at least, would be able to allocate money to local works, and for roads in which it was interested?—It does so now with regard to roads of local interest as compared with roads of district importance.

16287. Have Local Boards sufficient power or are you prepared to give them more?—I do not think there is any need for any change in principle; we should all be glad to give more money to Local Boards and get more work done.

16288. Assuming the system of class representation which the Bengal Government have been advocating comes into force in District Boards and municipalities, would you be prepared to give them larger powers than they have now with less control from outside?—I think there is not much control from outside.

16289. In regard to the undertaking of works costing more than a certain sum, have they not to refer to the Collector or some other officer?—Yes; and I think that is probably necessary. An ordinary small municipality has no competent engineering adviser to advise it.

16290. With regard to the village system you have spoken of, would you utilise it for educational and sanitary purposes by making small grants of money to the villages to spend at their own discretion, subject to proper inspection?—You could do that. I think it would work.

16291. And would it be appreciated by the people?—Yes. They often apply to have a school started in a village.

16292. Supposing it was possible to say, "We give you so much, build your school," would they be able to manage it?—That is what is done now. We give the teacher a small grant, and he gets some small sums from the parents of the pupils.

16293. Is that a satisfactory system?—It is not satisfactory, because we do not pay the teachers enough, otherwise it would be.

16294. Do you do the same with regard to matters of sanitation; do you give them the money and say "Make your well or tank"?—No, they probably could not be trusted to make a well. When I was in Singbhum, which was more primitive, I used to allow them to make their tanks; I used to give the village headman Rs. 400 or Rs. 500, and tell him to make a tank.

16295. I suppose that could not be applied fully to Bengal proper by reason of the absence of village communities. Could *chaukidari* panchayats be a substitute?—*Chaukidari* panchayats are things of purely artificial creation of which I have not had much experience, but at present I do not think there is much use to be made of them in that way.

16296. (Sir Steyning Edgerley.) Supposing you wanted to get rid of a man after about 18 years' service, how would you propose to do it?—You can dismiss a man now for cause shown, but it is very difficult to do it in practice.

16297. Would you accept the difficulty of dismissing a man with between 15 and 25 years' service?—Yes.

16298. Would you have no system of pension?—You suggest that up to 15 years he should serve subject to bonus, and then he should be subject to pension?—Of course it is a great advantage to have security of tenure, and I would like to retain as much of that as possible.

16299. So that you would accept any inconvenience caused by a person deteriorating from 15 to 25 years?—Yes. I do not say that that is a cut-and-dried scheme.

16300. With regard to your evidence as to smaller provinces, supposing you had Commissioners under the Local Government, would you give them as large powers as possible in their areas?—Yes.

16301. In that case would you want the Board of Revenue?—Yes, I think you want the Board of Revenue and the Commissioners, but a great deal of the work is now done twice over.

16302. If you enlarged the powers of Commissioners, as far as practically possible, where would be the necessity of the Board of Revenue?—I would cut out the Commissioner in a great many revenue matters.

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16303. You said that if you placed Sub-Divisional Officers in territorial charge you would lose departmental efficiency, but would you not get very much better inspection?—Yes, but I was thinking of a case in the Santhal Parganas where we had six strong Divisional Officers who knew the district thoroughly, and who had the powers practically of District Officers, but in a question like an excise settlement we found it better not to let them make settlements; the sub-division was too small an area, so we centralized that.

16304. A witness stated that one great danger of the departmental system in the Public Works Department was that there was considerable corruption amongst the subordinates, and that the control or

influence of a Collector would be of great value would you get that by giving territorial charge?—I do not think any system will have any effect on that custom of the country.

16305. But perhaps it might be much more likely to be found out?—It is not a question of finding it out. We all know it. I do not know that it would have any effect.

16306. Not more than if you had all your officers grouped at headquarters?—I do not think so. You see the officers are largely touring officers.

(The witness withdrew.)

Adjourned.

TWENTY-THIRD DAY.

CALCUTTA, Tuesday, December 31st, 1907.

PRESENT:

C. E. H. HOBBHOUSE, 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.

BABU JOGENDRA NATH MUKHERJEE was called and examined.

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16307. (Chairman) What is your occupation?—I am a lawyer. My home is in Calcutta, but I practise in the mufassal, and I am a vakil of the High Court. I was a member of the Bengal Legislative Council, upon which my term of service is just over. I have been a member of the municipality of Purnea for about 18 years. I am now the Chairman, and I was Vice-Chairman before for about nine years. The position of Chairman is purely honorary.

The provincial Governments should be invested in certain directions with larger financial powers, although I would proceed cautiously in the matter. Generally speaking, the provincial Governments might be relieved of the necessity of going up for sanction to the Government of India in matters of purely provincial interest or of routine.

A more complete separation than at present exists might be effected between the imperial and provincial finances, and it could be done by letting the provincial revenues alone as a matter of permanent rule, making it possible for the financial relation between the Imperial and the provincial Governments to be readjusted only in cases of extreme necessity. A fixed plan like the above appears to be possible in view of the regular annual surpluses in the revenue, and the practical fixity of currency in point of exchange.

Provincial Governments might be given borrowing powers up to a limit of, say, fifty lakhs, provided the settlements with the Imperial Government in respect of the divided heads of revenue were of a more permanent character than at present. The Local Governments might be invested with borrowing powers on the same conditions as those which exist in respect of municipalities, District Boards, and other local bodies under the Local Authorities Loans Acts, the provincial revenue being rendered liable to make good the debt in case of the failure of the Local Government to repay it. Such loans should be raised with the approval of the Imperial Government.

Delegation of further financial powers to provincial Governments and to heads of Imperial Departments does not appear to me to be desirable in respect of the creation of new appointments, the enhancement of salaries, etc.

Larger administrative powers should be given to provincial Governments generally in the application to local conditions of general lines of policy laid down by the Government of India, and where there is no declared policy I would leave the Local Governments free to act.

Restrictions as to details imposed upon Local Governments in all matters of mere routine should be done away with in all cases. For instance, I fail to understand why it should be necessary for the Local Government to go to the Imperial Government in authorising local bodies to borrow money from outsiders and not from Government. Such a course would appear to be still more unnecessary in view of a more permanently fixed financial settlement between the two Governments. A general Act of delegation in such matters, somewhat on the lines of Act V. of 1868, wherever possible, appears preferable. In other cases specific amending legislation may be resorted to.

In view of a more complete separation of the provincial and imperial finances, it would be well if the duties of Directors and Inspectors-General were confined to the supervision of details only in respect of departments primarily administered by Local Governments.

Provincial Governments should develop their administration on their own lines, with discretion to adopt or not, as they like, suggestions of reform brought to their notice from other provinces. The Government of India should, however, retain in their hands the authority to interfere in extreme cases.

I would leave the right of appeal to the Government of India as it is, and would not curtail the existing rights of appeal by officers of the Government against orders affecting them personally.

Under existing conditions it is neither possible, nor desirable, to allow Commissioners and Collectors to control to a greater extent than at present the expenditure in their divisions or districts. It is desirable to invest them with larger powers of control if they were advised in important executive matters by competent Advisory or Administrative Councils.

The influence of the provincial Governments is not in the direction of excessive rigidity or uniformity. There is, no doubt, some tendency in that direction, but it is unavoidable and not excessive.

The tendency of the provincial Secretariats is to regard matters too much from a purely departmental standpoint. The provincial Governments do not appear to be so impersonal as the Imperial Government; in many cases, however, they are too much dominated by considerations of revenue.

Generally speaking, the European Executive Officers do not have sufficient opportunities for personal contact with the people at large. The existing obstacles in

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case of all Executive Officers are to be found more in the temperament of these officers than in the nature and scope of the duties they are required to perform. Some of the means by which obstacles might be removed are (1) to form Advisory or Administrative Councils constituted more or less on an elective basis; (2) more frequent inspection of town and village areas outside the district headquarters. An appreciable number of Executive Officers do not possess a sufficient knowledge of the vernaculars in the province.

Neither any general increase in the administrative staff, nor any general reduction in the area of district or other charges, seems to be required.

Transfers are much too frequent. One of the methods by which they could be reduced is to recast the leave rules.

Larger powers should be given to the municipalities and District Boards in respect of leave, pensions and gratuities. As an example I may state that leave to Chairman should not be made dependent on the sanction of the Government. Such a course, as a rule, is useless. The present functions of municipalities, District Boards, Local Boards and village unions might be suitably extended in respect of education, and of the three last-named bodies, in respect of sanitation as well.

I am in favour of the creation of Administrative Councils to advise and assist Divisional or District Officers; and means should be discovered to secure the services of really representative men for them. These Councils should be mainly constituted on an elective basis. Responsibilities could be given to these Councils on the following subjects: supervision of police work and checking of police oppression in the interior of a district, sanitation, and education.

It is desirable, and possible, to give village communities greater powers in the disposal of local affairs relating to revenue in non-permanently-settled areas, police, sanitary and educational matters. They may also be invested with powers to deal with questions as to easements and encroachments upon village roads. They may also be invested with powers in respect of local option in connection with the excise administration. I would not invest them just at present in Bengal with powers to dispose of petty civil and criminal cases, but would wait until the opportunity was ripe for noting how they discharged their functions in respect of the other matters referred to above.

16308. What is the reason that Divisional and District Officers are not as closely in touch with the people in their areas as they might be and ought to be?—I consider that they are more or less inaccessible, and when visiting the interior, the conversations which are carried on are generally of a more or less formal character. Then there is a tendency on the part of the people themselves to avoid these officers. The people regard them as more or less exclusive in their dealings.

16309. Would the people welcome any greater accessibility of intercourse?—I think so; and a great deal of important information might be obtained by direct communication with the people themselves. At present important information is always obtained through the police, and there is a tendency on the part of District Officers to avoid conversation with the people on any point which is considered to be of importance, such as important points of administration—points regarding new measures that are in contemplation by Government, and things of that sort. If there is anything wrong done by the police, the District Officer would rather not talk on the subject. Of course, if a point arose which he regarded as too important to be passed over, it might be different, but, as a rule, that is my general experience.

16310. Have you yourself experienced any reluctance on the part of District Officers in that respect?—At the beginning of my career I used to feel diffident, but for the last ten or twelve years I have had nothing to complain of so far as they are concerned, and they have always been accessible to me.

16311. And have discussed matters freely with you?—On certain points; but on many points I have come away with the impression that if the District Officer would talk to me freely, I could exchange views with him, and I have had to come away sometimes disappointed.

16312. Do you yourself start subjects and then find him reticent upon them?—Not as a rule. I would not

start anything unless it was a matter which concerned my municipality; otherwise I would wait and see if the District Officer would himself give out a suggestion of any sort.

16313. Is there a lack of knowledge of the vernacular on the part of District Officers?—The knowledge of European officers is insufficient to enable them to carry on conversation in matters of administration. As regards Deputy Magistrates, I think that they too are of a somewhat exclusive temperament.

16314. Are not Deputy Magistrates nearly all Indians?—Yes.

16315. Would you put their exclusiveness down rather to the fact that they are officials, and being officials leads them to keep aloof from the general population?—I think that may be said to be so generally.

16316. Is there a sort of feeling that their office is so important that they must not come in contact with the people?—More or less, that is so.

16317. Are Deputy Magistrates wanting in knowledge of the vernacular?—A Bengali Deputy Magistrate, for instance, who has been deputed to Bihar, does not understand the vernacular of the country or the language that is known by the better classes sufficiently well to carry on conversations as regards the practical concerns of everyday life. There are men, of course, who have a comprehensive knowledge of the language.

16318. Is the knowledge of the language greater or less now than it used to be both on the part of Deputy Magistrates and Collectors?—I have not noticed whether it has improved or otherwise.

16319. You are in favour of giving larger powers to municipalities and District Boards?—Yes. I qualify that as regards leave, pensions and gratuities. Government looks upon these bodies with a certain amount of suspicion, and thinks the powers of leave and pension and gratuities, which a District Board might grant to their servants, would be abused. Therefore anything with regard to these matters has to be sent up for sanction to the higher authorities, with the result generally that there is a dislocation of business for a time.

16320. As Chairman of a municipality, do you apply to Government for leave?—Yes; of course I did not have to apply to come here, because I should not be away for a very long time; but sometimes when a man applies for sanction for leave, he does not obtain it for nearly a month. Such a provision is unnecessary and undesirable.

16321. Might the Local Government leave all these matters to the Commissioners, and perhaps to Collectors, to settle on the spot?—Yes.

16322. Generally speaking, might greater powers be given to municipalities?—In my experience I have had nothing to complain of; but I do not know about other municipalities. I have read about complaints as to interference and so on. If I wanted to apply funds for sanitation or roads and other things, I have found that my plans have never been interfered with in any way.

16323. If they had power to depart from the budget, would municipalities take money which was meant for education and use it for roads, or that they might take money which was meant for sanitation and apply it to increasing emoluments or things of that sort?—Of course there might be some danger of that; but what they would do from a practical point of view, it is difficult to say.

16324. Having been a very long time the Head of a municipality, do you think such a thing might occur? I have never done it. If I want to transfer money from one major head to another, I have to apply to the Commissioner.

16325. But if you had that power, would some Councillor probably make that suggestion to you?—I would not do it myself. Of course it is possible.

16326. And if that were done, would it not be a very improper use of the money?—I think so.

16327. With regard to village communities, you represent that in certain respects an attempt might be made to create an interest in local self-government among them. Would you allow them to interfere

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with regard to education?—So far as the village schools are concerned, I would try to institute a sense of self-help in villages.

16328. Do you mean you would not give them control over expenditure, but that you would allow them to interest themselves in the management?—In Bengal, village communities are not worked on the system which obtains elsewhere in India. But an attempt might be made to organize them; a village or a cluster of villages might be formed into a unit. Of course there is a system of village unions, but, as a rule, they are very few, perhaps none at all in Bihar. Outside village unions, there is no administrative provision under which village communities can be approached, or under which local questions could be dealt with by them.

16329. You would like to make some beginning, but you would not give them any extensive power?—Yes. I would wait and see how they work with small powers.

16330. Would you entrust them, to begin with, with any powers to dispose of criminal or civil cases?—I would not. Of course I know that on the Bombay side there are *patels* and so on, who exercise civil and criminal functions to a limited extent. But there is so much party feeling in almost every village in Bengal that it would be better to wait and see how they exercise any small powers entrusted to them before investing them with civil and criminal powers.

16331. Does that party feeling exhibit itself between Muhammadans and Hindus?—No. It is quite apart from that. In a village, for instance, where a man had many people in the shape of followers of his own, the villagers would follow him and carry out his behests in opposition to the desires of the rest of the people.

16332. Is the existence of men of that sort a source of danger?—Not always, because there are some good points in it; such a man becomes a sort of headman and adjusts disputes, and in many ways represents the villagers.

16333. (*Sir Frederic Lely.*) Have you taken an interest in public life for many years?—Yes, for 20 or 21 years.

16334. Are not most of the Deputy Magistrates in these days English-speaking graduates?—Yes.

16335. When you began life were they so well educated?—Yes; almost as well as they are now. Under the competitive system many young people have been appointed Deputy Magistrates.

16336. Have you noticed any tendency amongst highly educated Indians to adopt an exclusive attitude towards the people? Do you think that is a usual result or accompaniment of high education?—I cannot say it is the result of high education. Neither do I think it is an accompaniment of the education they receive, but it is to some extent the result of the exclusive character of the office they hold.

16337. As a matter of fact, is an Indian officer of to-day more exclusive than he was 20 years ago?—I think within the last 20 years the difference is not very noticeable. There may be a tendency that way, both amongst Europeans and Indians.

16338. Do the people take a real interest in municipal affairs?—The general body of the public in backward districts do not. As regards Purnea, they sometimes take an interest in the proceedings, but not as a rule.

16339. Do they watch how their representatives vote?—No, I do not think they do.

16340. Are there any contested elections?—Yes.

16341. Upon what points do contested elections turn as a rule; on the personality of the candidate?—I think so, and not upon any question as to what his views are.

16342. Would his caste make a difference?—No; they think what sort of man he is—is he likely to do them any good?

16343. Are the municipal proceedings conducted in English?—Yes.

16344. Are there many members who do not understand English?—Just a few; but there is no one now on the municipal Board which I represent who does not know English.

16345. Does that not rather tend to give an undue advantage to an English-speaking candidate?—Yes, to some extent; but, to my mind, that does not make any difference.

16346. Do you not think there would be a feeling that there would not be much use in electing a vernacular-speaking man?—Yes; there is some sort of feeling that he would not be of much use on the Board.

16347. You say your villages are torn by factions; if power were given to village panchayats or village bodies in Bengal, would it not really mean that it would be adding to the power of the zamindar?—In suburban areas, I do not think it would be so, but in the interior I think it might give some importance to the zamindars and to the money-lending classes as well.

16348. (*Mr. Dutt.*) Are most Deputy Collectors graduates of the Calcutta University?—Yes.

16349. Are they selected by competition?—They used to be; but that is abolished now. They are now appointed by nomination from amongst certain classes.

16350. When was that change introduced?—Five or six years ago.

16351. Are the nominated Deputy Collectors more accessible than the old class of Deputy Collectors who entered by competition?—No.

16352. Are they an improvement on the old system?—No.

16353. Are they worse than the old class who entered by competition?—I think that there are certain tendencies in these people to stick more to the Government. They are less accessible to the people.

16354. Would you like to revert to the old system of competition?—Yes; of course, there are good points and bad points on both sides, but, on the whole, I should like to do so.

16355. You are in favour of a general Act of delegation with regard to matters of mere routine. In those matters would not a general Act of delegation empower the Local Government to delegate any of its powers to any of its subordinates?—Under Act V of 1828 it would mean something like that; but I have confined my answer to acts of delegation in connection with purely routine work.

16356. How would you define an Act of delegation confined only to routine matters?—Of course there would be some difficulty.

16357. Do you object to any material powers being delegated by a general Act of delegation?—Yes.

16358. In such cases would a specific amending Act be better?—Yes.

16359. Have not provincial Governments been inclined to introduce too many changes according to the ideas of every new Lieutenant-Governor?—Yes, I have noticed that to be so.

16360. So that, if you allowed Local Governments a free hand to proceed on their own lines, would that not lead them to bring in more frequent changes which might be undesirable?—Looking at the question from that point of view, certainly it would; but my answer was not confined to that class of questions, but to questions which require steady application for years. For instance, so far as Bengal is concerned, sanitation is a very important question. If there was a fixed policy pursued with reference to sanitation by the Government of Bengal, it would require some time to develop and execute, and therefore some real power should be given to the provincial Government to develop their ideas on the subject.

16361. In matters on which the policy has been laid down, you think the Local Government should have a free hand in following it out?—That is my view.

16362. But you would not allow the provincial Government to bring in changes of policy without the control of the Imperial Government?—Quite so.

16363. If Advisory Councils were formed, would they bring the officials oftener into touch with the local men?—Yes, I think so, provided they are not place-hunters or seeking for the favour of the Collector; if they were truly representative men with whom the Collector came into contact, I think the result would be what I have indicated.

16364. How would you provide against place-hunters finding a seat on an advisory Board?—It would be very difficult to lay down any rule of conduct.

16365. Is the Vice-Chairman of your municipality also an Indian?—Yes.

16366. So that practically the whole work of the municipality is carried on by non-officials with paid servants under you?—Yes.

16367. Is the work proceeding smoothly?—I think so. There has been little or no hitch.

16368. Are the collections satisfactory?—Yes. They generally average 98 or 99 per cent.

16369. In sanitary matters is the municipality conducted as well as when the Collector was the Chairman?—Quite as well, because when he was the Chairman we had practically the carrying on of all the work.

16370. Have you much money to expend on sanitary improvements?—No. A great deal of the money we receive is devoted to the charitable dispensary and to roads, &c. For sanitary works, such as drainage, very little money is left.

16371. What are the sanitary works which you can execute within your means?—Some drainage in bazars. The municipality is a very scattered one, and of course a comprehensive drainage scheme would mean a considerable outlay, which we cannot afford under existing circumstances. A second difficulty is, that even if we had such a scheme carried out, we would not be in a position to keep it up, because even now we have to take the rain-water a distance of three or four miles from the municipal limits in order to find an outlet for it.

16372. Supposing Government came to your help, and gave you either a bonus or a loan, to carry out a comprehensive drainage scheme, would you have sufficient money to keep it up?—I think so. As far as bazar places and thickly populated places are concerned, we might be able to do it.

16373. Is the management of the dispensary in the hands of the municipality?—No. There is a Dispensary Committee, consisting of members of the District Board and the municipality, and outsiders, the Civil Surgeon and the Collector included. The Collector is Chairman.

16374. Do you only find the money?—Not only the municipality, but the District Board to some extent, though we pay the major portion.

16375. Have you any schools in the municipality?—There is a school which is kept up by Government entirely; and there are primary and secondary schools within the municipality towards which contribution is made by the municipality.

16376. Are they supervised by the municipality?—No; there are sub-inspectors and deputy-inspectors of schools who are paid by Government, or by the District Board, and they inspect; but reports with regard to certain matters are submitted to the municipality, and if there is any suggestion contained in these reports, it is attended to and carried out.

16377. So that you pay the money, but you have practically no hand in the management of the primary schools?—Practically that is so.

16378. Do you not think you ought to have the management of the schools, as you find the money for them?—That is my view.

16379. In the matter of leave, pensions and gratuities, you think the municipality ought to have a free hand. But might that not lead to jobbery?—It might.

16380. Then is it not safer on the whole that Government should have some control over the grant of gratuities?—Of course, if it was found there was a tendency to jobbery, I would rather keep the final control in the hands of Government.

16381. Then you do not insist on complete independence in that matter?—It is a matter of minor importance, and there is some risk.

16382. You think District Boards ought to have a free hand in regard to primary education; but has not a District Board a free hand now?—But the supervision and direction are carried out through the Government officials.

16383. Have you not sub-inspectors who are the servants of the Board, who inspect all these primary schools?—Yes, but the schools are managed and kept up under certain rules framed by Government, and those rules have to be observed. The deputy-inspectors and sub-inspectors of schools are more or less guided by the rules, so that, practically, the District Board has no voice in the management.

16384. Do you not recognize the necessity of some rules being laid down by Government?—Yes, I do.

16385. But you think they ought to be a little more elastic, and that the District Board ought to have power to modify them according to circumstances?—Yes, I would be satisfied with that.

16386. Would you recommend the formation of sub-committees for the management of different branches of the District Board's work?—Certainly.

16387. Each sub-committee having a Chairman of its own and laying its report before the Board?—Certainly, I think that would lead to better results than are produced now. There is one point, and that is with regard to the Sanitary Board, as to which I feel keenly. Although the Local Self-Government Act contains a section to the effect that the Government may extend powers with regard to sanitation to District Boards, I propose that it should be just the other way about, and that every District Board should have the power to deal with sanitary questions, and in case the Government thought that the circumstances of any particular District Board did not admit of their dealing with sanitary questions, such a District Board might be excluded. But as the law stands at present, Government can only extend it to particular District Boards, and very few of them enjoy this power.

16388. You say when an Advisory Board is formed the supervision of police work should be entrusted to them. How would you effect that?—The members of the Council, being in touch with the people, should be in a position to bring anything like police scandals and things of that kind to the notice of the District Magistrate, but if the matter was left to the department, probably such questions would never reach the ears of the Magistrate.

16389. Should the Advisory Board be consulted on proposed legislative measures?—Yes, I am decidedly of that opinion. I think those things should be submitted to the Advisory Councils, and if there was a practical unanimity of opinion, Government should think over it, and either introduce, or not introduce, the measure. I would leave the final power in the hands of Government, but the opinions of the Boards ought to be obtained.

16390. (*Mr. Hichens.*) How long has Purnea been under municipal Government?—I should say over 40 years.

16391. Do you think, looking back over the period during which you have been connected with it, that the people take more interest now in municipal affairs than they used to do twenty years ago?—Yes; decidedly they do.

16392. For example, in the matter of elections, did they elect members twenty years ago?—Yes.

16393. Are the elections as keenly contested to-day as they used to be?—They are more keenly contested now. At the beginning there was practically no contest; but for the last twelve years there have been frequent contests.

16394. Do the leading men of the town come forward to stand for election?—Leading men who have public spirit do come forward. There are leading men who are simply engaged in making money or minding their own business, who do not take any interest in public affairs, and do not take the trouble to seek election.

16395. To what do you attribute that?—To want of education and want of public spirit.

16396. Is it partly due to the fact that the municipality has not enough power?—I think a municipality has got sufficient power for ordinary purposes. I have never been thwarted in my office, and I find that the work can be carried on smoothly as far as I am concerned. I cannot speak, of course, with regard to other municipalities, or as to how they might be interfered with; but I have read accounts of their having been interfered with in my own division.

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16397. But is it sufficiently pressed home that if things go wrong in the town, and the people suffer inconvenience, they are only to blame themselves for not displaying public spirit?—Or do they merely think that they cannot get into very serious trouble, because if anything happened the Government would step in and put things right?—I do not think they have any opinions of any kind whatever: they are simply indifferent, and amongst the money-making classes, perhaps, they cannot afford the time.

16398. Has the municipality power to make the majority of appointments in the Council?—Yes, subordinate appointments. The appointment of Chairman has to be sanctioned by the Government. We have no Secretary; the Vice-Chairman does the work of Secretary. He is not a paid official. Under him there are overseers and an accountant head clerk with office staff, and an outdoor establishment which carries on the outdoor work. We appoint these ourselves without the confirmation of Government. The Board can also dismiss them.

16399. Without an appeal to Government?—I am not sure about the appeal.

16400. Do you think there should be an appeal or not?—I would not restrict the right of appeal, because if the municipality went wrong, it should be set right.

16401. Is your principal source of income from an assessment rate?—Yes, the principal source of revenue is that derived from the assessment of landed property, carriage licences, and things like that.

16402. Do you impose the maximum rate imposable under the law?—Yes.

16403. Therefore you cannot, practically speaking, increase your expenditure, unless the town increases in size and your revenue rises automatically?—That is so.

16404. Does the Government make you any contribution?—Sometimes. Now-a-days, owing to the surpluses, Commissioners are given certain amounts to be distributed amongst District Boards and municipalities at the end of the year. But that is not very satisfactory, because there is some difficulty with regard to the application of the money. It comes in generally at the fag end of the year and without any forethought the money is distributed; it has to be spent, and is spent, without much discrimination.

16405. If you have anything at all, do you feel you would like to count upon it when making up your budget?—Yes.

16406. Is your budget submitted to Government?—It is, nearly two months before the financial year to which it applies.

16407. (Mr. Meyer.) Were you in the Legislative Council when the last provincial settlement was made in 1904?—No; I have read the debates on the budget of the Indian Government of that time.

16408. There was a new settlement in 1906; were you there then?—Yes.

16409. Was that settlement explained by the Financial Secretary in putting the Bengal budget before the Legislative Council?—It was to some extent, and we had some intelligent grasp of the thing. I could follow the general principles of it.

16410. You say that there should be a more complete separation between imperial and provincial finance in particular matters, the financial relations between the Imperial and provincial Governments being adjusted only in cases of extreme necessity. Is that not what has been done?—Yes, there is a fixed proportion under the divided heads, but there is no assurance; the Government can step in at any moment, and unless there is any certainty, the Local Governments cannot have distinct funds of their own for the purposes of work extending over a series of years.

16411. Are you aware that the Government of India have stated that they will not alter the provincial settlement, except in cases of grave imperial emergency?—Yes. I refer to the speech of Sir Edward Law in introducing the budget of 1904-5.

16412. Assuming that there has been such an assurance, does that not meet your view?—It does. But, to my mind, the assurance given is not sufficient for the credit of a quasi-independent provincial fund

to the extent of enabling it to borrow. I think the Government of India should specify the emergencies which would be held to justify them in disturbing the existing settlements.

16413. When speaking of investing the provincial Governments with borrowing powers up to a limit of 50 lakhs, do you mean 50 lakhs in one year?—No, altogether.

16414. Would that not interfere with the borrowing powers of the Government of India as regards rupee loans?—That is a difficult question to answer; but I think not, because the borrowing powers of the Government of India are practically unlimited.

16415. Is not the amount that is tendered for loan in this country relatively small?—It is.

16416. And if the provincial Governments absorb some of it, will there not be less left for the Imperial Government?—But my idea is that money can be raised in England on much more favourable terms by the Government of India. I would negotiate the market, as I found it.

16417. Anyhow you would admit that the needs of the Imperial Government must come first?—Certainly.

16418. You say that you do not want to delegate further financial powers to Heads of provincial Governments with reference to the creation of new appointments, and so forth; but at the same time you want to give provincial Governments a freer hand in matters of detail. Is that quite consistent?—I refer to the actual acts of administration. I do not include new appointments. I think that every such case should go to the Government of India.

16419. You think the influence of the Departments of the Government of India is in the direction of excessive rigidity or uniformity—have you any experience of your own upon that point?—I am not prepared to cite instances, but with regard to land revenue adequate consideration is not given to the circumstances of a particular district or province.

16420. Do you mean with regard to such a matter as the assessment of land revenue?—Yes.

16421. But is that not a matter for local officials?—But there are certain fixed rules.

16422. Might the Public Works Department be more under the influence of the Commissioners?—Yes, I think in the Public Works Department there should be less rigidity, and I have come across instances of great dilatoriness and expense incurred in having to get certain things from England from the Stores Department of the Secretary of State.

16423. Would you be in favour of giving a Commissioner the power of financial sanction with regard to a number of Public Works projects which are now sent to the Local Government—in fact, giving him a little budget?—I think that would be better than the present practice.

16424. How would you have the Administrative Councils elected?—I am not prepared to go into details, but I have indicated the principle. I think municipalities and District and Local Boards might be asked to return members, and some other electorates might be improvised to return members; and there might be a certain element of nominated members.

16425. Supposing the Collector does not agree with the Administrative Council on any matter, what would happen?—He would be bound to refer the matter to higher authorities.

16426. Would you propose to allow members of Administrative Councils to dispose of minor matters on their own authority?—I would not risk an opinion without knowing the members of the Council.

16427. At any rate would you have such a system introduced by way of experiment in two or three divisions or districts?—Yes.

16428. In general district administration is there a tendency to concentrate a good many Deputy Collectors and officers at headquarters?—Yes.

16429. Would it be better to divide a district more into territorial sub-divisions, and to give each man a territorial charge, both criminal and revenue?—I would keep the magisterial powers separate.

16430. Would you have more Magistrates scattered about the districts, so that the people could come more

readily to their courts, or would you have them concentrated at headquarters as they are now?—I have not been able to give that matter much consideration.

16431. Purnea is in Bihar. Have you real villages in Bihar?—Yes.

16432. Could you work on the natural village system instead of on an artificial grouping like chaukidari unions?—Chaukidari unions already exist in the district.

16433. But that is an artificial grouping more or less?—Yes.

16434. Supposing you wanted to develop village government, would it not be better to go on the natural village lines than on the lines of this artificial community?—I think it would.

16435. You speak about the power of municipalities to grant leave, pensions and so forth. Are there not general rules on the subject and within those rules the Chairman can grant leave and pensions?—Yes. But it requires the sanction of the Government in several matters.

16436. Is it not necessary, supposing the Chairman proposes to take long leave, that the Collector or Commissioner should be informed of the fact?—Certainly; all I object to is that it should go right up to the Government.

16437. Might not the Commissioner also have some other powers which the Government now exercise vested in him with regard to the control of municipalities?—Yes.

16438. For instance, might he not appoint the nominated members?—Yes.

16439. Would you make the Commissioner the local representative of Government?—Yes.

16440. Have municipalities less power than District Boards in the matter of administration?—I think so.

16441. Does a municipality simply pay for its schools while the Education Department manages them, whereas a District Board has the management of its primary schools?—Yes, in a way. The management, however, depends on certain fixed rules of Government even in the case of District Boards.

16442. But, subject to those rules, a District Board can open or close a school, and raise the pay of any teachers which a municipality cannot do?—Yes, the sub-inspectors or deputy inspectors send in reports to the municipalities, and the municipalities have to act upon them more or less. I know of an instance where my municipality wanted to act somewhat contrary to the report of the sub-inspector, but the Education Department intervened and the municipality had to give way.

16443. How does the Education Department intervene—what is the procedure?—The inspector of schools writes to the Magistrate: A copy of the letter is forwarded to the Municipal Commissioners and discussed; they send their reply; but the result is that the opinion of the inspector of schools is upheld.

16444. Supposing a case occurred in which the Municipal Commissioners did not agree with the inspector of schools, but held to their previous resolution, would the Divisional Commissioner have power to make you conform to the view of the inspector of schools?—I do not think the Commissioner has any direct power, but he has the right to sanction or disallow the budget.

16445. He might put pressure on you through the budget?—Or by some other means which I cannot at present think of.

16446. When the budget comes up before the Commissioner, do the Educational and Medical people make remarks upon it?—As a rule they do not do so at the time of the preparation of the budget, until they are consulted as to their requirements. Those are considered by the Budget Committee of the Municipal Council.

16447. But do they also write to the Commissioner and say: "We think this allotment is satisfactory or unsatisfactory"? I do not know whether they do so, or if they do it through the Magistrate or directly.

16448. If the departmental people write to the Commissioner about your allotments, do you not know what happens?—No.

16449. In regard to the grant of larger powers to District Boards and municipalities, might that be facilitated by having a different system of election, and by having representatives of various classes and grades in the community, instead of representation by local areas as at present?—No, I do not think that would work. I prefer the local area system because I think the best men would thus be brought out.

16450. Does the present system afford a complete safeguard to the minority?—Yes, I think it does.

16451. (Sir Steynning Edgerley.) In all questions where the Government officer has to judge of the mistakes of subordinates, has he not to be very careful to maintain a reputation for impartiality?—Generally, of course, that is the case.

16452. You instance that sort of question as one on which a Collector was rather loath to talk at large. Do you not think that if he did talk at large, it would be a very dangerous thing?—From a certain point of view, and having regard to the kind of question which might be put, it might be so on occasions.

16453. And the officer whose conduct was under enquiry might feel himself seriously prejudiced?—Certainly.

16454. Are not these personal questions in a district extremely interesting to everybody?—They are bound to be more or less.

16455. You said that you found officials would not discuss certain important subjects, and amongst others you mentioned the conduct of police officers—could they discuss that properly?—Generally they might, without any imputation against any particular officer.

16456. What is the size of the Purnea municipality?—It is scattered, but it has a population of about sixteen thousand. Its revenue is about Rs. 26,000.

16457. Has the growth in Local Self-Government within your experience been as much as might have been reasonably expected?—I am not satisfied certainly with the present state of things, but there has been a marked improvement, and people have been taking more interest in public matters recently.

16458. Do you think you could go quicker?—I do not think so, until the class which holds aloof comes forward, and participates more in public affairs.

16459. Some witnesses have suggested to us that there is a certain lack of continuity in the policy of the Local Government—do you share that opinion at all?—Yes. The only remedy I can think of is that the policy should be laid down in black and white with regard to any definite scheme to be developed, and that successive Governments might then go on with such a scheme.

16460. You do not think any alteration in the constitution of the Local Government could be made which would meet the difficulty?—Do I understand you to mean the Legislative Council.

16461. An Executive Council?—I have not thought about it.

16462. Is the municipality represented on the Dispensary Committee?—Yes.

16463. And is the only contributor?—It is the main contributor.

16464. Does it furnish the largest number of members?—Yes, but there is no fixed rule. We have a full representation on the Committee.

16465. Is there any educational sub-committee of the District Board?—I think there is, but I am not a member of the District Board.

16466. You say that you have no voice in the management of primary schools. Is that only in the case of grant in aid schools, to which the Government give a settled grant?—Yes, but also in the case of schools within the municipality maintained solely by it, with the help derived from school fees.

16467. If you liked to start schools quite independently of the rules with your own money, could you do so?—I think the department would have to be consulted.

16468. Surely anyone in Purnea could start a private school?—Yes.

16469. Is not the municipality in the same position? Is it not only because you want a grant-in-aid that you

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have to comply with the rules?—Yes, it is generally so, but under the existing rules the application of money to any school cannot be made unless the school is carried on in accordance with the Government rules.

16470. You suggest Advisory Boards for the Commissioner and Collector?—As regards the Commissioner, I am not quite clear, but I am very keen about the Collector.

16471. As regards the District Officer, he has his District Board which he meets once a month—does he want a separate body for advice?—By Advisory Council I meant a separate body. The District Board deals with a limited class of questions only, and there are other questions which might be conveniently dealt with by an Advisory Council.

MAHARAJ-KUMAR KRISTO DAS LAW was called and examined.

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16475. (Chairman.) Are you a zamindar?—Yes. I live in Calcutta. My native place is Gauhati, but I came here when I was very young.

The provincial Government should have the power of creating new appointments when occasion arises up to Rs. 500, or enhancing the salaries up to that amount without taking the sanction of the Government of India.

Executive Officers generally have not at present sufficient opportunities for personal contact with the people. The existing obstacles are want of proper knowledge of vernaculars, pressure of official duties, and, above all, their want of sympathy and good feeling leading in some cases to discourtesy and disinclination to mix with the people. European Executive Officers on arrival in this country should be made to learn the vernaculars, and they should also study the current vernacular literature by reading newspapers, periodicals, novels and so forth. They should mix freely with senior Indian officers of all grades, whether Judicial, Executive or Educational, and on festive and other suitable occasions, such as musical parties, mournful occasions, &c., with the community at large according to the Indian custom. Provision should be made in the rules of promotion to give preference to those who, besides their official qualifications, pure and simple, possess the quality of sympathy and good feeling, thereby narrowing the gulf between the rulers and the ruled. The Divisional Commissioners in their periodical inspections of the work of the subordinate European Executive Officers should be directed to report also about their behaviour towards the people generally.

An increase in the administrative staff is required. Owing to the increase of work in the different departments, the present officers are overworked. Curtailment of the areas of large districts is not desirable, as by the division the smaller part is generally joined to an adjoining district, the headquarters of which become more distant than that to which the people were accustomed. Besides it would involve division and transfer of an immense number of records which in course of transit might be lost or get mixed up. All these combined cause dissatisfaction among the inhabitants thereof on account of the inconvenience in transacting their business.

Should the powers of the Commissioners, Collectors, and other local authorities be enlarged, preference should be given to capacity and experience over seniority, as seniority does not necessarily denote the necessary qualifications for administrative and executive work.

Transfers of officers are frequent, and in order to obviate this disadvantage the staff should be increased, so that in case of the illness or absence of an officer on leave, &c., the next senior man there may officiate in his place.

I am in favour of the creation of Advisory Councils only to assist Divisional Commissioners, and they should be empowered to create Advisory Councils in the headquarters of each district under their charge. Each Council should consist of five or seven members representing the different important interests, such as land, sanitation, education, trade and agriculture, &c., and the Commissioners should consult with them on these and on all other important matters, either on

16472. Could you not achieve that by extending the authority of the District Boards?—If that could be done, well and good.

16473. What is the object of creating a second body in a district?—Because the powers of the District Board being limited, they would have no statutory authority to deal with questions outside the Local Self-Government Act.

16474. If you were to widen the powers of the Local Self-Government Act would not that be remedied?—Of course it would have to be changed in that case, but it comes to the same thing in the result.

(The witness withdrew.)

their inspection tours, or by means of letters when occasion arises. The reports of such Councils should be sent to the provincial Governments.

It would not be expedient to invest District Boards with powers of supervision and control over smaller municipalities, as it may cause friction.

It is desirable that village communities should be vested with powers with regard to primary education, and in the disposal of petty criminal and civil cases. Should they be found working satisfactorily in the aforesaid matters, police and sanitation may also be placed in their charge.

16476. You state that District Officers are not only ignorant of the vernacular, but that some of them are apt to show want of sympathy towards the people?—Not all of them, but some of them. I do not say they are ignorant, but they are not very tactful.

16477. Have you yourself come across any personal cases of discourtesy on their part?—No.

16478. Then what you state is what you have heard other people say?—Yes.

16479. If there was more social intercourse between District Officers and the people in a district, would things work better?—Yes.

16480. Would either Hindu or Muhammadan gentlemen be disinclined to welcome a closer social intercourse?—I do not think so; I think the natives of the country would like it and appreciate it.

16481. The last witness said that not only were the European officers rather exclusive but that the Deputy Collectors who are Indians also were inclined to show the same exclusiveness; would you agree with that?—I have no personal knowledge, but so far as I can hear, I do not think it is so.

16482. You think that they are not carried away by their official position into exhibiting some haughtiness?—Some little haughtiness, of course, would result from their position, but not to the extent suggested.

16483. Would you increase the powers of Commissioners and Collectors and other district authorities?—I have no objection to increased powers being given.

16484. With regard to Advisory Councils, you think that such Councils might be created to assist the Divisional Commissioners. Should the members be selected and appointed by the Commissioner?—I have not given the matter consideration in that way, because I do not know how a provincial Advisory Council would be formed.

16485. With regard to Advisory Councils to District Officers, what have you to say?—I do not think they are necessary.

16486. Would you suggest that village councils or village communities should be formed?—There is some kind of village community now in existence, and those I think should be encouraged. I would give them rather larger powers.

16487. Would you give them power to dispose of criminal cases?—Yes, small criminal cases, such a case, for instance, as that of a man who has stolen fruit from another man's garden.

16488. (Sir Steyning Edgerley.) Have you lived all your life in Calcutta?—Nearly all my life: when I was about 10 or 12 years of age I came to Calcutta. I practically live in Calcutta all the year round.

16489. (Mr. Meyer.) Is not what you have said as to village communities and district organisations, and the rest of it, based upon hearsay?—Yes.

Mr. FREDERICK GEORGE DUMAYNE was called and examined.

16492. (Chairman.) You are one of the members of the Port Trust of Calcutta?—I am Vice-Chairman of the Calcutta Port Trust. I was appointed by the Local Government. I am the principal Executive Officer of the Trust. There are various matters which I would like to represent on behalf of the Trust.

Section 31, clause (3) of the Calcutta Port Act (Bengal Council) 1890, requires that the Commissioners' rules regarding the granting of leave, leave allowances, acting allowances, regulation of period of service, pension, gratuities and compassionate allowances to their officers and servants shall be confirmed by the Governor-General in Council. But under sections 32 to 34 the power of appointing, promoting, suspending, dismissing, fining, reducing, or granting leave shall be exercised by the Vice-Chairman in the case of officers whose monthly salary does not exceed two hundred rupees, and in any other case by the Commissioners in meeting, subject to the previous sanction of the Local Government as regards every order relating to officers whose monthly salary exceeds Rs. 500. It would appear to follow that the Local Government should also be the final authority in respect to the rules referred to. Port Trust officers and servants are not Government officers and servants, and the conditions which obtain in Government service are not necessarily suitable to the special conditions of service in the Port Trust. There does not, therefore, appear to be any reason for the rules to be confirmed by the Governor-General in Council. These rules, like the appointments, should be subject to the approval of the Local Government only. They are not of such general importance as to require the confirmation of the Government of India.

With reference to section 24, clause (3) of the Calcutta Port Act 1890, the Trustees should be allowed to invest the sinking funds in the public securities defined in section 20 of the Trusts Act, II. of 1882, and not be restricted to Government promissory notes and Calcutta Port Trust debentures, as at present. The Commissioners for example, in 1903 and 1904, could have invested their sinking funds in the debentures of the Rangoon Port Trust bearing interest at $4\frac{1}{2}$ per cent. at favourable rates. The Calcutta Port debentures should also be held to be available for investment of trust funds as is the case with the Bombay Port Trust, the law on the subject being made uniform and amended accordingly. Enquiries were quite recently made by two Insurance Companies as to whether Port Trust debentures were funds in which trustees could invest.

As regards sections 32 to 34 the Commissioners propose that they should only be required to obtain the previous sanction of the Local Government so far as orders relating to the Chief Accountant, Deputy Conservator, Chief Engineer, Traffic Manager or Secretary, in the matter of appointments, leave, leave allowances, pensions, gratuities, compassionate allowances, dismissals, &c., but that they themselves should dispose of the cases of all other officers. The Commissioners will then deal with all officers excepting the five principal officers above referred to. They are in a better position than the Government to deal with these cases as they are better acquainted with each officer's service, and will deal with the cases under rules approved by the Local Government.

In section 40, clause (1), the clause as to meetings should be altered as the Commissioners now meet once a week, and it should be open to them to meet at such intervals as they may from time to time determine.

As regards section 48, the Commissioners should not be required to obtain the sanction of the Local Government to enter into contracts, when such contracts are for the carrying out of works sanctioned under the Act. This sanction to enter into contracts by the

16490. (Mr. Dutt.) When you spoke of village communities as being in existence, were you referring to the chaukidari panchayats?—Yes.

16491. Is anything left of the old village communities in Bengal?—No.

(The witness withdrew.)

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Local Government seems to be quite unnecessary if when the Local Government sanctions the carrying out of works it has the expenditure for such work before it and sanctions that expenditure. As matters stand at present the Commissioners may get sanction to the building of a warehouse for, say, Rs 5 lakhs, and then they have to apply to Government for sanction to enter into contracts for the iron-work, bricks, mortar, or other materials required in carrying out the work, although the amounts of those contracts in the aggregate are less than the sanctioned estimate for the whole work.

Section 49 should be held to refer to capital works only as the budget estimates provided for under Part V. of the Act should be sufficient authority for carrying out the ordinary revenue works of the Trust. This was understood to be the intention of the Legislature, and the Commissioners have all along so construed the section. Section 50 should likewise be held to apply to capital work only, as above.

Under section 51 (1) the limit of the cost of works which may be carried out without the plan and estimate being submitted for the approval of the Local Government should be extended from Rs. 50,000 to Rs. 2,00,000.

Under section 51 (2) the limit of sanction to the Local Government should be increased to Rs. 5,00,000. In explanation of the proposed extension of the limits provided in section 51 above referred to, it may be stated that the revenue of the Trust has, since the Act of 1890 was passed, risen from Rs. 17,82,531, to an estimated income this year of Rs. 1,09,00,000, and the operations of the Trust are on a much larger scale.

As regards section 55, the period for which the Commissioners may grant leases of any immovable property with the previous sanction of the Local Government should be extended to 50 years, as in Bombay. This is absolutely necessary, as the period of 10 years, now provided, is too short to induce lessees to spend any large sums of money in buildings, etc. If 50 years be a suitable term for Bombay it should certainly not be less for Calcutta.

Section 73 should be held to apply to expenditure for revenue purposes only.

Regarding section 74, such excess expenditure should be reported by the Vice-Chairman to the Commissioners in meeting and not to the Local Government, as it would be included in the supplementary estimate submitted to the Local Government under section 72. At present supplementary estimates are submitted to the Local Government for every deviation from, or addition to, the sanctioned estimates, whether they exceed Rs. 5,000 or not, which involves an immense amount of trouble. In fact, in view of section 72, the provisions of section 74 appear to be superfluous.

Section 75 is exceedingly troublesome in regard to matters of a very trivial nature, such, for instance, as the employment of a few tally clerks, or of a temporary typist for a few days when there is a rush of office work. The Commissioners should be left free to make any such appointments as may be necessary in the course of a year, subject to the submission, before the end of the year, of a supplementary estimate to the Local Government under section 72. The necessity of employing more staff arises quite suddenly in consequence of the fluctuation of trade and other causes, which cannot be foreseen and provided for at the time of preparing the budget.

Under the provisions of section 83 of the Calcutta Port Act, 1890, no condition can be made by the Local Government in assenting to the erection of a private jetty, and in many cases the erection of such jetties without certain conditions would be objectionable from the Commissioners' point of view. It is proposed to amend the Act so that assent may be given to the

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erection of a jetty under whatever conditions the Local Government may approve as necessary in the interests of the port.

Under section 111, for the amount of all tolls, dues, rates and charges leviable under the Calcutta Port Act in respect of any goods, the Commissioners have a lien on such goods, and may seize or detain the same until such dues are fully paid, but this lien is gone the very moment the goods are delivered or removed. It may afterwards be found on audit that all the proper charges have not been recovered, and there is a difficulty sometimes in recovering these charges. The only way of recovering them is by a suit against the owner, a very burdensome process. The Commissioners are of opinion that they should be given the same powers as are conferred upon railways under section 55 (1) of Act IX of 1890, viz. :—

"If a person fails to pay on demand, made by or on behalf of a Railway administration, any rate, terminal or other charge due from him in respect of any animals or goods, the railway administration may detain the whole or any of the animals or goods or, if they have been removed from the railway, any other animals or goods of such person then being in, or thereafter coming into, its possession."

Powers should also be given to the Commissioners to grant remissions of tolls, dues, rates and charges to meet cases of hardship, e.g., when an importer through the non-receipt of his bills of lading and other documents is unaware of the arrival of his goods, and consequently incurs the special rent charges which are leviable with the object of hastening the removal of goods from the wharves to prevent the wharves becoming congested.

Under section 35 the works to be constructed and carried out by the Commissioners should further include :—

(a) Light-houses, light-ships, beacons, boats and all other appliances necessary for, and incidental to, the safe navigation of the port and the approaches thereto. The Commissioners now provide light-houses, dredgers, and fire engines holding that they are included in "all such other works and appliances as may, in the opinion of the Commissioners in meetings," be considered to be necessary for carrying out the purposes of this Act, clause (8); but they consider it desirable that such works should be specifically stated.

(b) The building of vessels for the purpose of carrying goods in the port by inserting the words "of goods and" in clause (7a) after the words "carrying" in the first line. When in 1905, the Commissioners obtained power by the Calcutta Port Amendment Act IV, 1905, to build vessels to carry passengers and their personal effects, the Commissioners sought to obtain power to build vessels for the carrying of goods also, but this was not proposed on account of the objections that were made at the time. The Commissioners would not undertake the duty of providing vessels for the carriage of goods within the port so long as the requirements of the trade were adequately provided for by private agencies and at moderate cost, but the power should nevertheless be given them, so that they might undertake the duty whenever they considered it to be desirable that they should do so in the general interests of the trade of the port. The Trustees of the Port of Bombay are given this power under section 45 of the Bombay Port Trust Act, VI of 1879.

(c) The construction and application of dredgers and other machines for use in the docks and channels by adding to clause (6) after the words "river bed" the words "docks and channels," and further adding the words "and the approaches thereto" after the words "within the port," as the navigable channels in the river leading to the port may require attention as well as the docks and channels within the port.

(d) The equipment, maintenance and use of engines and other appliances for the extinguishing of fires ashore on the property of the Commissioners, and afloat in the port and in the approaches thereto.

(e) The building and equipment of vessels, tugs or other boats, and the use as well within the limits of the port as on the river and the high seas beyond those limits, for the purpose of rendering assistance to any vessel, whether entering or leaving the port or bound elsewhere, and for the purpose of saving or protecting life or property. This may be done by a modification of clause (7). At present the Commissioners are only given power to build vessels for the purpose of towing vessels in the port, but it is desirable that they should

also be empowered to render assistance to vessels in distress, as when a vessel may be ashore or in other difficulties outside the port.

The Commissioners would urge that the administration of the Pilot Service should be transferred to them. To the Commissioners are entrusted the conservation of the River and its approaches and their improvement, the improvement of the conditions and facilities required for the commerce of the port and its future needs; and the study of the economical advantages of the locality and of the best methods for insuring the despatch of vessels and the handling of their cargoes. The Commissioners, therefore, are in close touch with all the requirements of the shipping, and all the resources of the port are theirs. The Pilot Service is but an integral part of the general operations of the port, and it is an anomaly that it should be under separate management. The Port Trust of Calcutta should administer all the affairs of the port, and, as at Liverpool and other large ports in the United Kingdom and in India, be the controlling authority in regard to all matters connected with the pilotage of vessels. It is a change that would also be likely to result in considerable economy in administration.

The Port Commissioners are of opinion that they should be vested with the same rights and privileges as are mentioned in section 72 of the Bombay Port Trust Act, VI of 1879.

(f) Clause (8) should be modified to give greater latitude in the works that the Commissioners may carry out, so as to cover any works which, in the opinion of the Commissioners in meeting, may be desirable in the general interest of the trade of the port.

16493. You represent that a good many of the references which now have to be made by the Trust to Government could be easily dispensed with and the work carried out by the Trust itself?—Yes, we should like to get rid of a good deal of the check over detail, but the control of the Local Government and the Imperial Government should remain in regard to the larger works of the Trust.

16494. With regard to the dismissal or appointment in the intermediate stages of officers whose monthly salaries do not exceed Rs. 200, or in fact with regard to all such officers whose salaries do not exceed Rs. 500, would you like matters to be dealt with by the Port Trust?—Yes. At present, up to Rs. 200, the Vice-Chairman deals with them, and he is the final authority—there is no appeal past him. But from Rs. 200 to Rs. 500 the matter goes to the Commissioners, and above Rs. 500 to the Local Government—in no case to the Government of India.

16495. With regard to the sections you have quoted, and the duties of reference which are imposed upon you, could all these matters be dealt with by an amendment of your Act in the local Legislature?—Yes.

16496. As regards some of the references, which are now imposed upon you by the existing Act, do you, as a matter of fact, first carry them out, and then get subsequent sanction?—Yes. Many of them are now referred *pro forma*; they were introduced 30 years ago, and they are no longer of any consequence to the Government or to us.

16497. With regard to the limit of cost of works, you now have to go to the provincial Government for sanction for works over Rs. 50,000, and you want to be able to finish works on your own responsibility up to two lakhs of rupees? Notwithstanding any other restrictions, either upon the Local Government or upon the Government of India, with reference to the orders of the Secretary of State, do you think the experience of the Port Trust is such that you are perfectly capable of dealing with works costing in sterling £13,000 or £14,000?—I am certain that it is.

16498. If a Bill was introduced into the Legislative Council dealing with all these questions, would there be any opposition on the part of the Local Government?—None whatever; we are really doing the work now with their approval.

16499. Have you ever promoted a Bill in the Legislative Council to do any of these things?—No, but we have no reason to anticipate any objection whatever. The fact is that the Commissioners take this opportunity of representing points which they might have laid before the Local Government at some convenient time.

16500. (Mr. Hitchens.) How are the members of the Port Trust appointed?—Six of them are elected by the Chamber of Commerce, one by the Trades Association, which is also commercial, one by the Bengal Association—an Indian Association—which is also commercial, one by the Corporation of Calcutta, and there are three large lines of railway running into Calcutta, two of which are usually represented on the Trust, their representatives being nominated by the Local Government. Then there are the Collector of Customs, and the Deputy Director of Royal Indian Mails. Our Chairman who is one of the Commissioners and presides at our meetings, is generally the senior member of the Board of Revenue, and the Collector of Howrah is a member, because Howrah has an interest in our operations. Finally there is the Vice-Chairman.

16501. Under whom is the administration of the Pilot Service now?—It is under a Government officer called the Port Officer of Calcutta. He is subordinate to the Marine Department of the Local Government.

16502. Have you any reason to suppose that the Local Government would be unwilling to give up that branch of the work?—I do not think the Government would be unwilling; the pilots might object to be transferred from what might be termed a Government Service to the Service of a Port Trust.

16503. Can you issue a loan without the sanction of the Government of India?—No.

16504. Do you see any objection to that restriction?—No, no objection whatever; in fact, we quite agree that the Government of India must have control in that matter, because the interests of the tax-payer must be superior to the interests of the local rate-payer, and we can only float our loans after consideration of what the operations of the Government of India may be.

16505. Do you mean that your loans might spoil the market for the Government of India?—That is one reason; a second is that we have the advantage of the financial advice of the Government of India, and freely avail ourselves of it.

16506. Do you ever raise your loans in England or Europe?—This year we obtained for the first time, on the recommendation of the Government of India, the sanction of the Secretary of State to raise a million of money in London, and as it happened that I was on leave at the time, I interested myself in London in seeing what could be done in the way of raising money on more profitable terms than in Calcutta. It may have been that at the time the London market was unfavourable, but at any rate I found that I could probably raise a loan at 96, out of which I would have to pay underwriting charges and brokerage, while we were able at that time to place the same loan in Calcutta at about 96½ nett.

16507. Are all large works put up to public tender?—No; in Calcutta we usually do most of our work departmentally, and our objection to going up for the sanction of the Government to contracts is that whereas the Government, or the Government of India, agree to the amount of the work, and may sanction a work up to two or three lakhs of rupees, we then have to go up to Government for sanction to a contract for bricks or a contract for sand, which we think is unnecessary.

16508. You mean that, first of all, you get the various administrative sanctions that are necessary, and, having got those, you have to get sanction for the individual contracts?—Yes, that is what we object to.

16509. Is it not desirable that there should be a rule to the effect that the purchase of any article over a certain sum in value should be put up to public tender?—No, on the contrary I think that would be objectionable; you might very frequently have to meet a ring of speculators who had worked the market against you, and it would be very difficult to break through it. For instance, we may buy land to make our own bricks, or we may buy a quarry to get our own stone, and I think we ought to be absolutely free in all matters of that kind.

16510. (Mr. Dutt.) Does your total loan amount to a large sum?—It is about 8 crores in all to the public, and to the Government.

16511. Is the money borrowed on the security of the property vested in the Commissioners?—Yes, none of it is guaranteed.

16512. (Sir Frederic Lely.) What are the functions of the Port Officer?—He has control of the Pilot Service, and he is also the Shipping Master, that is to say, he deals with the engaging and discharging of crews, and he also administers several of the Acts with regard to the registration of vessels, &c.

16513. You propose to take away from him the control of the pilotage, is that all?—The Commissioners are largely representative of the commerce and shipping of the port—they represent the shipping as well as trade, and it is the Commissioners' ships that are being navigated, so to speak; therefore it is the Commissioners who are most interested in the Pilot Service, and they think that they should have the right of control over it.

16514. Do you come into collision with the Port Officer at all?—No, except in the matter of pilotage, and even then I could not say we come into collision; but we think it is not a right distribution of work.

16515. (Sir Steyning Edgerley.) Is it satisfactory that your Chairman should be only a part time officer?—The question has only been informally discussed. In the Bombay Port Trust the Chairman is a man who devotes his whole time to the work, but here it is the Vice-Chairman who is the Executive Officer, and I rather regard it as advantageous to this Trust that we have the senior member of the Board of Revenue as our Chairman, because it helps us in conducting our business with the Government. I think that it is a good arrangement, and there has been no difficulty in regard to it.

16516. Is not the Chairman a fairly busy man independently of the Port Trust business?—Certainly.

16517. And unless there happened to be a very carefully selected Vice-Chairman, there might be some difficulty in carrying the work on?—There might be the same difficulty if you had a carefully selected Chairman.

16518. In proposing that you should take over the Pilot Service, do you suggest that it is not efficiently managed at present?—No; we only suggest a change.

16519. (Mr. Meyer.) Is the senior member of the Board of Revenue always Chairman of the Port Trust?—Not always; occasionally the junior member is Chairman.

16520. Suppose the senior member takes leave and the second member becomes acting senior member, would he act as Chairman of the Port Trust?—No, not *ex-officio*—Government would have to appoint him.

16521. Would it not be better if one member of the Board of Revenue were to be appointed Chairman of the Port Trust during his term of office without reference to the fact that he was first member or second member?—No, I think that Government should have the selection. They may appoint any official they please, and it happens that they have always appointed a member of the Board of Revenue.

16522. Does that lead to a good many changes in the Chairmanship?—Yes.

16523. Is that prejudicial to the working of the Trust?—No, the Chairman presides at our meetings.

16524. It necessarily, however, makes the Vice-Chairman the real Executive, does it not?—Yes, and it is so intended by the Act that he should be; but, on the other hand, while it makes him the real Executive, he is not the Chairman, and he has not the full control, perhaps, that he might otherwise have.

16525. Speaking generally, do you find that the Chairman takes full interest in the administration?—Yes.

16526. With regard to the present restriction in the matter of works, do you find that that leads to useful engineering advice being given you by the high Public Works officials of the Local Government and the Government of India?—No, they have left us very much to ourselves; they consider that we know what suits us best, and they leave us to carry out the works we suggest. I presume they always approve of them, because we have never had any point raised.

16527. You say that you desire to be allowed to invest your sinking fund in any public securities, and

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that you wish the same latitude as is accorded to other Port Trusts?—Yes, I think the Bombay Port Trust has greater latitude than we have.

16528. Would you like to have the same general latitude as the Bombay Port Trust has?—Yes, quite as much as they have.

16529. With regard to the Pilot Service, how far does your jurisdiction as a Port Trust extend down the river?—Really to the Sandheads. The pilot comes on board at the Sandheads.

16530. So that you would not require any extension of jurisdiction to take in the Pilot Service?—No.

16531. Has the matter of extension of jurisdiction been discussed?—The matter came forward on one

occasion when I was a member of a Committee about three years ago to consider the fees payable to the Pilot Service, and, by the order of the Commissioners, I represented to the Committee the advisability of the Commissioners taking charge of the Service. The Committee considered that the matter was outside the province of its enquiry, and said that, if we wished, we might submit it to the Government. We did not do so, and have not done so up to the present time, although, perhaps, we might do so later.

16532. May I put it that your Trust, as a Trust, have not really fully considered the matter?—No, they have fully considered it and determined upon it.

(The witness withdrew.)

Mr. G. W. KÜCHLER was called and examined.

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16533. (Chairman.) You are on special duty in the office of the Director of Public Instruction of Bengal, and have been in the Educational Service in India since March 1885?—Yes.

The present status of the Director is not of a nature calculated to secure for educational projects the attention which they deserve. The department has often been blamed for defects in the educational system of the country, for which it is nowise responsible. The proposal that the Director should be given the status of a Joint-Secretary to Government would go far to remedy the present ineffectiveness of the Educational Department, and if this reform could be introduced without difficulty, it would probably be wise not to go further than this for the present. The ultimate, and the best, solution of the problem will be to create an independent Secretariat, and to make the head of the Department a Secretary to Government. The work of educational administration is so complex and covers so wide an area, that it cannot be satisfactorily dealt with by a Secretary, of whose duties it forms only a small portion. This position has been accepted in practically all other civilised countries, and its reasonableness cannot long be gainsaid in India.

As long as the functions of the Director-General of Education are purely advisory, his influence is, I think, entirely for good, but his designation, under those circumstances, seems to be somewhat of a misnomer. Such co-ordination of educational policy as is necessary in India can be effected on the basis of the information which it would be his duty to supply, and the advice which he may be able to give to the Imperial Government. Should, however, greater latitude be left to the provincial Governments in their educational policy, the Director-General's functions will be necessarily considerably diminished, and it becomes doubtful whether the continuance of the post is necessary, at least in its present form.

An Inspector of Schools should have a thorough knowledge of the vernacular or vernaculars of his division. Without such knowledge, he cannot possibly keep in direct touch with vernacular education or control the work of his subordinate officers. An adequate test of his knowledge of the language should, therefore, be insisted on in the case of inspecting officers.

Transfers of educational officers, though not so frequent as in the case of civilians, still occur too often for efficiency. Professors should, as far as possible, be appointed permanently or at least for a long term of years to the individual colleges. Transfers, especially in the middle of the session, are extremely hampering to the work of the college, and have, as already indicated, been till recently regulated too much by mere departmental convenience.

The value of the work of Inspectors naturally increases up to a certain point with their knowledge of the division and their acquaintance with the language. And though it is desirable in their case that their experience should not be confined to one division, their term of service in any one post should be of reasonable length.

The management of primary and middle schools by District Boards has not been a conspicuous success, and under these circumstances, the delegation of further powers to these bodies would not be justified. The unsatisfactory state of the schools under their

control is largely, but not entirely, due to want of funds. When the management of primary education was entrusted to the District Boards, a certain allotment was made from provincial funds, and, in addition, certain sources of revenue—*i.e.*, pounds and ferries—were handed over to the Boards to enable them to carry out the work. The revenue from pounds and ferries was partly assigned to the cost of education, partly to that of medical aid. These revenues are of an expanding nature, and have in fact expanded considerably of late years, but practically no part of the increase has been devoted to education. Presumably the intention of Government in assigning these sources of revenue was to provide an automatic increase of income to meet the natural increase in the demands of education, and the failure of the Boards to apply the available funds to this purpose can only be taken as an indication of their general apathy in educational matters. One way, for example, in which the money at their disposal might profitably have been employed, would have been to the improvement of middle schools managed directly by the Boards. These schools are intended to serve as model schools, but, far from fulfilling this object, they are as badly off as most of the schools of this class as regards buildings, equipment, and staff, and are indeed considerably inferior to many of the institutions which are under private management, and merely receive grants-in-aid.

The above remarks apply equally to Local Boards. More might be done in the way of interesting the members of village unions in village education. They might, for example, be of use in selecting sites for schools, supervising the work of the *gurus*—*i.e.*, seeing that they attend regularly, etc.—and in other matters of this nature. When inspecting officers have approached them in the proper spirit, members of these unions have generally shown themselves willing to contribute to the erection of *patshalas* either in material work or cash. It would not be wise to entrust them for the present with any financial powers.

16534. A scheme has been put forward by the Director of Public Instruction by which he would become a Joint-Secretary to Government for the purposes of education. In that proposal do you concur?—Yes.

16535. At the present moment, in making their proposals, why do not the Education Department go to the Secretary to Government, before they have actually formulated them?—I understand that the Secretary in the General Department prefers, before he passes judgment on any proposal, that it should be put before him in a cut and dried form.

16536. Do you see any objection to the Head of your Department conferring unofficially with the Secretary to Government, before these proposals are formulated?—No; it would be an excellent thing.

16537. It might save, what the Director calls, laborious working up in the office of the various schemes?—It might to a certain extent, but still it would not alter the procedure, which the Secretariat would think necessary, namely, that when any proposal did come from the office of the Director of Public Instruction, it should, first of all, be noted on in the Secretary's office.

16538. Who are the gentlemen who note on it in the Secretary's office?—After a case has been very

laboriously worked up in the Director's office, it is then presented in the form of a letter addressed to the Secretary. That is in the first place noted on by a subordinate clerk; his remarks are generally not, of course, of very much value. Then it goes up to the Under-Secretary, who writes a full note on the subject, and then it finally reaches the Secretary.

16539. What service has the Under-Secretary?—Usually about five or six years' service.

16540. Would he have any technical knowledge as a rule?—No.

16541. Therefore, from your point of view, it would be more advantageous and more simple, if, after a verbal discussion with the Director of Public Instruction, the scheme went up straight to the Secretary to Government?—Yes; that is, it should go up direct to the Secretary, and not be noted on by any subordinate officers, in the first place.

16542. Subordinate and, in your judgment, ignorant officers?—Yes; from the technical point of view, of course.

16543. And if such an informal conference between the Head of the Education Department and the Secretary to Government were not only encouraged but insisted on, would that remove your desire to see the Head of the Department a Joint-Secretary?—Not entirely; not only that would have to be insisted on, but also the point you yourself mention, namely, that proposals should go direct to the Secretary.

16544. At all events, if there was such a conference between the officials, a great deal of labour might be saved?—Yes; that would be one great advantage.

16545. Where is the office of the Director of Public Instruction?—It is in the same building as the Bengal Secretariat. The Director's and the Secretary's offices are not far apart.

16546. The Director of Public Instruction states that the system of work in his own office is utterly dispiriting; what is the system of work there?—The dispiriting factor arose from the difficulty which the Director had in getting his projects through; I did not understand that he referred to the work in his own office, because, if he has any objection to the procedure in his own office, he has the ultimate voice in the matter, and can reform it.

16547. Does the Education Department feel that in regard to any attempt to carry out the policy of the Government of India, there is too great a restriction upon it in matters of detail?—Yes.

16548. Are those details insisted upon by the Local Government or by the Government of India?—I take it, by the Government of India. Of course, this is a complaint made by the Local Government itself, and only indirectly by the Director of Public Instruction.

16549. Has there been any desire on the part of the Government of India to interfere in educational details?—I have only been here since the 19th December, but one thing has come to my notice in connection with the transfer of the Engineering College from Sibpur to Ranchi. A letter had been addressed to the Local Government which filtered down to the office of the Director of Public Instruction in which certain suggestions were made, which, I consider, dealt with matters of detail, and which ought to have been left to the discretion of the Local Government acting on the advice of its advisers.

16550. What have you to do with the Engineering College?—It is an educational institution, and all educational institutions, with the exception perhaps of Medical Institutions, come under the Education Department.

16551. Can you recollect the details in which the Government interfered?—There was a question of having a common play-ground, upon which the Local Government was perfectly capable of arriving at a decision. The Local Government does not object in the slightest degree to suggestions coming from the Government of India, but delay arises from their being expected to defend their position, and to send in a report to the Government of India. There would be no harm if the Government of India were to say: "We suggest that such and such a thing should be done upon matters of detail; will you take them into your consideration?" but they should leave the Local Government to exercise their discretion, which, I consider,

they are perfectly capable of doing. Great delay is caused from the fact that the Local Government has to send in a report to the Government of India, and in order to send in that report, it has first of all to come to the Director, and he has to work up a case in support of the position which he has taken in the matter.

16552. Do you have to answer the criticisms of the Government of India paragraph by paragraph?—Yes, and we have to make out a case.

16553. You would prefer broad principles to be laid down by the Government of India, and, inside those principles, great latitude to be left?—Yes.

16554. Does the Director-General of Education interfere in your department?—He does not interfere directly, but in connection with the point I have just raised, there might be a good deal of undue interference. He of course advises the Home Secretary to the Government of India, and then the Home Secretary, acting on the advice he has got, sends these letters to the Local Government, so that though the Director has no direct power, he has a good deal of indirect power, and I should imagine since the office of the Director-General of Education has been instituted, that there has been a good deal more interference in matters of detail in purely educational matters with the Local Governments than there was before.

16555. You have never been in the Secretariat of the Education Department?—No.

16556. So that you have no special experience, either one way or the other, of whether there was, or was not, interference?—Except in one or two cases, which have been put before me, and Mr. Earle has shown me one or two cases in which there has been undue interference. One case I might cite was in connection with the organization of European education here. The last letter that came from the Government of India went into very great detail with regard to purely educational matters. The Government of Bengal has its educational advisers, who are quite competent to advise them on all these points, and, of course, it is not a question of the Government of India merely giving the advice; it is a question of their expecting an elaborate report in reply to their suggestions.

16557. Is the organization of European education to which you refer, confined only to the province of Bengal?—No; it is a scheme which affects the whole of India. There must be a certain amount of co-ordination in respect of education, but within the limits of that co-ordination, a certain amount of latitude should be left to the Local Governments each to work out its own scheme.

16558. Can you give any other instances of detail with regard to education in which the Government of India have unduly interfered?—Yes; they went very fully into the curricula of study, and into the question of the syllabus and the method of awarding scholarships; also into the method by which the schools should be inspected. The Government of Bengal had put forward certain proposals with regard to a system of inspection of schools, and that system was taken exception to by the Government of India; they said that, unless the case was put more clearly, they would not be able to give their sanction.

16559. With regard to the curricula or the method of inspection, is there any reason why the procedure in Bengal should differ from the procedure in the United Provinces?—There might be some local conditions which might give rise to a difference, but apart from that, the Local Government ought to have a little initiative. We ought not to have an absolutely stereotyped system throughout the whole of India.

16560. One can understand that in different provinces, with different races and different languages and so forth, they might require different treatment; but in the case of European education, would not the conditions of European education be very much the same in all the provinces?—They would, at any rate in the north of India.

16561. Would it not be desirable to standardize that education in the case of Europeans?—The powers the Local Government proposed to exercise were very small; it was merely a question whether manual and scientific education should both be made compulsory.

16562. Might not a general principle be involved in that?—There is something to be said from that point

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of view, but there would be no harm, if one province, for instance, in a matter of detail like that, did have its own rules, which might differ from those of another province. Any advice coming from the Government of India would of course be listened to, though it might not be finally accepted, simply, perhaps, because there might be local conditions which militated against it. Then there was a case of an officer who was appointed Superintendent of the Reformatory School. The standing orders require that, in the case of the appointment of a European, certain particulars should be furnished to the Government of India. In replying to the request for information these particulars were not furnished, and the Government of India wanted information why an officer from the ordinary Provincial Service had not been appointed. The correspondence to which this gave rise delayed the matter for many months, and in consequence of this delay the unfortunate individual concerned did not get any pay for seven months. The Government of India might have sufficient confidence in the Local Government to allow them to pass orders in such a case. It did not seem to be necessary that they should withdraw their sanction and consequently withhold the pay of this gentleman, who was doing the work, for a long period pending the receipt of the necessary sanction.

16563. Would you regard the appointment of a single individual, a European, as standing on exactly the same lines with regard to the interference of the Government of India, as the adjudication upon the curricula or the method of inspection?—Not on quite the same lines. There must be standing orders with regard to a case of this kind, but the only point is with reference to the procedure and the unnecessary delay caused by not placing sufficient confidence in the Local Governments.

16564. Apart from such advice, which may run counter to the views of the Local Government, do you regard the appointment of the Director-General as satisfactory?—In many respects the Director-General's appointment is an extremely useful appointment. We must have co-ordination in education throughout India, and the Director-General would be able to give the necessary advice to the Government of India with regard to that point.

16565. Does the Director of Public Instruction correspond with the other Education Departments in the provincial Governments?—Yes, he corresponds with them unofficially, and there are also conferences of directors, which are held periodically.

16566. Is there any stated time at which these conferences are held?—Nothing has been laid down with regard to having them at regular intervals.

16567. The first one which was held was held in 1901?—Yes.

16568. How many have been held since?—I think there was one later than 1901.

16569. At what intervals would you suggest that they should be held?—Every three years at least, and such conferences would largely take the place of the Director-General, because from the work of these conferences the Government of India would be able to get the necessary information which they require.

16570. Would you say, if it was laid down that conferences should be fixed at brief intervals, that the Director-General might disappear?—I would not like to give an opinion upon that, because I am not acquainted with the details of the Director-General's work; I am only speaking on general principles, but it seems to me that there might not be the same necessity for the Director-General as there is at present.

16571. Perhaps someone in the position of a Secretary to collate the work of the conference might be a good substitute for the Director-General?—Yes, that was my idea.

16572. With regard to the delegation of powers by the Local Government to the Director-General, Mr. Earle and you agree that the Director-General ought to be allowed to make appointments to the Subordinate Service and to the Provincial Service?—Yes, but I understand Mr. Earle to mean that he ought to be allowed greater powers, not only as to appointments up to a maximum salary of Rs. 250, say, but also with regard to the creation of fresh appointments subject to a maximum limit of Rs. 5,000 a year.

16573. Would they be pensionable?—Yes.

16574. I understand that in no single case during the last five years has any appointment recommended by him been refused by the Local Government?—Yes.

16575. You say the Director-General would like to be able to incur any additional expenditure up to Rs. 10,000 a year. Is that very much on the same lines as the power which a Commissioner has in Bengal at present?—Yes, it is pretty much on the same lines; of course the Director wants to have his power of expenditure raised.

16576. Does he want to have a special sum earmarked to be at his disposal for any purpose?—No, he would have an allotment of a considerable sum, and for each single project he would not be able to exceed Rs. 10,000; but the total amount would be considerably larger.

16577. There ought to be a delegation of powers to inspectors and principals of colleges, provided that the Collector of the district agreed with the proposal?—Yes.

16578. Whence is the expenditure upon education in primary schools derived?—Partly from a direct grant from provincial revenues, and partly from certain revenues which are at the disposal of the District Boards.

16579. One witness to-day told us that the District Boards managed the primary schools, but subject to certain general rules and regulations laid down by the Government; is that so?—Yes, under certain rules which restrict, or define, their control.

16580. Has the District Board any real power of control or management?—The whole management of primary education is very small indeed—really there is none—and it merely consists in the distribution of stipends to the *gurus*. The District Boards might show more initiative with regard to primary education. During the whole period in which they have been charged with primary education they have shown no initiative, and have made no serious proposals towards the improvement of primary education.

16581. What sort of proposals could they make?—For instance they have a certain number of schools which are called model schools, but they never have made the slightest attempt to improve them. It would have a good effect on education generally if District Boards would come forward and make their schools really model schools.

16582. But could they improve the school premises?—They could provide better school-houses to begin with.

16583. Out of the funds provided by Government or by increased taxation?—It is quite possible they would have to come up to Government for increased funds, but that is where the initiative would come in. Why do they not come up and say, "We would like to improve our schools, but we have not got the money?"

16584. Suppose they came and said, "We want better school buildings, better school furniture, we want a better class of instruction, and we want to raise the pay of our teachers"; is that the sort of proposal which Government would be prepared to consider?—Yes, those are the sort of proposals to which I refer.

16585. So far as you know would your department be prepared to recommend that the increased expenditure involved in those proposals should be met from provincial funds, or would you require the District Board to provide its own funds?—The department would recommend whether the amount should be drawn from provincial funds. The amount of money at the disposal of District Boards is limited, but even with the money which they have at their disposal, they have not done what they might have done.

16586. How do the District Boards manage their primary schools?—They have no primary schools of their own. There are what are called middle schools, and they have some of those under their direct management. To others they give grants-in-aid.

16587. Do they appoint managers to those schools?—No, they have to approve of the manager's appointment. The local committee appoint him. They send up names to the District Board, and the District

Board approves. The District Board does not actually add a member of its own to the Board of Management.

16588. The Chairman of the Purnea municipality told us that, while the cost of primary schools fell entirely on the municipality, they had no control over them—do you agree with that statement?—I should hardly be inclined to accept it. Municipalities have to contribute a certain portion of their income to private education, but it is simply a matter of giving stipends to the *gurus*.

16589. Who appoints the *gurus*?—They appoint themselves. We have a number of schools which have sprung up in one way or another; the inspectors who are paid by Government inspect those schools, and say which *gurus* are deserving of stipends or not.

16590. Do the *gurus* draw a stipend from the municipality on the certificate of the inspector?—Yes.

16591. Who provides the books used by the scholars?—Ordinarily they provide their own books.

16592. Who provides the furniture in the schools?—Unless there is a special grant made, which is seldom the case, the furniture is provided by the *gurus* themselves.

16593. Does the other expenditure, beyond the stipend of the *gurus*, fall on the municipality?—There is none.

16594. Therefore the statement by the Chairman of the Purnea municipality that the municipality pays the cost of primary schools really only refers to the stipends of the *gurus*?—Yes. As far as primary education is concerned, throughout the country the only expense lies in the stipends of the *gurus*.

16595. Who pays the expenses of middle schools?—The Education Department. No expense falls on the municipality with regard to middle schools.

16596. Therefore from a financial point of view they can claim no control?—Except that the municipalities may give grants to the middle schools. Sometimes a middle school gets a grant both from the department and the municipality. The municipality has no control over the management of a middle school.

16597. In cases where municipalities give a grant would it be advisable that they should have control?—There is little to control. If there was anything of importance to control, I would be willing that the municipalities should have a voice in the matter.

16598. Might you not give them some share in the control and management?—Yes, if the grant were applied to a legitimate purpose.

16599. But is it applied now to any illegitimate purpose?—I do not consider that merely giving a stipend to the *guru* is any reason for giving control.

16600. Is that what the grant always goes to?—Yes, in primary schools. If municipalities were to give a grant to the middle schools for some legitimate purpose, then they might be given some share in the control.

16601. Do they have a representative on the committee of management?—Yes. If they liked they could certainly have a representative on the committee.

16602. Would that be a good thing to do?—Yes.

16603. What would the control of the committee of management over a school amount to in point of fact?—It does not amount to very much.

16604. Ought it to amount to a good deal in a case where a grant-in-aid is given?—Yes, of course; the committee of management ought to have considerable control.

16605. Would you go so far as to say that in most municipalities of moderate size there are persons capable of exercising an interest in the management of schools?—That is the question. There is a committee of management, but they do not take any interest in the schools.

16606. If you give a person nothing to do, what can he take any interest in?—They have something to do if they like to carry out the duties assigned to them—on paper they have a good deal to do.

16607. What is it they can do in practice?—They have control in appointing teachers, and to a certain extent, in regulating the course of study; in giving leave to the teachers and all matters of that kind—the ordinary matters connected with the administration of schools.

16608. Has the committee a free hand in the appointment of teachers?—Yes, subject of course to the approval of the inspector of schools.

16609. What pay does the inspector of schools get?—That varies. He may be an Indian, or he may be a European.

16610. With some real knowledge, of course, of education?—He ought to have a real knowledge, and it is assumed he has before he is appointed.

16611. Under whose care are the secondary schools?—They are entirely under the department; some of them receive grants-in-aid, and some are directly managed by the department.

16612. Where do the funds of the secondary schools come from?—From provincial revenues.

16613. And towards their up-keep neither the District Boards nor municipalities contribute?—No. They may contribute in rare cases, but it is a very exceptional thing.

16614. Who makes the appointment to the Provincial and Subordinate Services?—In the Subordinate Service, below a salary of Rs. 200 a month, the appointments are made by the Director of Public Instruction; after that they are made by the Local Government.

16615. When Educational Officers are appointed from England to this country, are they required to know anything either of the Indian language, or Indian history, or Indian social conditions?—The only requirement as regards language is that, within two years, they are expected to pass an examination up to the Higher Standard in the vernacular of the division in which they are serving.

16616. Are they often moved from division to division?—Yes, too often.

16617. And, in consequence, they may be posted to a division with the language of which they are not acquainted?—Yes, that is frequently the case.

16618. And being themselves inspectors of schools they receive no instruction at all in the literature or history of the country for which they are going to provide education?—Not necessarily.

16619. Do they often have such knowledge when they come out?—If they take an interest in the subject, in a way they do.

16620. But how can they? They do not know where they are going to be appointed to. They are nominated on a vacancy occurring and they come out in the next mail?—Yes.

16621. What is the nature of their appointments?—That may vary. They may be appointed as professors of a college or inspectors of schools.

16622. (Mr. Meyer.) Do you say that all the primary schools in the management of which the District Boards and municipalities are concerned are under the charge of *gurus*?—Yes. All the primary schools.

16623. Does no municipality maintain a school of its own?—No.

16624. Are there no mission or other primary schools maintained by private resources?—Yes, there are a few.

16625. Would those be aided by the municipality or the District Board?—They would be aided if necessary.

16626. Therefore assistance to primary education is confined to those two classes of schools?—Yes.

16627. Are local bodies bound, in regard to the vernacular schools at any rate, by the recommendations of the officers of the Education Department? Can they aid a vernacular school unless the officer of the Education Department says the *guru* is a satisfactory person?—They could act against the opinion of the inspector; but if they did, the matter could be referred to the Commissioner of the Division.

16628. Might not a municipality have some little power in the matter of selecting schools to which it gives aid?—Of course, if you allowed them to do that it would be on the advice of some Educational Officer.

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16629. Do you think the Education Department is all in all?—No, but there should be some advisory officer with some experience of education.

16630. Should the action of the municipality be in subordination to the Education Department?—It is a very difficult question to answer, because from what we see up to the present time they do not seem to take much interest in primary education.

16631. Will they ever take an interest if you bind them hand and foot in every little detail?—They might take some interest, and there is no harm in their taking the advice of the inspector of schools. They might listen to his advice, and not necessarily accept it.

16632. But at the present time can they reject his advice?—Yes.

16633. Are you prepared to allow them, in regard to aided schools and so forth, to listen to his advice but, if necessary, to go their own way?—Of course there are many things which you might give in the case of one municipality which you might not be disposed to give in the case of another. You might give them certain powers, as a matter of experiment, in order to see what the result would be, but you cannot come to any conclusion without experience.

16634. Are you prepared to try the experiment?—I am perfectly prepared to try any experiment which would tend to make a change for the better.

16635. As things are at present, would it not be better to take the schools entirely under the department; is not the municipal share in them more or less a farce?—The point is that there is nothing in it at all because it is only as to the payment of the *gurus*. It would be no use giving them increased powers unless they were prepared to spend more money on the municipal schools and make them middle schools. Every municipality ought to have one or two middle schools within its area.

16636. But if they have schools, do you admit it to be right that they should claim some voice in their management?—Yes.

16637. Have you any Government middle schools in Bengal?—We have one or two directly paid for and managed by the department, especially in Non-Regulation districts.

16638. What does the Calcutta municipality do in the way of education?—It spends its money entirely in grants to private schools, on the recommendation of the inspector of schools.

16639. Then the municipalities, speaking generally, keep up no middle schools, but the District Board does?—Yes.

16640. Are District Boards better able to manage middle schools than municipalities? Can you tell me how the distinction arose?—I do not know. I know that the middle schools in municipalities are directly aided by Government.

16641. Will the Board ever take more interest in the matter if it is confined simply to the mechanical payment of money?—My experience is that a Board does not object to inspection. What they would no doubt like is that they should be able to act on the advice of the inspector without any further reference, but they are very glad indeed to get advice from the inspector of schools.

16642. You said the Local Government was glad to get advice from the Government of India in matters of detail, but you thought it was a hardship that the Local Government should be obliged to follow it: would you apply your own principle to local bodies and your own department?—Yes, as to the actual getting of advice there can be no objection, nor have the District Boards ever objected to it.

16643. What influence has the Collector over educational expenditure in his district?—I think it practically lies in the hands of the Collector, as Chairman of the District Board; he practically regulates the whole thing.

16644. Is secondary education practically entirely carried on by Government with the exception of the middle schools?—Yes.

16645. Has the Collector any voice in the establishment of secondary schools?—No, practically none.

16646. Has the Commissioner any voice in the establishment of secondary schools?—He has general

supervision. Things have been changed of late years, and a Commissioner has to be consulted with regard to all educational projects. I do not know what the exact rules were before, but if he had to be consulted, the rules had fallen into disuse.

16647. Should not a Commissioner have a considerable say as to how the provincial education expenditure should be allotted within his division?—There would be no objection at all to the Commissioner having a say in the matter, but I feel convinced that with the amount of work a Commissioner has already got to do, he would have to depend on the advice of his expert officials.

16648. Is there any objection to the inspector of schools standing to the Commissioner of a Division in much the same relation that the Director of Public Instruction does to the Lieutenant-Governor?—That of course raises the whole question of the powers of a Commissioner of a Division. Theoretically there is no objection. If the Commissioner is the practical Head of the Division, all other officials within the division should stand in the same relation to him as other Heads of Departments stand to the Lieutenant-Governor. Before answering the question I should like to know exactly what it involves.

16649. It involves non-technical control, as you might call it. The qualifications of teachers and so forth must necessarily rest with the Director of Public Instruction, but the application of funds to start a school at A. as against B. and so on, would rest more largely with the Commissioner?—I do not think there would be any objection to certain functions being put into the hands of a Commissioner of a division, but they would have to be carefully defined, and I am not prepared at the present moment exactly to say what power should be given to him, or taken from the Director of Public Instruction.

16650. Generally, do you think the Commissioner might have a larger say?—I have no objection to your putting it in that way.

16651. With regard to college education in Bengal, is the Government much concerned with it?—There are five Government colleges, but of course a college like the Presidency College is a very large unit; though it is only one college it represents a large sphere of educational activity.

16652. Does the Government spend more money in direct colleges of its own, or in aiding other people's colleges?—It spends its funds almost entirely at present on its own colleges.

16653. Was there not a recommendation, made by the Education Commission of 1882, that the Government should gradually withdraw from higher education as they found private enterprise supplied it?—Yes.

16654. Is the Bengal policy in that direction?—I understand they are acting on later advice.

16655. And was that general idea not repeated in the resolution of 1904?—Yes, it might have been, but still a large amount would have to be spent by Government. Latterly a large number of grants-in-aid have been given to private colleges, and the policy of giving grants-in-aid to these colleges has been extended. That is a recent development.

16656. Did Government aid them formerly?—No, but the regulations now require so much higher standard that the other colleges regard it as necessary to ask for aid.

16657. Did not the Government of India enjoin that policy for which they gave a special grant?—Yes, and that is, of course, in accordance with the policy.

16658. Therefore the merit, such as it is, is with the Government of India?—Quite so. I do not wish to detract from their merit at all, but it certainly is a policy which I should have been very strongly in favour of from the beginning, only the difficulty lay in getting the money.

16659. You propose that when a scheme has been prepared in the Director's office it should not be noted on, in the first instance, by clerks in the office of the Secretariat, but that it should go straight to the Secretary?—Does the Director get elaborate schemes from inspectors of schools and principals of colleges?—Yes.

16660. Would you think it wrong that they should be noted on by clerks in the Director's office?—No.

But to a certain extent there is an objection to that procedure. Of course when a scheme comes to the Assistant Director, he has the necessary knowledge, and can correct any mistakes which have been made by the clerks.

16661. Is not the Assistant Director a junior officer?—Yes, but he is an Educational Officer and I would recommend that certain cases should go direct to the Assistant.

16662. Has not the Secretary a great deal of work to do? He gets schemes which go into many details. Is it not reasonable that he should get some one in his office to note the *précis* and so on?—To a certain extent; but the point is, whether the information he gets from the Director of Public Instruction is not sufficient for him to come to a conclusion on the case cited. If it is not, why is he not placed in closer touch with the Director of Public Instruction?

16663. Is the Director of Public Instruction aware of all the precedents and rulings and so on?—He ought to be; in educational matters the Director of Public Instruction should be absolutely conversant with them.

16664. Under your plan would it not be better to abolish the office of the Director of Public Instruction and allow it to be amalgamated with the office of the Secretary?—If that can be done.

16665. You desire greater latitude to be given to the Local Government in matters of detail, and you complain of two or three cases in which you say that there has been unnecessary interference in matters of detail. If you can only produce three instances, is it not possible that in many other instances there was nothing to complain of?—There were other instances; but I only wished to take three important ones; I have many other instances in the file of papers before me.

16666. Are you aware that the Viceroy has to be consulted before the Local Government can be overruled on any such matter?—Yes.

16667. In many cases are not questions of detail put to the Local Government merely for consideration?—It is possible, but the impression as to any suggestion made is that even if it is in the form of a suggestion by the Government of India, it is expected that the Local Government should issue a full report on that particular point and that nothing can be done until it receives the final sanction of the Government of India.

16668. Have you never seen letters in which the Government of India say, "The decision on this point is, however, left to the discretion of the Local Government"?—No, I have not.

16669. Is it not rather difficult to discriminate matters of detail from matters of principle?—It is; but at the same time, if there was a general ruling to the effect that questions of detail should be left to the discretion of the Local Government, I think that would be quite sufficient.

16670. Would you call the creation of an appointment a matter of detail?—No, with regard to the creation of appointments you must have standing orders.

16671. When a Local Government proposes the creation of an appointment which, it may be, requires the sanction of the Secretary of State, is not the Government of India bound to consider whether a case for making such an appointment is justified?—Certainly.

16672. And might it not send it back for further information, if necessary?—Certainly, under the present orders. It is with regard to that point that I should very much like to see the powers of Local Governments increased.

16673. Would you consider the filling up of an appointment a matter of detail, in which the Government of India should not interfere?—Ordinarily I should consider that that ought most certainly to be left to the Local Government.

16674. Some little time ago there was a Civilian Officer appointed to the Directorship of the Education Department of this province?—Yes.

16675. Did not several members of the Education Department decide to memorialize the Government of India?—Yes; I am sorry to say with no effect.

16676. In that case they did not accept the discretion of the Local Government on a matter of detail?—They did so far. It was not so much questioning the right of appointment of the Local Government as making an appeal to a superior authority on general principles, which, I think, is a different thing altogether.

16677. You have referred to the case in which a European Officer was appointed to a position of over Rs. 200. Is it not necessary to safeguard Indians against the undue appointments of Europeans?—Yes.

16678. You spoke of conferences possibly taking the place of the Director-General of Education; but supposing there was no Director-General of Education, who would preside over the conferences?—I should say the senior Director of Public Instruction, or still better, an officer of the Home Secretariat.

16679. Do you think such conferences would come to any real good? Might they not possibly dissolve in talk?—I hope not; I am very strongly in favour of conferences, because I think they afford the best means of arriving at some useful result on definite subjects.

16680. Supposing an officer went from Madras to such a conference, and some new method which he did not like was put forward, and accepted, by the majority of the conference, might he not go back and say to his government, "It is true the majority agreed to this, but they know nothing about Madras, and therefore we need not trouble about it"?—That is exactly in accordance with the general principle which I maintain. Local Governments ought to be allowed a certain amount of discretion.

16681. You have admitted however that it is useful to have an Imperial Officer who goes round to control what is being done?—I am not prepared to say that the Director-General of Education is not a useful officer.

16682. As regards the European schools, did not the Government of India lately give a special grant for their assistance?—Yes.

16683. Might they, therefore, claim some voice in regard to the policy?—Yes. They should have a very considerable voice; but it is not a question of policy, it is a question of detail.

16684. Do you think a centralized code for all India is unnecessary in the case of European schools?—I think in many respects it is undesirable.

16685. Does the ordinary Education Code differ from province to province?—Yes.

16686. Is that again too centralized and ought some of the restrictions to be somewhat relaxed; are they not too rigid in regard to the grant-in-aid rules?—I am inclined to be of opinion. I think that a certain amount of discretion should be allowed with regard to the grant-in-aid rules.

16687. Have any local proposals been put forward to make the education code more elastic?—No.

16688. (Sir Steyning Edgerley.) Do you regard education as a purely provincial matter of administration?—Yes.

16689. Do you hold that the function of the Government of India is to discuss policy and not to impose details?—Yes.

16690. Is it beyond the capacity of the Secretary to the Government of India to discriminate in any particular case between what is essential as a principle and what is a detail?—No.

16691. Assuming that a scheme comes up and the Director-General is not satisfied with it, and writes a dissentient memorandum either as to principle or as to detail, or in any other respect, would it be a good thing if that memorandum were, as a matter of course, sent to the Local Government for comment before the Government of India dealt with the case at all?—Yes, I think that would greatly facilitate the dispatch of work.

16692. It was stated in Madras that the Director-General was a very useful officer as tending to reduce the inefficiency, from an educational point of view, of the Home Department of the Government of India; would you share that view?—Yes. The only alternative I can suggest is a conference.

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16693. Does not the Director serve a very useful function, in gathering information as to new methods and studying systems in other countries, and disseminating information?—Yes.

16694. Then it practically comes to this, that you object to interference with administrative detail of any sort?—Yes.

16695. Do you consider that the curricula of European schools is a detail?—I do, except that the broad lines of the curricula might be laid down.

16696. Most of your European schools receive grants-in-aid?—Yes.

16697. Are they Missionary schools?—Largely.

16698. That is to say, they are greatly supported by persons who subscribe to the funds on a religious basis?—Yes.

16699. In order to secure the money given by other countries, you have to consider the susceptibilities of the donors a good deal?—Yes.

16700. And if your curricula are filled up with obligatory subjects, such as manual training and other things, it would be necessary for the size of the schools to be proportionately increased?—Yes.

16701. And there is also danger of overloading the curriculum with subjects?—Yes.

16702. So is there not a great danger, that any too rigid code imposed by the Government of India would be entirely unacceptable to missionary bodies, and that eventually the schools might have to be closed?—Yes, that is an argument against rigidity in the Code and in favour of leaving a good deal to the discretion of the Local Government.

16703. In the European Code have you accepted the conscience clause?—To a certain extent. I mean that religious instruction is allowed to be given, but it is not compulsory, and no one need attend, and it is to be given at the beginning of an hour, so that no inconvenience arises in the working of the school.

16704. How do missionary bodies explain that to their constituencies?—I am not in their councils, so far as that is concerned.

16705. With regard to the Local Government your main proposal is the complete amalgamation of the office of the Director of Public Instruction with that of the General Secretary of the Local Government?—That was Mr. Earle's proposal; my proposal was that ultimately it would be better to have a separate Secretary. I would like an Educational Secretariat, with the Director of Public Instruction as Educational Secretary to the Government.

16706. How would you then arrange for touring?—The Director has really very little touring to do; he is only expected to be some forty days on tour. He is not exactly the same as an Inspector-General of Education; and he really is required to be largely at headquarters on account of his administrative duties. But if it is considered desirable that there should be some inspection by a superior officer of Government, that difficulty would be met by having a Deputy. It is at present argued that the Director's office is undermanned in this respect.

16707. Would you suggest a Deputy Director working with the Secretary in the General Department, and the Director himself occupying a position something like that of the Inspector-General of Irrigation in the Public Works Department, that is to say, that he could tour anywhere where it was necessary and still deal with any big cases?—That is not a solution I have yet thought of; it seems plausible, but I am not prepared to give an opinion on it off-hand.

16708. With regard to the Medical College, is your Medical College in Calcutta under the Director at all?—No, it used to be. About ten years ago, on the representation of one of the Inspectors-General of Hospitals, who objected to have it under the Education Department, it was put under him; but there was no opposition offered at the time by the Education Department to the severance.

16709. Has the Education Department any information as to how that has worked?—We have heard of no complaint. I do not think the control which the Education Department formerly exercised was of a rigid nature. It was more nominal than anything else.

16710. Then you think that the undivided and direct responsibility of the Inspector-General is a better arrangement?—Yes.

16711. You have suggested that there should be a certain governing body of colleges in the *mufassal*, and your suggestion makes them entirely official; is it wise to entirely exclude the non-official element?—No. I simply put that forward as a tentative proposition. If there was a properly constituted body, I do not see any objection to having one or two non-officials upon it.

16712. Might not a strong governing body for these colleges, under the presidency of the Commissioner, practically relieve the department of the whole of the detail work?—Yes. I am strongly in favour of the colleges being independent and corresponding directly with the Government, but not under the present conditions. I think that the Director should be relieved from the administration of the colleges. They would have a much more vigorous life if they were directly under Government, but under present conditions I would be loth to make any proposal of that kind, for the reason that the General Secretary has so much to do that he knows very little about educational matters. Therefore it is better, under present conditions, that anything in connection with colleges should come through someone who has a grip of education.

16713. But under the new Universities Act surely you have inspection?—Yes, but that has not been properly organised. If there were an Executive Head of the University, such as a paid Principal, which there is not at present, then I should say they might be put under an official of that kind.

16714. Are you not prepared to trust a University Syndicate?—It is too large a body, and the work would be much too heavy for a purely honorary body.

16715. Is there no small sub-committee for college work?—No.

16716. You tell us that you would like professors to have grants for their scientific expenditure and apparatus and so on, but if they had those grants, what would happen if they did not make both ends meet at the close of the year?—I do not know how that difficulty would be met financially; but of course any deficiency would be taken off any further grant for the next year, and thus far it would be met; they would have to retrench in the next year.

16717. You would not say to them, "You have had your grant; you have not made both ends meet, and you must get on without anything"?—No, but that contingency is not likely to arise.

16718. Do you complain generally, with regard to the difficulty in getting the necessary apparatus to carry on your work?—Yes, we certainly have good grounds of complaint in that respect.

16719. As regards District Boards, you say that the pound and ferry revenue has increased, but you have had no share of the increase. On what basis is the share actually settled which you have; is it a fixed sum, or is it a proportion?—It is not a fixed sum, and nothing is laid down. Pound and ferry revenue is simply set apart for educational work and medical aid. When it was first granted a certain sum was given to one branch and the rest to another: the amount under medical aid has increased correspondingly to the increase in the revenue, but nothing additional has been given to education.

16720. Is there anything in your Local Self-Government Act providing that the Board shall devote one-third of their revenue, or any other proportion, to education?—No. There are checks, but not of this nature.

16721. And nothing as to the income from pounds and ferries?—No, it is left to their discretion.

16722. Have you any prescribed syllabus for primary schools?—Yes.

16723. Is that available in the vernacular?—Yes, it is at present being changed, but, of course, there always has been a syllabus. We have complete control over it.

16724. (Sir Frederic Lely.) When you say that stipends are paid, do you mean that they are sums paid in the shape of grants-in-aid?—It is not exactly the same as grants-in-aid; the *gurus* in charge of the schools got a certain fixed sum, based on inspection of their work.

16725. Does the Subdivisional Officer visit these schools?—Yes; it is laid down that he should do so.

16726. Has he any regular means of communication with the department with regard to the result of his visits?—If he writes anything in the inspection book, it is always put before the inspector.

16727. What is the link between the Director and the schools; not only primary schools but middle schools and high schools?—The whole of the school work in the division is really under the inspector. There are six divisions and six inspectors.

16728. Does the department invite any co-operation as to the inspection and management of the schools?—To a certain extent; there are what are called Boards of Visitors, and where there are managing or visiting committees, the members of those committees are expected to visit the schools and make suggestions.

16729. Who is the Chairman of the visiting committee as a rule?—They would elect their own Chairman.

16730. Has the Collector any definite obligation, for instance, as to a training school or a high school?—No; training schools and high schools are practically outside the jurisdiction of the Collector. But at the same time he often visits these schools.

16731. Supposing there was any great laxity in a training college in his district, would the Collector be expected to know about it?—No; it would not be brought to his notice officially, but if, when visiting a high school, he saw it was not being properly conducted, he would make a note of it, and his note would be sent to the inspector of schools. The Collector would not be responsible in the slightest degree.

16732. As a matter of fact, do you ever ask the District Officer's advice on educational matters?—In regard to anything connected with middle schools and primary schools his advice is always asked. In respect of secondary schools his opinion is asked with regard, for instance, to projects for new buildings and hostels, but not with regard to the administration of the school.

16733. Are there any model schools in the province?—There are schools which are under the direct management of District Boards which are supposed to be model schools, but they are not really model schools.

16734. I understand that the municipalities pay for middle schools, but have no hand in the management of them?—Yes, but such payments are very exceptional within municipal limits; they are aided by the department direct.

16735. But on other than financial grounds would it not be a very good thing if a municipality had a right to interfere and to lay down the hours of attendance, the holidays, or the fees that should be levied?—I think it would be a very good thing if the municipalities were to take a more direct part in the management.

16736. Are not the parents better able to judge of those points than a Government department?—To a certain extent. But if an inspector is worth his salt, he ought to be thoroughly conversant with the wants of a district.

16737. But he cannot be so conversant with the wants of a district as the parents of the children themselves?—But the question is whether the parents of the children are sometimes going on right lines. This is not only an Indian question but a question which we find in all countries in the world, and parents might not always want what is good for their children.

16738. Would you not admit that it is a good thing for the masters to be interested in pleasing the parents as well as the department?—Yes.

16739. Is not the effect of the present system to make them look only to the department for approval, and not to care in the least about the wishes of the parents?—That is a very large social question. I think we should find that the masters do care very largely for the opinions of the parents, and they could not set the opinions of the parents at defiance. In fact there is a little too much of that kind of thing in schools.

16740. (Mr. Dutt.) If the Director of Public Instruction was a Secretary to the Government of Bengal,

might that have the effect of raising the purely departmental view of questions to undue prominence as compared with the administrative view?—I think not. Because a man has special knowledge of a subject he is not therefore debarred from taking administrative charge of the branch which deals with the subject. There are advantages and disadvantages, and certain of the advantages more than counterbalance the disadvantages.

16741. There are other Departmental Heads, for instance, the Medical and Police Departments. Would you recommend that those Heads should also be Secretaries to Government?—Each case ought to be judged entirely on its merits. The educational affairs of the country are of extreme importance, and they ought not to be made a small part of the duties of one Secretary.

16742. Does the Inspector of Schools act in consultation with the Commissioner in any educational matters?—Yes. Chiefly in connection with projects for new buildings—matters of administration rather than education.

16743. By whom are appointments and transfers in the Provincial Service gazetted?—By the Local Government.

16744. A suggestion has been made that the Director of Public Instruction should be empowered to appoint and transfer the officers in the Provincial Service; would you agree with that view?—Yes, for the reason that the recommendations of the Director are always accepted by the Secretariat, and correspondence merely causes unnecessary delay. The Director is in a position to know more about such things than the Secretariat.

16745. Does it not give a man a little more dignity if he is appointed by the Local Government?—I would consider that an argument for making the Director a Secretary to Government. It is quite possible that the members of the Provincial Service would prefer to be appointed by the Local Government rather than by the Director of Public Instruction.

16746. Does that portion of the District Board budget which relates to education go to the Education Department?—Yes; it is sent first of all from the Magistrate to the Director, and then the Director sends it to the Commissioner with any remarks which he cares to make. Of course the budget is in the first place drawn up in consultation, nominally, with the inspector, but, practically, with the deputy inspector, who knows more about the district than the inspector.

16747. Does it often happen that the Director makes any alterations in the budget?—I think it hardly ever happens, as long as the District Board spends its allotment. There is a certain minimum sum which they have to spend on education.

16748. The Director does not sometimes say, "You are spending too much on secondary, and too little on primary, schools," or anything of that kind?—No, but he has the power to do so.

16749. Do the same remarks apply to the municipal budgets?—Yes. There, of course, we have to see that they spend the minimum sum.

16750. Do you ever make any suggestions as to an increase in the number of the primary schools, or as to raising some of the schools to secondary schools, or anything of that kind?—The deputy inspector very often makes suggestions as to an increase in the number of the primary schools or opening new primary schools in places where they are wanted.

16751. Are those remarks generally attended to?—Yes; with regard to opening of new primary schools. As regards more expensive proposals the deputy inspectors are not in a position to have their opinions really listened to.

16752. So that, generally speaking, you have nothing to complain of as regards the way in which District Boards and municipalities deal with the question of education?—Nothing, except that I do not think they have shown enough initiative in the matter. They are slightly apathetic with regard to education, and look at it as the last thing they have to consider in the budget.

16753. You have a class of officers called sub-inspectors of schools. Were they previously servants of the District Boards?—Yes. We have now taken them under the Education Department in so far as they are

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paid by the department. The District Boards have still practical control over the sub-inspectors, and even to a larger extent than before.

16754. In what way?—With regard to the power of transfer. In other respects they are servants of the department.

16755. Do they look after the primary schools under the District Boards?—They are almost entirely concerned with primary schools.

16756. Is it satisfactory that the work of the District Boards should be done by men who are servants of another department?—In theory, of course, it is unsatisfactory, but in practice it has worked pretty well, and there has been practically no harm done.

16757. Have the District Boards the same interest as they had before in founding new schools, and in getting the villagers to find houses for schools, and getting contributions from villagers, now that they have to work through servants who are not their servants?—The sub-inspector understands his position; he is really under the Chairman of the District Board and has to listen to his orders. I admit it is a peculiar system.

16758. On the whole, would it be a better arrangement to re-transfer these officers to the District Boards, and let the sub-inspectors work under the District Boards as their servants?—Yes; in some ways it would, so long as their prospects would not be interfered with. One of the most important reasons for transferring them to the Education Department was that they had very poor prospects under the District Boards.

16759. Suppose increments were allowed them by the District Boards, and they subscribed to a provident fund, would there be any great reason for complaint?—I do not think there would be any reason for complaint so long as the District Boards did their duty; it all turns upon that. The inspectors will look after the sub-inspectors; I doubt if we can guarantee that the District Boards will look as well after them.

16760. Would the District Boards take a little more interest if they had to work through their own servants in their own way?—I can only judge from what has happened before, when the sub-inspectors were the servants of the District Boards, and then I cannot say that any more interest was shown. Of course the whole thing is largely due to the fact that, through lack of funds, the District Boards have not been able to do much.

16761. In other respects, with regard to fixing the hours of attendance, the number of holidays in the year, etc., do you not think a large amount of discretion can be given to the District Boards, who are more in touch with the villagers than the officers of the Education Department?—Yes, if they really had the primary schools to look after.

16762. Has a District Board now the power of laying down a rule that schools during, say, two months in the year, should be held in the mornings, without reference to your department?—They would have to refer to our department, but we would not interfere in a matter of that kind.

16763. With regard to these matters would you have any objection to making the rules elastic so as to give more discretion?—No; it is really a question of the District Boards acting up to their duties.

16764. Does your department inspect all the colleges?—No, only the aided colleges and Government schools; the private colleges have not hitherto been inspected; but they are now inspected by the University under the new Regulations.

16765. What sort of supervision by the Education Department do you propose over private colleges?—We propose to encourage the system of grants-in-aid, which will make them amenable to departmental inspection.

16766. Would you try to encourage the establishment of private colleges?—Yes, but I think they must be liberally aided by Government, because education cannot be conducted as a commercial undertaking.

16767. But there may be colleges which are not commercial undertakings?—There may be, but not many of them have appeared so far.

16768. (Mr. Hichens.) You expressed a view that the Government of India should concern itself with

principles and that the details should be left to the Local Government; do you say that the way to tackle the problem as to the division of authority between the two is to decide first of all what the details are?—I should be quite content if a general ruling were laid down that the Government of India should not interfere in matters of detail, except in so far as they might give advice. I do not think one could really say what is a matter of detail and what is a matter of principle; it would be very difficult to differentiate. You must leave it to the commonsense of the parties concerned.

16769. If you want to avoid perpetual discussion as to what is a detail and what is a principle, must you not try and lay down some principle?—Yes, you would have to do that.

16770. Is not the way to deal with the problem to lay down certain principles and to say that the interpretation of those principles should rest with the Local Government?—If that could be done, I should welcome it.

16771. Is it possible to lay down educational principles of universal application, and to say that the carrying out of those principles should rest with the Local Government?—It would be, to a certain extent; but there would always be cases in which it would be difficult to say whether or not they came under the general principle.

16772. Can you give me any examples of general principles?—With regard to University education, general principles would regulate the admission to Universities, and would, for instance, decide the age at which the students entered the Universities.

16773. You think that is a matter which ought to be uniform throughout India?—Even with regard to that, I would say that the matter of age might perhaps be left within certain limits; the Government of India ought to lay down a minimum age for admission to Universities.

16774. Is it not more difficult to deal with the matter of education as a general principle than it is to deal with anything else?—Yes, that is so; I find it exceedingly difficult to lay down a general principle with regard to education.

16775. So that it is extremely difficult to lay down or decree in any way the functions of the Government of India in all respects?—It is very difficult.

16776. Have you ever considered whether it would be possible to pass a general Act in which the principles in regard to education should be defined?—I think that would be extremely difficult; I should simply prefer it to be laid down as a general ruling.

16777. What happens to-day is that each Local Government frames its own regulations, which are submitted to the Government of India for sanction?—Yes, but from time to time the Government of India itself publicly issues general resolutions on the question of its educational policy.

16778. Is the purport of those resolutions embodied in your Regulations?—Yes, we have always to abide those general Regulations, but the Government of India go far beyond that when they come to criticise projects which come from the Local Government.

16779. If you want to get a clearly defined line, ought you not to depart from the principle of each Government submitting its own defined Regulations to the Government of India, leaving the Government of India to issue a general Act, and leaving the interpretation of that Act—that is to say, the making of Regulations—to the Local Government?—I should very much like to see that done if practicable.

16780. You are aware that there are Education Acts in most countries?—Yes.

16781. And there is no reason why, if there are Education Acts in other countries, there should not be a general Education Act in India?—Yes, but are there Education Acts in countries which present such diversities as India, and which have so many independent Local Governments? That is where the difficulty comes in; of course if there was a general Act it would have to be on very broad lines indeed, and if you had an Act on very broad lines you would have to leave very great discretion to the Local Governments when it came to questions of detail.

16782. Do you not think that Local Governments ought to have great discretion, particularly in the

matter of education?—Certainly, because I think the Local Governments have the best advisers with regard to education.

16783. Is the number of transfers among your inspectors very frequent?—Yes, very frequent.

16784. Is that a sound state of affairs?—No, it is very undesirable indeed. With regard to inspectors, I certainly think they ought to stay in a division for five years as a minimum.

16785. Would you say, as an ideal that they should be there a good deal longer?—I am not quite so certain about that; I am certainly of opinion that it is desirable for an inspector to get experience of all the divisions; it is possible that he might become a Director, and it is not desirable that his experience should be confined to one division merely; and he would have a broader view, I think, upon educational questions if he moved about from one division to another.

16786. Can you give me roughly any idea of how long inspectors stay in a division now?—It varies very greatly. I should put the average time as between one and two years. Of course there have been exceptions, but on the other hand there have been very frequent transfers.

16787. How would you propose to remedy that state of affairs?—I think it could be very easily remedied; you have simply to lay down a general order that an inspector should ordinarily stay five years in his division.

16788. If that is desirable, why has it not been done?—Because the matter has been simply left to the consideration of the moment. I suppose it is so apparent that no one has ever thought of putting it into standing orders, and then questions of departmental convenience arise, and a man is transferred for reasons quite apart from considerations of efficiency in his work.

16789. Have you an adequate number of inspectors?—We have not an adequate number of inspectors at present, but the number is being largely added to, and I think we shall have an adequate number in the course of the next few years.

16790. There will be no difficulty, then, in the way of securing that people should remain a reasonable time in their districts?—I do not think there will be any difficulty.

(The witness withdrew).

Adjourned.

TWENTY-FOURTH DAY.

CALCUTTA, Thursday, 2nd January, 1908.

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.

RAJA RANAJIT SINHA BAHADUR OF NASHIPUR was called and examined.

16791. (*Chairman*.) Where do you live?—I am a zamindar of Nashipur in the Murshidabad district. I am chairman of the Murshidabad municipality, a member of the District Board, and was a member of the Bengal Legislative Council about two years ago.

The present system of renewing the provincial contract after the lapse of five years according to the requirements of the provincial Governments is based on sound principles and needs no change.

A more complete separation than at present exists should not be effected between imperial and provincial finances, as the provincial Government, in case of complete separation, may cease to take such interest as it now takes in respect of revenue with which it will have no concern. Local Governments need not be given borrowing powers.

Local Governments should have powers to create new appointments carrying a salary of Rs. 500 or less, and they should also have powers to increase the salaries of the ministerial staff and ungraded officers of Government.

The Directors and Inspectors-General under the Government of India should, as often as possible, meet the officers in charge of the corresponding departments of the Local Government, and discuss with them important matters relating to their departments, but in no case should the views of such Directors and Inspectors-Generals be finally accepted by the Government of India without consulting the Local Governments concerned.

I would not curtail the right of appeal to the Government of India or to the Local Government now granted in respect of administrative action either by law or by rules having the force of law, or by

executive practice. There should be no appeal against the orders of the provincial Government to the Government of India in respect of officers drawing a salary of Rs. 250 or less.

Small sums should be placed at the disposal of Commissioners and Collectors to meet the requirements of their divisions and districts.

The influence of the Commissioner in respect of the Education and the Excise Departments is not sufficiently strong, and adequate weight is not given to his views. District Officers are generally overworked and have very little leisure at their disposal, and, as such, have not sufficient opportunities for personal contact with the people; but the opportunities which they do have are not properly utilised by many officials. The people generally are afraid to approach the officials for various reasons; if the Executive Officers be sympathetic and kind in their treatment and take the people into their confidence, the administration will be much improved. I think these officers have the requisite knowledge of the vernaculars.

There should be a general increase in the administrative staff, and there should be a reduction in the area of some districts and sub-divisions the areas of which are unusually large. Every district should have a Joint-Magistrate.

The transfers of officers are not very frequent now-a-days. The District and other Executive and Judicial Officers should not generally be transferred within three years from the date of their posting to a charge.

Municipalities should have larger powers in respect of their finances, but I do not think that at present the functions of municipalities and District Boards could be suitably extended.

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I do not think it is expedient, or that it will serve any useful purpose, to have Advisory or Administrative Councils to assist District Officers; but an Administrative Council to assist the Divisional Officer might be created. He might be authorized to choose men from the landholders and the members of municipalities and District Boards. All important administrative matters should be referred to them, and Divisional Officers should generally act on such advice, though I would not fetter them in any way by such advice.

I would not invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts.

Village communities, under proper safeguards, might be generally invested with powers as regards the disposal of local affairs relating to revenue, police, sanitation and education. They may also be authorised to dispose of petty civil cases.

16792. Have you experience, as Chairman of a municipality, of questions of education?—Yes, but it is only primary education with which we have to deal.

16793. Does the Commissioner take any interest in those schools?—The Divisional Commissioner does not take much interest in them.

16794. Ought he to have some increased power in his division in that respect?—I do.

16795. Are the people in a district in any way reluctant to come and see either the Commissioner or the Collector?—Yes, they do not dare to approach them, because they fear they will not be properly received or treated properly.

16796. Do you know of any instance in which they have not been kindly received or received in a friendly manner?—I cannot give you any particular instance, but generally we find that the District Officers think that their positions will be degraded, and that the people will take advantage of them, if they mix freely with the people.

16797. Have you any knowledge of your own beyond the general opinion that people have been received by officers in an unfriendly way?—My experience is that they have not been properly received.

16798. Has such a thing ever happened to you?—No, but I have been told that it has happened in other cases.

16799. Are the areas of some of the districts too large?—I think Midnapore is too large.

16800. Apart from Midnapore, is there any district which you think too large?—No.

16801. How long ought an officer to remain in a district before he gets sufficiently acquainted with the people?—He should remain for three years, but he ought to know the people within a year.

16802. Ought he to remain longer than three years?—No, I think not.

16803. In a large district such as you have described, would he have time to get round it in three years?—I think so.

16804. Do the District Officers now consult the people at all?—Very rarely.

16805. Have they ever consulted you?—No. I do not remember to have been consulted.

16806. Have not they asked you: "Is it a good thing to do this or that"?—No, but I think they should. They generally consult the Vice-Chairman of the District Board among non-official gentlemen of the district, but no one else. The Divisional Commissioner does sometimes consult other gentlemen of influence, but the District Officer never.

16807. Would it be well if that were done?—Yes, it would be well, and it would be better for the administration.

16808. Would it be easy to find proper people to consult?—I do not think it would be very difficult. There are a good many representative people in a district.

16809. Would you have those people consulted in a formal way as a Council, or would you have them consulted just as the District Officer thought fit?—As the District Officer thought fit, and there should be no Advisory Council.

16810. With regard to municipalities, ought they to have larger powers than they have?—Yes; as regards finance. In other matters they have sufficient powers, but as regards finance they are controlled by the Divisional Commissioners, even in minute matters.

16811. In what sort of things would you give greater freedom?—There is so much voted for education, so much for sanitation, and so on, and we should not be interfered with in matters of detail. Supposing we have to spend Rs. 5,000 for some local purpose, such as medical, and we have allotted Rs. 500 out of that sum for sanitary measures in order to deal with an outbreak of cholera or small-pox; but if we want to appoint a Medical Officer on Rs. 50 per mensem, we are required to take sanction. In my opinion when Rs. 500 were set aside for the purpose the Municipal Commissioners should have power to spend that amount as they like.

16812. Supposing you were to spend more than your municipal income, where would you get any increased income from?—We have to keep within our income and must not exceed it: if we exceed our expenditure on one item, we have to curtail it on others.

16813. Then it is not a case of wanting to spend more money as a municipality, but you want greater freedom with regard to the way in which you spend what you have got?—Yes, that is the difficulty, and the people are too poor to pay any larger amount of taxes.

16814. Should village communities have increased powers?—The powers of the panchayat should be greatly increased.

16815. (*Sir Frederic Lely.*) Would you also give the Collector a voice in matters of education?—Yes, they have to see that the schools are going on properly; they travel in the districts, and it would be better for the schools if they visited and inspected them.

16816. Are you aware of any harmful result that would follow on Commissioners or Collectors not having a voice in the management of the schools?—I think so, because unless the Collector goes, no one looks after the schools.

16817. Should all Municipal Commissioners be elected?—Two-thirds are elected now. That is enough at present.

16818. Would you give any right of appeal against the orders of Municipal Commissioners?—Yes.

16819. Would you give a dismissed *employé*, for instance, a right of appeal against the decision of the Municipal Commissioners?—No, I would let people appeal with regard to building regulations, burial-grounds, and burning ghâts, and matters of that kind, but in no other case.

16820. Would you give municipalities full power of taxation?—Yes, but I would not give them power to impose any additional tax which is not within the Act.

16821. (*Mr. Dutt.*) How long have you been Chairman of your municipality?—Twelve years.

16822. What is the population of the town?—10,000. It is about 5 miles from the headquarters of the district.

16823. Are there any sub-committees in the municipality?—No.

16824. Do you, as the Executive Officer of the municipality, place your work before the members to be passed?—Yes.

16825. Is the assessment list made out by you?—It is made out by the office, and is sent to the Ward Commissioners who generally assess the taxes. There are two Commissioners in every ward, and in some wards there are three. The assessment lists are then laid before a meeting and passed.

16826. Do you make any contribution to the high school?—No. We support the primary schools only.

16827. Are there any members whose duty specially it is to inspect the schools?—No.

16828. Is sufficient attention paid to school work?—There is a School Committee. It is composed of non-official members. There are two or three Commissioners of the municipality, and two or three are elected from outside.

16829. Do they submit their suggestions or remarks to you?—No, they are submitted to the President of the School Committee, and if the President likes to consult the Chairman, he does so.

16830. Are there any dispensaries in your municipality?—Yes. They are supported from municipal funds and by subscriptions.

16831. Is the management in the hands of the Medical Department?—Yes.

16832. You are also a member of the District Board?—Yes, for six years. I was nominated by Government.

16833. Do you find that you have lost the confidence of your countrymen in consequence of that nomination?—No.

16834. Have you any sub-committees on the District Board?—Yes, there is a Finance Committee and an Education Committee. The Finance Committee checks the accounts only.

16835. Who prepares the budget?—The Vice-Chairman. It is not placed before the Finance Committee. It is passed by the District Board.

16836. Would it be a good thing if it was placed before the Finance Committee to be checked and revised before coming before the full Board?—Yes.

16837. You think that village communities should be generally invested with powers with regard to schools and village affairs—by "village communities" do you mean the head panchayat and other members?—Yes.

16838. When those village committees are formed, would you refer to them local affairs with regard to revenue, police, sanitation and education?—Yes.

16839. What revenue duties would you delegate to them?—The collection of the *chaukidari* tax.

16840. And with regard to sanitation and education?—Only that they should look after roads and tanks and keep the village in order. The schools within the village should be supervised by them.

16841. (*Mr. Hitchens.*) Would you suggest that a Collector ought to continue in a place after he has been there for three years?—No, that is not imperative, but I should not allow him to remain more than five years, because if he were an unpopular man the people would wish him to go away.

16842. Supposing he was not unpopular, and was an able and efficient officer, should he not then stay longer than five years?—I think after five years he would cease to take any interest in a place.

16843. Do your duties as municipal Chairman take up much of your time?—Yes; about two hours a day.

16844. Would there be any difficulty in most towns in finding a non-official prepared to give up that amount of time?—No.

16845. It has been stated from time to time that although municipalities have nominally a good deal of power, yet, in practice, they are rather dominated by the Collector—what do you say with regard to that?—I do not find that to be the case at all.

16846. You do not find, for example, that the Collector sends you orders that you must spend more money on this matter or that?—No.

16847. He gives you advice, but he does not give you instructions?—Yes.

16848. Do you feel that you are always entitled to consider his advice on its merits, and reject it or take it as you please?—Yes.

16849. Is it possible to delegate more work from the District Boards to the Local Boards?—Yes, I think so, at least as regards roads and education.

16850. Would you say that a Local Board has very little power at present?—Yes, very little.

16851. Is there much interest taken in their work?—No, I do not think there is because they have so little power.

16852. Is it worth while to try to build up local feeling by strengthening the power of Local Boards?—Yes.

16853. Would you be prepared to make them fixed financial grants?—There is a proposal that three-fourths of their income should be given them, and I agree with that.

16854. (*Mr. Meyer.*) Do you say that the Collectors do not make sufficient use of their powers in the way of interviewing natives, zamindars and others?—They travel about their districts when the zamindars do see them, but other people are not allowed to do so.

16855. Is not the district organisation capable of improvement, and is there not too much concentration of Deputy Collectors and other people at headquarters?—Yes, also, I think the districts are sometimes too big.

16856. There are a number of Deputy Collectors at headquarters; might it not bring the Government more in touch with the people if those Deputy Collectors were given sub-divisional charges instead?—Yes, but the Deputy Collectors have to do Collectors' work also.

16857. Is not the headquarters sub-division at present under the direct charge of the District Magistrate?—Yes.

16858. Might not a special officer be placed in charge?—I do not think there is any necessity for that.

16859. You have spoken about delegation of certain powers to village communities; do you refer to the village groups that are made into *chaukidari* unions?—Yes.

16860. In your part of the country there is no real village community, but only these artificial groups?—Yes.

16861. You have a number of large zamindars?—Yes.

16862. Would it be possible to invest a zamindar with some authority to try small civil and criminal cases?—Some people who live in towns are now appointed as Honorary Magistrates, but the educated classes seldom remain in a village all the year round.

16863. Do you mean that the zamindars are absentees?—They do not live in the villages; they live more in the towns.

16864. If a zamindar does not reside on his estate in the country, has he some one there to represent him?—Yes.

16865. Would it be possible to give those gentlemen small powers with regard to civil matters?—Yes, I think so, but not in criminal matters.

16866. Would you prefer to vest those powers in a zamindar himself who is an Honorary Magistrate?—Yes.

16867. Would you give the Commissioner larger powers with regard to Public Works?—Yes, I omitted to mention that.

16868. Have you, as Chairman, power to dismiss or fine or reduce your municipal clerks?—Yes, and then they can appeal to the Commissioners at a meeting.

16869. Can they go on to the Divisional Commissioner?—Under the present law they can if their pay is Rs. 20 or upwards.

16870. Have you any men under your municipality lent by Government, such as Hospital Assistants and people of that kind?—Yes, I have got an Assistant Surgeon.

16871. In order to punish them have you to get the sanction of the Government?—Yes, we have no authority to punish them. We can only complain and get them removed.

16872. Do you support the primary schools by grants-in-aid or do you maintain them yourselves?—By grants-in-aid.

16873. Who settles which schools are to be aided and which not?—The Commissioners settle that, but of course they consult the inspector of schools.

16874. Does he tell you which schools ought to be aided?—He advises. We are not bound to accept his advice.

16875. Have you any reason to complain that the inspector of schools has interfered unduly?—No.

16876. Does he interfere with your budget allotment?—No.

16877. With regard to District Boards, are you in favour of any change in the present scheme of election?—I do not think I would interfere with the present system.

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Raja Ranajit Sinha Bahadur. 16878. Are you of the same opinion with regard to municipalities?—Yes.

16879. (Sir Steynning Ederley.) Have you a dispensary committee in your municipality?—Yes.

2 Jan., 1908. 16880. Is the municipality represented on it?—The Chairman of the municipality is Chairman of that committee.

16881. Who is the Chairman of the Local Board?—He is a non-official gentleman.

16882. Is there more life in the way of local self-government in your municipality than in your District

Board?—There is more life in the municipality. The people do not take so much interest in the District Board, because the people who are elected on them come from the interior and they are less advanced in public matters.

16883. Do you mean that, as a whole, they are more rustic?—Yes.

16884. May I take it that you have a very fair measure of local self-government in your district?—Yes, as regards municipalities.

(The witness withdrew.)

RAI SITANATH ROY BAHADUR was called and examined.

Rai Sitanath Roy Bahadur. 16885. (Chairman.) What is your occupation?—I am a zamindar, banker and merchant. All loans, whether intended for imperial or provincial purposes should be raised by one and the same central authority, i.e., the Government of India; otherwise the application of the Supreme Government and of the provincial Governments to the market for their respective loans, if made simultaneously, would unsettle the market: the provincial Governments would not be able to raise loans on the same terms as the Government of India, and the tenders for their loans will always be at a heavy discount. I would allow provincial Governments borrowing powers, provided they had complete control over their respective finances, and provided such finances were distinct and separate from the imperial finances.

2 Jan., 1908. Delegation of additional powers, whether financial or administrative, to provincial Governments or to Heads of Imperial Departments is not necessary, for they are already invested with powers sufficient for all necessary purposes, nor are additional powers in the direction of creating new appointments or of enhancing salaries desirable.

So far as the people are concerned, the Government of India is impersonal, for they are not at all in touch with the representatives of the people. In all matters relating to the people and the country, when people want money for public purposes, the Government of India is too much dominated by considerations of revenue.

I have no definite knowledge of the respective functions of Directors and Inspectors-General under the Government of India, but the general impression is that these are sinecure and ornamental posts. The departments which the Directors and Inspectors-General are supposed to supervise and control could be better controlled by provincial Directors and Inspectors-General. But the presence of Imperial Directors and Inspectors-General with the Government of India is sometimes necessary in order that the latter may have the benefit of expert advice from the former on local and technical matters.

I would not curtail the existing right of appeal either to the Imperial or Local Government. Withdrawal or modification of the right of appeal would lead to abuse and to arbitrary action and hasty dismissal.

At present all items of expenditure in the provincial budget are fixed not according to the official requirements of the province, but according to the doles of charity received from the Imperial Government. Constituted as the provincial Governments are, with an entire absence of popular element in them, I cannot advocate delegation of further financial powers or the powers of borrowing money to them.

Opportunities exist, but the Executive Officers do not take advantage of them, to come into personal contact with the people, nor do they relish the idea of coming into contact. The plea that the District Officers are overworked and have no time to receive people is a vain excuse, for much of their routine and departmental works are done, and done very well, by the Deputy Magistrates in charge of the several departments. They are required by departmental rules to spend 90 days in a year on tour in the *mufassal*, and during these tours they have ample opportunities to mix freely with the people to hear their grievances, to ascertain their wants and requirements. But this they seldom do, for portions of their time on tour are devoted to either visiting and inspecting schools here and there, or a solitary charitable dispensary, or *khas mahals*, and portions are devoted to the disposal of

petty criminal cases. It is not overwork, but the pride of the office, which prevents officials, both European and Indian, from mixing with the people. As for mixing freely or on terms of equality, it is out of the question. Want of sufficient knowledge of the vernaculars can be no excuse, for the upper and middle classes of people can talk English or Hindustani. But I would insist on a thorough knowledge of the vernaculars, and this should be a condition precedent to promotion.

Midnapore and Mymensingh are the two largest districts in Bengal and Eastern Bengal respectively, but even the inhabitants of these districts do not like that a new district should be carved out of each of them; for the creation of a new district or of a sub-division tends to promote litigation—the nearer a Court the greater is the incentive to make a complaint. The present staff of District and Sub-Divisional Officers would be enough, provided they could be freed and released from their labours of love in connection with District and Local Boards and municipalities.

Transfers are too frequent; before an officer is sufficiently acquainted with his new duties and with the people around him, the next Gazette announces his transfer to another district. The remedy lies in promoting the next senior or qualified officer on the spot to fill up the temporary vacancy.

The former constitution of the Calcutta Corporation should be restored, and the two co-ordinate authorities, viz., the General Committee and the Chairman, should cease to exercise functions independent of the Corporation. The number of elected Commissioners should be raised to the former number of 50. By reducing the number of elected Commissioners from 50 to 25 all popular control over the affairs of the town of Calcutta has been taken away and the whole authority now vested in the Chairman; for it is the official Chairman who now rules the Corporation through the nominated Commissioners. The General Committee have, as it seems to me, usurped the functions of the Corporation by taking on themselves the authority to sanction, illegally, I should say, expenditures and estimates up to Rs. 10,000 without any reference to, or the approval of, the Corporation. What we want is that the General Committee should cease to exist as an independent co-ordinate authority, but like the Town Council of the old Act it should be a Sub-Committee of the Corporation without an independent existence of its own, and what we more particularly want is that the number of elected Commissioners should be raised as before to 50. The Chairman of the Corporation who is to preside over the deliberations of the Corporation should be distinct and separate from the Executive Head of the Corporation, and all assessment appeals should be disposed of, as heretofore, by a special committee of the Corporation.

Though, in name, municipalities are self-governing bodies, in reality they are not so, they being too much under the control of the District Magistrates and the Divisional Commissioners, the latter having the legal power to upset even the unanimous decision of a municipality. All undue interference should cease, and the only controlling authority should be the Local Government, while the functions of the district authorities should be to guide and advise. Municipalities should have complete freedom to prepare their own budgets. Officials should never allow themselves to be elected as Chairmen of municipalities; with a Magistrate acting as Chairman, elected members, however large their number may be, cannot have free scope and

independence of action, and they have to bow, involuntarily, as it were, to the decision of the Magistrate-Chairman.

The Chairman of the District Board should be a non-official gentleman, and two-thirds of its members as in a municipality (but I would rather have three-fourths) should be elected, and even amongst the nominated members there should be a large preponderance of non-official persons and the District Magistrate should have no connection with it.

Before constituting councils for Divisional or District Officers I would prefer to wait till the results of the workings of the proposed Imperial and Provincial Advisory Boards are known. The answer to this question entirely depends on whether the proposed Divisional and District Councils are to be invested with some statutory powers; whether they should have some control over the administration and finances of the division or of the district, or whether they would be purely honorary advisers, mere ornamental bodies, no statutory obligation being attached to their advice or decision.

It would be a great blessing if the village communities, now nearly extinct, could be revived and invested with, besides other powers, powers of disposing of petty civil and criminal cases.

16886. What are your reasons for recommending that all loans should be raised by the Government of India and not by the provincial Governments?—Until the provincial Governments have complete control over their own finances, I would not allow provincial Governments to raise loans. Moreover, if loans were raised by them, it would tend to unsettle the market, and they would not be able to raise money at the same price as the Government of India would. The credit of the Government of India in the local market is much greater than that of the Local Governments.

16887. Is there any rupee market which is now untouched by the Imperial Government which if the provincial Governments had power to borrow could be touched by them?—I am not aware of any. All markets are open to the Imperial Government.

16888. Would investors have any preference towards a provincial Government as against the Imperial Government?—Most decidedly not.

16889. Do you think that the Divisional and District Officers are in touch with the people?—So far as the people are concerned, they are not at all in touch with them generally.

16890. Where do you live?—In Calcutta, but I am a resident of the Dacca district, and I am a member of the Eastern Bengal Legislative Council; I am a member of the Calcutta municipality, and I was also a member of the Port Trust.

16891. Have you much knowledge of the country outside Calcutta, such as would bring you in touch with the people in the country districts and make you acquainted with the work of Collectors and Commissioners?—I have some knowledge of the people in my own district and also of the local authorities.

16892. Is the management of the Court of Works as it exists at the present time satisfactory?—I think they are inclined to take the management of private estates too much into their own hands.

16893. Does the Court of Wards now take an estate out of your hands and manage it while you are still in possession of it?—They would like to. They do it on the plea that the property cannot be properly managed. When property is in the hands of females, the Court of Wards tries to take advantage of the situation and say that females are not competent to manage their estates. In the case of a man dying it must have been his wish that his estate should remain in the hands of his wife, but in such cases the Court of Wards are too much inclined to take over the management of private estates. In that direction their action is objectionable; otherwise the management is very satisfactory.

16894. Has a Commissioner sufficient control over the expenditure of the Court of Wards?—I have no knowledge as to that.

16895. Is there much sympathy between the officials of the Government and the people of a district?—I do not know whether there is sympathy, but there is not much intercourse.

16896. Does that affect both the native and the European Executive Officers?—To some extent.

16897. Is it more noticeable in one case than the other?—It is more noticeable in the case of the Europeans, who are very exclusive.

16898. Can you suggest any reason for that exclusiveness?—I ascribe it to their unwillingness to mix with the people—they think it a great condescension, and that it is below their dignity except, of course, with regard to the big Rajas and so on.

16899. Do the people desire that the District Officers should mingle with them?—Certainly, I think they would like it.

16900. Is there any obstacle, as far as you know, to their doing so?—Not to my knowledge, but I know that amongst some of my educated countrymen they do not think they get proper treatment when they go to see officials, and they are not therefore willing to go to see them.

16901. Do you mean that there is a section of the community which does not like to see the officials?—Yes, because they do not receive proper treatment.

16902. Have you any knowledge of the work of municipalities?—Only a slight knowledge, but I think there is too much indifference on the part of municipalities with regard to their work.

16903. (Sir Steynning Ederley.) You would like to see the provincial Government self-contained, with control over its finances, provided the people were allowed a voice in that control. What exactly do you mean by that statement?—The Provincial Government should be assisted by an Advisory Board, and no measures should be carried out unless they were sanctioned by, say, three-fourths of the members of that Board.

16904. Do you mean that you would have a Government with a large Executive Council?—Not necessarily, but I think if anything were opposed by three-fourths of the members, it should not be carried out. Whether that is feasible or not, however, I leave the Government to decide.

16905. How long is it since you were a member of the Port Trust of Calcutta?—About nine years.

16906. Do you regard the Trust as an efficient business body?—I think it is an efficient body.

16907. You spoke of the difficulty of intercourse with the people, but have you ever met with any personal discourtesy or difficulty as regards officials?—No. At the beginning of my career I used to experience some little difficulty, but now I have none.

16908. (Mr. Meyer.) With regard to the suggested separation between imperial and provincial finances, would it be possible in this country?—I think the Government of India might retain some control and power of supervision, but I do not see any reason why the finances should not be separated.

16909. Are you aware that the present financial system is based upon divided heads?—I know that some of the heads of finance are under the provincial Government, but I am not aware of the system.

16910. Are you opposed to the taking over of estates by the Court of Wards?—If it is against the feelings of the members of the family, I am opposed to it; if the members are willing to agree, I do not see any objection.

16911. The law now limits the taking over by the Court of Wards to estates which pay revenue to the Government. Do you think the Court of Wards ought to be able to take over the management of any estate, whatever its character, if it were an important one?—I would have no objection to that.

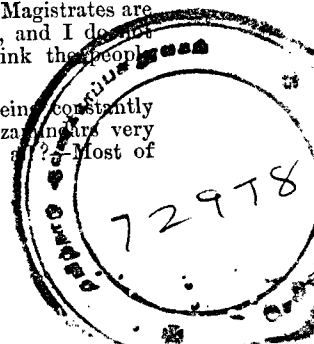
16912. Would you have any objection to Commissioners being invested with the powers of the Court of Wards which are now exercised by the Board of Revenue?—I think I would prefer the present system to continue.

16913. You spoke of the advantages of the present work of Collectors being done by Deputy Collectors in charge of their several departments; is there not room for further delegation?—Deputy Magistrates are already invested with sufficient powers, and I do not wish them to have more. I do not think the people would like it.

16914. You spoke of the zamindar being constantly accessible to his tenants, but large zamindars very often do not live on their estates at all?—Most of

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them do not, but there are several who do live on their estates. Of course we go now and then to our country houses, and then we are accessible to our tenants.

16915. How often do you go to see your tenants upon your estates?—I do not go simply for the purpose of seeing my tenants—I go four or five times a year for my own purposes.

16916. Have your tenants sufficient opportunities of access to you during those visits?—Native gentlemen are always open to access by their tenants.

16917. How long do you stay on these occasions?—Sometimes for a fortnight, sometimes for a month. I spend about three months in the year there.

16918. You say that the District Board work should be taken away from Collectors, would you also be in favour of magisterial work being taken away from Collectors?—Yes.

16919. Would you reduce the Collector to a mere Collector of revenue?—I would not go so far as that.

16920. Is it not important that a Collector should be looked upon as the representative of Government in his district?—Certainly, but I do not think he should have any judicial power.

16921. You say that he should not be Chairman of the District Board? Does that mean that you desire that he should have no connection with education, roads, and sanitation in his district?—Not actually, if any other man is entrusted with the position of official Chairman, the Collector of the district might have some control over him.

16922. But would the Collector take as much interest in local matters if he merely came from outside to exercise a check, as if he sat on the Board and discussed questions first hand?—The complaint is now that a Magistrate is over-worked.

16923. But, supposing he could find the time, is it not of importance that he should meet the best men of the district, on the District Board, and talk matters over with them?—I think the elected and nominated members do not have freedom of action on those occasions.

16924. Are they afraid of the Collector?—Certainly.

16925. Do you mean that men like yourself are afraid?—Yes.

16926. Would you be afraid to speak your mind if the Collector was presiding at a District Board meeting?—To some extent, yes.

16927. (Mr. Hitchens.) Are you a member of the General Committee of the Calcutta Corporation?—No.

16928. How is that Committee appointed?—It is appointed partly by election and partly by nomination.

16929. You suggest that it has usurped certain functions which should properly belong to the Corporation? Have you ever brought the matter to the notice of the Corporation?—It has been several times discussed at meetings, but the Chairman was of a different opinion.

16930. We were told by the last witness that he did not think the Collector in any way dominated over his municipality; was that an exceptional case?—I have no personal knowledge of the work of a municipality and what I have said is from hearsay. I think the public opinion is that there is a tendency to interfere with municipal work.

16931. (Mr. Dutt.) Supposing the District Magistrate still remained Chairman of the District Board and the actual work was distributed amongst sub-committees, each sub-committee taking charge of one department and the District Magistrate retaining supervision of the whole, would that be any improvement on the present state of things?—But everything has to be brought up before the meetings of the District Board and discussed ultimately for final disposal; so that the Magistrate still would have the power to dominate over them.

16932. But would it not be an improvement on the present state of things?—Not necessarily.

16933. Is not the Road Cess now spent in the district where it is levied?—But the district does not get the benefit of it, and that is a misfortune.

16934. Is not the whole of the Road Cess, minus a part spent on establishment, spent within the District?—But how it is spent, I do not know.

16935. Are you a member of the District?—No, but I know that the people do not see the results. That is my complaint. We pay the tax, but we do not enjoy the fruits.

16936. In a sub-division are there no agencies between the Sub-Divisional Officer and the people except the police?—I wish there were.

16937. Your complaint is that the people are not sufficiently in touch with these Sub-Divisional Officers. Would it be an improvement if smaller areas were created and a Revenue Officer, with some judicial powers, was placed in charge of each of these smaller areas?—I would not like to have the number of officers multiplied; I would like to see the powers given to the communities and to presidents of panchayats. They would not abuse these powers and the people would like it. I think village panchayats should be revived.

16938. Do you propose that power in a village should be given to one man as the head of the panchayat, or to a number of persons forming a panchayat?—Powers might be given to the president of the panchayat, or it might be given collectively.

16939. Would you also give them some small judicial powers?—Certainly. In regard to small civil and criminal cases, it would be a blessing. They could act as peacemakers between the parties, and settle cases which otherwise would have to come before the Magistrate.

16940. Would you also give them power of managing village schools and of keeping the villages in a proper sanitary condition?—Yes; the more powers given to village communities, the better, because they are in direct touch with the people, and they know the conditions and wants of the place.

16941. In that way would the villagers also be brought into closer touch with Sub-Divisional Officers and others?—Not necessarily.

16942. Is your suggestion only made in order to give them some power to deal with their own affairs?—Yes.

16943. (Sir Frederic Lely.) As regards the pride of office which you allege, has the Indian Officer become worse in that respect of late years?—I cannot say that they are worse in that respect.

16944. Have the Europeans got worse?—All I can say is that they are not in touch with the people; they are not accessible, but I do not know whether they are good, bad, or indifferent.

16945. Can you compare them as they are now with what they were formerly?—It is the general belief that formerly they were more accessible than they are now. When there were no railways, or steamer communications, they used to live in isolated villages and could not help mixing freely with the people, and they did so with the view of killing time. But now Calcutta and other places being so accessible to them, and there being such a large European colony, they do not mix so much with the people.

16946. Have you observed the same sort of change in the Indian officer that you have observed in the European officer?—No, I do not find any change in Indian officers.

16947. Is it a fact that the District Officer treats all men alike and that he does not recognize distinctions of rank?—He certainly does.

16948. You say that the people should be brought in to help in the administration of affairs, but that you cannot formulate any scheme by which that can be carried out. Can you suggest any one who can formulate a scheme for that purpose?—I am afraid it must be left to the members of the Royal Commission to formulate it and not an humble individual like myself.

(The witness withdrew.)

Mr. A. L. McINTIRE was called and examined.

16949. (Chairman.) You are the Conservator of Forests in Bengal?—Yes, my service dates since 1884.

16950. What is the organisation of your department?—The gazetted staff of the Bengal Forest Circle at present comprises, exclusive of a Conservator, 11 Imperial Service, and 10 Provincial Service appointments. Of these officers usually 12, including the Andamans divisional forest officer, who is supplied from Bengal, hold charge of forest divisions, i.e., forest charges which include all the Government forests in a sub-division of a district or in a district, or in a group of districts. The rest of the officers who are not on leave, or on deputation to appointments on the list, are usually employed as attached or range officers, ranges being units into which forest divisions are subdivided, which are mostly placed under the charge of subordinates. My own duties as Conservator are those of a consulting officer in forest matters to the Local Government; an inspecting officer of the divisions included in the circle and of their offices; an audit officer of divisional accounts with powers of sanction of revenue and expenditure transactions which are beyond the powers of Divisional Officers.

I have powers to appoint, promote and post to forest divisions subordinates in superior service and clerks, and I have limited powers of passing first orders in cases against Upper Subordinates and clerks and of passing orders on appeal against punishments which divisional forest officers are competent to award.

In the matter of working-plans and preliminary reports on their preparation which are submitted direct by me to the Inspector-General of Forests, I am in large measure responsible for the work of the compilers of these plans. The Inspector-General is under no obligation to forward preliminary reports to the Local Government unless he takes strong exception to any of their proposals. But he is bound to submit complete working-plans to the Local Governments concerned with his recommendations. Thus in the matter of preparing working-plans I am, for all practical purposes, directly subordinate to the Inspector-General. In practice I have only a right of appeal against the Inspector-General's orders on working-plans to the Local Government, which, if it supports me, must refer the matters in dispute to the Government of India. The wide powers formerly exercised by the Inspector-General in this respect have lately been enhanced by the Government of India's rules for the employment of officers of the Imperial Research Institute at Dehra Dun. Under these rules, the Inspector-General is at liberty to send to any forest the Imperial Superintendent of Working-Plans, whose duties are largely those of a professor, and to supply him with local information which he is at liberty to accept to the ignoring of the views of the Conservator and divisional officer concerned.

Local Governments should exercise full powers under the Forest Act, except that section 26 of that Act, which makes the previous sanction of the Governor-General in Council necessary for the issue of a notification disforestation any reserved forest, should be retained. The previous sanction of the Governor-General in Council required under sections 39 and 77 should be dispensed with. The intervention of the Inspector-General of Forests in connection with working-plans should be limited to advising Local Governments. Articles 85 and 90 of the Forest Department Code should be changed so as to provide for the direct submission of preliminary reports on working-plans and of complete working-plans by the Conservator to his Local Government, which would forward them to the Inspector-General for favour of his opinion. The direct issue of instructions by the Inspector-General to Conservators under article 86 of the Forest Department Code should be stopped. Local Governments would thus obtain the benefit of the general knowledge and experience of the Inspector-General and of information brought to light through the work of the Research Institute, while Conservators would no longer have to serve two masters, and should have a better chance of securing due consideration of local conditions than they at present possess.

Sufficient powers have been delegated to Conservators under financial rules, and additional delegations which might be considered are of trifling importance.

Greater powers should, however, be delegated to Conservators in respect of sanctioning deviations from working-plans.

In forest matters the influence of the Commissioner must largely depend on his personality. As many divisions contain little or no forest, some Commissioners cannot possess much knowledge of, or interest in, forest questions. In divisions in which forest interests are relatively important, it is desirable that the influence of the Commissioner in forest matters should be strengthened. It is not clear to me how this could be done under the present organization of the department, except in revenue divisions where forests are of sufficient importance and well enough distributed to warrant the employment of sub-circle officers, who would exercise most of the powers of a Conservator and would be subordinate to the Commissioner in much the same way as divisional forest officers are subordinate to District Officers.

Executive Forest Officers, generally, have sufficient opportunities for personal contact with the people, and in most cases pick up sufficient acquaintance with the vernaculars to be able to communicate direct with most of these people. The number of different vernaculars in use in the forest regions of their province is so great that only a first-rate linguist, who could give up most of his time to their study, would arrive at a working knowledge of all the languages.

Transfers of Forest Officers in Bengal have of late years been over frequent. Where frequent changes have been necessary, their necessity has been mainly due to the depletion of the staff of Imperial Service Officers through their deputation to fill appointments on the India list.

16951. Previous to the submission of working plans to the Inspector-General is the Commissioner consulted?—We are not bound to consult the Commissioner, but if there is any point which particularly concerns him, he is consulted.

16952. Is the method of sending your working plans to the Inspector-General a good one?—I do not think it is a good one, because it practically forces the Inspector-General to exercise administrative power; he practically directs the preparation of working-plans.

16953. What better method could you suggest?—The Conservator should submit plans direct to the Local Government, which should merely ask the Inspector-General for his advice.

16954. Would not that cause greater delay?—Hardly any, I think.

16955. Does the Inspector-General interfere, in the matter of working-plans, with your administrative powers?—He does in a way. He brings pressure to bear upon me to prepare working-plans exactly as he wants them to be prepared; that is to say, to prepare them according to a general scheme. This has always been done, and to some extent it has had good results, but as we get to know more about things in the provinces and the working gets more detailed, it is a hindrance to effective working.

16956. What province were you in before you came to Bengal?—I was in the Punjab nearly all my service.

16957. Was the method of working in the Punjab practically identical with that in Bengal?—The general lines were much the same, but the details were very different.

16958. In consequence of having to make reference to the Inspector-General, does he perhaps force upon you uniform methods, when it might be more profitable to have a divergence of method?—It tends that way.

16959. If you worked in the way you suggest through the Local Government instead of direct through the Inspector-General, would it make any difference?—I think it would make a great deal of difference. Knowing that the papers would go before the Inspector-General would, to a certain extent, make us more careful than we otherwise should be. But the Inspector-General should confine himself to general questions on which he might give advice to the Government.

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16960. Is the Inspector-General under any obligation to forward any report to the Local Government?—With regard to completed working-plans he is. He sends the working-plans back with remarks.

16961. Has the control over you increased in any way in recent years?—Yes, by the opening of the Imperial Research Institute. There is one of the Professors of the Institute called an Imperial Superintendent of Working-Plans, who can be sent by the Inspector-General, with the permission of the Local Government concerned, to inspect the forests and gather information concerning them. The Inspector-General gets leave from the Local Government for the Imperial Officer to correspond with me direct.

16962. Does he in any way interfere between the Inspector-General and the Local Government?—The arrangement must give the Inspector-General a more direct power of control. It has only just been introduced and we have not seen its practical working yet.

16963. Do you think the Forest Act is in any way too cumbrous and too centralized?—No, it is a very good Act indeed, except with regard to minor details.

16964. Does the Code hinder or hamper your discretion?—No, except with regard to working-plans; my powers might be enlarged, but that is only a matter of detail which is being considered by Government, and they will be enlarged as far as is necessary or desirable.

16965. Have you not to make reference, if you wish to deforest any part of your area?—Yes; in reserved forests. It is very desirable that we should do so. Policy changes and the matter requires a great deal of consideration; there ought to be plenty of scope for consideration before reserved forests are deforested. Once they are deforested, they cannot be afforested again.

16966. Could you not act according to the discretion of the Local Government in a matter of that sort?—Generally you could; but I think you might sometimes temporarily have a change which was opposed to forest interests, and if there was no check, I might get rid of forests which would afterwards be required.

16967. Would it be possible to place a limit upon the area in respect of which an application to the Government of India would be required?—It would be a difficult thing to decide, because area is so indefinite; in some places a small area is of greater value than a much larger area in other places. It is so difficult to make any general rule in that way. It is best at present that the matter should go to the Government of India. You might give the Local Government some discretion.

16968. Has the Divisional Commissioner sufficient influence in forest matters?—If he likes to exercise his powers, he has; it depends upon the Commissioner very largely.

16969. Have your officers a very good knowledge of the vernacular?—Yes, on the whole; most of them go so much about amongst the people that they get a fairly colloquial knowledge.

16970. Are they transferred very often?—Not as a rule. The Provincial Officers have not been very much transferred, but some of the Imperial Officers have been transferred too frequently.

16971. What happens when they are transferred from one province to another? Are they as a rule ignorant of the language of the province to which they go?—If it is a Hindustani province, they would not be quite ignorant of it. But Forest Officers usually have more concern with local dialects, and these differ in almost every district.

16972. Might that want of knowledge lead to complaints on the part of the people in a district?—It might under special conditions, but it is not so in my experience. Most of the officers make efforts to pick up something of the language, though they are not qualified from an examiner's point of view.

16973. (Mr. Hichens.) I understand you advocate that all questions regarding deforestation should go to the Government of India upon the ground that you are more likely to get a continuity of policy. Can you give any instance of lack of continuity on the part of a provincial Government?—Not in any place where I have served myself, but I have heard that in Assam there was some difficulty with regard to it six or seven years ago. I have known an instance where forests would have been deforested, but for the fact that they

could not have been deforested without the matter going to the Government of India.

16974. Do you know of any other instance in which the policy of a provincial Government has changed or shifted?—Only the one which I have mentioned.

16975. Have Divisional Commissioners any actual powers in forest matters, or is their position merely advisory?—They are merely advisory, but they have some powers in very small details; they are confined to settling disputes between District Officers and Forest Officers.

16976. Is that all the power they should have?—I cannot quite say that; of course a Commissioner does get executive orders from Government to do certain things, such as giving opinions. A Commissioner's opinion is always sought for, on any important question raised concerning his division.

16977. Do the forest divisions correspond with the administrative divisions?—They are generally parts of divisions; as a rule, as far as possible a forest division corresponds with the district—sometimes we have more than one forest division in a district, and sometimes a forest division comprises more than one district. Every forest division falls inside some division, but no forest division extends into two Commissioners' divisions.

16978. (Mr. Dutt.) How are the appointments to the Provincial Service made?—The system of recruitment has been recently altered. Formerly a candidate had to go through a preliminary training at Dehra Dun—a two years' course—then after passing he was appointed as a forest ranger on Rs. 50, and after serving five years, he qualified for promotion to the Provincial Service. Now he can be selected by the Local Government to go to Dehra Dun on a special stipend, and after a three years' course there he can be appointed a probationer by the Local Government.

16979. You say that you have some reserved forests and some unreserved forests?—We have protected and unreserved forests—the latter are designated protected forests. The Act provides for the notification of reserved and protected forests.

16980. Do you allow grazing in these forests by the villagers?—As a general rule reserved forests are closed to grazing, but protected forests are open to grazing. Practically, grazing is free, so far as the villagers are concerned: except in one district, where we follow the Central Provinces methods, I do not think any of the villagers pay for grazing. There are some nominal restrictions, but there is no interference.

16981. Do some of these protected forests come close up to villages?—Yes, in some villages all the waste areas have been classed as protected forests.

16982. Are there many complaints on the part of the villagers that the forest guards do not treat them fairly?—Most of the complaints of that nature do not come to me unless it is a case of prosecuting a guard, but considering the opportunities the guards have of making themselves objectionable, the complaints are very few.

16983. Has the District Magistrate any say in those matters?—Yes; if he does not think the forest officer is taking proper action, he can give him orders, or have his own enquiries made. Such cases are not frequent. Generally the complaints are made to the forest officer, and, as a rule, he satisfies the people and takes the necessary action.

16984. Would it serve any useful purpose if you placed a limit as regards the area within which the Local Government might be empowered to deforest?—I do not think it would do much good.

16985. With regard to disafforesting ten acres of land near a village, would it be worth while to go to the Government of India to get orders?—Usually it would not be worth while, but I do not see how you can put a limit on the authority of the Local Government in that matter.

16986. Could you put some limit as regards area?—No, I think if you allow the Local Government to do it at all, you must give them free permission to do it without any limit. It is a legal matter.

16987. (Sir Frederic Lely.) Would you deem disafforestation unjustifiable?—No, in some cases it is quite justifiable.

16988. Would your professional feeling lead you to think that disafforestation is a greater danger than

afforestation?—In some cases; generally we think afforestation is below the requirements, although this is not always the case.

16989. (Sir Steyning Edgerley.) Has not the Local Government full powers of disposing of working-plans?—They have not full powers, because, in a case of dispute with the Inspector-General, the matter has to be referred to the Government of India.

16990. Is there any special reason for that in Bengal?—No.

16991. Was it the case in the other provinces where you served?—It applies to all the provinces in India.

16992. (Mr. Meyer.) Will you explain generally what working-plans are?—A working-plan is a report describing a forest and containing a detailed description of its management for a period which varies according to conditions, usually not less than 10, or more than 30 years. The cutting of timber is the main point.

16993. A working-plan, therefore, might considerably affect the revenue to be derived from a forest?—Yes, to a very great extent indeed.

16994. And the Government of India is interested in that?—Yes, I think it gets half the forest revenue at present.

16995. Is that not possibly the reason why the Inspector-General of Forests has to be consulted in these matters?—No, the reason is that he has to see that proper methods of working are applied.

16996. But are not proper methods of working a *sine quâ non* to proper receipts of revenue?—But improper methods of working might result in a larger revenue for the time being, and less revenue thereafter.

16997. Apart from any need of professional supervision, might not some control of the Inspector-General of Forests be required on general financial considerations, having regard to the fact that there might be a tendency to raise revenue to the detriment of future receipts?—I think the Local Government is quite capable of exercising its discretion in that matter.

16998. You spoke of the Imperial Institute at Dehra Dun as having been only recently established, was there not an Imperial School before?—The whole scheme has been altered. Formerly the officers employed were merely professors, or teachers and lecturers to subordinates; now the thing has been turned into a Research Institute, and they do not spend half their time teaching.

16999. The supervision of working-plans is made over to the best officer in the Department?—I cannot say. It is a selection appointment.

17000. Does he come to you to talk over matters?—He can exercise his own discretion; he can either repeat to the Inspector-General what is suggested by me or by the divisional forest officer, or he may entirely rely on his own observation.

17001. At any rate you have the opportunity of having a discussion on the subject with another expert officer?—Yes.

17002. In the larger forest provinces, such as the Punjab, would it not be possible to give Local Governments a freer hand to appoint their own Conservators as the Madras and Bombay Governments do already?—I think that is undesirable. It is better that those appointments should be on a general list. When the expert of one province gets transferred to another province, it tends to keep things more even.

17003. Do you prefer the transfer of senior Forest Officers from one province to another?—Under present conditions it is desirable.

17004. Would it not be desirable that a Forest Officer should know, not merely the language, but the revenue law of the province, and the customs and prejudices of the people?—That does not concern Conservators so much as it concerns the divisional officers. It is better if they know them, but the advantages of wider experience outweigh those considerations.

17005. In a matter like the Forest Department, which in some way has to infringe upon what the people regard as ancient rights, do not subordinates rather take their tone from the Head of the Department?—No, I think they take it rather from the divisional officer.

17006. And does the divisional officer take his tone from the Conservator?—Yes.

17007. If the Conservator shows himself ignorant of the revenue law and the customs and manners of the people, is it not the tendency of the divisional officer also to regard them as of no importance?—No; Conservators have enough general knowledge to know the importance of it, and to keep the divisional officer up to the mark.

17008. But would it not be better that the Conservator should have an actual knowledge as well?—Of course, the more he knows of the province the better, but the only questions seems to me to be the relative value of local knowledge and general knowledge.

17009. Are not Local Governments restricted, with regard to the appointments of subordinate officers?—Yes, they are governed by rules.

17010. Apart from any general financial restrictions which may be necessary, should they have a freer hand in fixing the *cadre* of the Provincial and Subordinate Service and of making appointments?—I think the present arrangement is the best one for the time being.

17011. In regard to deforesting, does not the present law require the previous approval of the Governor-General in Council?—Yes.

17012. Might it not be possible to alter "previous approval," to "subject to such general conditions as the Governor-General in Council might from time to time prescribe"? If the Governor-General in Council might say: "You can deal as you like with disafforesting anything under, say, 100 acres, but you must refer any larger matters"—would not that meet your object?—It would be safer to leave things as they are.

17013. You spoke of differences of opinion between the Collector of a district and the divisional forest officer, but is he not an assistant to the Collector with regard to forest matters?—Yes.

17014. Then how can an assistant have differences of opinion with his Chief and have to go to some outside authority to determine them?—He is not directly under the Collector in the sense that a Deputy Collector is under a Collector; he belongs to another department, and the Collector has not exactly the same hold over him as he would have, if he were his assistant or an officer on the ordinary district staff.

17015. In Madras he is regarded as the assistant to the Collector in matters affecting the people and the revenue generally, and independent, subject to the Conservator, in matters of general forestry—is that the case in Bengal?—Yes.

17016. But in these matters affecting the people of the country generally, if there is a difference of opinion with the Collector, it must go to the Commissioner?—Not in every case; the general custom is that whenever there is any dispute of any kind, and any doubt is raised, the Commissioner is consulted and decides the matter.

17017. As between the Collector and the district Forest Officer or as between you and the Collector?—Either. There might be some difficulty between the Forest Officer and the Collector which might be referred to the Commissioner without consulting me.

17018. You say the district Forest Officer has the right to say to the Collector "I cannot accept your decision," and can ask for reference to the Commissioner?—I said disputes are referred to the Commissioner.

17019. Does not the Collector act on his own discretion, and if there is any doubt he would refer to the Commissioner?—Yes.

17020. But if he thought an objection of the Forest Officer unimportant, it would be open to him to tell him to accept orders?—Yes.

17021. Is not the Commissioner consulted in regard to taking up any new forest area?—Yes, always.

17022. Is he consulted in regard to the preparation of the forest budget?—No.

17023. Has he any power with regard to the appointment of forest guards and so on?—No.

17024. In the matter of punishments, is there any appeal to the Commissioner?—No.

(The witness withdrew.)

Mr. A. L.
McIntire.
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Mr. A. KNYVETT was called and examined.

Mr. A.
Knyvett.
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17025. (*Chairman.*) You are the Inspector-General of Police in Bengal?—Yes, under me there are Deputy Inspectors-General, District Superintendents, then inspectors, and sub-inspectors; there is also a new grade of deputy superintendents, which has just been introduced, belonging to the Provincial Service.

17026. We were told in Burma that there were some difficulties with the Commissioner as regards the posting of inspectors of police—have you found the same difficulty?—No, not during the period of my tenure.

17027. Who posts the inspectors?—It is done by the Inspector-General of Police in consultation with the local authorities and in agreement with the District Magistrate.

17028. Mr. Daly told us that the custom of cold-weather touring was finally put a stop to in 1899—is that so?—Yes; the District Superintendent had to come back at the end of the month to sign certain registers and there was such an order passed.

17029. Was that a good custom or has it in any way restricted the intercourse of Police Officers with the people?—The order was due probably to the shortness of officers, but now since the Police Commission recommendations have had effect, we have more officers at headquarters who are able to do that particular work which the District Superintendent of Police was ordered to come back to do, and that order might very easily be withdrawn.

17030. Does the power with regard to these tours rest with you?—Any order like that would be passed with the approval of Government, and therefore would have to be withdrawn with the approval of Government.

17031. Would it be a good thing to restore the earlier state of things?—I think it would certainly.

17032. Have many of your Superintendents an imperfect acquaintance with the vernacular?—As compared with other provinces, perhaps, they have, but in the United Provinces, for instance, they have only to do with one language, while in Bengal we deal with two and very often more—Bengali, Hindi, and if a man goes to the frontier districts he comes across all sorts of other languages.

17033. Would the language difficulty be a reason why you should attempt as far as possible to stop transfers?—There would be difficulty in this way; in Bihar they have a language of their own, in Bengal they have a language of their own, in Orissa they have a language of their own, and, unless you keep a certain number of officers in each of these three circles, you can hardly expect any improvement with regard to the question of vernacular.

17034. Do officers nowadays stay long enough in their districts to get a real knowledge of them?—That has not been the case.

17035. Would it be more advantageous to the Government to keep an officer even at the risk of health in an unhealthy district than to transfer him constantly?—I think that these transfers have not been so much due to that reason, as to the depleted *cadres* and men going away on leave.

17036. But have you not filled up your *cadres*?—We have not; we have been trying to do so, but we are still 27 officers short.

17037. Who is responsible for the transferring of officers and filling up vacancies and appointments?—It rests with the Local Government; a recommendation goes up and is accepted or not, as the case may be.

17038. Then has the Inspector-General really no power to make appointments or transfers?—He has the power of suggesting, but the responsibility rests with the Secretary of the Government.

17039. Have you many officers whom, upon the mere score of inefficiency, you would like no longer to retain?—No, there are not many, and our recent recruitments have been exceedingly good.

17040. Have you had any difficulty in getting rid of any such officers?—Yes. A man may be inefficient, but Government does not turn him off, although it is against the interest of the Government to retain him.

17041. Ought there to be greater power of selection before promoting officers?—Yes. We are free to select officers for promotion, but it is in the recruitments that mistakes are made; I am not speaking of the recruitments of late years, but in former years.

17042. Ought you to have greater powers of selection than you have at present?—No, I do not think so; the present rules are very good.

17043. Are the traditions of your Service against the exercise of powers of selection when cases for promotion come up to be considered?—Yes; they have been almost entirely regulated by seniority up to certain grades, but, latterly, the powers have been extended in the way of barring officers from entering the higher grades, and that has now come to be recognized.

17044. Are you quite satisfied with the relations of your District Superintendents and the District Officers?—Yes, except in one or two instances, which have been put right lately.

17045. Are there not two channels of appeals in disciplinary matters?—There were, but that section has been amended by the new Police Act of 1905, which we have just had orders to introduce. We have no longer any reason to complain with regard to that.

17046. Have you anything to say with regard to the Director-General of Criminal Investigation?—No, he has not interfered with our province in any way that I can complain of.

17047. (*Mr. Meyer.*) Are you quite correct with regard to what you said about the Police Act of 1905?—I referred to the proposals contained in the Police Act of 1905. It has been hung up, and we have recently got orders from the Government of India to give effect to certain sections contained in that Act.

17048. Did not the draft Bill simply lay down the procedure with respect to appeals; that there was to be as a rule only one appeal through the departmental channel, that is to say, from the District Superintendent to the Inspector-General?—Yes.

17049. Has the Bengal Government issued departmental instructions, that that is the course which appeals should take hereafter?—That order has been given, but it has not been given effect to yet. The matter is under consideration.

17050. Is there not an article of the Civil Service Regulations which says that an officer shall ordinarily not be allowed halting allowance for more than 10 days, the object being to ensure that an officer tours properly?—Yes.

17051. There has been an exception made in the case of the Criminal Investigation Branch of the police up to 60 days; and you want power to the Inspector-General to give the same latitude to officers of the ordinary police?—Yes, should occasion require it.

17052. Criminal investigation work may require an officer to halt at one place for days and weeks together?—Yes, and as a matter of fact they do.

17053. Does that apply to the ordinary police?—Yes, it does in some cases. Very often an important case requires a man to be on the spot for several days, over and above the 10 days. Perhaps not up to the 60 days.

17054. Is not "60 days" rather a large number? Could you not do, say, with 30 days?—If we had the power of relaxing the rules and the power of discretion, it would be preferable.

17055. Would you stick to the 60 days, though you admit that there is a difference between the Criminal Branch and ordinary police work?—Yes.

17056. As regards the power of the Inspector-General to withhold memorials to the Local Government, is not the rule now that you need not send on any cases on second appeal with regard to an officer drawing Rs. 50 or less?—Yes.

17057. It has been stated that, when appeals are submitted, the original officer is called upon to reply to long petitions, paragraph by paragraph, and that this takes place every time an appeal goes up a stage higher. Is that so now to your knowledge?—It has been so up to a certain date. The officer who has

passed the order is more or less put on his defence, and charges are brought against him which he is supposed to refute in the margin in forwarding the appeal.

17058. Would appeals from the orders of District Superintendents in regard to constables come to you, after going to the Deputy Inspector-General?—They would not, unless I had interfered originally in the order; unless I order that appeals should be sent to me, they go into other channels.

17059. Do you follow the principle of not calling for a report, paragraph by paragraph, but telling the original authority to send up the record and then seeing if there is anything more to be dealt with?—No, there are certain rules, but when an allegation is made against an officer, who has passed an order, he is supposed to meet that allegation and offer some sort of explanation, whether it is true or false.

17060. Assuming that appeals must go on, is it possible to simplify the procedure on the lines suggested, that is to say, that on appeal from the original officer he would merely send on his record with any further explanatory remarks which the appeal petition might suggest?—Possibly it might. I am not prepared to give a decided opinion.

17061. Have there been a considerable number of changes in the officers holding your appointment?—Since 1898 there have been 5 permanent Inspectors-General of Police, but since 1903 there have been 2 permanent Inspectors-General and two officers who have officiated on occasions.

17062. The police, I understand, used to have a good deal to do with the *chaukidari* panchayats. Has that power been largely taken away lately?—Yes, altogether—we have nothing to do with the panchayats now.

17063. Or in connection with the *chaukidars*?—No.

17064. But is there not a head *chaukidar*?—Yes; a daffadar, whom we have the right of selecting.

17065. From the police point of view, has it been prejudicial or otherwise to the general peace of the country?—It is very difficult to get statistics to judge how a thing like that is acting; but my personal opinion is that, as the *chaukidars* are the ears and eyes of the police, the police ought to have something to do with their selection and be associated more with them and that they ought to be more or less under him. Of course, as regards getting information and things of that kind, if the hold of the police is loosened over the *chaukidar*, they are also losing hold of the means of detecting crime.

17066. Has there been any spread of crime or any decrease in the number of offences detected since the change has been made?—I cannot say; there is no reliable statistical indication.

17067. Might larger civil and magisterial powers be given to *chaukidari* panchayats?—I should like to see a village tribunal or a village panchayat which would take over a great deal of the work in connection with crime which is now dealt with by the Courts. It would be very difficult, but it could be done.

17068. Ought an experiment to be tried and every effort made to bring it to success?—I should certainly think so.

17069. Then you admit there is some amount of grievance at present in the way in which people are brought to or from the courts in small cases?—Yes, and it would do away with the large number of pleaders you see hanging about the courts, who have to live, and therefore foster and promote complaints of this nature.

17070. Would you add, as a corollary, that if such powers were given to panchayat, they should not be appealable to a magistrate?—They should be absolutely non-appealable, and I would not allow a *muktear* or a pleader anywhere near them. I should have a simple record made of what was done, and if possible an officer who could go round periodically and see what the record was, talk over their cases and raise the tone generally of the village community. That could easily be done, and it would be a good thing to do.

17071. Do you mean an officer of the Deputy Collector class?—I would suggest the District Magistrate, and it would bring him more into touch with the people and the Local Government than anything else.

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17072. Assuming that it is desirable that there should be some outside inspection of panchayats, would it be better done by the officer who has territorial jurisdiction, say the Sub-Divisional Officer, or by some special officer appointed to have charge of *chaukidari* panchayat work for the district?—I am distinctly of opinion that if you are going to increase or restore the influence of the District Officer, it should, as far as possible, be the District Officer himself and the Sub-Divisional Officer.

17073. (*Sir Steyning Edgerley.*) Does promotion by seniority go up to the Rs. 900 grade of Superintendent?—Yes.

17074. In 1906 you had an Assistant Inspector-General in charge of the whole of the Railway Police?—We had two Assistant Inspectors-General; one was in charge of the East Indian Railway and that system; the other was in charge of the Eastern Bengal State Railway and the system.

17075. What have you got now?—We have got three Superintendents and one Deputy Inspector-General for Railways; he is also Deputy Inspector-General for crime.

17076. Does one Superintendent take charge of the whole of the East Indian Railway system?—Yes, so far as it is in our province; he is bounded by our boundaries of course. His jurisdiction is about 1,300 miles, up to Moghal Sarai.

17077. Has he no European Gazetted Assistants?—No; he has merely got inspectors.

17078. Is one officer adequate for a charge of that sort?—I think myself that he is overworked; he always has been; he has never been able to carry it out properly.

17079. When a mail train leaves Howrah station, where does it first stop?—It is a very long run, about 60 miles I think, straight through to Burdwan.

17080. Practically there is no suburban station for Calcutta?—No, except Lilloah, where they take the tickets; there is no suburban station where the train stops.

17081. (*Sir Frederic Lely.*) In addition to the power to give administrative sanction to additions or alterations to buildings, would you also empower the Inspector-General to carry it out by the agency of his own people?—Yes, because we can do them almost as well and far more cheaply; also, more quickly.

17082. Has not the scheme for the re-organization of the department, which is still in progress, involved a large number of orders on mere details by the Secretary of State?—Yes, we have had orders on details, on the Police Commission's Report.

17083. Has the regulation of details by the Government of India been excessive?—I could quote one or two cases where it has been, but I have no very general complaint to make.

17084. Would the ordinary organisation be better carried out by the Local Government?—If the Local Government's suggestion had been carried out, we would probably have been better off.

17085. Does the Commissioner co-operate in police work at all?—Whenever any important matter comes up, I always consult the Commissioner. I should not move officers or take any step of that kind, without first ascertaining if possible that it met with his approval.

17086. Has he any authority to take any initiatory steps himself?—He can write and suggest things perhaps; if he should find that there was anything wrong in his division in connection with these charges, he would write: I would welcome any assistance of that kind.

17087. Are Sub-Inspectors now chosen according to the new rules adopted as the result of the report of the Police Commission, and given a special training before they begin their work?—Yes.

17088. (*Mr. Dutt.*) Are head-constables usually now promoted to the grade of sub-inspectors?—It is permissible to promote up to 15 per cent. of the numbers recruited.

17089. Can you yet say whether the work of the police has improved under the new rules?—I think there is no doubt that the class of officer and the class

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of work has improved. The system has been in operation since 1905; we had schools before that, but I think that the improvement has been in the last four or five years.

17090. Are sub-inspectors eligible for promotion to the post of Inspectors and Deputy Superintendents?—Certainly, we do not bar merit.

17091. Have the Magistrate's powers with reference to the police been restricted in any way in recent years?—Not that I know of; he is just what he was before; he is in general charge of the administration of his district.

17092. Has he any power over the promotion of police officers above the rank of head-constable and sub-inspectors?—He has always the power of recommending.

17093. Suppose a man is promoted and he vetoes it; has he any power of suspending promotion?—He has not the power of actually stopping it, but if he gave his reasons for thinking that the promotion should not be made, that would most certainly be considered and given effect to.

17094. Is not the Magistrate the officer who sees the work of the inspectors so far as criminal investigation is concerned?—I do not think he sees the actual work of the officers at all.

17095. Is it the fact that under the old rules the sanction of the District Magistrate was required in Bengal before a sub-inspector could be promoted?—I do not think so; I think promotions are generally

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17102. (Chairman.) You are Inspector-General of Civil Hospitals in Bengal?—Yes.

17103. Will you state briefly the organization of your Department?—The strength of the gazetted staff of the Department is—1 Inspector-General of Civil Hospitals, 1 Personal Assistant, 52 Commissioned or Indian Medical Service officers, 6 Uncovenanted Medical officers, 27 Military Assistant Surgeons, and 146 Civil Assistant Surgeons, or a total of 223. There are also 336 Civil Hospital Assistants (non-gazetted) and 186 local native doctors. There are altogether 603 hospitals and dispensaries in Bengal, of which 19 are in Calcutta and 584 in the mufassal.

The Inspector-General of Civil Hospitals as head of the Medical Service in Bengal is responsible for the general working of the department in all its branches, and it is his duty to see by inspection and otherwise that the work is properly and efficiently carried out. He also controls medical education in Bengal and initiates reforms in all matters relating to the Medical Department. In regard to the Medical College, Calcutta, there is a special College Council composed of the Principal and all the professors who discuss from time to time matters concerning the internal discipline of the College and any other matter of importance concerning the College.

Commissioned officers, i.e., all members of the Indian Medical Service, are appointed in England by the Secretary of State for India. They belong primarily to the Military Department of the Government of India, and are lent to Local Governments through the Home Department, and are liable to be taken back in time of emergency. While in civil employ, they are posted at the discretion of the Local Government on the recommendation of the Inspector-General of Civil Hospitals, except in the case of some Calcutta appointments, which are subject to the approval of the Government of India. The Uncovenanted Medical Service, which now comprises only 6 officers, is being gradually closed under the orders of the Government of India. Postings in this service are made at the discretion of the Local Government on the recommendation of the Inspector-General of Civil Hospitals. The Military Assistant Surgeons' service is a war reserve lent by the Government of India to Local Governments; its members are liable to be recalled to military duty. This service is controlled by the Director-General, Indian Medical Service, with whom the Inspector-General of Civil Hospitals corresponds direct. While they are in civil employ their movements are regulated by the Local Government on the advice of the Inspector-General of Civil Hospitals.

made by consultation; my recollection is that one always worked with the Magistrate as far as one possibly could in any matter of that sort. All orders passed by the District Superintendent used to go up to the District Magistrate. The order could not be carried out until it was countersigned by him.

17096. Is that still in force?—Not to the same extent.

17097. So that the Magistrate's control over the police has been relaxed to a large extent?—In certain matters of discipline and internal economy of the force, that is all.

17098. Is that relaxation desirable?—I certainly think so.

17099. Is it still the duty of the chaukidar to attend at the police-station on certain days?—The whole of that experiment is in a state of transition. In certain districts no effect has been given to the new orders at all; in other districts it has; in the districts where the new idea is being worked, the chaukidars come in once a week, instead of once a month.

17100. Do the police still depend upon the chaukidars for information as to crime in the villages?—Yes; that is their only means of getting information.

17101. And you have no power of punishing them or the daffadars if they do not report crime properly?—The District Superintendent can only recommend chaukidars for punishment; the daffadars are under the police, and they can be punished.

(The witness withdrew.)

The Civil Assistant Surgeons' Service is recruited in Calcutta from passed students of the Medical College. Similarly, in the case of Civil Hospital Assistants, recruitments are made from the three Medical Schools in Bengal. The Inspector-General of Civil Hospitals has no power to punish Indian Medical Service officers, Uncovenanted Medical officers, Military or Civil Assistant Surgeons, but he can, of course, recommend them for punishment. In regard to Civil Hospital Assistants, he has full power, but in cases of dismissal, his action has to be reported for the information of Government.

Our system is unnecessarily cumbrous, dilatory, and roundabout. Work would be facilitated by delegating to the Inspector-General powers which he does not now possess. For example, although the cadre of Assistant Surgeons and Hospital Assistants is fixed, I cannot recruit an officer to fill a vacancy without first asking for the formal sanction of Government.

I do not see how it is possible to curtail the right of appeal. If all officers were on an equality in respect of judgment and ability, it would be possible to limit appeals; as it is, I do not see how it can be done without risk of injustice.

So far as my Service is concerned, they have the best opportunities for coming in contact with the people. Many officers acquire an excellent knowledge of the vernaculars, and all are required to pass a colloquial examination in the language of the district in which they are employed.

No general increase in the administrative staff is necessary, but owing to the size of the province, it is not possible for the Inspector-General of Civil Hospitals to give the necessary time to inspection. To secure greater efficiency in this respect, the Inspector-General of Prisons and Sanitary Commissioner might be authorised to inspect hospitals in places visited by them if the officer in charge is junior to them.

17104. With regard to the Commissioned Indian Medical Service officers, are you free either to promote or to post these officers?—I am not free to promote them, that is to say in rank; I recommend postings to the Local Government.

17105. Are your recommendations as to postings often over-ruled or disregarded?—No. As a rule I get my own way; practically when there are many postings to be done, I arrange them with the Lieutenant-Governor before sending up regular proposals.

17106. Are you content that reference should be required to the Local Government before your recommendations are sanctioned, or would it be well that

you should be able to transfer your officers as you please?—I undoubtedly think the head of the Government should have a voice in the matter. I think the system under which we work is not a good one. My proposal goes to the Secretariat, and is noted on by the Secretary; it may be criticised there, and possibly it may go on to the Lieutenant-Governor for final decision, without my knowing, or having any opportunity of replying to, any arguments that are put forward in the Secretariat, for or against my proposal.

17107. Have you power to post or transfer subordinate officers, the Assistant Surgeons or Civil Hospital Assistants?—Yes, I can post them except in the case of a Civil Surgeoncy; if a Civil Assistant Surgeon is appointed to a Civil Surgeoncy I require the sanction of Government; with regard to the majority of appointments to which that class are appointed, I can appoint them myself.

17108. And the same with regard to Civil Hospital Assistants?—I have full authority over them.

17109. Amongst your Commissioned Officers have you any whom it would be desirable to get rid of?—I think that, as a body, they are a very efficient service of men. Possibly there are one or two that I might be willing to get rid of.

17110. Have you any difficulty in retiring officers from the Service on account of their connection with the Indian Medical Service?—There is no means of retiring them as long as they behave properly; it is a very difficult thing to prove that a man is inefficient.

17111. If you had a free hand with regard to Commissioned Officers, would it be easier for you to retire inefficient officers?—We had it in evidence in Madras that it was difficult to get rid of inefficient Medical Officers because the Director-General would not take such officers back to Military employ, and in Madras there were officers who were retained in the Service to its detriment because of the difficulty of retiring them; is that the case in Bengal?—No, I will not go so far as to say that.

17112. Is there any Sanitary Board in Bengal?—There is; I am not a member of it. I know very little about its work. I sometimes get references from the Sanitary Board on sanitary and medical and other questions.

17113. You say that your Service is controlled by the Director-General of the Indian Medical Service, with whom you correspond. Does he interfere in any way with your administrative action?—No, there is very little interference; he has a right to interfere in a few of our appointments in Calcutta; for instance, the Principal and the Professors of the Medical College and the Superintendent of the Presidency General Hospital are appointed subject to the approval of the Government of India; they have nothing to do with other appointments, and they never interfere with them. The system I think is a good one. It was introduced so that we should have a larger field of selection of officers for these appointments, professorships and that sort of thing.

17114. You say that your system is "unnecessarily cumbrous, dilatory and roundabout"?—I have to send up so many references to Government that I might settle myself if I had general authority to do so. The number of references in my office is something enormous; I had them counted about two months ago, and they then amounted to 881 during the year, and I suppose by the end of the year they amounted to a thousand. They were unofficial references of various kinds. Many of them were very important. Many of them were points that I could easily have settled myself.

17115. Do you think one half of them might be unimportant?—Perhaps a third.

17116. (Mr. Dutt.) When you appoint Civil Assistant Surgeons are their names gazetted in the Gazette by the Secretariat?—On first admission to the Service they are gazetted; not after that.

17117. So that practically it amounts to nomination by the Secretariat?—It is nomination by the Secretariat, but the appointments are actually made by me; when the appointment is made I send up the notification to the Secretariat to be published in the Gazette.

17118. Have you also the power of transferring them and promoting them?—Yes; but as regards

promotion to the senior grade I have to refer to Government; they always accept my nomination. Other promotions are regulated by periodical examinations.

17119. Do you select them for first appointment after an examination, or do you select them from qualified men from the Medical College?—I ask the Principal of the Medical College to give me a list of applicants or candidates for Government service; he gives me a report regarding their college career, their records, their qualifications and so on; then with this list before me I select those whom I consider the best men.

17120. Are these Assistant Surgeons in charge of sub-jails in sub-divisions under the orders of the Sub-Divisional Officers?—They are.

17121. Are the relations between them and the Sub-Divisional Officers satisfactory?—No, not always. I think they ought to be relieved of their position as regards sub-jails in sub-divisions; that is a proposal that is now about to be submitted to Government. They are made to do work in sub-divisions which I think they ought not to do; they have to do the work of clerks, and they resent that very much, naturally. I have been in communication with the Inspector-General of Jails on that point, and he agrees with me that clerks should be appointed to the clerical work of a sub-jail instead of the Assistant Surgeon.

17122. Are Civil Surgeons generally in charge of district jails?—They are. Medical Officers are in charge of all central jails in this province now, with the exception of one at Alipur.

17123. In that capacity are they in any way subordinate to the District Magistrate?—Not as regards central jails. The Magistrate is practically the official visitor in the case of district jails; I do not think he exercises authority, except that he visits the jail regularly every week, and he concerns himself chiefly with under-trial prisoners, to see how long they have been detained, and points of that kind.

17124. The relations so far are satisfactory?—I think so.

17125. (Mr. Hichens.) Are the hospitals in a district under your direct control?—A great many of them are now under the control of the District Boards. I exercise a certain amount of supervision over them through the Civil Surgeons, but the district hospitals outside the district headquarters are practically under the District Boards; they can appoint their own Medical Officers if they choose, and they manage them in every respect in accordance with the rules of the Medical Department.

17126. (Mr. Meyer.) You said that the local bodies have the power to employ outside medical men; do they generally exercise that power?—What we call local native doctors; they very often employ those; they get them a good deal cheaper than our men.

17127. Do you exercise any pressure on them to take your men?—Not at all.

17128. Have you anything to say to the budgets of the District Boards in the matter of provision of medical relief?—No, they do not come to me.

17129. They are referred to the Civil Surgeon?—A Civil Surgeon is always a member of the local municipality and the District Board.

17130. Do your Civil Surgeons take much part in municipal administration as Vice-Chairmen or Chairmen?—We do not encourage them becoming Chairmen of municipalities, for various reasons; it interferes with the work, and makes them unpopular. For instance, we had a man not long ago as Vice-Chairman of a municipality in Bihar, and I had frequent anonymous communications about him, solely founded on his being rather strict about the work of the municipality, cleansing drains and so on; it is not a position to be encouraged at all. Besides, a Civil Surgeon has far too much work to do to be Chairman of a municipality.

17131. Have you ever made suggestions to the Local Government to reduce the large number of unofficial and other references by giving you greater powers?—I am only telling you what the system is; it has been the system in my office for some years. As a matter of fact, I have not tried since I have taken charge.

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17132. Have you ever asked permission to fill up the recognised cadre of Assistant Surgeons and Hospital Assistants without reference to the Government?—I have not; I have taken the system as I found it and gone on with it. It is very likely that there are points as to which if I had represented them and asked for full authority, I probably should have got it.

17133. You rather resent the fact that when you make suggestions as to medical matters to the Government the Financial Secretary deals with them instead of their going straight to the Lieutenant-Governor?—It is not that that I object to so much; it is the system in the office before it gets to the Financial Secretary; it is noted on by several people before it arrives at the Financial Secretary, by clerks and people of that class.

17134. Does not an analogous system exist in your office?—That is a different matter. Before a proposal is sent from me it has been thoroughly threshed out in my office before it goes to the Secretariat.

17135. Is not the Secretariat a larger office and better acquainted with precedents and general lines of policy than your office could be?—There is a good deal of truth in that, but the remedy I think is to strengthen my office, and to let me deal with the matters.

17136. Still, as matters now stand, is there not some justification for it?—No doubt it promotes efficiency; we probably escape making mistakes by having this system.

17137. Are not Hospital Assistants on a uniform rate of pay throughout India?—I think they are; they begin on Rs. 25 a month and go on through various grades until they arrive at Rs. 70.

17138. The grades and rates of pay being fixed by the Government of India?—Yes.

17139. Have you had occasion to consider that the general rates of pay were not sufficient?—Yes. As a matter of fact, we sent up proposals to the Government of India two and a half years ago, and they are still considering them in connection with some scheme for the improvement of the Service generally.

17140. You can supplement the rates of pay by local allowances?—Very small allowances. We are very much hampered there by the Local Government not having sufficient financial power in that respect. Under the Civil Service Regulations we cannot give any local or staff allowance to our officers without reference to the Government of India, although the charges are debitable to the provincial Government.

17141. Is there a special reserve of officers of the Indian Medical Service?—Yes.

17142. Is it distributed by the Government of India as it chooses?—We get a certain fixed percentage of the reserve—20 per cent.—to make up for leave vacancies, sickness and emergencies.

17143. Are you liable to be disturbed by a sudden change of plan on the part of the Director-General of the Indian Medical Service?—I imagine that if there was any emergency in any other province he would withdraw some of our men. In ordinary times I fancy we have a reasonable certainty of a given number of officers.

17144. Are there similar reserves, on the basis of a fixed percentage, of Military Assistant Surgeons and Hospital Assistants and so on?—Yes.

17145. You make a suggestion that the Sanitary Commissioner and the Inspector-General of Prisons should on occasion inspect medical institutions for you?—Yes; I have suggested that with reference to a question as to whether any increase in administrative officers is necessary. This province is so large that neither I nor the Inspector-General or anybody can inspect it in one year. These two officers are always inspecting; and I think it would promote efficiency if they were to inspect the hospitals at those places as well as the jails and municipalities which they do go and inspect.

17146. Would that not cause any friction with the Civil Surgeon?—I only suggest that they should inspect hospitals of Civil Surgeons who are their juniors, not those in charge of Civil Surgeons?—I do not think that that would be likely to excite resentment; after all, the Inspector-General of Jails and Sanitary Commissioner are Medical Officers.

17147. Would you be prepared to go a step further and make the Sanitary Commissioner a Deputy Inspector-General?—He used to be under the Inspector-General. Since 1905 he has been independent. He was previously nominally under the Inspector-General, but he was practically independent; that is, he retained all his powers of initiative. He was appointed to do this inspecting work, and given the rank of Deputy Inspector-General, so as to have more authority with Civil Surgeons.

17148. Would you be in favour of reverting to that system?—I think it is better than the one now in force.

17149. (Sir Steyning Edgerley.) You say you have a fixed share of the reserve of the Indian Medical Service. Do you get recruits when they first come out to the country?—No. Every Indian Medical Service officer is posted to military duty when he comes to the country, and he has to serve for two years in military employ before he can be appointed to civil duty.

17150. When do they generally come to the Civil Department in Bengal?—It varies very much; three or four or five years; some very much later.

17151. How is your proportion of the reserve arrived at?—We have a fixed reserve of four.

17152. Directly your cadre falls below strength, do you get another man to replace one who has gone?—Just so.

17153. Are any of these young officers under five years' service posted to the military hospitals in Calcutta?—They are attached to regiments. They are nearly all with native regiments.

17154. Is that a useful training?—In several respects it is. I think it is an excellent thing that young officers coming out to the country should be taught discipline, and get into the way of knowing the natives; they come across an excellent class of native officers, and get familiar with their manners and customs.

17155. Would it not do them good to attach them to civil hospitals for a time?—We have in Calcutta here five junior resident surgeonships at the large hospitals, and we try to post every junior officer as much as we possibly can to one of these posts, so as to give him a training.

17156. Is that after he has come into civil employ, or before?—When a man is posted to Bengal civil employ. If we have a vacancy as resident surgeon at any of our large hospitals, we like to post a young man coming to us, so as to give him experience before he is posted to a district.

17157. Is your reserve ever more than is needed to fill vacancies?—Very rarely. We have now several men on plague duty; in Bihar we have three or four officers now on plague duty, but we hardly ever have them on general duty.

17158. Has the Director-General always made these appointments of professors at the Medical College?—The system is that when a professorship falls vacant we have the first nomination in the province. If we have what we consider a suitable man for the post, his name is sent up to the Government of India for their approval, and if they do not think they have got a better man in some other province, they approve our selection; and, even if they do not approve, we need not necessarily accept their man.

17159. They offer you another man whom you can take if you choose?—Yes, but if we think our own man is better, we can still push his claims.

17160. Have those appointments always been subject to the approval of the Government of India?—No, since 20 years ago.

17161. Was it in any way due to the difficulty of getting good men for those appointments, owing to the amalgamation of the Service?—I think the principal reason was to give us a better field of selection. Obviously, we have now the whole of the Bengal Presidency to choose from; formerly we only had the Bengal province.

17162. The Madras and Bombay Colleges have not the same advantage?—No.

17163. Is the Civil Surgeon the Head of the sanitary work in the districts?—Yes; he is the backbone of the whole sanitary system.

17164. Does that interfere much with his medical duty?—No doubt it must.

17165. Is that to the disadvantage of his medical work?—There is no doubt we are very much undermanned. Every Civil Surgeon in the province, owing to the large distances, has far more work than he can satisfactorily do. Ten or eleven years ago this province sent up a scheme to the Government of India to appoint Assistant Civil Surgeons in districts, to relieve the Civil Surgeon of some of his work, to perform Health Officer's duties, inspection of vaccination, and various matters of that kind. It was not intended that they should be members of the Indian Medical Service; they were intended to be of the class of Assistant Surgeons.

17166. Has that been sanctioned?—It was approved; but the reply the Government got at the time was that there were no funds available. It has not yet been carried out.

17167. Are the Assistant Surgeons perfectly competent to be left in charge of the big hospitals while the Civil Surgeon is on tour?—Many of the Assistant Surgeons are excellent officers and very well qualified. As a class, they are generally very able men.

17168. You do not consider the practice of the Civil Surgeon leaving headquarters is to the prejudice of the hospitals at headquarters?—Not for the short periods that the Civil Surgeon is absent.

17169. Do you have many cases of the payment of fees to Medical Officers by Indian Rajas and so on? Have you had much difficulty about that?—Not so far; it is an interference that is very much resented by all the officers.

17170. Until recently, who was the final authority in those matters?—The Director-General is the final authority, but I think he has to take the opinion of the Government of India in some cases.

17171. When these officers attend Indian gentlemen of position, the question has to go up to the Director-General?—Yes; the question first comes up to me, and I have to get the opinion of the Local Government; then it goes to the Director-General.

17172. How long has that been in force?—Only a few months. Before that the rule was only applicable to Native States; it was made applicable a few months ago to all gentlemen of high rank and high position all over India.

17173. Who dealt with the question of fees before the recent order?—So far as I recollect, the practice

then was that the Political Agent of the State sent the matter up to Government. I do not think the Local Government had much say in the matter.

17174. (Sir Frederic Lely.) Suppose a doctor in charge of a large hospital wants an article of a special make, can he get it direct from the maker or his agent, or is he obliged to get it from the Stores Department of the India Office?—The rule is to get things from the India Office at home, and we do not find it at all a good rule.

17175. I have heard of a case where a man wanted to get a special make of stove; for a whole year he tried to get it from London through the Stores Department, and he was finally told it was not to be got, while all the time he might have got it from a shop across the way; do you think that is possible?—I think it is very possible; there was a similar case the other day. We get a very large number of instruments for our various large hospitals here and we are obliged under the rules to ask the India Office to send them out to us; we ask for certain articles by certain makers, as we know that these are good and that they suit us best, but very often we do not get them at all; they send us inferior articles by different makers. Some instruments were shown to me the other day at the General Hospital which had arrived from the India Office; several of them were unfit for use.

17176. Apart from the purely business point of view, does it not stimulate professional zeal for a man to be able to get promptly some article which he knows to be of modern make and special use?—Certainly.

17177. If he has to wait a year for it, he may, when it eventually arrives, have left the place, and his successor may get the benefit of it?—Exactly.

17178. You say medical subordinates in the mufassal are appointed entirely by the District Board?—The local native doctors are. They very often ask me to give them a Government medical subordinate. I then select a man from my list and send him.

17179. If the District Board become dissatisfied with him, can they send him back to you?—They cannot send him back without my permission.

17180. If they have a complaint against him do you enquire into it, and, if satisfied that there is something in the complaint, do you take your man back?—Yes.

17181. If you are not satisfied do you insist on his remaining, in defiance of the District Board?—No, I should not think that that is ever likely to happen.

(The witness withdrew.)

Adjourned.

TWENTY-FIFTH DAY.

CALCUTTA, Friday, 3rd January, 1908.

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. F. F. LYALL was called and examined.

17182. (Chairman). You are Collector of Bhagalpur?—Yes.

17183. What is the size of the Bhagalpur district?—It is 4,226 square miles. I have been there twenty months.

There is a marked tendency at present to give extended powers to the lowest officers in the chain of Government. There is undoubtedly excessive reporting, and there are many points in which the functions of the Board and of the Commissioner overlap, but the items on which extended powers might be given to

Collectors are few and unimportant. I do not think any delegation to Sub-Divisional Officers in this respect is advisable.

I would give District Officers a considerable sum, say, Rs. 5,000 per annum, to spend on any requirements of the district, subject to post-audit and not to pre-audit. Commissioners are similarly given sums to allot to various districts in their divisions. The distribution of these entails an enormous amount of correspondence, as the Commissioner has to sanction and scrutinize each item on returns submitted by District

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Officers. It would be far preferable to allot to District Officers direct, and to give Commissioners a reserve fund, or a fund to spend on needs that they have personal knowledge of. A great deal of very unnecessary correspondence would be obviated if District Officers were all given a small sum, even if it were only Rs. 300 a year, to enable them to appoint temporary clerks to meet any sudden increase of work. The system of submitting triplicate proposition statements in support of changes of staff is also nothing short of absurd. To ask for an increase of Re. 1 in the pay of an orderly peon I had to get filled in a statement with 14 columns and 37 lines in triplicate.

I am strongly opposed to the suggestion that appeals should not be admitted unless accompanied by a certificate from the authority appealed against that reasonable grounds of appeal exist, but I would curtail the rights of appeal in the case of men of the status of peons and clerks on less than Rs. 100.

A provincial Government can only be impersonal. The personal element can only be introduced through the District Officer, that is the lowest grade officer of the Covenanted Service in charge of an administrative unit. Bengal is a lost province so far as any increase in personal administration goes until the most drastic reforms are introduced. The permanent settlement, the present interpretation of what that really was, the system of succession to property, allowing infinite subdivision of proprietary interests, the unlimited number of intermediaries between the cultivator and the rent-receiver allowed, the deliberate way in which Government has renounced all systematic control for the common good and given over everything to the arbitrament of Civil Courts, the majority of which are, in the districts I have had experience of, presided over by officers of an alien race who have no opportunities of touring and inadequate knowledge of the language and the customs of the people they deal with, who have no opportunity of seeing the effects of their judgments and who have a preternaturally acute apprehension for legal quibbles and an inadequately educated sense of fair play, make it almost impossible for any improvement in this direction to be effected.

The chief cause of the want of personal intercourse between Executive Officers and the people is the unwieldy size of the district, and the extent to which appeals and explanations are multiplied. Too little is done in the way of spending money in time-saving methods. The Executive Officer *alone* has an opportunity of contact with the people, and no other class of officer has. I attribute many of the present evils to the fact that more and more power has been taken away from the Executive Officer and given to the Judicial Officer, whose entire work prevents him from gaining contact with the people. The inevitable result is an increase of litigation, and therefore a multiplication of officers to try cases, and an even larger proportional increase in the legal practitioners to appear before these Courts.

Executive Officers, as a whole, do possess a sufficient knowledge of the vernacular.

Very large reductions in the size of districts are necessary. Districts ought to be reduced to a size small enough to admit of the District Officer being able to take all criminal petitions himself, try a considerable proportion of civil suits, have no subdivisions, or at most one between himself and the people; and generally be in a position to have intimate first-hand knowledge of all that goes on in the district.

Transfers of officers are very deplorably frequent. It is easy to criticise from a distance; but until one is aware of all the difficulties involved, it is impossible to say if they are unnecessarily so. The existing *cadre* is too small for the needs of the province. The frequency of transfers is one of the greatest evils of the day, though continuity of service in a given district is of less importance now than it used to be owing to the District Officer not being trusted as he used to be.

On the whole, both municipalities and District Boards have sufficient powers. The power I am most in favour of extending to District Boards is that of levying tolls in bridges to defray the cost of their construction. Local Boards in the Sadar subdivision I look on as an evil. Local unions should be given powers to levy taxes for local improvements up to a yearly maximum on the same lines as is laid down in the Chaukidari Manual. The choice of these improvements should be subject to the control in appeal of the District Officer.

I am entirely opposed to a system of Advisory or Administrative Councils for Divisional or District Officers. I am a strong believer in the consulting of local opinion; but this ought to be done unofficially and without binding oneself to a constituted Council, which will only hamper work. We are ultimately responsible for the government of the country, and the responsibility should be accepted to the utmost. Some of the greatest reforms introduced have been in the teeth of public opinion of the time, and to constitute these Councils will only hamper reforms. All District Officers are fully aware that it is ordinarily absurd to try and carry through measures in the teeth of public opinion, and therefore their one aim and object is to keep in touch with public opinion. But an Advisory Council, at the present day, is almost incapable of voicing public opinion, for nine-tenths of the public are dumb, and those who are articulate almost exclusively voice ideas and opinions that are prejudicial to the dumb portion.

Village communities are almost extinct in Bengal. If they existed there is no scope in Bengal for giving them extended powers in regard to revenue. In administering the village police, the existing panchayats have all the police powers that it is advisable to give them. In regard to sanitation nothing can be done without money, and therefore without taxation. Taxation is not possible without a village union, and the number of these must for many years be very limited. As to education there is no branch of the administration which calls for Government taking more power back into their hands. All cases that can be settled in a village should be so settled. I think this is a result which can best be achieved by parties being themselves called on to nominate arbitrators. Formally constituted local Magistrates or Benches cause many delays. It is not possible to have a formally appointed tribunal for every village. Even the existing panchayats must contain men who are at enmity with some of the inhabitants of their unions, and, all things considered, the best way of realising the object aimed at seems to me to let parties in each instance choose their own arbitrators. If people are appointed for this work the right of appeal against their orders must be conceded. If parties are left to choose their own arbitrators their decision is final.

The most crying evil in the present system of administration is the way in which Government has set itself, consciously or unconsciously, to foster litigation in every way possible. In the Criminal Courts it is due to an endeavour to grant so many rights of appeal and motion that no injustice shall be done to the individual on trial. All sight is lost of the fact that in doing so an aggrieved, and certainly a poor aggrieved, person loses chance of redress. It is now almost impossible to get a rich man convicted of any offence, and I can quote several instances within my own knowledge of this. In the Civil Courts it is to give everyone so much liberty to institute complaints that no one should be prevented from bringing a suit if he wishes to. But the Civil Courts are an engine of oppression of which few people have any real idea, and I am personally aware that false cases are brought with almost absolute impunity, year after year, by rich people who desire to revenge themselves on the poor or for pure purposes of blackmail. The system under which legal practitioners are entitled to appear in every case makes it harder and harder for poor men to go to Court at all, and if the parties are very unequal in wealth it is cheaper for the poorer to sell his property at once and clear out than to try and insist on his rights.

The only thing to do is to go back to the District Officer as the unit of administration. Decrease the size of his charge, enlarge his powers, give him powers as he has in Non-Regulation districts like Palamau to supervise civil as well as criminal justice, give him extended powers to veto the institution of suits and cases and rely on his judgment when he exercises these powers, and we should see a very different state of affairs. At present it is a vakil-ridden country. The constant lesson these vakils teach the people is to circumvent constituted authority. In most criminal cases it is the Magistrate who is put on his trial for procedure and not the accused for his offence.

17184. Have you got proper offices for yourself, as distinct from your staff?—Not situated in the same building as my staff. I have a Court room, but I have not a suitable private room.

17185. Is it the sort of room in which you can see your visitors with comfort?—Yes; I can give them a chair, but there is not much luxury in it.

17186. There is at present some tendency to give extended powers to the lowest officers in the chain of Government. Might that tendency be widened?—I think it might, but they are working as hard as they can on those lines.

17187. Might any further delegation be reasonably left to the Local Government?—I think so; there is such a mass of detail.

17188. Have you ever sent suggestions to the Local Government with regard to the delegation of powers and work?—Yes, and as a rule they have been very favourably received. I have nothing in that particular direction to complain of.

17189. Why does the sum which is allotted to Commissioners for expenditure in such ways as they may think proper entail an enormous amount of unnecessary correspondence?—The entire sum given is very small, and a Commissioner who has four or five districts under his charge has to write to each Collector for returns as to what he wants. Of course, each one wants more than the Commissioner can give, so that the practice is to deal with them in order of merit, but after all the amount to be disposed of is so small that it is hardly worth while troubling about.

17190. Do you prepare a detailed statement each year?—No; we have to find out what is wanted in a hurry as we go to each place, and until we see what is wanted we cannot put anything down.

17191. Who actually sends the money—does the Commissioner remit to you and do you forward it, or does the Commissioner remit it direct?—It is in the treasury; there is a balance, and we are allowed to use so much of the money.

17192. Then it is distributed in your name and not that of the Commissioner?—Yes.

17193. With regard to the sum of Rs. 5,000 which you say you would like to have put at your disposal, would you distribute that direct or at the suggestion of your Assistants?—I would do it direct, as far as I could.

17194. To what extent, or in what direction would you curtail the right of appeals which at present exists?—Peons and clerks on salaries of less than Rs. 100 might safely be dealt with by the District Officer who appoints in all such cases.

17195. Would it not be advisable to have some interval between the original authority who pronounced the sentence and the appellate authority?—In theory it is a good thing, but in the case of a peon in receipt of Rs. 6 or 7 a month, who is habitually lazy, when there is a good case made out of which you can be the only judge, I think you might be trusted, if you are a District Officer, to deal with such cases. Of course the higher up in the scale you get, it becomes more difficult to say whether it would be sound to make the order of a District Officer final. For instance, I had a clerk at one time who was drawing Rs. 30 a month, who was absolutely useless; he did not know English and to pay him was wasting money absolutely.

17196. How came you to employ him if he did not know English?—He was a relic of the old times.

17197. Is it necessary that all clerks should know English?—Absolutely.

17198. Are all cases heard in English, and is all business done in English?—Yes.

17199. Is that a satisfactory state of things?—It is very difficult to say whether it is satisfactory or not, but we have got the people so highly educated now that it is obviously the best way for a Collector to do his work.

17200. Does the Collector adopt that way of doing his work because he does not know the vernacular?—Yes, probably. That is a very strong reason, and Deputy Magistrates, too, who are mostly Bengalis, do not know Hindi.

17201. So that English has practically come to be a common medium of communication?—Yes.

17202. Is the lack of knowledge of the vernacular one of the causes of the want of sympathy between

the District Officer and the people?—I have never found it to be so in my case, and I have always been able to converse with everybody; a District Officer seldom gets a chance of hearing what his brother officers do in that way, but I should think it was not a cause; at all events it is not so far as I am concerned.

17203. Are there other reasons in Bengal to account for this want of intercourse?—Yes. We have really nothing to do with any settlements of revenue. The permanent settlement has taken a great deal of revenue work out of the hands of officers.

17204. Is the amount of office work so great that officers have not time to tour?—I would not say that they cannot tour, but the difficulty is that they do not get into touch with the people on the points on which they do in other provinces. For instance, in the United Provinces they have constant settlements, and the Settlement Officers are touring round and coming into contact with the people every day.

17205. Are officers so taken up with business while they are touring that they have no chance of intercourse?—No, I think not; it is because we have not the kind of work which brings one into contact with the people.

17206. Is your district too large for one officer?—Yes, very much too large. My remedy would be to have smaller districts, and a large increase of the *cadre*, both in the Imperial and the Provincial Services.

17207. It has been stated that there is a great want in this province of Joint-Magistrates—do you hold that opinion?—Yes, I have no Joint-Magistrate, and have never had one in my district.

17208. Could the Joint-Magistrate relieve you to a great extent of your work?—No, I should like to have smaller districts and more District Officers. I consider that that would be a better remedy than the appointment of Joint-Magistrates in the existing large districts.

17209. You are Chairman of the District Board in your official capacity? Do you think if a non-official Chairman was put in your place you would retain an effective control over the proceedings of the Board?—No.

17210. Would not the submission to you of the budget of the District Board enable you still to keep some effective control over their proceedings?—I do not think so. If I was relieved of my duties as Chairman of the District Board, I should not have nearly so intimate a knowledge with regard to its proceedings, nor should I have so much control over education.

17211. Would you have a control which would be adequate?—No, my control over the district would not be adequate in that case. The district charges are so large, and the matters for decision are now so numerous, that the District Officer is the only person who is able to give any competent opinion as to the needs of the district as a whole, and if you had a non-official Chairman he would not have the time, or the power, to go touring about as a District Officer does. The District Officer, therefore, is the only person who can retain proper control of a district.

17212. If you could divide your work, what proportion of time in a week would it be necessary to devote to the duties of Chairman of the District Board? Would it take a man, say, three hours every day to do adequately the work attaching to the office of Chairman?—No, I do not think so, because we have most competent and helpful Vice-Chairmen who do a great deal of the office work.

17213. Supposing you had a non-official Chairman with an official Vice-Chairman, how long would it take to get through the duties?—With a really efficient Vice-Chairman, I think it ought not to take more than an hour-and-a-half a day, but then the Chairman would get no local knowledge unless he toured in his district in addition to doing the work which occupied him one hour and-a-half.

17214. How often would he have to go on tour?—He would only tour in the cold weather once a year, but the oftener he toured, the better it would be.

17215. Might the duties of District Boards be usefully enlarged?—I do not think so.

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17216. Nor of municipalities?—No; they have a great deal of power now.

17217. What do you think with regard to village communities?—There are parts of Bengal where they have village communities, but I do not think they would be very successful in Bihar. I do not think we have sufficiently advanced, or sufficiently educated members of the villages.

17218. If any proposal was made to give increased powers to village communities, would considerable differentiation have to be made between various parts of the provinces?—Yes, and also between various parts of the same district.

17219. (Sir Frederic Lely.) You mention two districts in which you have served, one of which is infinitely better governed than the other; what is the difference between the administration in these districts which accounts for that?—Palamau, to which I referred, is a Non-Regulation district, and the District Officer there has a large amount of say in civil matters. There are no sub-divisions, and whatever work is done in the district is done directly by the Collector. It is a very large district in area although there is only a small population numbering about 600,000 people.

17220. What is the nature of the assistance you get?—There are Deputy Magistrates at headquarters to whom cases are distributed.

17221. Is that system a good one?—I think it an excellent one, but, of course, there are the disadvantages of the long distances.

17222. Is that not a very distinct disadvantage?—No, the system has its advantages as well as its disadvantages.

17223. Did you not find that it is more difficult to gain local knowledge and communication with the people?—I have never had such a local knowledge of a district as I had of Palamau.

17224. Would it not be a good thing to distribute Assistants throughout a district rather than to keep them all at headquarters?—No, I do not think it would be any good.

17225. Would it be a good to give to each Assistant the responsibility for a certain territorial portion of the district, in which he would deal with both criminal and revenue work?—No, I do not see how any distribution of revenue work would be any good in our districts in Bengal; the revenue work which has to be done is the payment of the Government revenue and the payment of cesses, which is comparatively unimportant.

17226. In regard to all other work, would it not be better to distribute it according to territorial areas amongst your Assistants and make each responsible for his own portion of the district?—If you mean that you would have offices or Courts in different centres of the district, I am not very much in favour of that, because it would entail subordinate officers also being touring officers. You have the instance of the sub-divisions of Bengal as they are now. They are a buffer between the people and the Collector—what you want, if you wish to strengthen the administration, is to get the Collector more in touch with the people. The Collector is not in touch now, because there are these buffers between him and them; they are doing all the work, and the Collector is simply the supervising officer.

17227. Is the Sub-Divisional Officer usually or necessarily a Non-Covenanted Officer? As a matter of fact, are not most of them Deputy Collectors?—Yes.

17228. What is your opinion of them as a class?—As a body they are most excellent officers.

17229. As a class would you say that they are not men fit to be trusted with independent responsibility, under your orders of course, in charge of sub-divisions?—I think to a certain extent they are, with regard to magisterial work. There is a supervision of the District Officer over them.

17230. As regards the personal contact of the Collector with his district, would you prefer, what I may call, the headquarter system?—Yes.

17231. As Collector, have you any hour or any particular time when people can interview you as a

matter of course?—I have never refused an interview with anybody in my life; but I have no fixed hour for seeing people; they can come and see me at any time.

17232. Does not that interrupt your work very much?—They know my office hours which are from 11 o'clock onwards, and I receive anyone at my own house at any time they like to come.

17233. When you visit villages do the people come to see you?—No, and that is my complaint; and there I find the difference between the Bhagalpur district and Palamau, where they used to come to see me in hundreds.

17234. In a Non-Regulation district, they come voluntarily, but in a Regulation district they do not?—Yes. I take it that it is because the District Officer does so little work himself amongst the people. He is the whole day long doing office work as apart from going about and dealing with matters on the spot.

17235. May not the reason be that in Regulation districts the effect of our legal system and the partial deprivation of a Collector of some of his powers has diminished the importance of his office in the eyes of the people?—I think it has enormously. I think that is the reason.

17236. Do you send for the people to come and see you if they do not come themselves?—No, I do not.

17237. Do you come in contact with them during your stay in the villages?—Yes. If there is nothing else to do I walk about and may happen to meet them; but, as a matter of fact, there is nothing for which they should come to me as Collector. I have very little power in my hands now, and therefore they do not come to me. They know very little of me, and it is an extraordinary thing; but in Palamau, before I had been there for four months, every man in the district knew me as "Lall Sahib." Now I am only known as the Magistrate.

17238. Do you attribute that to the greater powers you had in Palamau?—Yes.

17239. In most parts of India they have what is called the *jamabandi*, that is, the annual revenue settlement of the year, which ought to be an opportunity, at any rate, for the people to meet together and to interview the Collector; have you anything at all corresponding to that in Bengal?—Nothing.

17240. You have no annual occasion upon which it is customary for you to meet the people?—No.

17241. What remedy would you propose—would you propose that the Collector should try civil suits?—I should like to see him do so very much indeed. I did it in Palamau.

17242. But were not the conditions very different there?—I think they were. The complexity is due to the size of the districts, and, moreover, there is another very salient point, and that is that a large proportion of the cases brought into the Civil Courts now are absolutely false and no notice of that is taken at all. Cases are brought purely for the purposes of blackmail and oppression. I feel sure that if District Officers were given a say in civil administration, false cases would decrease, and thus a large saving of work would be effected.

17243. With reference to Advisory Councils, if they were instituted, would they have any good effect upon the intercourse of the Collector with the people?—I do not think so. I think that they would be absolutely ineffective. As it is now, I consult everybody whom I would nominate on an Advisory Council, and a Council would not help me at all.

17244. Would the formation of Advisory Councils rather tend to formalize matters, and so lessen the importance of the Collectors in their intercourse with the people?—I think it might possibly have that effect.

17245. Are your relations with the police satisfactory?—No; I think that is due to the size of the district and nothing else.

17246. As far as the system goes, have you secured sufficient power over the conduct of the police?—I think so; I do not see any difference between a Non-Regulation district and a Regulation district in that respect.

17247. As to excise, what powers have you in a Regulation district?—I have a special Excise Deputy Collector who reports to the Commissioner of Excise through me. Everything that is done is done in my name, and I see everything.

17248. Have you the power to give him orders?—Yes; of course the Commissioner of Excise can overrule them.

17249. Then you have an effective voice in the management of excise?—I am always consulted. I have sufficient influence with my subordinate; naturally the Commissioner would not accept my views if he did not agree with them.

17250. Then as to education, what do you consider to be your responsibilities? Are you expected to visit primary schools?—I do visit them. Government has laid great stress upon it.

17251. What means are there of enforcing your views with reference to primary schools?—I have a great deal to do with the payment of the teachers as Chairman of the District Board, but it takes a very long time for a District Officer to come to any definite views on the matter of education, and it is one of the things which you learn last of all.

17252. How is the appointment of officers made?—That is done chiefly through the Education Department; it is rather, by-the-way, a vicious chain, because you have the Director of Public Instruction, then the inspector of schools, then the assistant inspector, and then the deputy inspector, who is the man who inspects District Board schools, helped by sub-inspectors also appointed by the Education Department. These last two are the officers who inspect primary education, which, however, is paid for by the District Board.

17253. The deputy-inspector inspects the *gurus* but he does not appoint them?—No, if a school is an aided school the people are allowed to appoint any man they like, and most of them are aided schools.

17254. Has the inspector and deputy inspector any other connection with them except so far as the grant-in-aid is concerned?—None, except in connection with the grant-in-aid, which is either paid, or withheld, by me on his advice.

17255. As Chairman of the District Board, do you have a good deal to do with their management?—Only to that extent.

17256. Sub-divisional Officers practically have nothing to do with schools?—Yes, they have; they are also on the Local Boards, which are under the District Boards, and they tour and inspect schools.

17257. Have you a normal school in your district?—We have just started one.

17258. Do you consider you have any responsibility with reference to that school?—We have just given it over to the Education Department to run.

17259. Then you do not consider you have anything to do with it practically?—Not beyond inspecting and shewing some amount of sympathy; I should be consulted about it.

17260. (Mr. Dutt.) Suggestions have been made that many of the powers and duties of the Board of Revenue might be delegated to Commissioners and that the members of the Board might be made advisory colleagues to the Head of the Government—would that recommend itself to you?—It seems to me that for all revenue work you must have one strong central office, and that ought probably to be the Board of Revenue. I do not see that is necessary for the Commissioner to criticise and go over every return that a District Officer makes in addition to the Board. If you have a strong office at the Board that work might be dealt with by it. The Commissioner might then be more an advising and inspecting officer, instead of criticising returns, which takes up an enormous amount of time.

17261. Then the suggestion is not a good one in your opinion?—No.

17262. You say you think there ought to be a strong central authority for revenue matters. If the Commissioner had larger powers would he not be a strong authority? Would that scheme work as well as the one which you recommend?—Personally I am rather an admirer of a good deal of work which is done by the Board. Commissioners might be a strong authority, but their control would not be central.

17263. Is it not necessary to invest the Divisional Commissioner with larger powers?—No; he has been given larger powers in matters of detail as to Court of Wards work, and that is an excellent thing; but if you mean that you would have a Commissioner in each division, as a sort of member of the Board of Revenue for that Division, I do not think that would be desirable.

17264. As regards peons and clerks on less than a certain pay, should there be only one appeal, or, under certain conditions, should they be allowed two appeals?—Personally I do not think peons ought to have any right of appeal at all from the Collector. In the matter of clerks you come to debatable ground as to how many appeals they should be allowed. I am quite willing to concede a certain amount of right of appeal to them, because I think there may be hardships.

17265. What length of service have you?—I have 14 years' service; of this 4½ years have been spent in Non-Regulation districts. I left Palamau in April, 1906, and came to Bhagalpur.

17266. What are the comparative populations of Palamau and Bhagalpur?—Palamau has a population of 600,000; Bhagalpur of over two millions.

17267. Do you suggest that sub-divisions in your district might be abolished?—Not unless you increase the staff largely.

17268. Do you suggest that Civil Courts should be abolished?—No, not at all, but I should like the District Officer to have more connection with the civil work of the Lower Courts, with the powers of a Sub-ordinate Judge. It is necessary to have powers of inspection and control, and the District Officer is the only person who can go into a district and ascertain the result of the Civil Courts work.

17269. Would that mean reducing the size of the districts to a very large extent?—Yes, sometimes half and sometimes a third.

17270. Would the system you suggest be beneficial to the people?—To the lower class of people, very much so.

17271. We have had it in evidence that a District Officer is in most cases overworked; is it possible to give all this outside work to a District Officer without the system breaking down altogether?—I can only give you a typical instance which I know of; I have actually worked upon these lines in Palamau. Even in Regulation districts, if you give a small enough charge, there ought to be no difficulty.

17272. When the District Officer is on tour do the villagers come round and give him information?—Not at all in the same way that they do in Palamau. They do not come in large numbers in a Regulation district.

17273. Who prepares the District Board budget?—The District Engineer for the civil works, and it is submitted to me for approval. The educational part is done by the deputy inspector of schools, and the medical part by the Civil Surgeon.

17274. Is there a Finance Committee?—Yes. They examine and check the budget before it is submitted to me.

17275. Does that Committee comprise non official members?—Yes.

17276. Have you any other sub-committee of the Board?—Yes, there is an Education Committee. They look into all the returns with regard to the inspections of schools, the payment of *gurus*, finance, and that sort of thing.

17277. With regard to your relations with the Police, as a District Magistrate do you receive reports on cases when they are under investigation by the police?—No, I do not in Bhagalpur.

17278. Would you receive reports, for instance, with reference to cases of dacoity?—Yes, they would be reported to me.

17279. And on receiving such reports do you issue instructions with regard to the investigation of those cases?—I can do so, but as a rule it is too late then, because the enquiry is very often finished, and one would get into great difficulty now if one took any active part in the investigation of a case and gave the police direct orders.

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17280. Have you any power to direct that a case should be sent up in a certain form if the police have not sent it up in that particular form?—Yes, that power is also vested in the Deputy Magistrate who hears police reports; I have appellate powers over him.

17281. With regard to the promotion of police officers, have you any control or voice in the matter?—I am always consulted.

17282. Is your formal sanction necessary before they can be promoted?—No.

17283. On the whole are you satisfied with the degree of control which you have over the police work in your district?—I am satisfied with its kind, but not with its closeness; I should like smaller districts so that one could see more of the work each officer is doing. As it is I have too many officers, and it is difficult to control them all.

17284. (Mr. Hitchens.) What class of work occupies most of your time?—I have a very large amount of correspondence to get through; I have various departments of revenue work to attend to—for instance, we have certificate work which takes up a certain amount of time, and you are never in touch with the people doing it.

17285. Might one call all that more or less routine work?—Yes, a great deal of it is, but still it has to be done under one's control. It is collection of revenue, and a lot of injustice is possible if the thing is not closely watched.

17286. Do you delegate any of your work to subordinates?—My subordinates are each in charge of their departments.

17287. And do you feel you cannot leave the responsibility with them?—They have always to come to me with their returns, and drafts to the Commissioner and the Board of Revenue have to come to me.

17288. Have you made any detailed recommendations with regard to the delegation of any of these powers to subordinate officers?—Not in that line: I look at it as more or less a thing that should not be allowed, because, as Collector, you are responsible.

17289. With regard to the principle of delegation would you lay down the general rule that it was desirable to give each officer a maximum of responsibility with a minimum of supervision, or would you say the converse was true, and that what is wanted is a maximum of supervision and a minimum of responsibility?—I think supervision is the main thing in India. I freely give responsibility to those subordinates whom I find worthy of it.

17290. If you have subordinate Deputy Collectors, is it not worth while to give them definite functions and to leave them to carry them out; if they do them badly you can get rid of them?—How are you going to get rid of them?

17291. Cannot you get rid of them if they are totally inefficient?—No, I think it is impossible; only lately I recommended that a totally inefficient man, a Sub-Deputy Collector, with only a year and a-half's service, should be got rid of, but it was not accepted.

17292. What probationary period had he to serve?—Six months.

17293. Would it not be practicable to have a longer probationary period than six months?—In the case I allude to it had been extended. I have had the period extended on two occasions, but that does not take you any further.

17294. Is it not the case that you can get rid of a man absolutely during such probationary period, if he does not suit?—Nominally, it is so. Practically, it is very seldom done.

17295. Might it not be laid down that, whatever views people may hold with regard to appeals, a probationary period meant a probationary period?—It would be a most excellent thing.

17296. And if a man was found to be inefficient might he not be dismissed?—A Deputy Collector is appointed by Government, and I have no power, absolutely none; I can only report.

17297. Would you recommend that you or the Commissioner should have the power?—It would never do in the Provincial Service.

17298. Should the probationary period be lengthened to, say, a year?—Yes, I think it would be a good thing. During the first six months of a man's work it is difficult to see how he is going to shape.

17299. Supposing you had a really efficient set of Deputy Collectors, could you give them more responsibility?—That is a very difficult question, because Government has to enforce its responsibility and it does so with the unit of the administration whoever he may be. I am in charge of a district; they turn to me, and the question is whether you are going down lower.

17300. But your view is rather what one might call a centralizing view?—Very much so, but you must centralize somewhere.

17301. What you want is a district which is small enough for one man to deal with absolutely without any appreciable delegation of powers to others within the area?—Of course, one's subordinates would exercise very large powers; the only thing is that one should have a knowledge of the district. I am administering a large charge now of which I have not sufficient knowledge, and that is my complaint.

17302. Would you agree that as civilization advances the work of administration becomes very much more complicated?—Yes.

17303. The number of laws, for instance, to-day, is very much larger than it was 50 years ago, and probably in fifty years time it will be very much larger still?—Yes.

17304. Does that not all shew that it is impossible to centralize everything in the hands of one man, but that it must be distributed amongst a number of individuals?—That is exactly what you do when you distribute it among District Officers; the question is, how low are you to go.

17305. Is it practicable for one man in a district to administer all the different laws and Regulations, and to be responsible for all the work of a Regulation district?—I think it is just now, but I cannot answer for 50 years hence. It seems to me that we make things needlessly complicated by our laws and the way the Courts are run.

17306. Would the number of returns that would come to you, *quid* District Officer, in a small district, be about the same as in a big one?—Yes.

17307. So that you would not get any relief there?—We should have very much fewer figures to collate if districts were smaller.

17308. But they are collated by clerks?—Yes, but you have the inspection of the department, and it is a different thing inspecting an office with 10 or 15 clerks in it from inspecting one with four or five, and it is a different thing having to run a district of two or three thousand square miles, and a population of 4,000,000, than having to deal with 600,000.

17309. How long do you think a Collector ought to remain in the same district?—I think five years is a good time.

17310. You would not say that he should remain there as long as possible—10 or 15 years, or even more?—If you were to change the whole system that would be an excellent thing, but, as a matter of fact, I came to the conclusion at Palamau that I had too much knowledge for the district. Every case that came up I knew something about and the character of the men concerned, and I almost knew whether they were guilty or not guilty beforehand.

17311. If you agree that a Collector in his district ought to be fully acquainted with everything there, and know his district thoroughly, is it not a pity he should be removed as soon as he gets that knowledge?—Yes.

17312. Would it take him one, two, or three years to acquire it?—Yes, fully.

17313. Would you not, therefore, utilize that knowledge for more than two years?—I am quite willing to extend it to 10 years, but it would be very unworkable now-a-days.

17314. Admitting that one of the most important things is to secure greater continuity in the tenure of office by Collectors, how are you going to achieve that?—The great difficulty just now is the smallness of the staff, which I would increase, but I consider that

now-a-days the action taken by the High Court renders it almost nugatory keeping an officer until the time he has got full knowledge. I have a case just now where I am alleged to have been doing nothing more than persecute a man. I had nothing to do with it myself, but if he goes to the High Court and says "I want a transfer because the District Magistrate is prejudiced against me," he gets it. I am not prejudiced against him at all, and the reason he gets the transfer is that he has filed an affidavit in the High Court alleging that I had written several letters to the Sub-Divisional Officer, which is an absolute falsehood. That again goes to the High Court every time, and I can do nothing, and my knowledge is absolutely thrown away.

17315. Would you suggest that the Government should give more support to their District Officers?—Yes, very much more, and the system of anonymous attacks in the newspapers takes a great deal of time in investigation and answer. All such attacks should be ignored, and it should be made compulsory for a man to come forward and give his name.

17316. If you had very much smaller districts with no European reserve, would that not have the effect of increasing transfers very much?—Not with the number which obtains at present, because that is what we do now. There is no man in reserve with me; I am alone in my district.

17317. Would not people in reserve be one of the best ways of preventing continual changes? In other words, that there should be a Joint-Magistrate, who, if you went away, could take over your work?—Yes, that would do, to a certain extent. I have not considered the matter sufficiently to say whether I would recommend it.

17318. With regard to Local Boards, could their powers be advantageously increased at the expense possibly of District Boards?—No; for the reason that we give them a large number of things to deal with with respect to the roads and a certain amount of work with regard to ferries and education. For all the big road-making, you must have a really competent advisory engineer as the District Engineer. If you are able to afford money enough to give each Local Board such an officer, no doubt it would be a good thing, but until you can do so it is better to keep the power as it is in the hands of the District Board.

17319. Does that mean that you would keep the big roads under the jurisdiction of the District Board, but the smaller roads might be handed over to the Local Boards?—Yes.

17320. What would you say with regard to education?—Education also goes through the Local Board, and is supposed to be a training to the Local Board in self-government.

17321. Is the area of a district so large that very few of the members of the Board are acquainted with the whole of it?—That is so.

17322. Therefore one would have thought, *a priori*, that the real life would be in the Local Boards and not in the District Boards?—Yes, but at the expense of the community. They have only a certain amount of money to spend in the whole district, and that money must be distributed as much as possible. You might get life in one corner if you had an intelligent representative in that part of the district, but you will not get it generally throughout the whole district.

17323. Are the members of Local Boards keen on their work?—Yes, some of the Sub-Divisional Officers are.

17324. Would it be possible to start small village organisations, with some small powers to settle civil and criminal cases?—I think they could be started in some of the larger villages. The powers to be given them is a matter which has never been worked out. I should recommend small powers of taxation to remedy sanitary evils, but I would not give them magisterial powers.

17325. We have been told in Madras that there are small unions somewhat of that nature and that they were extremely unpopular, for the reason that they imposed taxation, and that the only way of grafting them on to the life of the people was to let them be started, at any rate, free from taxation. What would

you say to that as applied to Bengal?—It is difficult to argue against accepted facts, but I should say not, because what they are dealing with is a small evil peculiar to the spot, and I do not see why other money should be used except money coming from the spot.

17326. Is it not the case that to-day the villagers contribute a great deal to the District Boards and get very little relief?—I think very possibly that is so.

17327. Then why should not a District Board give them something?—Because the matters are generally so unimportant, and they do not affect the village as a whole.

17328. (Mr. Meyer.) Do you say that a district of 4,000 square miles is quite unmanageable for one single Collector?—I do not want to lay down one standard only of judging, because I had Palamau, which was quite manageable, and that was 4,500 square miles.

17329. Do you want a large increase in your *cadre*?—Yes. We have now 33 Collectors. Speaking generally, I should like between 60 and 90.

17330. At the same time you want to keep the work of the Collectors more under the Board of Revenue, the Commissioners passing on their requirements and not interfering too much?—I am quite willing to have all ordinary matters go through the Commissioner to be criticised by him, but in the matter of returns, which have to be dealt with in the Board's office ultimately, it seems unnecessary to go through the Commissioner.

17331. Can the central authority, whether it be the Board of Revenue or the Government, possibly deal directly in any way with from 60 to 90 Collectors?—I think it might. You would have to increase the staff of Commissioners also.

17332. Are you aware that there are districts in Madras of 8,000 square miles?—I have heard that there are.

17333. Do you know that the system there is that a whole district is divided into sub-divisions, each Sub-Divisional Officer exercising practically all the powers of a Collector, the Collector remaining the controlling and supervising officer and touring through the district?—Then it is exactly the system which I advocate.

17334. Except that you want the Sub-Divisional Officers to draw Collectors' pay?—Yes.

17335. Would you require the man in direct touch with the people to be a Collector or would a Sub-Collector, or an Assistant Collector, be as good, and a cheaper alternative, so long as he had a Collector above him responsible for the district as a whole?—If you have a man from the Indian Civil Service I would not quarrel over the matter of pay.

17336. In Madras some of the sub-divisions are under Indian Civilian, others under Deputy Collectors?—I do not think that a good system.

17337. Then roughly you want 75 Collectors in Bengal, and about 15 Commissioners, or at least a good many more than there are at present?—Yes.

17338. Would not the cost of that be prohibitive?—That would be for the Imperial Government to determine; I have simply been asked what I think would bring the people more into touch.

17339. Is this an ideal counsel of perfection, or is it what you think can be actually done?—I think it could be done; I do not know what the cost would come to.

17340. With these smaller districts I suppose you do not want any Covenanted Assistants to Collectors?—No, except for training; let them be posted to headquarters, but as a matter of necessity in administration they are not essential.

17341. Under your system of 75 Collectors, how long is a man to be training before he becomes a Collector?—I should say from five to seven years. In the meantime, he can be an Assistant Magistrate at headquarters.

17342. Would you have any outlying sub-divisions?—I would like as few as possible—possibly one sub-division for each district.

17343. Would you still keep up your Deputy Collectors for excise and certificate work, and that

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sort of thing?—You would require help, but I do not think you would require so much as at present. I think you might distribute your present staff more. You have four or five in a district now; if you had two headquarters, you could put two in one and two in another.

17344. You would scarcely increase the Civilian staff so greatly, and yet keep the Deputy Collectors' staff much as it is now?—It would have to be worked out to see what would be necessary.

17345. Must any increase in the superior administrative staff (and you propose a vast increase) necessarily be in the ranks of the Indian Civil Service?—Yes. We have had no increase of late at all, and there have been large increases in other branches.

17346. You have spoken of special grants to be made to Commissioners and Collectors for the requirements of their districts; how would you propose that that money should be spent?—I should spend it on dispensaries, on improvements in schools, on small culverts and bridges, and so on.

17347. Are these not all matters for which there is already budget provision in the regular course, under the District Board or the provincial budget?—The District Board budgets are very tight ones.

17348. Then do you want special grants-in-aid on recognised matters of administrative expenditure?—Yes, but the District Officer at present has very little in his own hands.

17349. With regard to the special grants which already exist in the hands of Commissioners, you say they are rather small and entail a large amount of correspondence? Would you go further and give the Commissioner a real budget of his own, which would break up a large part of the Provincial Public Works budget, for expenditure at his discretion on roads, buildings, and so forth?—Of course there would be a difficulty there in weighing the wants of the various divisions, and apportioning the amount to each Commissioner, but it might be a very good thing.

17350. Assuming that difficulty to be overcome, would you be in favour of it?—Yes.

17351.—Then possibly you might take a step further and give a Collector a certain amount in the same way, the Commissioner keeping his part of the budget in his own hands and distributing part of it to the Collectors with instructions to sanction minor works?—Yes, there are a certain number of minor works which a Collector might usefully do with regard to out-houses in sub-divisions and things of that kind, which one has now to write about.

17352. A suggestion has been made that when an appeal is lodged the petition should be sent up by the officer who is appealed against, with his original record and such supplementary remarks as he might wish to make, and that he should not be called upon for any special report—would that save work?—I think it is a very good suggestion; I have sometimes had to write three reports in regard to some appeals.

17353. You speak of the desirability of allowing District Officers to remain for 10 years or more in their districts, but are there not possible disadvantages in a man remaining too long in one district?—What I find is that officers have fancies of their own; one man will work up one department, and one another; but so far as intimate knowledge of a district goes you lose a great deal if you transfer men too frequently.

17354. Most officers have their own particular enthusiasms, and if one man remained 10 or 12 years in one place might you not have education, say, developed enormously and other branches neglected?—Yes.

17355. Every person has his own little weaknesses which get found out in time by the clerks and subordinates. The longer a man stays in a district, is there not the more likelihood of his weak points being found out?—Yes, of course, that is the converse side of the question.

17356. Again, a man may very often pick up useful information by going to another district?—He almost invariably does.

17357. Weighing the *pros* and *cons*, should you say that an officer ought to remain 10 years in a district?—It is a choice of evils; I should say that five years

is the minimum a man ought to stay. It is difficult to lay down a maximum. I am not very much in favour of lengthening the five years.

17358. Although the greater part of the province is permanently settled, have you not a certain amount of settlement work to do?—That was one of my great advantages in Palamau where I had a large Government estate of 450 square miles. There are a number of such Government estates in Bhagalpur, but some of them are small. They are only two or three acres in extent and barely worth going to see.

17359. Do the large zamindars in this province live, as a rule, on their own land or are they absentees?—It varies a great deal according to districts. Near Calcutta they are almost entirely absentees. But in Palamau there is scarcely a single absentee, while in Bhagalpur, I should think, it is about half and half.

17360. When a man is an absentee what happens to his tenants? For instance, we have been told a great deal as regards the want of access of the raiyat to European officers of Government; but have the raiyats better opportunities of access to their zamindars?—No; very far from it. What very often happens with an absentee landlord is that they never improve their estates at all, even resident landlords do not.

17361. Have you found any difficulty with regard to seeing the zamindars in your district?—I regard that as a point on which the zamindar ought to come and see the Collector; I do not think it is for the Collector to drag him out and say "Come and see me."

17362. Do the zamindars come and see you frequently?—That is again a matter of districts. In Palamau every man came to see me without exception, but in Bhagalpur they do not.

17363. I have been told by an officer who is now a senior in Bengal that whenever he asked a zamindar to come and see him in his district he generally made excuses—is that your experience?—No.

17364. You spoke of the undue prevalence of Civil Court rent suits in this province. Would rent suits best be disposed of by Revenue Courts?—Yes.

17365. What exactly is certificate work?—The certificate work is concerned with the realisation of public demands. The Collector certifies that such and such amounts are outstanding from such and such persons, and then, process issues. First of all a notice is issued, then comes the warrant of attachment, then the warrant of arrest, and upon that the man usually pays.

17366. On account of what demands are distrains issued?—Road and Public Works Cesses, certain forms of Government revenue, Court of Wards' rents, and under a recent amendment of the Bengal Tenancy Act zamindars can apply for the application of this procedure to their properties. The work is largely concentrated in the hands of the Collector, assisted by a Deputy Collector.

17367. In Madras these sorts of things are done by tahsildars on Rs. 150 to Rs. 250—corresponding largely to your Sub-Deputy Collectors. Is there any objection to a similar delegation being made in Bengal?—A part of it certainly, but they want supervision, because there is such a lot of roguery going on. In the absence of supervision, proceedings in the case of joint demands are frequently taken against one person habitually. A large proprietor is never proceeded against because he may bribe the officer.

17368. Have not zamindars large powers practically, in settling disputes between their tenants? Would it be desirable to legalize that procedure by making the zamindars Honorary Munsifs and Sub-Magistrates?—We have a large number of them on Criminal Benches and sitting singly.

17369. Why should not a zamindar be an Honorary Munsif and thus relieve officers of ordinary cases?—I do not think that would pay at all. The only reason for which he would undertake the work would be for the sake of the influence over his tenants; therefore you would have to have a munsif for each zamindari, and there are a very large number of zamindaris in our district.

17370. You need not give powers to every zamindar, and if you make a certain number of zamindars Honorary Munsifs, you would not be adding to the

cost?—It would add to the injustice which the people have to go through. The Stipendiary Magistrate does the work four times as quickly and usually twice as well as the Honorary Magistrates.

17371. Do you hold that the ordinary Government Civil Court does no injustice?—No, far from it, but I think the zamindar would do a great deal more injustice.

17372. Have the Local Boards anything to do with education?—Yes; they have all the payments to make for their sub-divisions, and they submit reports to the District Board of the appointments made. As a matter of fact, there is almost entire delegation of primary educational work to them.

17373. Would you be prepared to allow them to select schools for grants-in-aid?—I think they have a right of veto now. Where you have a constantly changing Sub-Divisional Officer, I doubt if the Local Boards would have sufficient knowledge. I think, therefore, it is better to keep them as governing bodies and allow the main work to be done by the paid officers of the Education Department.

17374. If you want a special officer, should he not be an officer of the District Board?—The deputy inspector until lately used to be an officer of the District Board. It is only in the last few years that he has been taken over by the Education Department. It has its advantages and its disadvantages.

17375. As regards education, does a municipality stand much in the same position, in that it has to make grants practically at the direction of the educational authorities without taking any direct initiation?—Yes. A certain percentage of the income is given over to the deputy inspector of schools, and he advises as to the schools which the municipality is to pay and we pay. Of course, a Municipal Commissioner may inspect also, and if he has any complaint to make with regard to any school, the grant-in-aid is stopped.

17376. Can Government say that every municipality in the province must pay a certain percentage of its income for education?—Yes; for primary education.

17377. You could not pay less, but if you liked you could pay more?—Yes.

17378. Do municipalities have anything to do with secondary education?—No.

17379. Are the municipalities told that they have to spend so much on sanitation, so much on roads, or anything of that sort?—No; the Sanitary Commissioner is constantly inspecting the works of the municipality and pointing out how much they spend, saying either "this is too much" or "this is too little."

17380. What happens in that case?—If you agreed with the view, you would have to spend more; if not, you fight out the point.

17381. Does the Sanitary Commissioner's report go to Government or to you?—It goes to the Chairman of the municipality.

17382. If you thought you were spending quite as much as you could afford, and said so, what happens then?—Unless the state of affairs was scandalous or very bad, nothing would happen. If the Sanitary Commissioner thinks the thing worth fighting about, he goes to Government, and Government can control your budget and insist on your spending more. But it is very seldom done.

17383. Would such a matter be referred to the Commissioner's arbitration or would it go to Government?—It would go to the Commissioner first.

17384. If the Commissioner agreed with the Sanitary Commissioner, would you have to put the extra money into your budget?—You are not absolutely compelled to do so, but the advice of the Commissioner would be accepted, if thought right.

17385. There would be a considerable amount of pressure put upon you?—Yes.

17386. Suppose the Commissioner agreed with you and not with the Sanitary Commissioner, but the Sanitary Commissioner was still dissatisfied, could he go up to Government?—I think he could, but I do not think he would do so.

17387. Is the work of your District Board hampered by want of funds?—No; we have been given very generous grants in the last two or three years to help us in our Public Works.

17388. Is not the position this, that you have half-an-anna in the rupee in the shape of Road Cess which is entirely your own; the similar rate levied for Public Works Cess does not come to you; but you have special grants distributed by the provincial Government. Do you think that income sufficient?—It is as much as we can spend and supervise now with the agencies at our disposal.

17389. Does the Local Government distribute the grant to you in a fixed proportion for different districts, or does it give a grant in its own discretion, sometimes for one district and sometimes for another?—It has power to do that. My experience is that I have always got what I have asked for.

17390. Supposing the provincial Government found they were able to do without the Public Works Cess, then you would be certain of one anna in the rupee, whereas now you get half one anna *plus* a certain amount in the way of charity. Would you prefer the certainty of having one anna?—Very much; we have a large number of unmetalled roads which we should like to have metalled, and there are a large number of bridges we should like to make. We are progressing slowly, and we should like to progress a good deal more.

17391. Is not a Deputy Collectorship, speaking generally, about the highest point outside the Indian Civil Service which a native of this country can reach in the Executive Line?—Yes.

17392. Would it excite very much discontent, if an officer of this description were liable to dismissal at the discretion of the Collector?—I think so. I think that should rest with the Local Government.

17393. However stringent you might be as to rejecting persons during the probationary period, there would always be the risk of their going to pieces afterwards?—Always.

17394. Would you be prepared to get rid of a good honest man, doing his work in the best way he could, but still doing it quite inefficiently; but with no slur on his character—supposing that he is unequal to the task?—I would like to see it done in a fair way. I would give him some sort of a pension. I think they ought to be judged by their own fellows.

17395. Speaking of Lieutenant-Governors generally, however excellent and able a man may be, he might have his prejudices?—Yes.

17396. Would it be unsafe to give such power to an individual person however highly placed he may be?—Yes.

17397. How would you avoid the danger of a single Lieutenant-Governor possibly passing a bad judgment?—You might do it by having a small committee of officers who have had the men working with them constantly. I think you could trust to that method.

17398. Would this committee say in the first place whether the man was incompetent or not; and without the assent both of the committee and of the Lieutenant-Governor the man would not be removed?—Yes, I think a very great deal of harm is done by officers of certain stamps both in the Covenanted Service and in the Provincial Civil Service.

17399. (*Sir Steyning Edgerley*.) What should the probationary period of an officer actually be?—I think the present period too short. Possibly a year might give you longer and sufficient time to judge him in.

17400. Is not the work different for a Revenue Officer at each season of the year?—Not very much now. We had four kists in the year and the work comes round regularly once in three months.

17401. When a man has had a first appeal by the first Appellate Court do you think it would be dangerous to require a certificate affirming that there is some principle involved in the case before allowing further appeal?—I think an appeal ought to be allowed from the decision of a wrong-headed officer.

17402. The question of some principle being involved is quite a different thing from a man's opinion on that principle?—But supposing a man gives a wrong opinion

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in saying there was no question of principle involved, and the facts were clear, and he was wrong?

17403. I am premising that it should be the first Appellate Court which would give the certificate and not the original officer?—I thought you were alluding to an original officer giving the certificate.

17404. If the first appeal has been upheld, should the officer give a certificate, e.g., to the effect "My view is so and so, but there is or is not a question of principle involved"?—I think there is nothing against that.

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17407. (Chairman.) You are now the Commissioner of the Chota Nagpur Division?—Yes. I was at one time Under-Secretary in the Finance Department and Deputy Secretary in the Home Department and then again in the Finance Department.

Larger financial powers should be given to the Local Government; borrowing powers should rest with the Supreme Government.

Once the Government of India has laid down the general lines of policy to be followed in any matter, it should be left as far as possible to the Local Government to carry out, in its own way, the general policy indicated, having due regard to local conditions. The influence of the departments of the Government of India is more in the direction of excessive rigidity or uniformity than is the case with the provincial Secretariat. The remedy lies in the restriction of the tenure of office in the Government of India Secretariat. The greater number of officers from all provinces who pass through the Secretariat of the Government of India, the greater is the advantage to the Government of India itself and to the Local Governments from whose services the officers are drawn. I do not think it can be said with justice that the Government of India are too much dominated by considerations of revenue, but in many matters there is a tendency to consider proposals too much from a purely departmental standpoint, especially in matters of small importance which might well be left to the Local Government to dispose of according to its own ideas.

I would like to see more of the Directors and Inspectors-General. At present they are too much advisers of the Government of India and too little advisers of the Local Government. There is a tendency for Directors or Inspectors-General to advise the Government of India too much from their own particular point of view, and with too little knowledge of, and consideration for, the needs and requirements and local conditions of the province which the proposal effects or from which it may emanate.

The provincial Governments can fairly claim to have played a very important part in the initiation of the important administrative reforms which have been effected in recent years. In India, as elsewhere, reform must come from within; and it is the provincial Government that knows where reform is required. But the provincial Government is handicapped by reason of the fact that the administrative reforms it wants cannot as a rule be effected until they are taken up by the Government of India and the requisite funds provided. Within certain limits the provincial Governments should be allowed to develop their administration on their own lines, adopting at their discretion suggestions of reform brought to their notice from other provinces. It does not necessarily follow that what is good in one province is good in another.

It is possible and desirable to allow Commissioners and Collectors to control to a greater extent than at present expenditure in their divisions and districts. I should like to see the Commissioner of the division started off with a budget for the whole division and vested with powers approximating to those of a Local Government to control and direct expenditure in his division within that budget.

I am not much inclined to quarrel in general with the right of appeal to the Local Government which at present exists. I doubt if such right is abused to a very great extent, and the Local Government can never dissociate itself from the final responsibility in all matters connected with the administration. It would not be of much use to lay down that no such appeal should be admitted unless accompanied by a

17405. Would that reduce the work with regard to appeals?—It would not for the District Officer; but if my suggestion were accepted that the District Officer should not be called upon to report on each successive appeal as it goes up higher, it would not touch the District Officer.

17406. Such a certificate would tend to stop interference on revision?—Yes, by the Board of Revenue or Government.

(The witness withdrew.)

certificate from the authority passing the order appealed against that reasonable grounds of appeal exist. If the Local Government exercised freely its power to dismiss or reject appeals summarily we would get all that is required without calling for a certificate of the kind contemplated. In personal appeals the guiding principle should be a maximum of two appeals and no more. That means, of course, two appeals as of right. The Local Government's power of revision should in all matters remain unfettered.

On the whole, the influence of the Commissioner in matters appertaining to departments other than the Land Revenue Department is not sufficiently strong. The present tendency is for the administration to be conducted by departments controlled by officers (Heads of Departments) at headquarters.

Executive Officers serving in the districts have not sufficient opportunities for personal contact with the people. They are tied down to their offices by reports, correspondence, registers, case-work and returns. There is every day a certain amount of office business that must be got through, and then but little time is left for other matters. Any failure to get through the day's work only reacts on the District Officer, and adds to the pressure by the constant and urgent calls which are at once made on him. Even when he does go into camp, the District Officer cannot free himself from office work and mix as much with the people as he should. The office work follows him to camp. The old leisurely method of camping has disappeared, and touring now-a-days means only too often hurried rushes to important centres where the already overburdened District Officer is still further burdened by inspections and other office duties which it is found more convenient to do on the spot rather than at headquarters. Naturally Executive Officers do not always possess sufficient knowledge of the vernacular. The remedy is to reduce the routine office work and to arrange that what cannot be done away with should be made over to a competent and efficient officer other than the District Officer. This means an increase of staff, and what is specially required is the resuscitation of the old class of officers known as the Joint-Magistrate. Nothing has tended more to the loss of efficiency in this province than the disappearance of the trusted and experienced Joint Magistrate.

An increase in the staff of the Indian Civil Service and of the Service of Deputy Magistrates is required. The Public Works Department is also greatly undermanned. Some districts are too large and in other districts, especially in Chota Nagpur, more sub-divisions are required.

Proved capacity should be the sole qualification for official advancement. Those members of the Services whose unfitness for further promotion has been adequately established might be compelled to leave on such terms of pension as would reconcile them to retirement at an earlier period than that prescribed by the ordinary rules.

Transfers are undoubtedly too frequent and to the greatest possible detriment to the administration. The evil is nearly as great in the Service of Deputy Magistrates as in the Civil Service. One cause is the numerical weakness of the existing staff which of course is capable of being remedied. Government should exercise greater authority than it has been in the habit of doing in deciding (ordinarily) on the time when an officer proceeds on and returns from leave. It would be a great assistance to the Local Government and tend greatly to reduce the number of transfers within a province if the Government of

India were able to give longer notice when they require the services of an officer serving under a Local Government. An officer selected for service under the Government of India is generally one who has attained to a position of some mark in his province, and considerable dislocation occurs when he is suddenly transferred from the province. But the best and most effectual remedy lies in the direction of further localization of authority and of the members of the various Services. With the administration of the province further localized under the Heads of the four sub-provinces of Bengal, Behar, Chota Nagpur and Orissa, and with an adequate staff working directly under the orders of these Heads, the number of transfers would be materially reduced.

As regards District Boards, Local Boards and village unions, the Local Government has recently submitted proposals for the reconstitution of these bodies and for the better representation on them of the various classes of the community. A Bill to amend the Local Self-Government Act is also before the Lieutenant-Governor's Council. If these proposals are accepted, in time we will gradually be able to make greater use of District and Local Boards and village unions and delegate further powers to them. There are signs that we will go on developing along these lines, but the great thing at present is the question of re-constitution. Everything will depend on this. In regard to municipalities, I am not disposed to make any recommendation at present.

I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. The establishment of formal Councils like this would not facilitate the despatch of public business. I am, however, deeply impressed with the need of Commissioners and District Officers keeping in close touch both personal and official with public opinion and with persons of position within their jurisdiction. We already have District Boards, Local Boards, Municipal Committees, and in some districts union committees, and I would not super-impose on these another formal consultative or administrative body. Close personal relationship between the higher officials and the leading residents is what is required. This cannot satisfactorily be obtained unless the officials have longer tenure of their appointments than has recently been the case, and unless they are given more leisure by being relieved of the mass of routine work with which they are now weighed down.

It would not be expedient, at all events at present, to invest District Boards with powers of supervision and control over municipalities within their respective districts. Such supervision and control would not be effective, nor would it relieve the District Officer of his obligations or the duties and responsibilities at present falling on him.

Efforts are being made to make greater use of village panchayats in the administration of the chaukidari police system. Proposals for giving extensive powers to union committees in regard to sanitation have recently been submitted by the Local Government to the Government of India. These proposals are ambitious and decidedly advanced. If they are approved every effort will be made to make them successful and effective, but it will be a long slow business. In a matter like this we must move very slowly, and I do not recommend any far-reaching scheme of general devolution.

I sketch in outline for the consideration of the Commission a scheme for decentralization in the province of Bengal. The province as at present constituted consists of four sub-provinces which are distinct in character, in language, and in almost all interests. These are—Bengal proper, Bihar, Chota Nagpur and Orissa. It would be quite feasible to have a system whereby, under the Lieutenant-Governor of Bengal, there would be a Head or Sub-Head of each of these sub-provinces who would exercise within the sub-province many or most of the powers of the Lieutenant-Governor. Each sub-province would have in all departments a full staff of its own working directly under the Head of the sub-province. The staff would, to a large extent, be localized, though it would probably be necessary to make provision for transfers from one sub-province to another. Each sub-province would have its own separate budget to be operated on and controlled by the Head of the sub-province, and the whole administration there

would be centralized in one authority. The Lieutenant-Governor would continue to be as at present the supreme Head of the whole province, though it might be advisable to bring these Heads of sub-provinces into closer relationship with him by constituting them members of an Advisory or Consultative or Administrative Council. In any case the Heads of the sub-provinces would have seats on the Legislative Council, and an effective voice in the framing of budget proposals. The Heads of Departments of Government would continue as at present to work directly under the orders of the Lieutenant-Governor. They would be advising and inspecting officers controlled by the Lieutenant-Governor himself, and they would advise and assist the Heads of the sub-provinces and inspect on their behalf. Under such a scheme the Lieutenant-Governor, assisted or not as it may be by an Advisory Council, would be responsible for laying down the policy to be followed and for controlling and directing the administration of the whole province. It would, however, be left to the Heads of the sub-provinces to carry out the instructions given by the Lieutenant-Governor or the policy indicated by him. In this work they would be assisted though not controlled by the Heads of Departments. The Heads of Departments would not be allowed to dictate to the Heads of the sub-provinces the action to be taken by them. They would, under the Lieutenant-Governor's orders, be at the disposal of the Heads of the sub-provinces to assist them in carrying out the policy and directions of the Lieutenant-Governor, the Lieutenant-Governor himself having consulted them before he framed his policy or issued his directions. By some such scheme we will be able to correct the marked tendency of recent years towards "departmentalism." Doubtless there are many matters of a more or less technical nature in which the supervision of a Departmental Head with special experience is required. We cannot do without these special departments. But the result has been to dissociate the work of these special departments from the control of the local officers, and to establish separate staffs in each district who do not always recognise a common Head or the relationship they bear to one another. There results a want of cohesion which is much to be regretted, and there is too great a tendency to look to Calcutta for orders or favours and to disregard or ignore the authority or even the wishes of the District Officer or the Commissioner. Then again the Head of the Department in Calcutta inclines to be swayed too much by the views of his departmental subordinate in the District, and he too forgets or overlooks the District Officer or the Commissioner. And so "departmentalism" grows, and all the work centres in Calcutta. The highest degree of efficiency will be obtained when the departments serve and assist the local administrative officer instead of controlling him or proceeding on independent lines of their own.

17408. When you were transferred from the Home to the Finance Department of the Government of India, did you find the work quite different and the questions involved quite different?—I would not say so, because I dealt very frequently with exactly the same questions—questions that were first dealt with in the Home Department and then went on to the Finance Department. There was a certain class of work entirely new in the Finance Department, but in a great many things the work was common to both.

17409. Did you find yourself placed at any disadvantage in being transferred from one branch in the Secretariat to another?—No; I think it was a great advantage that I was able in the Finance Department to look at things possibly from a different point of view than I might otherwise have done, having had experience of the Home Department beforehand.

17410. Do you think there was any loss caused to the Home Department by an officer going out at the end of eight months just as he had begun to get in touch with the work?—I think not. I knew when I entered the Home Department that I was to get the appointment in the Finance Department, and it was a temporary arrangement being sent to the Home Department.

17411. Then you do say, so far as the State is concerned, that there is no loss of efficiency by an officer being almost immediately transferred from one department to another?—I would not quite say that;

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but circumstances arise when it is necessary to make a temporary arrangement. As a rule, I should think it was undesirable to transfer an officer.

17412. Do you think that officers are retained too long in the Imperial Secretariat?—My view is that the more officers pass through the Imperial Secretariat, the better for the Local Governments, because they will have a number of experienced officers who will have seen things which are dealt with in the Imperial Secretariat, and on the whole it is good for the Government of India to have a fairly large number of men passing through it and getting new ideas. It prevents them getting into a groove.

17413. During your three different appointments in the Imperial Secretariat, did you have opportunities of seeing whether officers were kept there for a long time?—Yes. I do not think there were any kept for an excessively long time, while I was there. There is a three years' tenure now, but it is a comparatively new rule.

17414. Has the alteration of the rule been to the benefit not only of the Imperial but of the provincial Governments?—I should think so, so far as it has been applied. I believe more officers pass through the Imperial Secretariat nowadays than was the case eight or ten or twelve years ago.

17415. Is the rule which has been laid down observed or not?—No.

17416. Did you yourself come in under the three years' rule?—Yes.

17417. Does it apply to Under-Secretaries?—Deputy Secretaries and Under-Secretaries are appointed under the three years' rule, but I do not think there used to be any rule with regard to Secretaries.

17418. Would you like to give Inspectors-General higher powers than they enjoy at present?—It would be a very good thing if they were in closer touch with the Local Government.

17419. You have been Financial Secretary to the Government of Bengal. Speaking as an officer of the provincial Government, would you like to see more of the Inspectors-General?—Yes.

17420. From your experience in the Imperial Secretariat do you think Inspectors-General interfere in any way with the administrative machinery of the provincial Governments?—I think not. It would be advantageous, if the Local Governments had more opportunities of discussing their proposals directly with the Inspectors-General before they address the Government of India.

17421. As a matter of fact, do the Local Governments see the criticisms on proposal made, before the orders are issued?—I think as a rule they do not.

17422. Would it be advantageous if they did so, or at all events if they saw the pith of them?—Yes, that would be sound.

17423. Does the existence of Inspectors-General tend to make the provincial officers look to them for promotion, distinction or reward of some sort or other rather than to their own Local Government?—I think not.

17424. It has been suggested that Commissioners might have greater control over their expenditure; would you give a Commissioner a separate budget?—It would be a good thing to do.

17425. Do you want to see him in every respect the financial Head of the division?—I am not quite sure about every respect, but I should like him to have power to spend money on his own authority. He has the authority now only as to a very trifling amount.

17426. Have you not ten thousand rupees to spend in your division?—I do not know what the amount is, but the division is 26,000 square miles in area, and therefore that amount is very small. As a matter of fact, when I took over charge of the division, I was told that it had been all spent.

17427. It has been stated that Commissioners are given this sum of money every year to spend as they liked. Do they spend it through the Collectors?—Through the Collectors mostly. When they go round on tour, the Collector brings to their notice some little improvement that he would like, perhaps in a hospital or some other institution, and the Commissioner gives him authority to make it.

17428. Then practically the Collectors have been spending all this sum, and the amount that is to be at the disposal of each Collector depends on the discretion of the Commissioner?—Yes. I think that is putting it fairly.

17429. Might it not save a good deal of time and trouble if the money was split up between the Collectors instead of its going direct to the Commissioner?—I think some of the Commissioners do that now, and I certainly approve of making each Collector an allotment.

17430. And *pro tanto* it diminishes the allotment of the Commissioner?—I am not quite sure about *pro tanto*; I am not sure I would not give the Commissioner a larger allotment.

17431. What, as a matter of fact, does he distribute now in his own unaided discretion?—I have distributed none myself, so I cannot answer that question. This is my first appointment as a Commissioner.

17432. As regards the right of appeal, you do not wish to see anything altered in that particular?—No. I suggest that there might be a maximum of two appeals as regards Government servants.

17433. Would you draw no distinction between grades of Government servants? To what officers would you restrict the two appeals?—Certainly to all ministerial officers and menial officers. I presume a member of the Civil Service would always have an appeal up to the Secretary of State. But with regard to the Provincial and Subordinate Services two appeals would be sufficient.

17434. You say there is a constant growth of departmentalism due to the influence of the Heads of Departments; how does that interfere with the power of the Commissioner?—It makes so much work; there is so much correspondence always going on with these departments by the Commissioners and Collectors and by their subordinates.

17435. Has the Head of the Department the ear of the Government to the disadvantage of the Commissioner?—I think a great deal of the matter comes up, at the instance of these departments, which might possibly be disposed of by the Commissioner or by the Collectors themselves.

17436. Did the evils of this system strike you when you were a Secretary to Government?—I have always thought there was more work in the departments than was necessary.

17437. Did you ever make any representation to the Local Government on this head?—No formal representation. In my own humble capacity I have always endeavoured to shorten the work as much as possible.

17438. You have held quite recently an important post in the Secretariat where you corresponded with the Heads of Departments whom you now condemn, or whose actual influence you condemn?—I regard the Heads of Departments as absolutely necessary; I do not condemn the system.

17439. Then is the way you put it that their influence is detrimental to the good working of the Commissioner system?—No, not exactly that.

17440. Then what do you mean?—I mean that more might be left to be done locally by the Commissioner without the intervention of the Heads of Departments.

17441. You say that things are regarded too much from a departmental standpoint; then I ask you whether that is detrimental to the influence of the Commissioner, and you tell us it is not; I want to know your views exactly?—I consider that by reason of there being these departments, there is a tendency for too much work to go up to them or to go up from them to the Government, which might well be disposed of locally by the Commissioner, or by the Collector and the Commissioner.

17442. You say that the influence of these Heads of Departments is too great, and I want to know if you think it affects the powers of the Commissioner?—I think it involves a great deal of unnecessary correspondence.

17443. Is one of your remedies for reducing the routine work the appointment of Joint-Magistrates?—Yes.

17444. The last witness said that he thought it was not much good to do that, but that the real remedy was to reduce the size of the districts; which of those two remedies do you think is the right one?—I would not pronounce positively for either; no doubt both could be applied. No doubt some districts are too large, but I think it is a good thing to have a second man—a right-hand man as it were—to the Collector, no matter how small the district.

17445. Then you would prefer the addition of an officer to the already existing officers rather than the subdivision of districts?—I think so, speaking generally.

17446. Would you like to see an increase in staff, not only in the Covenanted Service but in the Provincial Service also?—I think so; there has been some increase to the Provincial Service lately, but I cannot say whether it is sufficient or not.

17447. Are you in favour of Advisory Councils for either the Divisional or District Officer?—I think not. I think there are already enough Boards in existence.

17448. Do District Officers consult enough and go to see the leading men of the district frequently enough?—Most officers desire as much as possible to come into contact with public opinion in their districts, and, so far as opportunities allow, I think they are very glad to do so.

17449. What is the obstacle to obtaining information now from prominent people in a district?—The officers are very much over-worked, and they have not the opportunity of seeing them as much as is desirable.

17450. Is there any disinclination on the part of the officer or the people to such interviews?—I think when an officer has been in a district for some time, and is well known, the people are always very pleased to come to him. I have never found, myself, that people were not glad to come to me both as a District Officer and a Commissioner.

17451. You think that the only real gulf that there is between them is the amount of office work?—I think so, speaking generally.

17452. It is not lack of knowledge of the language?—It might be so in any given case, but, speaking generally, I think not. There is a tendency on the part of officers not to acquire a knowledge of the vernacular as they used to do in old days.

17453. Is that because of the constant transfers from district to district?—If an officer is being constantly transferred he probably does not pick up a knowledge of one language very thoroughly.

17454. You say you would like to see the province of Bengal decentralised into four sub-provinces and the Commissioner of each sub-province given very extensive powers? Supposing that system were accepted, would you keep your Covenanted Civilian in each of those sub-provinces perpetually?—I do not think it would be possible to keep them in the sub-provinces perpetually, but I should localise them as much as possible; at times it would be necessary to have transfers. For instance, Bengal would not have such a good climate as compared with Chota Nagpur or Bihar, and perhaps it would be advisable, if a man had been some time in Bengal, to transfer him to one of the other provinces.

17455. If you moved a man from Bengal to Orissa at the end of ten years, what opportunity would he have of knowing the language of Orissa; would he pick up the language easily after 10 years' service elsewhere?—No, not as easily as he would at the beginning of his service.

17456. Would that not be a difficulty—that you would practically have to localise your officer permanently?—I do not think so, because at present we are not localised, and are liable to be transferred all over the province.

17457. Is not transference of officers from district to district with widely divergent languages and characters of the people a serious obstacle to the good government of the country?—It is desirable to minimise transfers as much as possible, in the interests of good government.

17458. Has there been any reduction of transfers in this province lately?—Speaking generally, I should think not, but that is a question which could only be answered absolutely by statistics.

17459. Are your relations as a Commissioner with the Board of Revenue satisfactory or are you obliged to make too many references to the Board?—I think the Board call for a great many reports.

17460. Can you state the subjects of any of those reports which have been asked for during your 2½ months' tenure of office?—I have noticed a number of letters asking for an opinion as to the modification of registers and rules and so forth, some of which possibly might have been decided by the Board without sending to every division and every district; the Board, however, is responsible for regulating that class of work.

17461. Could that class of work be regulated by the Commissioner without detriment to the service?—Rigid uniformity is not required throughout the province, and a good deal of it should be left to the Commissioner. I am not sure that it is necessary to have every register exactly the same throughout the whole province.

17462. With regard to the Court of Wards, could your work be lightened; have you not to refer any expenditure on an estate over the sum of Rs. 500 to the Board of Revenue?—There is a money figure, but I cannot say what it is at the present moment.

17463. With regard to the Loans Act, are you satisfied with your powers under that Act?—I think so if we get an allotment.

17464. When loans are made do they reach the tenderer?—Great pains are taken to see that they do. I think they do.

17465. As a Commissioner, are you too much of a post office, and too little of an actual Executive Officer?—My experience as a Commissioner is very brief, but on the whole he is perhaps too much of a post office, and there is much more passing through his hands than is really necessary.

17466. Have you seen the suggestions made by the Government of Bengal for the delegation of authority?—I have, but I have not studied them carefully.

17467. Would they result in altering your position from that of a post office to that which it really ought to be?—I think so. I would not use the term "post office" myself, but they would give the Commissioner a wider hold and sensibly reduce unnecessary work.

17468. Have not your District Officers to report to you annually on a number of subjects? Would it considerably lighten your work if all those reports were condensed into one administrative report?—I think it would be a good idea, and lighten the work.

17469. Do you yourself have to submit one annual report to the Government of Bengal?—I report on all subjects, revenue reports, Court of Wards reports, etc.

17470. To what length do those reports run?—Some of them are pretty long.

17471. Would it be advantageous, both to the Commissioner and to the authorities with whom he corresponds, if all those reports were boiled down into one annual administrative report by the Commissioner?—I should like to have one big report coming from the districts and then sent up by the Commissioner for the division.

17472. Would that be sufficient?—Speaking generally; there might be some particular subject on which a special report might be required, but ordinarily one report would cover what is required.

17473. And that would relieve not only the writer but the reader of those reports?—I think so.

17474. (Sir Stepping Edgerley.) What led you to make the suggestion that you would like to see the advice of Inspectors-General before the Government of India disposed of a subject on which they had been advised?—I think it would probably lead to a reduction of correspondence. The Local Government sends up a proposal on which a great deal of correspondence ensues, and in some cases a conference between a department of the Government of India and the Local Government would enable a settlement to be arrived at, more suitable and more satisfactory.

17475. Is the reference back from the Government of India perhaps suggested by the advice of the Inspectors-General on matters which might have been avoided?—I should think so sometimes.

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17476. Have you seen any of these suggested re-organization schemes coming through lately?—Yes.

17477. In those matters did you consider the Government of India were going far too much into detail?—I have had no re-organization scheme of my own, but it has seemed to me that perhaps a number of small points were taken up unnecessarily.

17478. Do you attribute that to the influence of the Inspector-General?—It is scarcely for me to say. Possibly those things would have been cleared up more quickly if, for instance, the Inspector-General had discussed them with the Local Government at a personal interview.

17479. Supposing the first Appellate Authority, when he heard an appeal, considered that the facts were quite clear and that there was no question of principle involved, or that the facts were clear, but that there was a question of principle involved, do you think a certificate of that sort by the first Appellate Authority ought to regulate the admissibility of further appeals?—I do not object to that. My feeling is that you cannot dissociate the Local Government—they must be the final authority.

17480. Would they not be less likely to take cases up if they found the first Appellate Authority had issued a certificate of that sort?—Possibly.

17481. Would you put any limit upon the Provincial Service in the way of appeal?—I should think not on the whole. I would let them go to the Government of India.

17482. What would you say with regard to the Subordinate Executive Service?—I should think an appeal to the Lieutenant-Governor would be sufficient. It probably would be dealt with by the Head of a Department or, say, the Board of Revenue, and then there would be one appeal to the Local Government.

17483. Have you any experience of touring under the conditions of permanent travelling allowance?—As a Commissioner I have a permanent travelling allowance now.

17484. Have the officers subordinate to you a daily allowance?—They get their mileage or halting allowance.

17485. Does a permanent allowance allow more easily of long-distance prolonged travelling than a daily allowance?—I do not think that to an officer of the rank of a District Officer it makes any difference at all; I believe in this province people are generally satisfied with the travelling allowance rules.

17486. Do the daily allowance rules give more trouble and labour than the permanent allowance rules?—I think not. A Collector sends up his travelling allowance bill, the Commissioner has to countersign it; he is not interested in the details of the bill, but in the diary which accompanies it. I read the diary, the bill is checked, and I merely sign it.

17487. Is there much more trouble in the Collector's office in preparing or checking a daily bill as compared with checking a monthly bill?—There would be no trouble if there was a monthly allowance; the money would be simply drawn and paid.

17488. Therefore the labour is very much less?—Of course. The fixed monthly system saves all the bills, and it would save work in the Accountant-General's Office, where they are checked again.

17489. Then if we are told that it would not save work, would you say that that is inaccurate?—I should think it was inaccurate.

17490. Are the experiments which have been made as to the system of chaukidari panchayats likely to turn out well?—Yes; I have no personal knowledge, but I gather that they are doing well.

17491. Is it the right place on which to concentrate attention as regards local self-government at present?—I do not know that. I am speaking of the chaukidari panchayats. We have submitted proposals to the Government of India to improve the village union committee system, but that is different from the chaukidari panchayats system.

17492. The village union committee system is connected with the District Boards?—Yes.

17493. And that is where you would begin?—I think so, with regard to a village or a number of villages.

17494. Would you rather begin there than with Advisory Councils in the way of educating the people?—Yes, I should prefer to do so.

17495. Under your scheme of large Commissionerships, could you administer the whole province with four Commissioners?—That is a thing that would have to be worked out in full detail.

17496. Do you only refer to the question of language with regard to divisions, and might you have two Commissioners in one linguistic division?—Yes.

17497. In Chota Nagpur have you a homogeneous population under you?—Yes, I think so.

17498. Is there none of the same population outside your borders?—We mix with Orissa a bit, but generally speaking I should say no.

17499. Do you march with the Central Provinces?—Yes; some Native States have been transferred from Bengal to the Central Provinces.

17500. If you had this system of large Commissionerships with great powers, would there still be room for the Board of Revenue?—That is a point which would have to be worked out: possibly there might not; possibly the Board might be done away with, but then we should have to make some arrangement for the Customs and the Imperial Departments, which would require a great deal of thinking out; but possibly the Board might disappear.

17501. (Mr. Meyer.) You held the position of Deputy Secretary in the Finance Department for three years?—Yes.

17502. Roughly, what were your duties in that position?—I had charge of the Expenditure and Excise Branches. When a proposal for new expenditure came up to the department immediately concerned, after that department had expressed its opinion upon it, it came to the Financial Department for concurrence or for an expression of the opinion of the Financial Department; I gave that opinion and submitted it, in most cases, to the Member of Council.

17503. Was your work, apart from excise, principally concerned with financial criticism of administrative schemes coming from other departments?—Yes.

17504. That being so, would it not be rather an advantage to have as Deputy Secretary a man who had considerable administrative experience himself?—Certainly.

17505. Therefore there is no special disadvantage in his having served, say, in the Home Department, or in his own Local Government, or having otherwise got some experience outside mere finance?—Yes, I quite agree.

17506. You say it is desirable that there should be more frequent change in the personnel of the Government of India Secretariat—do you mean that you think the three-year rule too long?—No, I do not think it is too long.

17507. An officer appointed, say, to an Under-Secretaryship or Deputy Secretaryship to the Government of India, and whose training has been in a particular province, is at first not altogether familiar with his work? His full usefulness to the Government of India is not attained, until he has been at least some months in his Secretarial appointment?—I think so.

17508. Therefore whatever advantage it may be to the provinces to have a rapid flow of officers passing through the Secretariat, might it not be a disadvantage to the Government of India?—I was thinking of a three years' tenure; I did not mean a few months.

17509. You say it would be of advantage to have officers pushed through the Secretariat as rapidly as possible?—That was not my meaning; I should think three years should be the time.

17510. Is there any time rule in the Bengal Secretariat as to the period of Secretariat appointments?—I think not.

17511. Would it be advisable to have a time rule there?—It is probably hardly necessary, because an officer is promoted from the Secretariat to a Commissionership. There is a time rule, I believe, for Under-Secretaries. It is either two or three years.

17512. If a man were appointed as Secretary at a quite junior stage of his career, he might still put in a great many years as Secretary before his turn came for a Commissionership?—Yes.

17513. Do you see any disadvantage in that, and would you apply a rule with regard to Secretaries in Bengal?—I think so, say, three or four years.

17514. You are satisfied, generally speaking, with the existing financial relations between the provincial Governments and the Government of India, but you think the Local Governments might have considerably more powers in detail?—That is my opinion.

17515. As Financial Secretary to the Local Government you deal with your own budget?—Yes.

17516. You have to send it up to the Government of India?—Yes.

17517. Did the Government of India alter it very much?—No, not very much.

17518. When they did alter it, for what reason was it altered?—So far as I can recollect they cut it down simply because they thought we would not be able to spend as much as we were asking for; it was simply in the interest of accurate estimating.

17519. Did you get a formal assurance in such cases that if there anticipations were belied and it was found that you could spend the money and had it available, you would be permitted to do so?—Yes.

17520. As far as your experience goes were such alterations as the Government of India made justified by actual facts?—I can hardly answer that question, because I only sent in one budget and left in September.

17521. Had you studied any of your predecessors' budgets?—Yes, and I think, on the whole, the Government of India were correct, and that the Local Government would not have been able to spend up to the amount represented.

17522. It has been represented to us in Madras, that though the Government of India might be quite correct in making a lump cut in the budget, it gave a great deal of trouble to the provincial Government in distributing the reduction to be made over the various sub-heads; have you found that to be so?—No, I have not experienced any trouble, and it could be done relatively easily.

17523. It has been suggested from various sources that the Government of India might be able to relax their control over provincial expenditure more, if all the divided heads were made entirely provincial; do you see any advantage in that?—I cannot see any reason for it; I do not see what advantage would be gained.

17524. One advantage claimed for it was this: at present if you take a divided head the Government of India is concerned with half the expenditure; therefore, in the interests of accurate estimating, with regard to the imperial surplus, you must if necessary, cut the provincial figures: the advocates of the other plan urge that as the whole of the expenditure is provincial, the Government of India need not concern themselves about the accuracy of the figures, and need not therefore interfere with them?—I believe the Government of India try to concern themselves with the accuracy of all Government figures.

17525. May I take it that in your opinion the imperial and provincial budgets should be exhibited together so that the provincial figures shall form an integral part of the imperial budget?—I think so.

17526. In matters of education and forests, or anything else, you must show the expenditure under each head, otherwise the public would not get an idea of the financial expenditure under the various heads of administration?—Yes.

17527. It has been suggested that the provincial Government might take the whole of its land revenue, say, and hand over the other heads of divided revenue to the Imperial Government—do you see any advantage in that?—I can see no advantage in it at all.

17528. Might there not be some disadvantage in it?—I should think so; I think the Local Government has a great interest in having revenues divided.

17529. Would you take the revenue from excise as an example?—I do not think that is a good example to take, because it is so important a subject from the administrative (apart from the revenue) point of view that the Local Government could never afford to

neglect it. Take, for example, customs, which is imperial—I do not think the Local Government takes much interest in customs.

17530. Outside the heads of revenue which are wholly provincial, such as registration, is a system of partnership really best for both sides?—I think so, decidedly.

17531. Would it be an improvement, or would it be necessary in the interests of administrative efficiency, to give Local Governments a share in the customs?—No, because customs is peculiarly a department which can well be administered by the Imperial Government direct. Foreign countries are so largely concerned, that it is very desirable to have a uniform system of treatment, and the customs should be treated at Bombay in the same way as they are treated at Calcutta and other places.

17532. Are you in entire agreement with the Local Government as regards the grant to them generally of larger powers as to salaries, appointments, pensions, travelling and local allowance rules, and so forth?—I have not studied the proposals very closely, but, on the whole, I agree.

17533. Do you think, speaking generally, that the control proposed by the Civil Service Regulations in such matters as travelling allowance is too rigid, and that the Local Governments should have larger powers?—I think so, certainly. For instance, with regard to travelling allowance, that is a small matter which a Local Government ought to be able to administer for itself.

17534. Would you admit the desirability of some general rules or instructions being issued by the Government of India?—Yes, leaving matters of detail to the Local Government.

17535. At present the Accountant-General is entirely independent of the Local Government, and it is his duty to challenge any case in which the Local Government has, as he thinks, exceeded its financial powers?—Yes.

17536. In that case, if the Local Government cannot satisfy him, does the matter go to the Government of India?—Yes.

17537. The same position applies, as between the Government of India itself and the Secretary of State?—Yes.

17538. It has been suggested that in cases of dispute as to the application of some rule under the Civil Service Regulations or some other Financial Code, the Local Government might have power to over-rule the Accountant-General; would that be safe?—Not in a matter of interpretation.

17539. If a Local Government said "We think under this rule we have power to do this," and the Accountant-General said "I do not think you have—you must go to the Government of India," do you think that ought to be preserved?—Yes, but I should, of course, look to the Accountant-General not to strain anything too much.

17540. Do you further regard it as a necessity that the financial powers given to Local Governments and to the Government of India should not be overstepped?—I think so.

17541. Are the present regulations quite satisfactory as between the Local Government and the Audit Department?—They are satisfactory, but the Accountant-General sends up too much. I should like to see him invested with larger discretionary power than he has at present. It is of no value to the Bengal Government to have a memorandum to the effect that Rs. 3½ was wrongly expended four years ago, and asking for an explanation.

17542. You are now speaking, not as between the Local Government and the Government of India, but as between the Local Government and its own authorities?—No, the Accountant-General sends it up.

17543. But if it is a matter affecting the financial powers of the Local Government, is there any question as to the Local Government oversteering its powers?—No, what I say is that the Accountant-General need not send it up.

17544. In regard to the financial relations between the Local Government and the Government of India in cases where the Accountant-General occasionally

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obliges you to send up a matter for the sanction of the Government of India, are you satisfied that the position now is as it should be?—Yes, except that frequently a needlessly petty reference is insisted upon.

17545. Speaking generally, the Accountant-General exercises his discretion fairly reasonably?—Yes, speaking generally, and subject to the delegation of the powers which the Local Government has now asked for.

17546. Do you mean that if the Local Government gets the larger powers asked for, half, or more than half, the references it now has to make to the Government of India will become unnecessary?—Yes.

17547. Do you say that the Accountant-General is, in your opinion, needlessly particular in bringing to the notice of the Local Government technical irregularities on the part of its own subordinate authorities?—I do not like the word "needlessly"; I understand he has to do it, and I should like to see him invested with power either of taking no notice, or of simply himself passing orders.

17548. Has not the Local Government itself power to relieve municipal expenditure by stating that nothing shall be challenged within a year or any limit you like to take?—As a matter of fact, the question of local audit is now under consideration, and no doubt that is a point which will be considered.

17549. In so far as it is unsatisfactory, and in so far as there are needless references from the Accountant-General to the Local Government with regard to the action of local officers, would not the remedy largely lie in the hands of the Local Government itself, by giving those local officers increased powers?—That is not what I meant; I was referring to petty irregularities brought to notice by the Accountant-General.

17550. But you mentioned a case which had to go up to you as Financial Secretary?—Yes, but that was an expenditure not contemplated by the Act.

17551. Why could you not have given power to your Collectors to sanction such expenditure?—It cannot be sanctioned at all, because it is some petty expenditure which the Act has not contemplated, and therefore it requires the sanction of Government; but the sanction of Government cannot be obtained because it is illegal.

17552. Have not Accountants-General been empowered to write off at their own discretion small sums up to Rs. 10?—I believe they have, and I should like to see it increased to a larger amount.

17553. It has been suggested by various witnesses that the Head of an administrative Department, such as the Director of Public Instruction, should have the power of re-appropriation between sub-heads under the head of the provincial expenditure which he administers; do you see any objection to that, assuming, of course, that the Accountant-General certifies that the re-appropriation can be made?—No, I should not object to that, within limits.

17554. Would you allow re-appropriation as between major heads?—That is rather a difficult question to answer.

17555. The position at any rate would be materially different as compared with re-appropriation between sub-heads of the same budget?—Yes, materially different.

17556. From your experience in the Government of India Secretariat should you say that the allegation that the Government of India interfere unduly in matters of detail when dealing with provincial schemes of expenditure, is well founded?—I think detail is touched upon a good deal.

17557. I am speaking rather of a scheme which has to come forward under a financial rule because it involves the creation of an appointment of Rs. 300, for example. That scheme contains a number of other administrative details which, if they stood by themselves, the provincial Government might sanction, but which now have to go up to the Government of India for sanction. Do you think the Government of India interfere unduly in those matters?—I think there was a tendency to go into the whole of a scheme including matters which did not require the sanction of the Government of India.

17558. Would you say the Finance Department were special sinners in that respect, or that the other departments were also guilty?—That I can hardly answer; but there is always a greater tendency on the part of the Finance Department, from motives of economy, to go into closer details.

17559. Until quite lately settlements with the provinces were only temporary,—quinquennial—and the basis of the quinquennial settlement was the normal expenditure of the provinces as then existing?—Yes.

17560. Consequently, if a province got a scheme sanctioned during the quinquennial settlement, it might for the time being defray the cost out of surplus revenues, and when the next quinquennial settlement came, they might say "This is part of our normal scale of expenditure and therefore you must give us a better settlement"?—So they ought to.

17561. Therefore for that reason might it not be necessary for the Finance Department to look into those details somewhat carefully from the Government of India side of the case?—I think the less detailed interference the better.

17562. Did you in the Expenditure Branch think any Local Governments were unduly extravagant in matters of expenditure?—Occasionally schemes came up which were possibly rather extravagant, but I am not convinced now that it was worth while our interfering.

17563. Was there, possibly, any tendency to relax financial rules and Civil Service Regulations, or otherwise, for the benefit of members of the Indian Civil Service or other officials?—Not for the benefit of any particular class of people. But there is a tendency in Local Governments to get for its officers what the officers ought, in their opinion, to get, and I think that is a very proper spirit to exhibit.

17564. Is there any tendency to consider the interests of the officer as against the interests of the taxpayer?—No, I would not put it in that way.

17565. You had a good deal to do with opium work as Deputy Secretary? Was there not a good deal of trouble caused by a provision in the Opium Act, which requires that all Opium Rules should receive the previous sanction of the Governor-General in Council?—Yes.

17566. Do you agree with the opinion expressed by one or two Local Governments that in sections 8 and 13 of the Opium Act the words "subject to the control of the Governor-General in Council" should be substituted for "subject to the previous sanction of the Governor-General in Council," so as to avoid reference to the Government of India on all matters of detail with regard to the Opium Regulations?—Yes, I am not prepared to say that a change should be made, but it seems to be a good suggestion, and I am inclined to agree with it.

17567. It has been alleged that the existence of a permanent settlement in Bengal give the Revenue Officer very little detailed revenue work to do, but one witness combated that assertion, and said, on the contrary, that he had a great deal to do? What is your idea?—Our revenue work now involves a great deal of settlement and land-record work.

17568. Have you settlements in respect to estates under Government management?—Yes.

17569. The last witness stated that there is a certain amount of work with regard to certificates; is a certificate practically the process by which arrears of revenue are collected?—Not arrears of land revenue; these are collected under the Sale Law. Arrears of cesses are realized by the certificate procedure.

17570. That is all rather routine work?—Yes.

17571. Does your chief revenue work simply lie in the direction of settlements, when there is a settlement of a Government estate, and in work connected with land-records?—Yes, and land registration.

17572. You have to deal with a certain amount of work in connection with the partition of estates. Does all that work go up to the Board?—Yes.

17573. Is that necessary?—Probably not.

17574. Some of your permanent estates are quite of small size. As to small estates, might not the Collector deal with the partition, subject, of course, to an appeal to the Commissioner if a party was dissatisfied?—The Collector does make the partition, and then it goes up

to be confirmed by the Board of Revenue; I am not sure that that confirmation is necessary, and that it might not be done perhaps by the Commissioner.

17575. Would you prefer a system by which the Collector should make the partition, getting it confirmed by the Commissioner?—I am not prepared to say that I should prefer that.

17576. Does not your district organization consist largely in the concentration of Deputy Collectors at headquarters?—Yes, combined with sub-divisions.

17577. Is the headquarter sub-division in direct charge of the Collector, with two or perhaps three outlying sub-divisions in an ordinary district?—Yes.

17578. The Sub-Divisional Officer, who may be a Civilian, is sent there principally for magisterial work?—Yes, I should say chiefly. He does a certain amount of revenue work, which varies in different districts. He also presides over the Local Board.

17579. On the other hand, the largest sub-division of the district is administered by the Collector, who has Deputy Collectors for excise, income-tax, and stamps, and other branches of administration?—Yes.

17580. As you are probably aware, the whole district in Madras is divided into sub-divisions, and there is a Sub-Divisional Officer for each one, the Collector controlling them as the inspecting authority; is there something to be said for that plan?—One of our proposals is to have an officer in charge of the headquarters sub-division.

17581. If you had that system, would it be necessary to have Deputy Collectors concentrated at headquarters; would it not be better to allow each Sub-Divisional Officer to act as a Collector for his sub-division and perform all the branches of administrative work which the Collector has to do?—Yes, but of course he would require more staff.

17582. With regard to income-tax in Bengal, I understand that all the work is centred in the hands of a single Income-tax Deputy Collector. In Madras, on the other hand, the local officer makes his income-tax assessments, subject to the control of the Collector. Would it not be better to have such matters attended to by such an officer who has knowledge of the local area, instead of concentrating it at headquarters?—I should not object to that being done.

17583. You speak of the Joint-Magistrate as having disappeared; have you not a certain number of Joint-Magistrates on the *cadre*?—We have not got them serving in the districts in the way we had in the old days. There was then a Joint-Magistrate who knew the district, but that class of officer has disappeared. In the cold weather now, we get a young officer officiating as Joint-Magistrate for two or three months; then off he goes in the hot weather, with the result that he never gets a thorough hold of the district.

17584. Is that not due to the fact that promotion to Collectorships is rather rapid?—The Local Government has expressed its views on the subject; it is rather a detailed question which I am not prepared to answer.

17585. Would you like to see the Commissioner occupying a position rather like that of a Sub-Governor?—In a kind of way, yes.

17586. Apart from language and geographic considerations, if a province was homogeneous, would you still give Commissioners large powers and make them a species of Sub-Governor?—I think I had better confine my remarks to the province I know best—Bengal; I am not sure whether it would be appropriate to other provinces or not.

17587. Apart from that, would you be prepared to give larger powers to Commissioners; would you divide the present budget and give each Commissioner a piece of it to deal with?—I think there is scope for action in that direction.

17588. In the matter of Public Works, for instance, would you give the Commissioner powers of administrative sanction?—That would be a useful thing, if he also got allotment of funds.

17589. Would you give him the power of appointing Sub-Deputy Collectors?—I think he might be given such powers.

17590. Would you give him the power of posting members of the Civil and Provincial Services in his

own division?—I certainly would give him power as to the Provincial Service, and also as to the Indian Civil Service; if there was fair continuity of service he might be entrusted with those powers.

17591. Would you like him to have power to post a Collector, or would you confine him to posting to grades below the Collector?—I should be inclined to leave Government to post Collectors.

17592. Might the Commissioner have powers, subject to rules laid down by the Local Government, of vesting officers with magisterial powers?—I think so.

17593. And such other special powers as, in the opinion of the Local Government, may be required under the Criminal Procedure Code, of committing to the Sessions, ordering securities for good behaviour, and things of that sort?—Yes, all those are matters which a Commissioner ought to be competent to deal with.

17594. It has been suggested that instead of a number of administration reports on different subjects, such as municipalities, excise, and so on, there should be one comprehensive administration report for a province in which there should be paragraphs dealing with each subject; would that enable the Local Government and the Government of India to get sufficient knowledge of what was passing in regard to particular matters connected with administration?—I should be inclined to think not.

17595. Is not one reason for these administration reports that, apart from the necessity of furnishing information to the higher authorities, it enables an officer's successor to see what has been going on?—Yes.

17596. (Mr. Hitchens.) What, briefly, were the general principles of the provincial financial settlement?—The main change was that a quasi-permanent settlement was effected instead of a five years' settlement as before.

17597. What was the object of that?—One object was to give the Local Government a keener interest in administering the details of its departments economically and efficiently.

17598. Would the general idea of the relations between the Government of India and provincial Governments be that the Government of India has to deal with principles and Local Governments have to deal with detail?—Yes, I think so.

17599. You said that with regard to financial matters it was somewhat difficult to carry that idea out because the interpretation of the Financial Codes was a matter which could not be left to Local Government?—The application ought to be left; if a question of interpretation arises, then it must go to the Government of India for settlement.

17600. Are you prepared to say that the Civil Service Regulations, for example, lay down certain principles to which, admittedly, from time to time it is desirable to make exceptions, but that those exceptions should be made, not by the Government of India, but by the Local Government?—I would certainly ask for very free powers for the Local Government to make exceptions.

17601. From your knowledge of the Civil Account Code and the Civil Service Regulations, would you go so far as to say that the power of making exceptions, wherever any such power is granted, should be given to the Local Government and not to the Government of India, that is to say, wherever in the Codes the words occur, "subject to the exceptions to be approved by the Government of India," you would substitute the words, "subject to the exceptions to be made by the Local Government"?—I would not commit myself so absolutely, but as a general principle I should think so.

17602. In the matter of interpretation again, do you get a good deal of detail?—Yes, any important point of principle ought to go to the Supreme Government, but, personally, I would leave as much detail as possible to the Local Government.

17603. Are the estimates of the Bengal Government compiled in the Finance Department?—Yes, upon information sent up by the Accountant-General who collects it in the first instance, and sends his figures on to the Local Government. The Local Government frames its budget upon that.

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17604. Suppose in the course of the year there happens to be a falling off in the revenue, is the Finance Department responsible for bringing that to the notice of the Lieutenant-Governor?—The Financial Secretary certainly would bring it to the notice of the Lieutenant-Governor. He receives monthly statements from the Accountant-General showing how the revenues are coming in and the expenditure going on, and, if there was anything very abnormal, the Financial Secretary ought to bring it to the notice of the Lieutenant-Governor.

17605. It would be his business to point out to the Lieutenant-Governor, for example, that the revenue was falling so short that there must be curtailment in the expenditure?—Undoubtedly.

17606. Would it be his business to make recommendations as to where a curtailment should be made?—He would have information showing how the expenditure was progressing up to date in the different departments, and he might be in a position to suggest that as a given department, say, receiving an allotment of 20 lakhs, had only spent 5 lakhs in the first seven or eight months of the year, a saving might be effected there. He could point out where he thought a curtailment might be possible, but he could not order it.

17607. Would you, as Secretary in the Finance Department, make recommendations to the Lieutenant-Governor, or would he decide the matter after consulting the various departments?—Such a thing has not actually occurred in my time, but if it had I would have consulted the Heads of Departments and ascertained from them how far a curtailment could have been effected; then I should have put all their views together, and laid the case as completely as I could before the Lieutenant-Governor, and left it to him to decide where any curtailment should be made.

17608. Should Local Government have more power in matters of appointment, travelling allowances, pensions and such things?—Yes, certainly.

17609. But not on larger matters?—I am quite content with the existing principles which govern the relations between the Imperial Government and the Local Government, which I think are good and sound.

17610. Are you quite satisfied that the budget should be passed by the Government of India?—Yes, quite.

17611. Have you been a Commissioner long enough to form an opinion with regard to the character of the work which goes up to the Board of Revenue?—No, I think not. I would rather not express an opinion.

17612. When you were Secretary to the Finance Department you dealt also with municipal affairs? Do you think it advisable to give wider powers to municipalities?—I am not disposed to make any recommendation for giving wider powers to municipalities at present.

17613. Would you allow them more freedom in exercising the powers that municipalities already possess?—Yes.

17614. Would you allow them to exercise their powers without so much Government intervention?—No; I think municipalities require a good deal of control and supervision. I do not think their offices are very well run; there is no good supervision over them. You may have an energetic Chairman, who may be good at out-door work, but, speaking generally, the offices are not well supervised, and there is a want of control over their conduct which reflects to a considerable extent on the administration outside.

17615. You would not be prepared to go so far as to allow them to make up their own budgets without submission to the Government, and without the sanction of the Government?—I would not send them beyond the Commissioner of the division—in fact, at present, they do not go beyond the Commissioner.

17616. As Commissioner would you examine the budget very closely?—It is the District Magistrate who examines it closely; I do not think the Commissioner would do so.

17617. Supposing you disagreed with a budget, would you send it back, and would you make them practically agree to what you wanted?—Only in an extreme case; I do not think one would interfere in small matters unnecessarily.

17618. Then the existing power of control is not very widely used?—Personally I have never known any municipality object to its budget being examined and criticised; on the whole, they rather like its being examined for them.

17619. Do they like it for the reason that, in the event of anything going wrong, or if there is grumbling at the weight of taxation, they can shift the responsibility on to the Government?—No; that would be rather an unfair motive to attribute to them.

17620. Is it possible to delegate further powers from the District Boards to Local Boards?—That is a very complicated question; at present I think the Local Board is not serving a very useful purpose, and it is a question whether we should take away from the District Board and give to the Local Board, or whether we should do without Local Boards altogether and simply have District Boards and union committees. Some re-distribution is required, but it is not quite settled yet in what direction it should go.

17621. Broadly speaking, is it important that the method of election should be amended?—Yes.

17622. And when that is done, would you be prepared to give Local Boards further powers?—Yes, I think so—that is the intention of the Local Government, and I agree with it.

17623. District Boards have a pretty wide area to deal with, and no member probably knows much about the whole of it?—I think they are not intimately acquainted with the whole of it.

17624. Are they more likely to be interested in the area of their own Local Board?—Yes; we hope they will be, but at present they are not. There is more life in a District Board.

17625. Is that because Local Boards have no money of their own to deal with?—Yes; they have very little to do, and the thing is not well arranged at present.

17626. Would you recommend that they should have a definite portion of the cess to dispose of themselves; for example, would you give them power to deal with education?—I would not like to commit myself to that; I would like to give them as much freedom as possible, but it is a very difficult question to argue.

17627. You are not prepared to say, then, broadly, that you think they ought to have a definite income of some kind?—No, not unless they were prepared to raise more income by light local taxation.

17628. Supposing the Public Works Cess was handed over to District Boards, would you then be prepared to say they might have a portion of that?—Theoretically I would, but the difficulty then arises who is to spend that money, and what the agency will be. At present you have one District Engineer for a whole district, and if you are going to divide the Road Cess money, or the Public Works Cess money into four separate shares, are you going to have four separate District Engineers?

17629. That objection would not apply to education?—Perhaps not; they might be able to run their own primary education to a large extent, and I should like to see them as free as possible in respect to that.

17630. With regard to authorities subordinate to a Local Board I understand that there are two kinds of organizations; there is a chaukidari panchayat and there is also a union committee?—There are two such bodies in existence.

17631. Does the chaukidari panchayat merely deal with police matters?—Yes. A union committee is a different thing under the Local Self-Government Act.

17632. Have union committees not been quite successful?—They have not much life as yet, and the Local Government have sent proposals to the Government of India to expand their spheres of usefulness.

17633. If they ought to be expanded, would you do it on the lines of unions of villages or would you make each village a unit by itself?—On the whole a union of villages would be better. You might possibly get one village too small to be a municipality, and quite big enough to be a union of itself.

17634. Would the villagers in one village be interested in the affairs of another village?—On the whole, one would suppose not.

17635. *A priori* does it not seem likely that a body with more life would be created if it was confined to

single villages as far as possible?—It is rather dangerous to theorise, and you must deal with facts as you find them. On the whole, I am inclined to small groups of villages, although there are some villages which are big enough to be a union of themselves.

17636. Do you propose to give them powers of taxation?—Yes, powers of light local taxation, principally for sanitation.

17637. Would they have anything to do with education?—I hardly think so, although if there were a primary school in the union it is just possible they might have a certain amount to do with it.

17638. (Mr. Dutt.) When is the Bengal budget sent up to the Government of India?—There are three editions of the budget and the final submission is in the beginning of the month of March.

17639. When is the sanction generally received?—It is announced at the end of March, although we know un-officially, or possibly even officially, if any serious change is made.

17640. That budget is discussed in the Bengal Council?—Yes. In April or a fortnight afterwards.

17641. Could the Bengal Government, before sending the budget to the Government of India for sanction, take the opinion of the Bengal Council? Could the Bengal Government do anything in the way of modifying the budget after getting the sanction of the Government of India?—I cannot answer that question off hand.

17642. Would you prefer such a thing with view to ensuring an opportunity to make modifications of the budget previously to its submission to the Government of India?—I should think that would be a development. We had the budget discussed informally last year. I think what you suggest is possible, and if it turns out to be possible, I should like to see a development on those lines.

17643. With regard to nominated members sitting on District Boards, is it your opinion that as soon as they are nominated they lose the confidence of their countrymen?—No, that is not my opinion—not absolutely as you state it. I do not see why they should lose the confidence either of their countrymen or the villagers.

17644. How long were you a Collector?—For about four or five years.

17645. Did you find that some of the members of the District Board were doing useful work?—Yes, there were always some members who did good work, and some who were not so much interested.

17646. You would not agree in the opinion that their main object in being elected as members of District Boards was to advertise themselves?—No, speaking generally. No doubt there were cases of the kind, but I would not make that as a general statement.

17647. It has been suggested that small zemindars and raiyats should send representatives from their own class to local bodies. Do you think that in small sub-divisions this class would find suitable representatives from amongst their people?—It is to be hoped that they will.

17648. Supposing they did not, and that they wished to send a man from another class to represent their interests more effectually, would you prevent them doing so?—Yes, I think they had better send one of their own class.

17649. Suppose they wished to send a man, more able and intelligent, to represent their interests?—I should like to wait till the contingency really arises before expressing an opinion upon that matter.

17650. As regards your proposal that the whole of the province of Bengal might be divided into four great divisions, is not the province practically so divided now, except that there are six divisions instead of four?—I should not say that, because I develop my proposals.

17651. It is your idea that Sub-Governors or Heads of divisions should have Secretaries of their own?—My suggestions are only a very rough idea, but I should think not. At present the Commissioner has a personal assistant, and possibly he might have two personal assistants, but that is a matter which would require to be thought out. I do not contemplate a regular Secretariat.

17652. Would you have separate Heads of Departments in those sub-provinces?—No, I think they would not be required.

17653. For instance, there is a Director of Public Instruction for the whole of Bengal; would you allow that Director to control the educational operations in Bihar, or would you allow him only to be an adviser?—You have the inspector at present and the inspector would work under the Commissioner's orders; the policy would be laid down by the Lieutenant-Governor after consulting his departmental adviser, and the departmental adviser would tell the Commissioner what to do.

17654. So in the Medical Department and other departments would you have special officers as Heads in the sub-provinces?—Not in the Medical Department, you would not require any one at all there, because you would have your Civil Surgeon for each district.

17655. But who would control the Civil Surgeons?—There is the professional control of the Inspector-General.

17656. Who would pass orders as to transferring them from place to place?—My idea is that if you had a staff allocated to a sub-province, it would be the Commissioner himself. Civil Surgeons are not transferred every day, or at least they ought not to be. With five districts in a division there would be only five Civil Surgeons and a certain number of assistants; the Civil Surgeon would report that he wanted an assistant and the Commissioner would try to find him one from another district.

17657. You say Heads of Departments should not be allowed to dictate to the Heads of sub-provinces the action to be taken by them, but are there certain matters in which their instructions would have to be carried out by the Heads of sub-provinces?—Yes, they would advise. We should have to see how it worked out—it is difficult to say exactly.

17658. If you were to delegate many of the powers now possessed by the Board of Revenue to the Commissioners of divisions, might not the Board of Revenue be curtailed?—That is a question which would have to be examined.

17659. In the event of that being the case, would the members of the Board of Revenue be more valuable if they were general colleagues of the Lieutenant-Governor, in revenue as well as in other matters—in fact if they were members of a Council for Bengal?—That is not the scheme I put forward myself; my scheme scarcely fits in with what you suggest. Yours is not a scheme which I could recommend.

17660. With regard to your views as to the duties of Commissioners, might not the object be served if you created Advisory Boards for Commissioners and District Officers?—No, I do not think so. I do not quite understand what you mean by an "Advisory Board," or what its functions would be. I say we have certain Boards and Local Bodies at present, and I do not want to see another Local Body super-impose upon them.

17661. District Boards have certain definite duties to perform under the Act, and if there are other matters in which the Collector wants co-operation, can he go to the District Board under the Act?—The Act does not say that he cannot go to them; he can consult them at a District Board meeting after he has performed, or before he has performed, the business which is on the list. Very often Government sends down and asks the opinion of the District Board which records a formal opinion which is sent to the Government.

17662. When the Government or a Collector wishes for an opinion, is an informal discussion with the members of the Board enough?—I think informal discussion is quite enough, and it is very useful, and is generally sought by a District Officer or Commissioner.

17663. Are not the sub-inspectors of schools, who used to be servants of the District Boards, now Government servants?—Yes. The change was made about two years ago.

17664. Would you approve of the idea of primary education being managed by the Boards through their own servants as it used to be?—On the whole, I would like to see primary education managed by the local authorities as much as possible; that is my general opinion without committing myself to details.

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17665. With regard to village panchayats would you like to entrust them with the power of disposing of petty civil and criminal cases in the villages?—I would, but I would not say it would be feasible to entrust them with such powers.

17666. Would you like to try the experiment of letting the villagers settle their own disputes in small village matters if proper men could be found in the villages?—I do not see any hope of success. We have a very complicated and intricate judicial system, and if you add that to it, I presume you would allow appeals to a higher authority, and if the procedure is hopelessly bad from the beginning it would never do to have such a system if it could be all upset because of irregularities in procedure.

17667. Are there not Honorary Magistrates in villages sometimes?—Yes.

17668. Would you like to associate the Honorary Magistrate with two or three villagers so as to form a Bench to dispose of cases?—We have the Bench system already in fairly large villages—not in every village—but in most sub-divisions you have two or three Benches, and cases come up on appeal to the District Magistrate. Their procedure is frequently found to be not so correct as the law contemplates, although they might do justice with regard to the actual case.

17669. On the whole, do you think the work of criminal administration by these Benches satisfactory?—I should be glad if they had more of it; they do a certain amount of good work.

17670. Would you like to try the experiment in other places?—I am always in favour of having work done by such an agency, and the more done by them, the better.

17671. (Sir Frederic Lely.) You mentioned that it would tend greatly to reduce the number of transfers within a province if the Government of India were to give longer notice when they require the services of an officer; has that suggestion ever been made officially?—I am not aware that it has.

17672. Is every district in Bengal divided into sub-divisions?—Most districts are, but there are some which have no sub-divisions. In my division there are two—Palamau and Singhbhum—which have no sub-divisions.

Mr. A. AHMAD was called and examined.

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17683. (Chairman.) You are the Magistrate and Collector of Khulna?—Yes, I have 26 years' service. Long experience has shown that the Heads of Departments must be members of the Indian Civil Service recruited from England. Any deviation from this established rule will break up the administration into so many branches without the efficiency of control which is now felt and acknowledged on all hands. It may be urged that a special Department requires expert opinion and expert knowledge in a particular sphere of action. That I accept and would allow details and special treatment to be dealt by qualified experts from Europe. At the same time the control of the department and its administration must remain with the Indian Civil Service. Another point in relation to the administration which calls for attention is the cry of the people, the educated classes, for a greater voice in the administration. This can also be effected by a judicious admixture of the people with the administration. At the present moment district areas are too large to be properly governed by one man, and the assistants allowed to him are often too few. The work demanded of him is of varied description requiring at times superhuman effort. He is hampered in his endeavour by rules and regulations which insist on his going to higher authorities for sanction or to zealous departments for advice or to subordinates who offer allegiance to him on sufferance.

To remedy these drawbacks I would expand the present administrative unit and make the *chaukidari* circle the unit of the administration. Members of *panchayats* and their Presidents would be elected by the people and subsequently appointed or selected by the District Officer. These in their turn should elect members of the District Council who should meet once a month at the headquarters of a district. The Collector of the district should be its President. All matters which

17673. In whose charge are sub-divisions?—They are in charge of what we call a Sub-Divisional Officer, who may be a young Civilian or a member of the Provincial Service.

17674. Is his work limited to certain things, criminal, magisterial and Local Board work?—Yes, and in some sub-divisions there is some revenue work—for instance, if there was a famine or serious scarcity, he would be responsible for looking after that.

17675. But he is not in full administrative charge of a sub-division under the Collector?—Not absolutely. He is in charge in a limited way.

17676. Does he tour?—Yes.

17677. If it was wished to enlist the advice and help of the people more in the work of Government, how would you proceed?—My own suggestion is less routine and office work for the District Officers, so as to enable them to mix more freely with the people of the district. I have no organic change to suggest.

17678. Would you, for instance, begin with some of the best District Boards and make them entirely elective, as an experiment?—I never object to any experiment, and it might well be tried.

17679. Is not the present system, under which Government nominates a third, merely enough to take the majority-vote out of its hands, while at the same time it may involve a certain amount of odium for mis-government?—I do not think so.

17680. Do not the people say that Government nominates the wrong men?—I do not think so.

17681. With regard to District Boards, is primary education chiefly confined to what we call the *guru* schools? Would not the management of those schools be more appropriately left to the villages than to the District Boards?—But there are many villages where you would find no one very keen upon superintending the *guru* schools.

17682. But if willing villagers could be found would they not be more appropriate agents?—Theoretically; the more you localise, the better.

(The witness withdrew.)

are now discussed and settled by District Boards and municipalities should be dealt with by this Council. The number of members elected should be supplemented by local officers of different departments. This Council will prepare the budget, administer the local funds, and assist the District Officer and the Executive with advice, help and assistance. From this body of councillors a number of members, including officers of Government, should be selected to represent the provincial Advisory Council. The actual work in a district will be done by the Executive as now, but with more independent powers from the divisional and other higher authorities. Commissioners of divisions and the members of the Board of Revenue should become Executive Councillors to Government. Powers and duties should be delegated to the Commissioners of divisions and Heads of Departments, and orders passed by them as representing the Council should be final. The powers of Collectors should similarly be enlarged and they should be independent of the Commissioners' control but directly under the Lieutenant-Governor and his Executive Council, which is distinct and separate from the Advisory Council of the province; which would be an assembly of mixed officials and non-officials without any executive powers. The Commissioners should be added to the Advisory Council to assist in legislation affecting the administration of the province. The Secretaries should remain the same as now, and as the work with Government will become heavier they should be assisted by extra officers and staff now working in the Commissioner's office and in the Board of Revenue and other Departments.

I am against the multiplicity of appeals. When two Courts are of the same opinion no further appeals should be allowed. I would invest the local *panchayat* with summary powers to try petty criminal cases and

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dispose of smaller classes of money suits. They should have powers to impose fines and decree damages and suits—the powers to be exercised summarily, the rural Benches and Courts to recover no stamp duty for such matters, but expenses entailed to be met and paid for by the District Officer from the district funds at his disposal. Appeals from these decisions should be to Sub-Divisional Courts and from them to the District Courts.

The village *panchayat* should have the power to impose *chaukidari* tax, drainage and sanitary taxes and water and school taxes, and they should administer the funds under the control and subject to the approval of the District Advisory Council. No cash will be kept or handled by them, but all sums so recovered will be sent to the treasury which will bank with them. The *panchayat* will also form Credit Societies, and that money will be entirely at their disposal with the necessary control. It may also be supplemented from time to time by the funds at the disposal of the District Council. The Local Boards, unions, and rural municipalities should be abolished or merged into the District Council and *chaukidari* union *panchayat*.

I would further remove the police investigation centres and convert them into petty Courts where complaints can be lodged and judicially disposed of. The men in charge of these petty Courts should be paid servants and have higher powers than the village Courts. They should be allowed to dispose of petty criminal cases and money and rent-suits which are now tried summarily. They should be under the control of the Sub-Divisional Officers and the District Officers. Appeals from their decisions would be to Sub-Divisional Courts in the first instance, and then to the District Courts. Muktears may be permitted to practice in these Courts. The Sub-Divisional Appellate Courts should be associated with a lawyer in disposing of such matters. The police being relieved of the duties of investigation will be kept in reserve in each centre for dispersing unlawful assemblies, pursuing bad characters, *dacoits*, robbers, etc., and doing escort duties. For such purposes they will be under the Magistrate at the headquarters of a sub-division or the district. For other departmental purposes and discipline they will be under the control of the Superintendent of Police under the general control of the District Officer. A police force of this description should not be removed from the circle where they are placed without the sanction of the Magistrate.

17684. I gather that you think that the power of appeal at present goes too far. How far do you think it ought to go?—My suggestion has been that if there are two Courts that are of one opinion there need not be any further appeal; but I also suggest that those Appeal Courts might have the power of revising their own orders in case of any error or mistake which might subsequently come to their notice.

17685. You would like to see the local *panchayat* invested with power to try petty criminal and civil

cases; would a class of people be found in a village to sit on such a committee?—Yes. I have introduced the *chaukidari* system in my own district, and I have had experience of it, and I find the villagers themselves are trying cases without our knowledge and without any control; what I want is that they should be controlled and given a legal status.

17686. Do your duties as Chairman of the District Board take up much of your time?—To a certain extent they do undoubtedly. I suppose they take me a full hour a day for the office work alone.

17687. Could you, as a rule, find a native gentleman, or at all events on unofficial gentleman, who would be likely to have the universal knowledge of the district possessed by the Collector?—I am afraid not.

17688. For that reason would you maintain the present system?—Yes.

17689. (Mr. Dutt.) You make a proposal to abolish District Boards, Local Boards, municipalities and village unions, and to merge them all into two bodies, namely, the District Council and the village council?—Yes.

17690. You would give extensive powers to village councils, thoroughly organising them and enlarging their powers, and giving them the money that they get from the villages to spend in the villages; you would also give them petty civil and criminal powers?—Yes.

17691. (Sir Steyning Edgerley.) Your scheme really is to do away with all municipalities and District Boards, and to make them all into one District Council with only the village council below and with the Collector as Chairman? What would be the size of the Council?—I should fix it according to the size of the district; for instance, I have now 200 unions in my district; out of these I should select, say, half for the District Council.

17692. You mean that you would have a hundred members?—Yes. They would meet once a month and do the executive work of the district as the District Board is doing now, only with enlarged powers.

17693. Have you ever seen any body of that size working in India?—No, but I think it is possible; it could be worked. The number is large, but it could be left to Government to be determined according to the requirement of each District and the choice of the people.

17694. (Chairman.) Have you yourself a good knowledge of the vernacular?—Of my own mother tongue, Hindustani, certainly. I can also speak Bengali.

17695. Therefore an Indian, as well as a European, Commissioner or Collector might very easily have difficulties with regard to the vernacular?—I have never seen yet any District Officer, whether a European or a native of India, have any difficulty.

(The witness withdrew.)

Mr. F. W. DUKE was called and examined.

17696. (Chairman.) What is your present position?—I am Officiating Commissioner of Orissa and Superintendent of the Tributary Mahals. During the last three years I have acted as Commissioner in three divisions and also as Additional Commissioner of Patna.

The Orissa Division differs from others in the circumstance that the three districts of Cuttack, Puri and Balasore are for the most part temporarily settled, that the small jungle district of Angul is governed under a Regulation of its own, while Sambalpur added to the division in 1905, is still administered under the Central Provinces Laws and Regulations. The Commissioner of Orissa as Superintendent of the Tributary Mahals has also the political superintendence of 24 Feudatory States, of which 7 were added from the Central Provinces and Chota Nagpur in 1905, 10 of them being directly administered by Government on account of minority and other reasons. The States are in direct charge of a Political Agent, who stands to the Superintendent in much the same relation as Collectors to their Commissioners.

A more complete separation than at present exists might be effected between the imperial and provincial

finances, although I am unable to suggest the exact measures. They ought, however, to be in the direction of interesting the Local Government in the improvement of those branches of the revenue which are improvable by its own action, and this can only be attained by leaving to it the whole or at any rate the greater part of the increase under the particular heads. I may instance a rule, which has now been corrected, but which for several years created great obstacles to the outlay of money on agricultural improvements by Local Governments. It was that three-fourths of the increased revenue should go to the Government of India. Unless, therefore, the increase of revenue from any improvement were at least four times as great as the Government rate of interest, a Local Government would lose by investing money in it. It is of course obvious that many excellent and much needed agricultural improvements would not return 14 per cent. Unless they did, Local Governments had to face a financial loss in supporting them. The Government of India might naturally enough consider itself entitled to three-fourths of the natural and spontaneous increase of land revenue, but increase of revenue obtained by direct money outlay would surely

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be on a very different footing, and the omission to consider it separately implies a rigidity and want of due consideration in the relation between the Governments. As an instance of the prejudicial effects of the want of independent financial power on the part of the Local Governments, I may instance the way in which works of many different classes, particularly agricultural works and those for which local authorities are subsidised by Government, and record and other grants administered by the Board of Revenue, are hampered by the Government of India budget system. All kinds of grants lapse, and work has to be suspended on the 31st March, that is to say, exactly at the middle of the season when most important works of construction are in progress. Not many years ago it was very rare to get a new allotment until August, that is, when more than half the working season of the year had expired. The Board of Revenue and the Local Government have in recent years exerted themselves to give provisional grants, and these are now received a good deal earlier. But financial caution results in the provisional grants sometimes being very inadequate, and work is still frequently strangled by this system.

I think that the Government of India has occasionally imposed policies on the Government of Bengal in a manner which argues ignorance of local conditions coupled with unconsciousness of that ignorance, and disinclination to allow fair weight to the knowledge and experience of local administrators. The correspondence between the Governments on the subject of suspensions and remissions of land revenue afforded strong examples of this temper in the Government of India. Bengal officers may, in respect of Government estates and of temporarily-settled tracts, have been unduly reluctant to adopt a system of suspension or remission proportionate to the loss of crops, and the authority of the Government of India may have been properly exerted in requiring them to apply a system which had been found beneficial in other provinces. The same can hardly be said of the manner in which the Local Administration was coerced in respect of permanently-settled tracts. The whole weight of opinion in Bengal was against the application of the system to such tracts, and the attitude of the Government of India might have been thought to indicate an indifference to that opinion, coupled with a considerable ignorance of permanent settlement conditions in Bengal.

I attribute those administrative reforms of recent years in which I take most interest to the initiative of the provincial Government, and their initiation was largely dependent on financial questions. Many matters of great importance, such as better accommodation for public offices, the housing of officers, improvements in local communications, improvements in salaries, increase of the *cadre* of different branches of the service, have long been considered by the provincial Government, and would have been introduced much earlier had funds been available, but for funds it is dependent on the powers or liberality of the Government of India, and it was only since that Government has been able to revise the provincial contracts in a manner favourable to the Local Government that these improvements have been undertaken.

In Bengal during the last three years an enormous amount of delegation has taken place, and the greater part of the powers which can be legally delegated by one authority to another have already been delegated. Officers are still occupied in accustoming themselves to the new arrangements, and have hardly had time to consider what further progress could be made upon the same lines. No doubt there are still matters on which further delegation might take place with advantage. Programmes of works of improvement have to be sent to the Board of Revenue, even when these are of small amounts, and little or nothing can be gained by obtaining a technical opinion upon them. Under the rules recently enacted the Commissioner has power to grant suspensions of revenue, but only if they occur within the year in which they are granted. Therefore if an instalment becomes due within the first few days of the new year, it is necessary to go to the Board of Revenue for sanction. The instance will occur in this division next March. It was probably merely an oversight in framing the rules. Purely formal abatements of land revenue, e.g., those connected with land acquisition, might be dealt with by Commissioners or even by Collectors instead of by the Board.

The influence and the authority of Divisional Commissioners have been much increased of late years by the delegation of important financial powers. The proportion of the Public Works Cess which was made over by the Imperial Local Governments is now distributed to districts through Commissioners. Small grants have also been given to Commissioners to aid local institutions in the removal of obvious defects and to execute minor public works. Probably both of these might be increased with advantage. The Public Works grant was probably based on technical calculations, but was undoubtedly inadequate, and in Orissa has had to be increased every year. Almost more important, however, than increasing the funds at the disposal of the Commissioner would be to similarly place some small funds at the disposal of District Officers. A small fund, subject to no further audit than the production of voucher and a certificate that the expenditure was essential, would add very greatly to the influence and usefulness of the District Officer.

As regards the Court of Wards, all estates with incomes below one lakh have recently been placed under the control of the Commissioner, and no further delegation appears to me to be necessary at present. In Bengal, owing to the elaborate machinery of the Court of Wards, it has been customary to accept charge of only very wealthy estates, and comparatively few zamindaris with an income of less than, say, half a lakh are taken under the Court. In the Central Provinces, where the system is in many respects simpler, it has been customary to take very small properties, where the family was respectable and of some local importance. It would be very desirable to alter the Bengal system so as to admit of a similar course of action, and to take more interest in the estates of such men during their minority. But it could not be done under the elaborate system requiring everything to be sanctioned by the Commissioner. If estates of Rs. 10,000 a year and less were managed by the Collector, subject only to his making some general reports and returns, it would be possible for him to assume charge in many cases with benefit to the land-owning class.

Local officers might exercise control of expenditure with advantage—particularly as to Public Works, Major Works, i.e., those above the sanctioning powers of the Commissioner, Rs. 2,500 in each case. We have very little to say as to the works which are to be undertaken in our divisions. Government must necessarily decide as between divisions, which works are to have precedence. Commissioners do supply formal statements of the order of importance of works to be undertaken. But the principle of divisional allotments might be carried much further than it is. Only works of really great size and cost need be reserved for the sanction of Government, and those of an ordinary character, such as must be supplied in each district, should be left to divisional sanction and allotment. If the power of the Commissioner were increased, I would grant an allotment with power of sanction of small works, say, up to Rs. 1,000, to District Officers.

The difficulties occasioned by appeals are more due to lax procedure by appellate authorities than to anything excessive in the right itself. It appears arbitrary, and is certainly unpopular, to curtail the right of appeal, but there is no reason why the officers to whom appeals lie should not exercise their power with reasonable discretion. I certainly do not approve of a certificate from the authority passing the order that reasonable grounds of appeal exist.

Commissioners have not much to complain of in the way of adequate weight not being given to their views, whenever they choose to insist upon their opinions. It is only occasionally that a Commissioner has occasion to express special views on questions, say, of education or public health, but in order that he may do so effectively it is necessary that he should be in constant touch with the departments concerned, and it is rather difficult for touch to be maintained when the instances in which action is really called for are infrequent. Generally, it may be said that the influence of the Commissioner in departments outside land revenue has been strengthened in recent years.

Executive Officers have sufficient opportunity for personal contact with the people in districts where they are not overworked. But in at least a third of the districts in this province, and, probably in more, they are chronically overworked. As a rule, the matters in which they would gain by personal contact with the

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people are those which it is also most easy to delegate to a Deputy Magistrate. Too much of the time of most District Officers is still taken up by routine. It would be in the interests of the administration if more delegation to Deputy Magistrates and other assistants were recognized, and more individual responsibility for the departments in their charge enforced upon them.

Executive Officers do not now possess a sufficient knowledge of the vernacular. Even the police work, from which in former times they received their principal training, is now mostly performed in English. In this province at least three principal vernaculars may be counted, and it requires some talent for languages and much industry to be in any way familiar with the whole of them; but I question whether nowadays officers, as a rule, know, even one well.

A general increase in the administrative staff is required. District administration is greatly weakened by the number of appointments for which officers have to be specially selected, and also by the amount of special duty. A mere increase in the number of the staff will not entirely get rid of this difficulty, but it would do so to some extent. If districts usually had a Joint-Magistrate, whether he was removed or whether he replaced the District Officer, there would be much less disturbance of district work than there is at present. I do not think that any general reduction in the area of district charges is required. One or two districts are notoriously excessive; but the general size of a district is not beyond what a competent officer can manage. It is the experience of almost every officer with whom I have discussed the question that the Sadar sub-division is the most neglected part of a district. The Collector is responsible for two or three other sub-divisions besides, and can only give it a divided attention, and for the rest it is nobody's business. There is probably a larger staff and relatively less pressure in the Sadar sub-division than in any other, but there is a want of direct responsibility. Sadar Sub-Divisional Officers should be appointed in all Bengal districts.

Transfers of officers are excessively frequent. A certain step in advance has been obtained by refusing to consider seniority as a ground for filling acting appointments of three months or less, but anything gained in this way has been more than lost by the increase of transfers occasioned by special appointments. The effects on the position of the District Officer and on the continuity of administration have been disastrous in many districts. As regards acting promotion, I should extend the three months' rule to all vacancies of one season. For all appointments of less than a year, ordinarily from spring to autumn, the officer whom it was most convenient to take should be chosen, and no claim by reason of seniority should be recognized. I should strongly recommend divisional *cadres*, i.e., that officers should be appointed to a division to remain in it for a substantial part of their service, 7 to 10 years, and that acting promotions and in fact all kind of vacancies should be filled up as far as possible inside the division.

I am unwilling to recommend that larger powers should be granted at present to municipalities and District Boards, because while their present powers cover pretty completely the field of municipal administration, they commonly fail to take full advantage of them. I doubt whether there is any demand for increased powers. There is a great demand for place, but that is not the same thing. Increased powers necessarily connote increased taxation. This is very unpopular. Sub-Divisional or Local Boards have generally been pronounced a failure. This is very regrettable, because these Boards always had the whole of the local roads in their hands, the roads in which the people of the country are really most interested, but they hardly seem able to take practical interest in them. I am averse to giving them up altogether, because self-government must be built up from the smaller units to the greater. Possibly something might be done in respect of primary education; even at some risk of efficiency I should be prepared to make over the primary schools to Local Boards. Village unions should be persisted with. We have made great efforts recently to revise the *chaukidari* system, to get good village panchayats drawn from a considerable area, perhaps containing a population of 8,000, and the functions of these panchayats should be extended to

other matters, such as, care of village interior roads and pathways, sanitation and the settlement of petty disputes.

I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. The materials for such Councils do not exist, but there are certain persons whose advice the District Officer ought always to take on matters affecting the people, even when he anticipates its purport and has no intention of following it.

I should not consider it expedient to invest District Boards with powers of supervision and control over small municipalities. There is hardly any community of interest. What is most expedient is to recognize a lower class of municipality with more elementary functions than at present exists, and to withdraw its area entirely from the control of the District Board and to make it self-supporting. In many parts of the country, but particularly in Bihar, there are large villages with populations of 2,000 to 4,000 for which the District Boards can practically do nothing beyond perhaps providing one road through them and a well alongside it. Such villages require a system of municipal government, but a much simpler system than at present exists under the Municipal Act.

I should like from the panchayati system, which at present is only employed for the payment of the *chaukidars* and to a small extent for their control, to evolve an organization for the management of sanitation, communications and the settlement of petty cases.

17697. What is the size of the Orissa Division?—Including Native States, it is nearly 42,000 square miles. The Presidency Division (where I have officiated as Commissioner) would be about 10,000 or 12,000 square miles; the population of the Presidency Division is much greater than that of Orissa.

17698. How long would it take you to get to know any one of these divisions with reasonable thoroughness?—I do not think a Commissioner could get to know his division—if he did not already know the districts of it—within less than three or four years.

17699. Therefore to a great extent, through no fault of your own, you were acting as the chief authority in divisions which it was impossible for you to know thoroughly?—Except so far as I had previously been District Officer.

17700. Is that a good system?—No, I do not think it is a very good system, but divisions are generally to some extent homogeneous, and an officer who has a good knowledge of a typical district, who has been in one district of a division and has a thorough knowledge of it, is not at so great a disadvantage with regard to the other districts.

17701. Is the personal influence of the Commissioner a considerable factor in the government of the division?—I think it is.

17702. If a Divisional Officer cannot tour through his districts, how can he have any personal influence with the inhabitants of those parts of the division which he does not visit?—Of course he visits each district of his division every year; but even before he has any opportunity of visiting the districts, he has become acquainted with the principal residents. All the great landowners and the principal men of the division come at fairly frequent intervals into the divisional headquarters, and they make a point of making the Commissioner's acquaintance; he also makes a point of seeking the acquaintance of the leading men in the division.

17703. Did you find in each of these divisions which you held for a year, that you did know the principal people of the division at the end of a year?—I have never been a whole year in a division, except in my present one, where I have been about two years. I think, certainly, that I met all the principal men in the division within the second year.

17704. But in the case of your other divisions it was quite impossible for you to do that?—Yes, but in those places I was merely a stop-gap.

17705. But what about the point of view of the division which you had to administer, which is the important thing?—It was no doubt unsatisfactory.

17706. You point out a difficulty with regard to the budget, that just when the works of construction are in full progress, work has to be suspended until you

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can get a fresh allotment of funds. Does that difficulty occur now, or is it a difficulty of past days?—It has not been entirely removed. Government is at this moment attempting to remove it. I have no experience yet of a sufficient provincial allotment having been given to enable all works, which ought to be carried on, to continue. I had occasion in July last to give local instructions as to how far the difficulty might be met, by pointing out what classes of works should be carried on with a provisional allotment, as everything could not go on.

17707. You find that the present system does hamper you considerably?—Up to date we are still hampered. I do not say that it causes loss of money; it causes loss of annual profit, when the works are profitable works and their execution is deferred.

17708. To construct a new work have you to bring a great deal of labour to the spot?—I was not thinking of works in which you have much trouble in obtaining labour; I was thinking of local improvements.

17709. There has been already some delegation of powers to Commissioners in Bengal?—A very considerable delegation.

17710. Have you, as a Commissioner, power to delegate to your District Officers?—There are some matters in which by rule I have power to delegate; as a rule it is not optional to the Commissioner to delegate duties.

17711. In those cases in which you have power, do you exercise that power?—It is difficult for me to give instances; I have done so in some matters in respect to Road Cess.

17712. You have not at all events exercised your full powers of delegation?—I have never refused to exercise any power of delegation that I can think of.

17713. Have you ever on your own initiative exercised any power of delegation?—The Commissioner cannot delegate his own powers. He can sanction the delegation of various powers by Collectors to Deputy Collectors, and that is frequently done.

17714. With regard to the Courts of Wards, we had it in evidence yesterday that there was an attempt on the part of the Board of Revenue to take possession unduly frequently of estates, the proprietors or trustees of which would rather have remained outside the operations of the Court of Wards; have you noticed any such tendency in the divisions with which you have been connected?—My opinion is entirely the other way, that there is a reluctance on the part of the revenue authorities to burden themselves with estates; but it is quite possible that few estates are taken over without some one opposing it; as a rule, if there are any ladies of the previous generation, they are usually advised to oppose it, or they oppose it of their own motion.

17715. Is there an undue desire on the part of the Board of Revenue to take possession of estates?—There is certainly not an undue desire, and I am inclined to think that there is rather an undue reluctance sometimes to take up estates, because they are not considered sufficiently important.

17716. You are not in favour of curtailing the right of appeal?—No, it would be a very unpopular thing to do; I do not think it is necessary.

17717. You think that the appellate authorities are perhaps not very careful to go into the full facts of the cases which come to them on appeal?—My objection is that the complaint of the abuse of appeal is often caused by appeals being taken up unnecessarily, by reason that the initial duty of examining the appeal and deciding whether there is a *prima facie* case is not discharged with sufficient care, so that appeals are brought up for a full hearing which might more properly have been thrown out on the face of them or after some preliminary examination, instead of compelling both parties to come up and be heard at full length and at great expense.

17718. You think that a little preliminary care in this matter might reduce the bulk of the work?—It might reduce the bulk of the work and it would be better for the parties.

17719. Is the size of the districts generally too large in Bengal?—I do not think so generally.

17720. If there is an over-press of work would it be best relieved by the increased appointment of Joint-Magistrates?—Except to some of the Sadar sub-divisions.

17721. If far larger powers—certainly all such powers as you and your Collectors and a Sub-Divisional Officer could properly exercise—were given, would there still be any necessity of increasing the staff?—If much extended powers were given the staff would have to be increased. The staff which I require to be increased is the staff at the bottom, the sub-divisional staff; officers for the Sadar sub-divisions of districts are very badly required, and that cannot be met by reduction of the staff elsewhere.

17722. If the number of cases which the Divisional Officer and the District Officer could dispose of themselves were increased, would that not greatly reduce the correspondence?—It would reduce ministerial work, both upwards and downwards.

17723. Would that not by itself afford the relief which you seek?—It would not relieve the superior staff to any great extent; there would be far more work for disposal by the most numerous portion of the superior staff, that is to say, the Magistrates and Assistant Magistrates, and their work and responsibility would be increased; the actual clerical work of the staff might be reduced.

17724. You might increase a man's responsibility without increasing his work?—Not unless you took away work from him to somewhere else.

17725. You do not suggest any increased power to municipalities or District Boards?—No. Their powers are large enough if they were fully utilised—particularly in the case of municipalities; not so much in the case of District Boards. The municipalities can rarely exercise their powers without increased taxation which they have to impose upon themselves; they are slow to adopt improvements which will lead to a re-assessment of the existing taxes or to the imposition of new taxes, such as a water or lighting rate; they would rather go on as they are than accept fresh burdens.

17726. The municipalities would not, as a matter of fact, use any extended powers which they might have?—That is to some extent the case, or at least there would be reluctance.

17727. With regard to villages, do you suggest that they would probably be incapable of utilizing further powers?—I do not suggest that at all. Although the existing union committees in Bengal have not succeeded very well, some of them have succeeded fairly—I still think that they might be developed. There is always the difficulty about taxation; it is impossible to provide them with any adequate funds without fresh taxation, and even if they were given the power I do not think they would wish to tax themselves; but the village union system might be nursed up and developed, and it is the only chance of establishing real local self-government.

17728. In any movement which was made in that direction, you would desire to begin at the bottom and not with the District Board?—That is my view, that we ought to build up.

17729. (Mr. Meyer.) With regard to the Tenancy Act, are not the Regulations in force for Orissa different from those in the rest of the province?—Yes, in many respects.

17730. Is there too great a tendency to apply one law to the whole province?—I do not profess to be specially an expert in the Tenancy Act, because my experience in Bihar was comparatively limited; but I think that the Tenancy Act principles have been applied rather too strenuously and somewhat unfairly to Orissa. I think the Tenancy Act was originally drafted and passed in view of certain conditions existing in Bihar.

17731. Do you refer to the Tenancy Act of 1885?—Yes; some of the principles regulating the relations of landlords and tenants may have been perfectly suitable in Bihar, but were somewhat too stringent for the easier conditions that prevailed in Orissa.

17732. Speaking generally, your present province is made up of three or four areas which in many respects differ from one another—in language and ethnographically and otherwise?—That is so.

17733. Might it not be better, in passing an Act, not to bring it into force throughout the province at once, but to allow the Lieutenant-Governor to extend it to different portions of the province as he thought fit?—I quite agree. But the Tenancy Act is not applied wholesale to Orissa; it is applied to it piecemeal.

17734. When you introduce any new system of administration, might it not be better, instead of trying to impose a uniform system over the whole province, to give the Lieutenant-Governor power to apply it district by district as he thinks fit?—Most certainly so in this province.

17735. You speak also of certain financial relations between the Imperial and the Local Governments. Are you acquainted with the character of the present financial settlement between the two Governments?—I have very little knowledge of it; but I understand the present settlement, and that it is to some extent permanent.

17736. You say that the Local Government under the old system would not offer to spend money unless it was going to return about 14 per cent. Should the Local Government in laying out money in the public interests always be expecting to get a percentage of profit on the money?—No, I do not say so absolutely, but I think that the Government, with due regard to thrift, should look to a return approximating to the rate at which it can borrow, unless there are very exceptional reasons for foregoing it. Of course, the Government can wait longer for its profits than private individuals.

17737. That would apply to money spent out of borrowings, but in this case the money is spent out of revenue. When you spend money out of revenue, do you propose to apply the same conditions of profit and loss as when you are borrowing from outside?—I do not see that they are essentially different.

17738. You would admit that you have to spend money on police and schools and matters of that sort?—That is part of the necessary business of administration; but if you have to spend money on matters that do bring in a profit, then I think the rate of profit has to be considered.

17739. As regards a variety of matters under the present settlement the whole expenditure is on the Local Government, as to police, education, and so forth; there are also certain heads that are divided, such as forests, excise, and income tax; it has been suggested that it might simplify matters if the Local Government, which administer these Services for the province, took over the whole expenditure upon them; what would be your opinion on such a plan?—It seems to me very difficult to give an opinion without going into the particular case. I think it would hardly be reasonable that the Local Government should take the whole of an expenditure which might be expanding, and only half of the revenue; that is to say, it is a pure question of the proportion of expenditure to receipts; if the expansion of half the revenue is not somewhat greater, certain to continue to be greater, than the expansion of the whole expenditure, it is a bad bargain for the Local Government.

17740. Then you would prefer the plan by which the Local and Imperial Governments share the expenditure as also the receipts?—So far as I know anything of the subject, yes.

17741. You are in favour generally of some larger separation of imperial and provincial finance?—On the whole, but I may say that I think the lines of the present settlement, if permanence can be guaranteed, are very reasonable lines.

17742. You have not thought out any method of improving things?—No. The subjects in which the Local Government ought to be most interested, like excise, forests, and so on, are already sufficiently in its hands.

17743. As regards lapses, you are not quite satisfied with the present situation; what is your idea of remedying it?—I should like to see lapsed budget heads carried on; if any system could be invented by which an unexpended grant could be carried on, so that the work might be continued, it would be extremely valuable.

17744. Is it not possible for the Local Government to do that at this moment?—Suppose they anticipate

two or three lakhs of lapses under education, can they not provide for spending it in the next year?—I am not aware of it.

17745. You quote as an instance of undesirable centralisation on the part of the Government of India, their interference in the matter of remission in permanently settled estates?—Yes, I thought the orders of the Government of India did not sufficiently take into consideration local experience. I understand the Government of Bengal was required to prepare regular rules for remission in permanently settled estates.

17746. Are permanently settled estates entitled to any remission at all?—No.

17747. Was not one of the main conditions of the Permanent Settlement that the settlement was to be permanent?—I understand that that is so.

17748. And I understand that the Government of India said, "Nevertheless we are willing to allow remission as a matter of grace in certain cases provided the zamindar does not pocket the money himself but hands it to his tenants." What do you object to in that?—What I object to is not that, but that it should have been considered necessary to insist on rules of any sort being prepared. The circumstances of remissions being necessary in permanently settled estates were so entirely exceptional that the matter might have been left to be dealt with when occasion arose, without giving rise to any sort of opinion that such a thing could occur as a matter of course or routine.

17749. When a special concession is made as a matter of grace, is it not rather desirable to limit it, lest certain officers who may not understand the position exactly should allow their generosity to run away with them?—If that were likely to happen that would be so; but in my view, and I think the general view in Bengal, it was extremely unlikely that such cases would arise, and when one did arise it might very well have been dealt with as it stood.

17750. You are in favour of larger powers to the Commissioner and Collector in regard to suspensions and remissions of revenue?—I merely mentioned what seemed to be a defect in some of the new rules. I referred to temporarily settled estates.

17751. Are not those restrictions imposed by the Local Government itself?—The rules must have been drawn up by the Local Government and approved by the Government of India.

17752. Was there anything to prevent the Local Government giving a freer hand to subordinate authorities if it chose?—Nothing, so far as I know.

17753. As regards remissions, you cannot give any without reference to the Board of Revenue?—That is so.

17754. Is that not rather undue centralization?—It does not seem to me a matter of very great importance, because there is time to consider it; the suspensions have been granted and afforded immediate relief, and there is time to consider the matter. Of course it would be a decent measure of decentralization to allow remissions to be granted to a certain extent by the local authority.

17755. We have it that some of these estates are extremely small?—They are of all sizes.

17756. You might conceive the case of a remission of Rs. 5; is it necessary to carry that up to the Board of Revenue?—I think not, but I take it the Board of Revenue would sanction the submission for remission in one list; they might have a remission of Rs. 10.

17757. Might not the Commissioner, at any rate, have some discretion in such matters in temporarily settled estates?—Certainly.

17758. You consider that as regards the initiation of reforms the credit is generally due to the Local Government? Take for instance the four matters of excise, education, police, and agriculture; with regard to those have there not been considerable reforms of late years on the initiative of the Government of India?—Yes.

17759. You speak of "that portion of the Public Works Cess which was allotted by the Imperial Government to the Local Government." Surely the Public Works Cess is a local cess of which the Local Government has always had the entire control, at any rate for

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many years past?—I may be wrong, but I understood that the authority of the Government of India was necessary for making over the 25 per cent., which has been allocated for expenditure by district authorities.

17760. Would you be in favour of making the whole of the Public Works Cess over to the District Boards?—The Public Works Cess was imposed for Public Works, and I assume that means must be taken to provide for those Public Works which can only be managed by the Local Government.

17761. In other provinces the District Board generally gets a cess of one anna in the rupee on the rental of the land; here in Bengal it only gets half an anna, the provincial Government taking the other half. Would you be in favour of a system of giving the District Board the whole anna?—If the provincial charges for Public Works could be met out of other revenue.

17762. Would you give the Commissioner power to appoint Sub-Deputy Collectors?—It would be very desirable in some ways, but the patronage of the Local Government has also to be considered.

17763. You think the Commissioner might be likely to abuse his patronage?—I will not put it in that way, but I will put it that there is patronage which ought to be exercised by the Local Government, and there might be cases which would not easily come under the cognizance of Divisional Officers. I will mention a case I have in view. For instance, the sons of old officers in the Subordinate Service, the Provincial Service and other Subordinate Services; these men are shifted about from one division or district to another and lose local influence; they have perhaps nobody at home; although they have rendered very good service, they have no special claim on any one division, but they have a very strong claim on Government.

17764. You think Government should keep some appointments in its own hands at any rate?—Yes.

17765. Another witness told us that he was in favour of giving the Commissioner the power of posting Deputy Collectors and Civilians below the rank of Collector in his division; are you in favour of that?—Yes.

17766. And that the Commissioner should similarly have power to invest with magisterial powers and other special powers given under the Code?—Yes.

17767. And that he might have limited powers under the Land Acquisition Act? At present you cannot take up a small piece of land without going to the Local Government; might not the Commissioner have power there?—Certainly.

17768. And with regard to the creation of small permanent appointments, would you go so far as that?—That might permanently affect the budget. Perhaps it might be done under very restricted financial limits.

17769. As regards the district system, you are strongly in favour of a special officer for the headquarters sub-division? Would you go further and employ some of these Deputy Collectors who are now concentrated at district headquarters in territorial charges, instead of having Special Deputy Collectors for income-tax, stamps, and so forth?—That is to say making them Sub-divisional or Territorial Officers: I am afraid their functions are different; I should not be in favour of that with regard to certain departments, particularly with regard to excise; excise I think requires a specialist.

17770. As regards excise, is it not intended to replace the Excise Deputy Collector by a special Excise Officer?—The proposal has been made; I do not know how it stands at present; at all events, that is the withdrawal of one officer for that purpose.

17771. At any rate you admit that excise is so much a special department that it ought to have a special assistant of one sort, whether a Deputy Collector or not?—Just so; I should think, too, that land acquisition is on that footing.

17772. Might not the local officer take up local land?—It is a very technical matter in towns; in petty areas they do it sometimes.

17773. You are against unnecessary transfers. While it may be desirable that a man should spend a good time in his own district, is it not possible that he might

spend too much time in his district?—No doubt; occasions arise when it is desirable for local reason to transfer an officer.

17774. Is it not possible that an officer may spend so long a time in a district as to get his personal likes and dislikes, and that clerks and others can find out his special weaknesses?—I have known such cases.

17775. Has not the chaukidari system been recently improved, the police having been dissociated with it?—As far as possible.

17776. Has that worked satisfactorily?—As far as one can tell; it is still experimental.

17777. In Orissa you have true villages?—You mean concentrated villages instead of villages scattered all over the country; that is so; the villages are fairly concentrated.

17778. Your chaukidari union is rather an artificial group?—It is.

17779. In Orissa might one work on a natural village?—I am inclined to think that in the great majority of cases in Orissa the villages would be too small, and would not provide sufficient qualified men for a panchayat, so that it is necessary to group several villages in order to get men of decent standing and weight; it depends on the actual size of the village; but the Orissa villages are generally too small.

17780. Are some of your small municipalities really villages?—There are some very small.

17781. You are against putting the municipalities under the District Board as a rule? Would that apply to these semi-rural municipalities?—I think it would; I do not think that the machinery of the District Board is calculated to take that kind of detailed local interest which is required in villages.

17782. We have had it put to us by several non-official witnesses that it would be desirable to disassociate the Collector from the Chairmanship of the District Board; would that be advisable?—My impression is that the Collector really in many cases, if not in all, does most of the executive work of the District Board. In some districts there are excellent Vice-Chairmen who take the great burden off the Chairman of doing all the routine and some of the important work. I am not prepared to lay down a rule.

17783. Are you generally prepared to say that it would be an advantage or otherwise to keep the Collector outside altogether and say, "You are not to attend the meetings; you are to have nothing to do with the District Boards except possibly as an instrument of outside control"?—I think there would be no advantage in definitely laying down that the Collector ought not to be associated with the District Board. It is quite possible that experiments might be made and Boards might be found in which a non-official Chairman might succeed in running the Board and doing it as well as, or better than, a Collector does it; but I do not think it can be said that that is the general rule.

17784. (Sir Steyning Edgerley.) As a matter of general policy, you would keep the Collector in touch with the District Board?—As a matter of general policy.

17785. As regards your budget, how early in the year do you know what money you will have to spend; do you know by the end of May?—It varies with different allotments. I think in most cases we do.

17786. We may take it that you know it about the 1st June?—Yes; we do not always get actual orders for allotment from the Board; we know that the Board has so much for disposal, but we have again to wait for the Board's allotments; some of them are later than May.

17787. Is it not a matter of practical administrative importance to have that information as early in the year as possible? If, therefore, the Local Government could get through its budget in February, it would be a matter of considerable importance in divisional administration?—Certainly, of very great importance.

17788. You are in favour of a general Delegation Act?—Yes, with the view that the Local Government should be able to make suitable modifications to suit local circumstances.

17789. You suggest that officers should have a discretionary grant given them from which they could

spend upon any particular pressing matters which they considered it desirable to undertake. Do you think it would be safe to put much money under their control in that way without post-audit?—Not large sums.

17790. The expenditure ought to be on objects for which money could be included in the budget?—Yes; it must be capable of audit.

17791. You suggest localising promotion and taking whoever may be nearest on the spot within certain areas. If that were the general policy would it be necessary to do anything to compensate seniors?—I have said, within the limits of one season—what we understand by "hot weather vacancies." That is practically a nine months' vacancy—March to December.

17792. That would occasionally deprive the next man in the district of his promotion and put him out of pocket for nine months?—For that year certainly. That might be neglected.

17793. Do you think anything of the suggestion that in such a case the acting allowance might be divided; the junior would get a windfall of half, and the senior would avoid a transfer, taking the other half?—I do not think it is to be recommended that a man should draw extra pay unless he does extra work.

17794. The arrangement is for the convenience of the State. It is the recognition of a seniority claim which, for the purposes of public convenience, it is undesirable to fully act on?—I would rather avoid the recognition of a claim of seniority in officiating appointments.

17795. You say that you would like something simpler sometimes than anything you have got under your present Municipal Act. Have you any Act which allows sanitary committees to be formed?—I think that is a proposal in the amendment of the District Boards Act. We had a lower class of municipality under the old Municipal Act before the Act of 1885.

17796. (Sir Frederic Lely.) Has that the connection of Orissa and Bengal been injurious to Orissa?—I do not think it has been injurious to Orissa; it may have been a rather neglected part of the province, but I cannot conceive any arrangement under which it would not have been more neglected. It is most closely united to Bengal, and more easily administered from Bengal than from Madras or the Central Provinces.

17797. Has it been anything more than neglected; has the administration of Orissa been unsuitable in consequence of its connection with Bengal?—I would not commit myself to any such general statement. I think that sufficient attention has not been paid to Orissa questions, because so few people are familiar with them. I have already said that I think perhaps some of the Bengal Tenancy Act provisions which were not entirely suitable to Orissa have been imposed upon it when it would have been more desirable that they should have been modified.

17798. What do you say about the law on partitions as being unsuitable to the conditions of Orissa?—I cannot say that I see the unsuitability. I have passed a large number of partitions, and on the whole they go through more easily and with less contention than in Bihar. When there is trouble it is usually due to the very inferior quality of the Orissa officers; the latter are inferior to Bengali officers, and more inclined to make muddles in their work, but I do not see any inherent unsuitability in the Partition Act.

17799. Generally speaking, Bengal is a zamindari province, and Orissa has altogether a different system of land tenure?—The great difference is in the temporary settlement in Orissa.

17800. Has there not been a tendency to force Orissa into the mould of Bengal?—That is too indefinite a question for me to reply to. Officers who have no experience of Orissa are at a great disadvantage when they first go there; it takes some time to learn the conditions.

17801. Have most men who serve in Orissa passed their novitiate in Bengal?—Nearly all who are there at present have been backwards and forwards; those who have not are at a disadvantage.

17802. Is it a popular province amongst Government officers?—It is fairly popular; the Government regard the districts, as rather light, and they have not always sent the best officers; there are some exceptions.

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17803. It has often been proposed that the Commissioner should be made into some sort of Sub-Governor. Would it not be against that, that the Commissioner's office has no traditions. I mean that when a Commissioner takes any action, however important it may be, it is regarded as the act of an individual and not as constituting a precedent?—The Commissioner's offices vary very much; in some, the precedents have been carefully kept, in some they have not. I had great difficulty in Orissa in finding precedents, due to the somewhat inferior office.

17804. But taking the Commissioner as an institution, he has not the weight of a Governor?—Of course he has not the weight of a Governor.

17805. Even in those matters in which he gives orders he does not deal with such high matters?—In the matter of appeals, if his precedents are properly kept, I think they are followed. For instance, in Bihar, the precedents were well kept, and it was perfectly well known what the Commissioner's action would be with regard to particular questions which had already been dealt with. But, of course, it is liable not to be the case, because special attention has never been directed, as far as I know, to maintaining a body of precedents.

17806. If the Commissioner is endowed with powers more approaching to those of a Sub-Governor, he ought also to have a stronger personal staff?—Yes, he would probably require an additional personal assistant and probably it would be necessary to look for a man of greater weight as personal assistant than is always the case now.

17807. Possibly a man from the Civil Service?—Yes. I should not like to undertake very much greater powers without a strengthening of the personal staff.

17808. To take the place, more or less, of the permanent Secretariat of Government?—More or less.

17809. (Mr. Dutt.) You have told us that you think that a general Act of delegation would be useful. Is it your meaning that by a general Act the Government of Bengal, for instance, would, after the passing of such an Act, have the power to delegate by an executive order any of its statutory powers to Commissioners or Collectors?—Yes; that was partly my meaning.

17810. Supposing the power of sanctioning taxation is vested by a particular Act in the Bengal Government, if the Bengal Government transferred the power to Commissioners or Collectors by an Executive order, would that be a popular measure?—I do not think that anything that would make taxation more heavy could possibly be popular.

17811. But with regard to the transfer of that power by executive order—would the people appreciate that?—I can hardly answer the question. I think the people would object to taxation wherever it came from.

17812. Suppose it was intended to transfer the power from the hands of Government to the hands of the Commissioner or of the Collector, would it be a better plan of doing so by an amending Act after full debate in Council?—You mean amending the particular measure; it would be the more popular plan.

17813. Has the Commissioner now sufficient control over police matters and the general working of the police?—There have been some changes in reference to departmental appeals; they are recent, and I have not been able to form a final opinion upon them. I am inclined to think that they are not entirely satisfactory—that the Commissioner has been dissociated from appeals. In the same way, as the result of discussion that took place a little more than a year ago, the reporting of special crime, heinous crime, was altered. Reports of certain cases do not come to the Commissioner now; in other cases reports are only given if they are specially asked for. I was not much in favour of that change when it was made, but I am not able to say that I have seen any deleterious results from it.

17814. Generally speaking, ought the Commissioner to be in fairly close touch with police work, so as to be able to control that work?—Certainly.

17815. What is your opinion about the Commissioner's powers with regard to Public Works executed in his own division?—At present he is consulted as to the order of priority, but I do not know exactly what weight is given to his decisions. It takes so long to carry out works after they are recommended

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that one does not see; but the Commissioner's voice ought to have great weight as to the order in which works are taken up and, with certain classes of work, as to whether they are taken up at all. It should not be altogether left to departmental decision.

17816. With regard to delegation, would you delegate some powers from the District Officer to the Sub-Divisional Officer?—Yes, I should be inclined to delegate a good many powers that are now exercised solely by the District Officer to the Sub-Divisional Officer, and I should like that the delegation of certain powers might be more distinctly recognised than it is. I mean that a man can tell a Deputy Collector to do work, but the responsibility remains with him. I should like it to be possible for the responsibility in many cases to be transferred, so that the Deputy Collector should be the responsible man, and know that he is the responsible man.

17817. We have been told that compared with Madras, Bengal districts are top-heavy—that there is not a sufficient number of lower officers at the bottom; do you agree with that view?—I think we do not provide sufficient authorities sufficiently close to the people for the decision of petty matters. They have to take petty matters into Courts which are of too high a grade to deal with such matters.

17818. Following upon that, would you like to have, as there are in Madras, smaller circles within sub-divisions, with a Sub-Deputy Collector in charge of each circle to do the revenue work there, and also to dispose of some judicial work within his own circle?—Sub-Deputy Collectors are, as a rule, now very inexperienced, and if they are good men they are very rapidly promoted to Deputy Collectors. I do not quite regard the Sub-Deputy Collector as the class of man to exercise much independent authority away from a superior; that is the objection I have.

17819. But if you could provide a better class of officers, would that idea generally commend itself to you—to have smaller circles so as to bring these officers more in touch with the people?—I should be in favour of any change which brought the authorities more in touch with the people locally.

17820. Are Deputy Collectors generally efficient and able officers?—As large a proportion as can be expected.

17821. How are they now appointed?—To the extent of two-thirds or more by a system of selection between the Commissioner and the District Officers.

17822. Is that an improvement on the old system?—I think so. We have no difficulty in obtaining men of any educational standard that is desired; we are able to select men of better physique, and better family connections and traditions. One cannot judge yet how the men will turn out; one can only judge by the appearance of the men.

17823. Primary education is to some extent now managed by the Education Department?—The general principles and policy are laid down by the Education Department, the details are administered and the money allotted by the District Boards. Usually they may delegate their powers to Local Boards; I do not think they often do.

17824. Ought it to be left more to the Local Boards and District Boards to be managed by their own agency?—I cannot say that it impresses me in that way. The Local Boards and District Boards might have the administration of the grants, as indeed they have at present, but I do not think they are in a position to maintain for themselves a sufficiently well-qualified separate educational agency; it is only by having a Provincial Service that sufficiently good men can be attracted.

17825. Were not the sub-inspectors of schools servants of the District Board before?—Yes.

17826. Under the old arrangement could they get more co-operation from villagers themselves in the way of providing school-houses or supporting the *guru* or otherwise?—I am not aware that there was any difference in that respect.

17827. (Mr. Hichens.) I understand your view to be that in regard to technical subjects like Public Works and police, and so forth, the Commissioner should be fully consulted and have ample opportunity of expressing his opinion, but that he should not be given executive power?—In the case of a difference of opinion between the Commissioner and the departmental authority I think the Government should decide.

17828. You would not put the police or Public Works of a division directly under the Commissioner?—Not the establishments. I see no advantage in doing it.

17829. Is there a certain advantage in running technical departments of that sort from the centre for the whole of the province?—I do not think you have any chance of obtaining improvements and keeping the thing up to date unless you have experts at the head.

17830. Has the Commissioner a fund which he can spend at his own discretion?—He has two funds at present, one for minor Public Works, which might be increased both as regards the total amount of the allotment and the size of the works; the other is called a fund for removing defects in local institutions; it is mostly given away to hospitals and other institutions run by local committees. I do not wish to devote these two funds to other objects, but they might be somewhat increased, especially in regard to Public Works.

17831. What sort of increase would you suggest?—The present limit of work is Rs. 2,500; that might be doubled or trebled; that would cover most minor institutions; it would enable the Commissioner to sanction a small hospital for instance.

17832. Your view is that a man of the status of a Collector should remain ten years in the same district?—I said in the same division.

17833. Should he, if possible, remain ten years in the same district?—No. I think a man can do most of what he is capable of doing in a district in about four or five years; at the end of that time he will probably want furlough, and it is just as well that he should begin somewhere else after furlough; he is likely to become stale, and there is an advantage in having new blood in. My idea is that a man can do all he can do for a district in five years; there are, no doubt, exceptional cases; there is no doubt there have been men in India who have made districts; but ordinarily a man is inclined to become stale after four or five years in the same place, with the same work, and the same surroundings.

17834. You think that acting appointments should be filled by junior officers, for purposes of administrative convenience, to prevent transfers, for example? Supposing no extra pay were given to the officers who were passed over, taking the whole length of a man's service, would any injustice be likely to arise?—Probably not in the long run, and Government have the means of compensating a man indirectly; if he was passed over one year, for instance, they might subsequently break the rule of transfer and give him some particularly desirable place; in some way or other they could make it up to him. No injustice need necessarily be done. Permanent promotion, of course, would go on all the time.

17835. (Chairman.) I understand the Rs. 5,000 allotted to you is not given to you to spend on your own initiative, but it is to be spent on objects which you approve?—I select the works from lists submitted by all the districts.

17836. What is the manner in which you spend the Rs. 10,000 which are now allotted to you by the Government to be spent entirely at your discretion?—There are two such grants; there is the Public Works grant and there is the grant for the removal of defects in minor institutions. I always get rid of the latter on local inspection; I inspect as much as I can of my division in each year; when I go through the hospitals and dispensaries I ask what they want and they mention a particular work; I say "If I give you half will you provide half." That is spent entirely at my own discretion.

17837. Does the expenditure of that sum involve any correspondence at all with your subordinates?—The Collector would usually be present at the time of inspection. I keep the money in hand until I have been round these places and seen what their wants are; I go round the municipality probably with the Chairman and Vice-Chairman; they point out to me, or I see, that there is something wanting in their dispensary or something wrong with their water-supply; I simply say "I will give you so much if you write and mention the facts," and it is done; it causes no correspondence worth mentioning.

(The witness withdrew.)

Dr. ANDREW CAMPBELL was called and examined.

17838. (Chairman.) You are a Missionary?—Yes. I live in the Chota Nagpur Division. I have been in India 35 years. The knowledge I possess has mainly been gained in the Chota Nagpur Division, in which I have resided for a period of 35 years.

Executive officers of the present day have only very limited opportunities for becoming acquainted with the people. The three main reasons for this are the comparatively short time a man is permitted to remain in one place; ignorance of the languages of the people; and too much routine office work.

Take the case of the Manbhum district. During the last ten years there have been ten Deputy Commissioners, and the present incumbent has held six different appointments during the present year. When the size of the district is taken into consideration, and the very important and intricate matters connected with land tenures and the like requiring attention are called to mind, it is at once apparent that much must be left undone, and much done that would have been better undone. I can recall to memory the time when what was known as the Commission was in force in Non-Regulation districts. The officers of this Service could only be removed from one Non-Regulation district to another, and the result was that, owing to the restricted area in which their whole service was passed, they knew the people better than is possible for Executive Officers of to-day. From among the Sub-Divisional Officers who have been in Gobindpur during the last 30 years, the one man who is remembered to-day was the last of the Commission men. There is hardly a village in the sub-division which he did not visit more than once, it might be in quest of game, or to make a local investigation into some land dispute, or to mediate in a quarrel. The greatest commendation they can give to anyone is to say that he resembles Mackenzie Sahib. The Commissioner who has left his mark most indelibly on the division was the last of his Service to occupy that position. He ruled the division for more than a quarter of a century, and was intimately acquainted with the customs and languages of its many tribes and castes, and he is affectionately remembered to this day.

Men ought to be retained as far as possible in one language area. No notice is taken of the village dialects by Government, and no steps are taken to ensure that its officers acquire a working knowledge of them. Thus in Bihar seven recognised dialects are spoken, and an Executive Officer in Bihar who knows only the Hindi and Bengali languages is very poorly equipped for the work he has to do. Bihar is not the only province on the languages and dialects of which seven Grammars could be written. Until some effective method is adopted to remove this barrier so as to bring the Executive Officer into touch with the ordinary villager, no mutual understanding is possible. The advance in English education has of late years altered the conditions under which much of the work of the Executive Officer is performed. It is not now, as it once was, absolutely necessary for a Magistrate to know the vernacular of his district. He can get through his work with the help of his *amla* or the pleaders of his court translating the vernacular into English, and many men, for various reasons, are content to perform their judicial work in this most slipshod manner. I have hitherto referred to those languages which have the status of court languages, and which are recognized by Government, and in which officers are expected to pass an examination. But there is another class of languages spoken by hundreds of thousands of the people which has not the remotest connection with these recognized languages, and with regard to them an officer can very rarely receive any help from his *amla* and never from the Bar. If the Chota Nagpur Division for instance, is taken, it will be found that at least a score of languages and dialects exist which are the mother-tongues of a very large proportion of the population, but Government does not insist on its officers acquiring a knowledge of them. Rewards are offered by Government to certain of its officers who pass an examination in one or other of these non-regulation languages, but it stops short of encouraging the acquisition of a related language or dialect, although they may differ so much as to be utterly unintelligible to the speakers. A

scale of rewards might be adopted, retaining that of Rs. 1,000 for the first language, and reducing it for the second, and so on. Few officers would be tempted to take up the study of an optional language merely for the reward. They have too much to do otherwise, so that when a man is found who has a taste for and ability to acquire languages, he should receive all possible encouragement. All Executive Officers should be required to know the dialects of the people of the part of the country in which they are located. Officers should be kept within certain language areas, and Government should do all that is possible to encourage its officers to acquire these village dialects.

As regards office work, I have been impressed by the fact that one and all are overworked. It is during the period he serves as an Assistant Magistrate or as a Sub-Divisional Officer that the Executive Officer is either made or marred. The work required from the Sub-Divisional Officer is ever increasing, and he is bound by stricter rules than he used to be. He has very little spare time that he can utilise in studying and becoming acquainted with the people. A District Magistrate of my acquaintance has informed me that even when out in camp he has no less than four hours' hard brain-work a day, and when at headquarters this will be at least doubled.

Officers are transferred far too frequently, and this fact is so notorious that it hardly calls for proof. If the Executive Officer were like a Bank clerk, or even a Bank manager, it would not matter much how often he were transferred from one appointment to another, or from one province to another, but when his efficiency depends so much upon his local knowledge, frequent transfers injuriously affect the administration of the country.

Larger powers should be granted to Local Boards. The Local Board of which I have had experience is not allowed to exercise the initiative in any matter. The programme and estimates of the work to be undertaken are sent to it through the office of the District Board, and all that the Local Board has to do is to carry them out. A Local Board may be safely trusted with the same powers in its own sphere as a District Board, and there is no reason why it should not be permitted to take the initiative in all local matters. If this were granted to all Local Boards, a much greater interest would be taken in local affairs than there is at present. Men are averse to going from 10 to 20 miles merely to sanction a few contracts for a hundred rupees or so each. A Local Board should be entrusted with the framing of its annual programme of works in accordance with the sum to which the sub-division is entitled. This could be submitted for the professional opinion of the District Engineer, through the District Board. Dispensaries and hospitals within the limits of the sub-division should be under the control of the Local Board. Roads are the main items entrusted to Local Boards, and these are not of much interest to the ordinary Indian gentleman. But it is the reverse with regard to education, and if Local Boards were made responsible for it, there would be no lack of well-qualified men ready to serve on them. The education of the sub-division should be controlled by the Local Board. The lines upon which it should be conducted should be laid down by the District Board. The amount of money to which the sub-division might be entitled should be made over to it, and it should be untrammelled in its expenditure of it, so long as it did not deviate from the lines laid down by the District Board. Village sanitation might also, very advantageously, be committed to Local Boards, and more particularly the water-supply of the villages. They might work through village panchayats and the village school-master, and introduce modern ideas with regard to insanitary surroundings.

I am not in favour of Advisory Councils to assist Divisional or District Officers, the reason being that such Councils are not valued by Indian gentlemen. The ideas which control the administration of India to-day are much too advanced to appeal to the Indian country gentleman or zamindar. When any matter is considered ripe for official action, it is generally pushed through, and Indian gentlemen are aware of this, and also that their objections will have little weight when once the Government has made

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up its mind. The Government of India is radical, if it is anything in particular, and in almost every important question it has the landed and moneyed interests arrayed against it, and has to contend against the strong conservative traditions of the people. It is useless to call in the average Indian gentleman to advise an Executive Officer. He knows that his ideas on the administrative policy of the Government do not commend themselves to the powers that be, and he also knows that if he gave free expression to them, they would not have the slightest effect in moulding the Government policy. There is probably not one important measure which has its place on the Statute Book of the Government of India, or of that of any provincial Government, that has not been put there in opposition to the expressed opinions of the Indian members of the various Legislative Councils. The administration of divisions and districts proceeds on the lines laid down by the various Governments, and finds little favour with the class from which the members of an Advisory Council would be drawn. It is too much to expect that men with any self-respect would agree to become members of a Council, simply to say ditto to the presiding Executive Officer, or to have their opinions passed unheeded.

Administrative Councils would, in my opinion, be productive of much good. Under present conditions the members should be appointed by the Local Government, and the Councils should be made responsible for such matters as the Government is prepared to see managed on native lines. If the members of these Councils felt that they, in some measure, controlled their policy, they would, in my opinion, rise to the occasion, and membership would be regarded as an honour to be eagerly sought after. Much that an Administrative Council might do would be regarded by Englishmen as retrograde, but it is quite probable that much that Englishmen have done has failed to commend itself to the Indian mind, and it might be an improvement if suggestions and modifications put forward by Indians were given effect to.

It is both desirable and possible to give village communities greater power in the disposal of local affairs. The first thing to be done is to take steps to conserve the office of village headman. Not so many years ago every village had its headman, who was responsible for the collection of rent, *abwabs*, cesses, etc., and was charged with the general welfare of the village. The hereditary headman acts as judge, arbitrator and adviser in most matters that arise, and, as a rule, his good offices are appreciated. In complicated cases or where one party to the dispute is an inhabitant of another village, two or more village headmen may be associated in effecting a settlement of the dispute. Petty criminal and civil cases could be very advantageously committed to village panchayats for trial and settlement. Petty civil disputes cost the villagers an enormous sum of money annually. Twenty years ago civil suits were conducted by mukhtears who only knew the vernacular, and then charges were reasonable, but now, in some rural courts at least, only High Court vakils are allowed to plead. Their charges are much higher than those of the mukhtears, and, owing to adjournments, costs are run up to a high figure. Disputes regarding claims to land among the inhabitants of a village could be more satisfactorily settled by a village panchayat than by a Civil Court. Matrimonial cases, which are now finding their way into the Courts in much larger number than formerly, should all be within the jurisdiction of village panchayats. Petty criminal cases should also be within the power of village panchayats to try. In the average village there is comparatively little crime of a heinous nature. Police cases are not numerous. The most common criminal complaints refer to trespassing on another's land and cultivating it, ploughing up seedlings which another has sown, looting standing crops, assault and forcible rescue of cattle found trespassing. Such cases as these should be triable by a village panchayat, and a miscarriage of justice would be never likely to occur. Before the inroad of alien money-lenders, a debtor's account was always made up in the presence of the village headman and the assembled villagers generally. This ensured accuracy, and every man had an opportunity of knowing how his affairs stood. Now, however, the money-lender brings a suit in Court against his debtor, and runs up expenses to an extent that means ruin to many. The service of village panchayats might with great advantage be utilized in the majority of small debt suits, when the

debtors are village cultivators. The panchayats might be requested to scrutinise the account and give their decision, which, unless cause were shown to the contrary, should become the judgment of the Court. I have had very close connection with village panchayats, and during the 20 years I have acted as an independent Honorary Magistrate, I have received very valuable assistance from them. I have formed a very high estimate of the honesty of purpose displayed by panchayats, and the soundness of their judgments. The panchayats should be responsible for the roads within the boundaries of its village. Where they exist they should be charged with their up-keep, and where roads are required they should make them. There is much dissatisfaction at present as regards the manner in which the Road Cess and Public Works Cess funds are administered. Thousands of villagers who contribute to these funds are not within many miles of a road, and receive practically no benefit from the tax they pay. The village panchayat should be made responsible for the primary education of the village youth. Every group of villages should have a school and the panchayat should make periodical reports to the educational authorities. The teacher should be appointed by the associated panchayats.

Another matter which should be in the hands of village panchayats is the watch and ward of the village. The assessing and collection of the chaukidari tax should be committed to village panchayats. At present the assessing of this tax is done in a most haphazard way. It is generally the work of one who has no local knowledge and information regarding the circumstances of those who pay the tax is picked up as best it may, with the result that the tax is most unequal in its incidence, and in many instances presses too heavily on the poorer house-holders. A village panchayat would be in possession of all the information necessary to levy the tax fairly and justly. The chaukidar or village watchman should become, as he formerly was, the servant of the village. Of late the tendency has been to make him too much a police-man, and, in so far as this has been effected, his usefulness to the people as their watchman has been interfered with. He is now rather the master of the village than its servant.

Before the introduction of the Bengal Chaukidari Act into that part of Chota Nagpur with which I am best acquainted, chaukidars were rewarded for their services in kind. As each different crop was harvested, the chaukidar called for his due, and it was to his own interest not to neglect his duty, as should he do so, the gift made to him would be less liberal than it would otherwise have been. Now, however, he receives his monthly pay at the thana, and is independent of the opinion of the villagers who pay him his salary. The Act provides for a regular monthly payment, at a much higher rate than formerly, being made to the village watchman. In sparsely populated tracts, this sum can only be raised by giving him a beat of sometimes two, three or four villages, or hamlets, often a mile or more distant from each other. It is quite impossible for him to do justice to all these villages, at least in the manner the villages require him to do. He can meet the demands of the police *daroga* by appearing periodically at the thana, and giving in his report of births, deaths, etc., but it is not possible for him to do what is expected from the village watchman. The requirements of the villagers, which are really the first call upon a village watchman, would be far more efficiently met, if the chaukidar was the village servant, and reports required by Government need not be neglected. The village panchayat should be responsible for all reports required by Government, and the chaukidar would be the medium of communication between the panchayat and the police.

17839. Is it possible that an officer might stay so long in a district that he would become used up and stale?—I hardly think so under the circumstances; promotion always comes in the way as a rule.

17840. But supposing an officer stayed five or six years, not in the division, but in the district, would he become stale?—I hardly think so; it would take him three or four years before he came to fair knowledge of his district.

17841. In many districts is there a great variety of language?—Yes, a great variety. That is one reason for keeping an officer in a district for a long time.

17842. Is there any disinclination on the part of the District Officers to mingle with the people?—I do not think so.

17843. Is the converse accurate, that the people are unwilling to mix with the District Officer?—They are not unwilling, but the officer has a great deal to do and he has difficulty in conversing with the people; I have known cases in which they have had to do it through an interpreter; when that is the case it is always difficult.

17844. In the very district where the language difficulty is most acute, are the people most unwilling to take advantage of the presence of the Executive Officer, because they are not so accustomed to intercourse with a European and they have some fear of him?—Yes, I think so. They have no fear of him.

17845. No fear at all?—I do not think so as a rule; that depends very much on how the District Officer approaches them. If he could speak to them in their own language there would be no difficulty whatever.

17846. The Government of India is in the habit of giving pecuniary rewards to officers who pass tests in languages. Might it happen that an officer having passed his test in a language is transferred from a district in which that language is spoken and never returns to it?—Yes, it is quite possible; I know a case in which that happened. I examined an officer who passed in Santali; he left almost immediately for Eastern Bengal, and has never been in a Santali-speaking district since. I believe such cases are fairly numerous.

17847. Have you ever been a member of a Local Board?—I have been a member of the Local Board since its institution; before I was a member of the Road Cess Committee in the Manbhum district.

17848. Could you, as a member of the Board, take an active part in the administration of the district?—Not very well. It was very difficult for me to attend all the meetings regularly.

17849. Were the other members of the Board anxious to take part in the administration of the district?—I think so, but there is always this difficulty; if you have an official at the head, the non-official members do not take much part in the work.

17850. Does not the district cover a wide area? Would it be possible to find a non-official who could give up the time to come a great distance from his home in order to preside at the meetings of the Board?—I hardly think so in the districts with which I am acquainted. I do not see how you could do otherwise than keep the present arrangement. The members live far apart, and we know very little of the details of the work; we are called together and we meet, and the estimates are laid out before us and we pass them, and pass the budget, but we really know nothing of how it is made up.

17851. Would the creation of sub-committees help to interest members in their work and increase their responsibility generally?—There are sub-committees; we have one for Public Works and another for Education.

17852. Is the Chairman of the District Board always Chairman of the sub-committee?—I think so.

17853. Would it be possible, while keeping the Collector as Chairman of the District Board, to have non-official Chairmen of these Committees?—I think it would. There would be this advantage, that because the Collector is the chief officer of a district men, especially natives, do not readily express their opinion in his presence if it is adverse to what they think his is.

17854. Out of the communities which now exist in the villages, could you form something like a Council for the purpose of trying petty criminal and civil cases?—I have no doubt of it.

17855. And perhaps managing the village school?—They used to manage the village school some time ago, but that has been given up. I hear they are going to revive them again; each school has a committee who are responsible for the children attending the school, and responsible for the collection of the fees, but these committees have fallen into abeyance, and the deputy-inspector informed me that he was thinking of recalling them into existence. I think it would be wise to do

so. These men consider it an honour; it introduces a new word into the language, "member"; they were always telling you that they were "members."

17856. As a matter of fact is there at present some sort of informal tribunal in all the villages?—In most of the villages. In the Santali villages you have the regular village organisation, beginning with the Chief and his assistant, and the priest and the messenger and then you have also a censor of the morals of the villagers; there is something of the same kind in all the other villages, but the tendency has been of late to give the *ijara* generally held by the headman, to an outsider. The zamindar gives it.

17857. If Government revived the panchayat system would that be any protection against this disintegration of which you speak?—Yes. I use the panchayats largely myself, and I find they do very good work. I am an Honorary Magistrate, and in cases which can be compromised, I advise the parties to lay the matter before a panchayat; the panchayat meets outside my office and they generally settle matters more satisfactorily than I could myself; I find these men generally are honest and fair in their decisions.

17858. Then there really is some sub-stratum upon which a satisfactory edifice of local self-government could be built, so long as the work confided to the panchayat is not of too large and important a character? It might be the management of village schools, some trifling sanitary powers, petty civil and criminal cases and things of that sort?—Yes. I would not go further than that; I would make some change probably with regard to the chaukidari administration; that is the tax which presses most hardly on the people.

17859. (*Mr. Dutt.*) Would you entrust the Local Boards with the execution of all small roads within their areas?—The Local Board ought to have the allotment and have the power to apportion it as it thought fit. It has the services of the District Board Engineer.

17860. Would the Local Board pass the estimate, and then direct the District Board Engineer to look after the construction of the road?—Yes; at present there are certain roads which are under the control of the District Board, and certain roads which are under the control of the Local Board. As regards the roads under the Local Board, the money which is spent on them should be allotted by the Local Board.

17861. Should the Administrative Councils be under the supervision of the Collector of the district?—I think so; he should be Chairman. Whatever was done would be done by the majority—vote of the members. They could do some useful work in that way. My feeling is that unless men have some real power they will not go to such meetings; they simply go now and say "yes" or "no."

17862. Would you recommend the creation of small village panchayats in all villages in the district?—I think so; it ought to be in circles of villages. There is only one influential man generally in a village, and with a group of villages you would get three or four or five of that class of man.

17863. Would you entrust civil and criminal powers to the headman or to these men collectively?—To these men collectively.

17864. In small cases would you have the decisions final or appealable?—I would not have them appealable.

17865. (*Sir Steyning Edgerley.*) As regards the officer whom you examined in Santali, how long had he been in a Santali-speaking district?—I cannot say, I think about two or three years.

17866. Might he not have been at the end of a long period of service which enabled him to know the language, and have taken the reward, because, as a result of long residence, he was perfectly able to take it?—No; I do not think the man expected to be moved so soon.

17867. (*Sir Frederic Lely.*) Are these dialects, which you speak of, mostly written?—Yes, most of them are.

17868. Would you have an examination in Bengali, with an examination extending to these dialects?—Men should be allowed to study and pass a colloquial

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examination in, and get a reward for, an allied language. That I believe is not allowed. For instance, if a man were to pass in Santali, he would not be allowed to pass in Mundari; if a man passes in Hindi, he is not allowed to pass in these village dialects.

17869. If the Local Board allotted the money which they have to expend, would it not be most likely that every member would struggle to get the appropriation for his own village?—I do not think so; my experience is that the ordinary Bengali gentleman does not care much for a road. He cares for water-supply.

17870. Does the "Bengali gentleman" get upon the Board?—Some of them do. They are not representative of the rural people, because they have little connection with the villages except collecting rents. District Boards are made up of that class, and the pleader class.

17871. Would not power given to the village community, mean power given to the zamindar?—No. He has not sufficient influence over the popular choice.

17872. You say that if an official is at the head of the District Board, the people will not take an independent part in the business; does it not very much depend on the official?—I hardly think so. The Government generally have made up their minds to certain things; for instance, with regard to these District Boards, the Government generally make up their mind to a certain line of action, and they expect the Collector to carry it out.

17873. You speak of the chaukidars, who were formerly recompensed in kind and now receive a monthly pay; would you advocate returning to payment in kind; would that not be difficult?—It would not be difficult. I fancy the villagers would like it. Money is so very scarce, the tax is collected at long intervals, and it is very hard for a man at times to pay up so many annas; they prefer payment in kind. If the village chaukidar was given a piece of land as remuneration that would be best of all.

(The witness withdrew.)

Adjourned.

TWENTY-SIXTH DAY.

CALCUTTA, Saturday, January 4th, 1908.

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 MAHARAJA BAHADUR OF DARBHANGA was called and examined.

The
Maharaja
Bahadur of
Darbhanga.

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17874. (*Chairman*.) What position do you hold?—I am a zamindar in Behar. I have been a member of the Bengal Council. I have been a member of the Statutory Civil Service, and at present I am a member of the Indian Legislative Council. I have not been either a member or chairman of a municipality or District Board.

Executive Officers have quite enough work on their hands already without being entrusted with larger powers or heavier responsibilities.

As regards appeals, I would leave matters as they are. It would be very hard to insist upon a certificate from the Officer whose order is appealed against.

Executive Officers are too hard worked in other directions for them to be able to afford the necessary time for personal contact with the people. Want of time and tact are the principal obstacles in the way of a better understanding. Freer intercourse is most desirable in the interest of the Rulers and the Ruled. District Officers should devote one hour a day at least of their time for personal interviews or similar means of meeting the people, and should not be sent to a district of the vernacular of which they are ignorant.

I would divide the Patna Division into two Commissions, but have no other suggestions to offer.

Transfers may be reduced if the Governments act in consultation with the Commissioners of divisions and District Officers.

Municipalities and District Boards may be allowed to elect their own Chairman whenever practicable.

I am strongly in favour of creating Councils in all divisions and districts and sub-divisions. They should be formed on the same principles, on a smaller scale, as the Advisory Councils of the Local Government. They may be consulted individually and collectively at the discretion of the Head of the local division. It should not be necessary to give opinions in writing. The members should be recruited from the aristocracy, the trading, manufacturing, industrial classes and the Bar, heads of religious sects, and other influential persons in the division or district. Their duties should be settled on the same lines as those

of the Councils for the Local Government. The Administrative Councils may be recruited from the same sources with the addition of an official element. If it be intended to make these Councils popular, the official element should not form a majority. The jurisdictions of these Councils should extend over all matters which are at present within the scope of the District Boards and municipalities. The Local Government may from time to time, after the utility of these councils has been demonstrated, give power to them to dispose of other questions.

Powers may be given to village communities with regard to local questions relating to revenue, police, sanitation, and education, but very sparingly with reference to civil and criminal cases. The experiment can be tried in a few localities and gradually extended, if successful, to others.

17875. What position did you hold in the Statutory Civil Service?—I was Assistant and Joint-Magistrate for a short time. It was more than 20 years ago since I resigned.

17876. In those days did the officers of the Civil Service find their work very heavy?—I served under Sir A. MacDonnell, who was one of the best Collectors in the Service, and his work was very heavy, as he always made it very heavy.

17877. Did he find much time for touring?—Yes. He saw a great deal of the residents of the districts. He was quite an exceptional man.

17878. Is there any diffidence on the part of Indian gentlemen in approaching the Commissioner or the Collector?—I think there is. It is due to want of sympathy on both sides, and want of time on the part of the officers generally.

17879. Could any means be adopted by which better feelings could be restored between the officials and the people?—If it is understood that accessibility and courtesy will be considered before transferring or sending a man to a district or a division, it would have some effect. There is an impression generally on the

part of the people that the official holds aloof, and, with the best intentions, misapprehension is created which gives rise to feeling of diffidence.

17880. Would there be any means, such as instructing officers in the habits and etiquette of Indian social life, of removing that misapprehension?—I think so. There are officials who are very much liked in this province and in other provinces too. They know the language and they know the customs.

17881. Would it be possible in any way to formulate, for the help and assistance of young District Officers, the principal features of the etiquette and social life of Indian Society, so as to guide them when they first come out?—I should say general instructions are probably enough; there should be no special instructions required. When the Lieutenant-Governor goes on tour, if he is accessible himself, and tells people that they should be accessible to the Collector and the Collector to them, the whole thing would be much improved. There is a great deal of aloofness on both sides, due a great deal to misapprehension.

17882. We have been told that it was difficult for a District Officer to get into touch with the people in Bengal, because of the existence of the permanent settlement; do you think that is an obstacle?—I think not; I do not think it has anything to do with it one way or the other.

17883. With regard to the right of appeal, do you wish to see the present practice in any way altered?—I would not curtail it in any respect.

17884. Would you, for instance, allow an officer who can appoint a man on Rs. 20 or Rs. 30, or even up to Rs. 100, to be the final authority in pronouncing a verdict upon his conduct?—I think it would be hard on the subordinate officers.

17885. Is the difficulty of officers coming into touch with the people caused in any way by the size of the districts?—I do not think so.

17886. Would the appointment of a Joint-Magistrate be a good thing in order to help in the disposal of the work?—Yes, and the District Officer would be more liked and people would place more confidence in him if he had no judicial powers.

17887. Might there be an Advisory Council either for a Collector or a Commissioner?—I think an Advisory Council would be helpful to a Commissioner in some respects.

17888. Would you have an Advisory Council for a Collector formed from persons serving already on District Boards and municipalities?—You might extend the number for purposes of giving advice pure and simple, but otherwise, for administrative purposes, the District Boards are quite sufficient.

17889. Do Commissioners and Collectors at present seek the advice and counsel of native gentlemen?—Some do—it depends on the individual.

17890. Would you like to see a general instruction issued by the Government of Bengal that all officials should so seek advice?—I think so, and it would dispose of a lot of the present misunderstanding. I am sure that the present state of things is more due to misunderstanding on the part of the officers and the people than anything else.

17891. With regard to municipalities and District Boards, do you think that either one or the other could be entrusted with larger powers than they have?—Yes, with powers to control their own bodies with the sanction of the Local Government.

17892. Would you extend the experiment of local self-government to villages?—It might be done as an experiment, carefully.

17893. In an ordinary village could you find persons who would be quite capable of dealing with petty civil and criminal cases?—In some villages there are such persons: in all these things it is very difficult to generalise. The circumstances of one village are not the same as the circumstances of another, but certain villages might be selected, and if the experiment was found to be successful, it might be adopted or modified or otherwise, but it is very difficult to draw a hard and fast rule.

17894. (*Mr. Dutt*.) Would you utilise the existing District Boards as Advisory Councils? That is to say, should the Collector ask members of the District

Board to give him advice on other matters than those connected with the District Board?—Yes. On the District Boards, there are many subjects which are not represented—for instance, religious instruction—and they might be useful as advisory bodies in that way, and also in the case of any trouble between Hindus and Muhammadans. If a Collector wanted any information in a non-official way there ought to be nothing to stop him, and that information might be given in conversation or in writing, and the more intercourse the better.

17895. (*Mr. Hichens*.) Do you want a District Advisory Council and a Divisional Council and also an Administrative Council?—Simply for extraordinary subjects.

17896. Would you advocate a Collector or Commissioner seeking advice from other sources; for instance, if there were Agricultural Societies would you allow him to seek advice from them?—Yes. I do not want to restrict his power of seeking advice: on the contrary, I want it extended as much as possible.

17897. If you had a body called an Advisory Council, would it not be rather a temptation for the Commissioner to think that he need not seek advice elsewhere?—He would use his discretion. I do not think there is any such danger, or if there was, he might get instructions.

17898. With regard to the Administrative Council that you suggest, what is it to do?—That would act for the division; in the districts the District Boards and municipalities would do the whole work of the Administrative Council.

17899. Then do you not want to have an Administrative Council for the Collector as well as an Advisory Council?—No, I think not.

17900. Do you mean by an Administrative Council, the District Board?—Yes, practically the people who form the District Board should form the Council—I mean the leading people in the district. You can call them District Board or Administrative Council or whatever you like; it would mean practically the same men, and there is no need for two bodies.

17901. Do you think from your experience that the time is ripe for giving any further powers in the matter of local self-government?—Yes, further powers might be given them beyond preparing their own budgets.

17902. Are you prepared to take the risk of a larger number of mistakes being made?—Yes, I think so. The risk has to be taken; a man has first to be a child before he is a man.

17903. Would you be prepared to entrust some of the more junior officers of the Government with wider powers than they have to-day in order to give them a fuller sense of responsibility?—I think their powers are wide enough. I am not prepared to entrust them with further powers.

17904. (*Mr. Meyer*.) You have a very large estate, is there a great deal of work in connection with it? Suppose some of your raiyats are dissatisfied with any orders, do appeals come right up to you?—Yes.

17905. Do you want a Commissioner to have an Advisory Council to be assembled from time to time in order to give him advice?—Yes.

17906. Are the members to over rule the Commissioner?—I do not think so. They should simply tender advice, and the Commissioner must have the responsibility.

17907. You do not mean that they should be given administrative powers—that one should look after income-tax and that another should look after Local Boards, and that kind of thing—but you mean merely a Council of Advisers which the Commissioner can over-rule if he is not in agreement with him?—Yes.

17908. Do you no longer want the Collector to be Chairman of the District Board?—In some places you probably could not get a good unofficial Chairman, but if you could, then I should like him to be Chairman. It would be a difficult thing to get a good non-official Chairman.

17909. Would it be a good thing to take the Collector away from immediate contact with the work connected with roads, education, sanitation, and various things which the District Board deals with?—I do not know the working of the District Board system.

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17910. Whatever happens, you think that a Collector should be immediately concerned in such matters?—Yes, in any case the Collector must be cognisant of what happens and be in touch with the whole thing.

17911. Are you in favour of having a separate officer in charge of the headquarters sub-division?—Yes.

17912. (*Sir Steyning Edgerley.*) With regard to your suggestion of an Administrative Council for the Commissioners, the jurisdiction of this Council would, I understand, extend over all matters which are at present within the scope of District Boards and municipalities. That is to say, you would give the people another stage in managing their own affairs, and they would share the outside control which is at present exercised by the Commissioner alone?—Yes.

17913. Supposing you could find a district in which it would be possible to have non-official Chairmen of municipalities and non-official Chairmen of District Boards, would you be prepared to put the outside control in the hands of an Administrative Council under the presidency of the Collector?—I do not think it would do any harm—the Collector must remain the chief.

17914. Would you say, within the limits of your experience, that there has been a satisfactory growth in local self-government?—I think the people would take more interest in matters now. Municipalities have made more progress than District Boards for the

reason that there are more local men upon municipalities. Educated men congregate more in the towns.

17915. And the municipality is more interesting to them, and therefore they have gradually learnt to take more interest in it?—Yes, I think that is so; with regard to District Boards the members come from a distance, they have no responsibility, and therefore do not take much interest in the proceedings.

17916. But you say that it would be very difficult to find a non-official Chairman who would know a district as well as the Collector?—I do not mean to say that he would not know it, but it would be difficult to find a non-official Chairman who would be able to spare the time.

17917. Are there not gentlemen of means who live all their lives in a district?—Yes, but it would be a trouble to find anyone who would do it unpaid. Some of them might.

17918. How long does a Collector stay in a district?—Sometimes three years, sometimes less.

17919. Taking a man of intelligence who has lived say 40 years in a district, would he not know more of that district than any Collector?—I think not, because he is not able to go about it so much. There are roads to be made and supervision and so on, so that he would not care to find the time unless he had some personal interest in a particular road which was near his own house.

(*The witness withdrew.*)

Sir CHARLES G. H. ALLEN was called and examined.

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17920. (*Chairman.*) You are Chairman of the Calcutta Corporation?—Yes. I am a member of the Indian Civil Service. I was for seven years engaged in settlement, and for another year as Director of Land Records.

Executive Officers have too much work to do to come into sufficient personal contact with the people. The main cause of this failure is that the administration generally is under-manned. There is not a sufficient number of officers to supply Joint-Magistrates, Assistant Magistrates and Deputy Magistrates where they are needed, and the result is that the District Officer is generally overburdened with work. Recruiting has not kept pace with the increased requirements which are occasioned by the greater complexity of the work which has led to specialisation, and to the placing of a number of officers on special duty, and the necessity of manning the Settlement Department. While recruiting has failed to keep pace with requirements for additional men for this purpose, the volume of work in the districts has undoubtedly increased, with the result that men are overworked to breaking point. In many instances reforms, which are in themselves advisable, have been vetoed for the reason that they will impose additional labour upon already overworked District Officers. A District Officer of to-day spends far too much of his time in writing reports and other routine work, while at the same time a higher standard of inspection is insisted upon, with the result that his opportunities for coming into personal contact with the people of his district are reduced. No business firm would attempt to carry on the administration with the small amount of European supervision which is apparently considered sufficient by the Government, and this is evident from the consideration of the number of Europeans employed in any large Calcutta business. A comparison of the number of Civilians employed in the districts 20 or 25 years ago, with the present establishment, will show that there were more senior Joint-Magistrates and far more Civilian Sub-Divisional Officers than there are now, and the administration must consequently have deteriorated within this period. One of the prominent causes of this deterioration is that officers are now so rapidly promoted that they get insufficient experience and training during the early years of their service.

As regards districts, there are some which are too large, e.g., Midnapore, but the sub-divisional arrangement requires remodelling. With the exception of a few metropolitan districts and the Sonthal Parganas, sub-divisions have never been scientifically mapped out throughout the province, and in almost all the districts the work requires revision. There are 100 sub-divisions in Bengal, the average population being

504,000 and the average area 1170 square miles. The number of sub-divisions should be nearly doubled, the unit aimed at being 600 square miles, and I look upon this as the most important direction in which decentralization can be usefully advanced. Unless a sub-division is of manageable size, so that a Sub-Divisional officer can thoroughly know it from end to end, the police and the tyrannical zamindar have much too much their own way. An officer should always be placed in charge of the Sadar sub-division, which, for want of a Sadar Sub-divisional Officer, is too often neglected.

Selection should play a larger part in the making of appointments than at present, and the principle should be introduced at a much earlier stage of an officer's career. At present officers are promoted by seniority up to the first grade of Collector, and it is only when Commissioners are appointed that the principle of selection is for the first time introduced. An officer who has received his promotion in regular course for 25 years or so by seniority, is naturally chagrined if he is for the first time passed over for promotion to a Commissionership. Promotion by selection, within certain limits of seniority, should be introduced from the outset of an officer's career, and officers should be selected even for sub-divisions, and certainly to hold charge of districts.

Frequent transfers are a notorious evil, and they may be avoided to some extent in the higher posts, if the pay of these is graded as in the case of the Inspector-General of Police. The increase of the staff will also reduce the number of transfers. It should be an understood thing that a District Officer must remain in a district for at least three years, and in appointing an officer newly to a district, preference should be given to a man who has recently returned from leave, and is therefore likely to remain in the district. Officers should also be discouraged from taking leave so as to necessitate a transfer within this period. Less attention should also be paid to the caprices of individual officers who may wish for a transfer. Moreover, when an appointment has been made to an important post, the officer selected for it should not be transferred until he had held it for three years, merely in order that he may take up a more lucrative post. In fact, less consideration should be paid to the claims of the individual, and more to the exigencies of the work.

So far as the Calcutta Corporation is concerned, the measure of control exercised by the Government is not excessive, and in my experience it has been very considerably exercised. Something might be done to make the Commissioners' duties more attractive by transferring to them certain functions which

are at present discharged by the Government. For example, they might safely be made responsible for primary and technical education throughout the city, a sufficient grant of improving items of revenue being made to the municipal funds by the Government, to enable them to meet the expenditure. Theatres also should be licensed by the Corporation. The important air-spaces and recreation grounds are controlled by Government, and so are the public library, museum, etc. A beginning might be made with primary and technical education, and the licensing of theatres and places of amusement, and the desirability of bringing the Corporation into closer touch with the civic life of the city should be borne in mind.

17921. What was the nature of your relations with the Director of Agriculture?—He was the agricultural expert to whom I used to refer any points of difficulty. In Bengal, we had not then separated the departments as they have since been separated—Agriculture from Land Records. At that time there was only one department and our work was in a very embryo stage; we wanted help and guidance, and he came down twice and toured about with me; I put a good many questions to him and obtained his advice as far as possible with regard to the experiments we were making.

17922. Did you find as one result of his coming to your province that he wanted to interfere with your administrative machinery?—No, not in the slightest degree; I do not think he went into any question with regard to our administrative machinery; he was only interested as an agricultural expert pure and simple.

17923. Did you correspond with him officially through your Government?—No, I corresponded with him direct, officially and demi-officially.

17924. Did he advise the Local Government as apart from you?—I do not think he did so.

17925. Did all his advice come through you, and did all your questions go direct to him?—Yes, that was the practice. If the Government wished to get any information from him, they would have gone through me, or instructed me to obtain his opinion.

17926. Do you look upon an Inspector-General as an exceedingly useful institution?—Yes. I can only speak of the one with whom I came into contact—the Director of Agriculture.

17927. Were the satisfactory relations between you due to the personality of that Inspector-General, or are the advantages inherent in the traditions of his office?—His office was entirely a new one and I do not think it had any traditions; Mr. Mollison had been Assistant Director of Agriculture in Bombay, and I rather think he was the first appointment by the Government of India to his office.

17928. You say that Executive Officers are very much over-worked? What is your remedy?—More men, I think.

17929. That is really the bed-rock of the present trouble—want of sufficient staff?—I think so; the want of a sufficient high supervising staff.

17930. Not the want of a subordinate staff?—To some extent, yes, but the want is far more urgent with regard to supervising men.

17931. Would the strain which is now imposed on officers be relieved to a greater extent by an increase in the staff than by the subdivision of districts?—It is difficult to say without knowing the circumstances of each district, but there are some districts no doubt which require subdivision, although what the districts generally require is more Joint-Magistrates and Assistant Magistrates who could relieve the Collectors of a great deal of work which now overburdens them.

17932. One witness stated that the real remedy was to break divisions up into small districts and put the entire work of a district on to one man; are you not in agreement with that view?—I do not think that a district of about 3,000 square miles is too much for an officer to supervise, providing he has a sufficient intermediary staff under him, but if the whole work is thrown on him, as it is now, without sufficient assistance, then he is thoroughly overworked.

17933. Is some of the trouble occasioned by the fact that there are incapable officers in charge of districts?—I have not had, as a matter of fact, any direct knowledge of the working of districts within the

last four or five years, but I should say, before that time, that far too junior officers were put in charge of districts.

17934. Perhaps the want of either experience or capacity has caused the Government to issue general rules, which have operated adversely to the service?—It might be that there is a want of capacity on the part of some District Officers, but the real trouble was due to want of experience. When an officer of two or three years' service is put in charge of a district where the work is new to him, he is very likely to make a large number of mistakes, which he would not make if he did not take charge of a district until he had 8 or 9 years' service.

17935. Does the mode of selection point to incapacity in particular officers, or does it rather point to the necessity of very much higher capacity for particular officers?—No doubt there are inefficient individuals, but I should not have said that the percentage of them was very large.

17936. How low down in the scale should the period of selection begin?—Certainly for districts. I would appoint Collectors by selection, but because a man had been once passed over I would not pass him over indefinitely; I would give him a period of probation as Joint-Magistrate, and if he showed capacity I would promote him; I do not think a man ought to be finally passed over.

17937. Supposing an officer had been passed over two or three times who was clearly incompetent to take charge of a district, would you retain him in the service or retire him?—I should retire him.

17938. Are you appointed as Chairman of the Calcutta Corporation by Government?—Yes.

17939. Are the majority of the Commissioners appointed by Government?—No; we have 50 Commissioners, of whom 25 are elected, 15 are appointed by Government, and the remaining 10 are appointed by local bodies.

17940. Is the executive power vested in you as Chairman?—Yes, entirely.

17941. Would that account for some of the want of interest which the Commissioners exhibit?—That is very likely so.

17942. Speaking as a Chairman of the Corporation, would it be advantageous to the interests of the Corporation if some of your duties were delegated to the Commissioners as a body?—In Calcutta at present it is advisable that the executive authority should be concentrated in one man, because in that way the machine works better.

17943. Have the Commissioners as a body power to direct the policy of the Corporation?—I should say so entirely, in large matters. The budget is entirely in their own hands, and in that way they can control the policy.

17944. Is it your view that executive power should remain with you, but that questions of policy may be, and are, decided by the Corporation as a body?—Yes, but it is a little misleading to say that questions of policy only are decided by the Corporation. There are a very large number of questions which cannot be described as questions of policy which are settled by the Corporation; in fact, they make some appointments; they have a number of functions in connection with water supply and other matters which, although not executive, still give them a very large say in the administration of the Corporation. They do not merely decide abstract questions of policy, but they play a very large part in the administration.

17945. Is much of your work done by committees?—Very largely so indeed.

17946. Are you Chairman of all the committees?—Not all of them; there are a few committees appointed by the Corporation of which I am not Chairman, but under the law, if I am a member of a committee, I must be the Chairman of it.

17947. On the other hand, are there certain duties which are at present performed by the Government which might be transferred to the Commissioners as a whole?—Yes, I think that might gradually be done.

17948. Would that not mean that at the present stage it would be practically a transfer not to the Commissioners but to yourself?—No; in a matter like

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education, for instance, I do not myself take any part at all. As far as we deal with the education grants of the Corporation they are entirely administered by the Commissioners in their own districts. The ward representatives make enquiries about the schools; they make recommendations as to what grants should be made to various schools, and the Corporation always accepts them.

17949. (Sir Steyning Edgerley.) Have you ever thought about the question of having the Executive in one hand, but not in the hands of the Chairman, as in the Corporation of Bombay?—I should say the essential difference between Calcutta and Bombay lies in the position of the general Committee. In Calcutta the European business element is extremely strong.

17950. Is your General Committee a standing Committee of the Corporation?—No; it is a partly independent municipal authority. The reason for the difference between Calcutta and Bombay is that the General Committee in Calcutta was appointed in order to induce the European business element to take a larger share than they had hitherto done in the affairs of the Corporation. We have three co-ordinate authorities, the Corporation, the General Committee, and the Chairman, each of them with its own independent functions; but in certain matters the General Committee's decisions and the Chairman's decisions also require the sanction of the Corporation, although in a large number of matters they are entirely independent of one another. The system in Bombay of an elected President would probably not work well in Calcutta under the present constitution, because a common President of the corporation and of the General Committee is necessary in order to maintain co-ordination between the three different authorities; otherwise they would come into conflict.

17951. (Mr. Meyer.) Is your General Committee entirely independent of the Corporation? Do you mean that a man might be a member of the General Committee and not a member of the Corporation at all?—He must be a member of the Corporation before he can be a member of the General Committee.

17952. And are there no matters in which the General Committee has to refer to the Corporation?—All expenditure over Rs. 10,000 requires the sanction of the Corporation, but there are many matters in which the General Committee make recommendations to the Corporation, and there are other matters in which they are independent.

17953. Is not the Corporation really a higher authority?—They are co-ordinate—I did not mean to say they are equal.

17954. Is the General Committee the agent of the Corporation in some matters, but independent in others?—By the Corporation I mean the body of Commissioners; the body of Commissioners, for instance, has nothing to say to a large number of decisions of the General Committee.

17955. If it is a question of Rs. 10,000 or under, is it dealt with by the General Committee, and if it is a question of Rs. 15,000, does it go to the Corporation, which may upset the decision of the General Committee?—It very often does.

17956. Do you include the selection of officers in saying that the Chairman is supreme?—The Chairman appoints all officers receiving Rs. 300 and under; from Rs. 300 to Rs. 1,000 the General Committee appoint; and above Rs. 1,000 the Corporation.

17957. Therefore in some matters the Corporation and the General Committee do intervene in purely executive matters?—Yes; I am afraid I was not very precise in the use of the word "executive."

17958. When you punish an officer has he a right of appeal to the General Committee?—He has if he is paid over Rs. 100; if he is appointed by the General Committee he is dealt with by them.

17959. Therefore you can do nothing with an officer receiving Rs. 500?—No.

17960. Is that an altogether satisfactory system?—It has its disadvantages, but I think it is necessary when an authority appoints, that that authority should also be entrusted with the punishment and reward and so on.

17961. Do you think it affords less scope for friction, and is altogether better for the circumstances of

Calcutta, than the Bombay system?—I am not acquainted with the Bombay system in detail, but the General Committee in Calcutta is a most useful body.

17962. Are you, generally speaking, satisfied with the present system?—Yes.

17963. As to the budget, is that finally passed by the Corporation?—Yes. It does not go to Government. We submit an administration report to the Government, which Government reviews. They advise us thereon, and in a way, their advice has to be accepted.

17964. Have they any power over you?—They have direct controlling authority under the Act.

17965. They could require you, for instance, if on your administration report they thought you were not devoting enough money to a certain purpose, say sanitation, to spend more?—Yes, they can. I have never known an instance of the controlling power being specifically exercised in that way; we have had advice from Government, which we have accepted.

17966. Is there any appeal to Government by any aggrieved person against the acts of the Corporation or Chairman?—There is no appeal: I presume the Government, in a revisional way, might exercise powers of control.

17967. Is education under your control?—No, we make a grant of about Rs. 15,000 a year towards education, but we have no control over it.

17968. If you decide which schools are to receive grants and which are not, is that not a considerable amount of control?—I think not, because there is no management over the schools. They are private schools which we aid. We can give or withhold aid.

17969. Does Rs. 15,000 represent anything like the expenditure on primary education in this City?—I should think not. The bulk of the expenditure on primary education is met by private grants, fees and aid from Government.

17970. Government aids schools and you aid them—is there any line of demarcation between your functions?—No, and I think that is objectionable.

17971. Are there any limits to your powers to sanction specific works?—We can sanction up to one lakh. Large sums of above one lakh of rupees require Government sanction.

17972. Is that a sound restriction?—Yes, I think it is a very sound one.

17973. As regards the Director-General of Agriculture, when you were in communication with him, did he call for reports?—I do not think he did; he might have asked how certain experiments were getting on.

17974. You speak of your Civilian Officers as being overworked in districts; is that not largely because they do work which might be relegated to a subordinate, such as the trying of second and third class criminal cases?—A District Officer nowadays tries very few cases.

17975. I am speaking of Sub-divisional Officers or Assistant or Joint Magistrates. I have the Madras system in my mind: that below the Provincial Service you have a Subordinate Service, including Magistrates with second and third class powers; the Deputy Magistrates as a rule try the first class cases and appeals from the second and third class Magistrates—is that your system?—I think the system is that the junior officers of the Provincial Service, that is the junior Deputy Magistrates, try those cases, and Honorary Magistrates also very largely.

17976. Are men who have reached the post of First Class Magistrates largely employed in trying second and third class cases?—I should not have thought so. To a certain extent they would be, because they have summary powers and can try them much faster.

17977. Could not relief be largely afforded by an increase in the number of Sub-Deputy Collectors with magisterial functions?—We have Sub-Deputy Collectors already. It might be some assistance, but at the same time it would not meet the difficulty; the men who are really over-burdened are the men at the top of the tree, not the men at the bottom. It is the District Officer himself, and as a matter of fact he tries very few cases, so that he would not be relieved as regards magisterial work.

17978. Do you mean even as regards appeals?—Where a man has a Joint Magistrate, he very often gets him empowered to try appeals.

17979. Is it not best to relieve the District Magistrate by giving more powers to try criminal and civil matters to Sub-Divisional Officers, and relieve them in turn by appointing Sub-Deputy Collectors, giving them more power?—I think the best way of relieving the District Magistrate would be to give him a Joint Magistrate.

17980. Would you give him charge of the headquarters sub-division?—I think so.

17981. Do you approve of the system under which you have Deputy Collectors at headquarters doing branches of work, such as income tax work?—I should decentralize that as far as possible to the sub-divisions, but in Bengal all our land revenue work is concentrated at the headquarters of a district.

17982. Would it not be better to have more Sub-Divisional Officers if necessary, and to give them land revenue powers subject to the general control of the Collector?—I do not think with regard to the revenue of permanently-settled estates, it could be done in that way. Certificate work is largely done in sub-divisions already, and I would certainly decentralise as much as possible in that way.

17983. (Mr. Hichens.) Are the accounts of the Municipality audited by the Government?—They are audited by auditors appointed by the Government. Their report goes to the General Committee, and goes on with the Committee's report to the Corporation.

17984. If the Government think their report is unsatisfactory, have they the power to take any steps?—They would, no doubt, exercise their statutory powers of control under the Act.

17985. And if there was a deficit, and the auditor reported that no adequate means had been taken to meet it, in another year the Government might exercise the power to step in?—Yes, and tell us to raise the rates for instance. I do not remember any such case. In practice the control of the Government would not be exercised so much by a definite statutory order as by advice given indirectly.

17986. Do they do that much?—Very little.

17987. Have officers of the Government, such as the Sanitary Commissioner, power to inspect the work of the Municipality?—No, not unless they are specially so detailed by the Government; the Government can appoint an official to inspect any branch of our work.

17988. Is that done?—Never, so far as I know.

17989. Who appoints the General Committee?—There are 12 members and the Chairman; four members are elected annually by the Ward Commissioners, four by the "appointed" Commissioners, and four are appointed by the Local Government.

17990. With regard to Government control, the Chairman is appointed by them; a certain number of Commissioners are appointed by them; and they have the power of control which they can exercise at any time? Then they would have the general report of the Municipality each year, which they go through and frame a Resolution upon?—Yes.

17991. Is it desirable that those Checks should be in any way relaxed?—I do not think so.

17992. Is there any rule prescribing the length of tenure of the Chairman?—None at all. It would be very desirable to have such a rule. Continuity is a most desirable thing in the appointment.

17993. Could that principle be extended to all to other departments of the Government?—I think it could, and should, be; there should be a fixed rule with regard to other appointments, as far as possible, fixing the time for which they should be held; but of course, as a matter of fact, the particular circumstances will always modify the operation of any rule of that kind: in so far as a rule tends to prevent frequent transfers it is most desirable.

17994. Would you carry that down to Collectors?—Yes. In their case I think that three years is probably a good term. After he has been three years in a district, a man wants to go on leave, and when he goes, another officer might be put in his place.

17995. When he has been away on leave is it not advisable that he should go back to his old post?—I

think not—he may have been away six months, and I think it would be better to let the man who has been acting for him remain.

17996. (Mr. Dutt.) You state that in your opinion the number of sub-divisions should be nearly doubled in Bengal. Do you think the administration could be brought more in touch with the people if the sub-divisions were smaller?—I think so certainly. A Sub-Divisional Officer has more opportunities than any one of getting into touch with the people.

17997. Could the same object be attained to some extent by following the Madras and Bombay systems of creating circles within the sub-divisions and placing an officer—a junior Deputy Magistrate or a Sub-Deputy Magistrate—in charge of each of those circles?—I think so, but you would have to be very careful to appoint an officer of good calibre in that capacity. If your sub-divisions are of reasonable size I rather doubt whether it would be necessary to sub-divide; if a sub-division is only 600 miles in area, it is not very far from one end to the other; but where they are very large, I would reduce their size; but you must have an officer of experience, and if you had small sub-divisions there would be a tendency to appoint men of insufficient capacity.

17998. But if men of higher calibre were placed in charge of the circles, would not your object be attained?—To a certain extent it would be.

17999. In that case, would you delegate to them some of the revenue work which is now done at sub-divisional headquarters, or at district headquarters?—I should think so.

18000. In the Calcutta Corporation, as the authority which appoints an officer is also the power which punishes him or dismisses him, you can dismiss a man receiving up to Rs. 300. Is there any appeal from such a punishment?—In the case of an officer punished by me if his pay is more than Rs. 100 a month, an appeal lies to the General Committee, which is final; there is no appeal against the order of the General Committee.

18001. And there is no appeal against the order of the Corporation?—In the case of the Chief Engineer and the Health Officer, punishment is subject to the approval of the Local Government, who also sanction the appointment of those particular officers.

18002. Would it give a greater sense of security to the officers if every man had a right of appeal against an order of dismissal?—I should think it would probably have that effect.

18003. Are you likely to get better men on the whole if every man had a right of appeal?—I do not think so; I do not think that would work at all well.

18004. Do you get as good men as you would if you extended the right of appeal?—Yes, I think we get quite as good men.

18005. Are the Chief Engineer and the other officer you mentioned appointed by Government?—The Chief Commissioner and the Health Officer are appointed by the Corporation; but the appointments are subject to the approval of Government.

18006. Are they generally Government officers whose services are lent to the Municipality?—No.

18007. You have a Vice-Chairman?—Yes. He is appointed by the Corporation.

18008. Have you also a Secretary?—Yes. The Corporation appoints him. The appointment does not require the sanction of the Government.

18009. Can you briefly state the nature of the duties of the Vice-Chairman?—He performs such functions as the Chairman may delegate to him. At present he is the controller of the accounts and financial adviser to the Chairman; he also hears appeals from assesses in the northern part of the town. Those are his main functions.

18010. What are the general duties of the Secretary?—They are mainly connected with correspondence and with the business of meetings.

18011. Are you perfectly satisfied with the distribution of work with regard to these officers?—Yes; I have the power of altering it if I am not, and I have very often occasion to modify it in small matters.

18012. Have you any suggestions to make as to delegating powers to subordinate officers with a view

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to smoother working?—I do not think so, because I already have that power and have exercised it where I saw fit to do so.

18013. (Sir Frederic Lely.) I notice that most of your transfers were made in consequence of Government having to fill special appointments. There is no remedy for that, is there, and it simply has to be faced?—I think an addition of more men would prevent the trouble that arises from taking men from an already overworked staff to fill special appointments; that is to say, if the Government made special provision in the *cadre* for these special appointments, as it should, then at least the staff available for ordinary administration would not be weakened below the proper standard; you would still have to take men, of course, and the personal question would not be altered.

18014. With reference to what you say as to the occupation for at least three years of a Collectorship, supposing a vacancy occurred and a man came out from England who was a year junior to the next man on the list, who was about to take leave in a few months, would you pass over the senior man and give the appointment to the man who had just come out, on the ground that he would not be likely to go home again soon?—Yes, I should certainly do so.

18015. Would that not create a good deal of feeling?—I do not think so; if it were the regular procedure individual officers would not feel themselves hardly treated, or if they did it would be a matter of small moment compared with the efficiency of the administration.

18016. In many cases it might happen that a man might have to sacrifice what he has hitherto considered his right for a year or more, but you would face that?—Yes, I would face that.

18017. Would you make the Collectorship practically a three years' appointment?—Yes, as far as possible. I would appoint no man as a Collector if he would not undertake—barring exceptional circumstances—to stay in the post for three years at least.

18018. With regard to the sub-divisions, who commits to the Sessions Court as a rule?—A First Class Magistrate. A Second Class Magistrate has no power to commit unless he is in charge of the sub-division, or is specially empowered in this behalf by the Local Government. Otherwise, if they have no jurisdiction to pass a sufficiently severe sentence, they remit the case to the District Magistrate under a special section, or they ask him to commit the case to the Sessions.

(The witness withdrew.)

Adjourned.

THIRTY-FOURTH DAY.

CALCUTTA, Tuesday, 28th January, 1908.

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.

Sir GOOROO DAS BANNERJEE was called and examined.

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18019. (Chairman.) What is your occupation?—I am a retired Judge of the Calcutta High Court.

I would not curtail the right of appeal to the Government of India now granted in respect to administrative or personal action. Nor do I think it desirable to lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against, that reasonable grounds of appeal exist. The existence of an unrestricted right of appeal may involve a heavy burden of work on the appellate authority and may be taken to imply some want of confidence in the judgment of the authority appealed from, but it has on the other hand a most salutary operation in preventing wrong decisions in the first instance, by making the subordinate authority more careful, and in remedying them when arrived at. Moreover, it helps most effectually to strengthen the confidence of the public in the ultimate justice of the administration. The right of appeal is specially needed in the circumstances of this country, where the chances of error from local prejudice are so great, and where the check afforded by public opinion is so feeble.

Executive Officers, if they keep within the strict limits of official routine, cannot be said to have sufficient opportunities for personal contact with the people. But they may, if they are so inclined, create opportunities for such contact. The chief existing obstacles in the way of their coming in personal contact with the people are two—their want of sufficient inclination, and their want of sufficient knowledge of the vernaculars of the country. Executive Officers do not generally show much inclination to mix either with the educated classes or with the masses; and in the case of the latter,

imperfect knowledge of the vernaculars becomes an additional difficulty. If Executive Officers are required, or encouraged, to learn the vernaculars, to invite Indians to non-official parties, and to make informal tours through their districts, increased opportunities will be afforded for their mixing with the people. But even this will not be enough, unless they can restrain, if not overcome, their feeling of racial pride, and meet educated Indians on terms of equality and Indian peasants and artisans in a sympathetic spirit, when coming in contact with them in non-official intercourse.

I am not in favour of the grant of larger powers to Commissioners, Collectors and other local authorities, because in my opinion the powers already possessed by them are sufficient, for their proper exercise, to occupy all their time and attention. But if larger powers be granted to them, that would certainly involve greater care in their selection, less regard being had to seniority except so far as it is a guarantee for sound and sober judgment, and more regard being had for goodness when combined with efficiency.

18020. Would you have no curtailment at all of the right of appeal. It has been suggested by some witnesses, both Indian and British, that in the case of a person against whom a decision has been pronounced, justice would be met by their having one decision above that of the original decision—what would you say as to that?—I would rather allow the right to continue as it exists at present.

18021. In the matter of personal questions, is care taken to go thoroughly into the circumstances of a case?—Care is no doubt taken to go thoroughly into the circumstances.

18022. Are there many personal appeals?—I could not exactly say in what proportion they are to the total number of cases, but there is a fairly large number.

18023. Do a considerable number of cases come up for revision?—Yes.

18024. Generally on questions of fact, or on questions of law?—Mostly on questions of law, but not infrequently on questions of fact, as well.

18025. But still neither with regard to fact nor law, would you limit the right?—I would not.

18026. You say that you are not in favour of conferring any extension of power upon the Heads of Departments or Commissioners—what is your reason?—I think the powers already vested in those authorities are sufficient to occupy all their time and attention.

18027. It has been suggested that particularly in the case of the Court of Wards local authorities should have much larger power of decision—would you allow them those?—My experience in that respect is very limited, but I would rather not enlarge their powers except so far as they may be necessary to meet urgent cases which require immediate decision.

18028. Were you appointed to the High Court straight from the Bar, or had you any previous experience of executive work?—I cannot say that I had any experience of executive work except so far as I could derive it from my practice at the Bar. I practised both in the *mufassal* Courts and in the High Court. For the first six years of my professional career I was a pleader in the District Court of Murshidabad, but that was many years ago.

18029. Speaking generally, is it possible to increase the sympathetic intercourse between the people and the Executive Officers?—I think it is possible. I would take action in two directions in particular—firstly, by requiring or encouraging Executive Officers to organise informal non-official social parties, and, secondly, by encouraging them to make non-official tours through districts apart from regular tours.

18030. How would an officer be able to make a non-official tour?—If he has leisure he might visit a particular village in his district, it may be without any previous intimation, but to make these tours in the interior of any use, Executive Officers should be required or encouraged to learn the vernaculars of their districts so as to be able to converse with the people unacquainted with the English language. English officers have not a sufficient knowledge of the vernacular at present.

18031. Would people in *mufassal* districts respond to any proposal to come to parties or unofficial gatherings?—Yes, I think they would, but they must see that the officials will receive them in a sympathetic spirit and will restrain, if not overcome, their social and official pride.

18032. It has been stated by a certain number of witnesses that the Indian official is quite as apt to exhibit what you call pride as the European official—is that your experience?—To a certain extent that is true, but, while the Indian official may show that roughness to his Indian subordinates in office or in social life, the English official, if he is not blessed with an even and equable temper, is liable to show it to, and will make no distinction between, his subordinates and his equals, or even his superiors, if they happen to be of a different race.

18033. Would you suggest that these difficulties may arise not merely from the difference of race, but from the possession of office?—Yes, that is so to some extent.

18034. Is there a considerable desire on the part of both official and non-official classes to come together?—Yes, there is that desire certainly, and there are many people amongst the officials, Indian and British, who show an anxious desire to mix freely and on equal terms, but I could not say that their number is very large.

18035. (Mr. Dutt.) At present the right of appeal is not unrestricted and there are certain rules restricting that right in different cases. Would you like those rules to exist as they are now?—In departmental matters my knowledge and experience

are both limited, and if there are any rules restricting the right very much I would rather have even those rules rescinded as far as possible.

18036. You say that in certain urgent matters you would not object to the delegation of powers from the Government, for instance, to the Commissioners of divisions. Are there also many minute matters in which reference has now to be made to the Government, where a more speedy decision could be arrived at if they were disposed of by the Commissioner?—My experience in these matters is very limited, and therefore I cannot undertake to give any answer that will be satisfactory to me, much less to you.

18037. Has not a great deal of official work which a District Officer now has to perform the effect of keeping him somewhat aloof from the people?—Yes, I think so—want of time very likely is one of the reasons. My experience of the *mufassal* dates back to a period from 1886 to 1888, and not much later.

18038. Can you suggest any way in which a District Officer could be brought more into touch with the people even in regard to the work which he has to perform?—Yes; if he had something like Advisory Councils composed of men of his district, and invited their opinions, and them in all cases, even in the course of official work he would come more into contact with the people of his district than he does now.

18039. If the Commissioners and Collectors interested themselves more in education, or had the power to do so, would it have a beneficial effect?—Yes, I should think so.

18040. It is practically now a great deal under the control of the Education Department, but if local officers, the Commissioner, the Collector and the Sub-Divisional Officer interested themselves more in education, both secondary and primary, would it have a beneficial effect?—Yes, it would, generally speaking, but their interference in the matter will have to be so regulated as to avoid unnecessary or undesirable friction between the officers of the department and themselves; if care is taken in that respect their interference will certainly be valuable.

18041. Have you much experience of Bengal villages?—Not much.

18042. Generally speaking, would you be in favour of creating or reviving and encouraging small village communities to manage their own village concerns?—Yes it would be a good thing.

18043. Would you invest such small communities with power to dispose of petty civil and criminal cases, either finally or subject to appeal?—Yes, I think they might be invested with such powers, but the selection of the men must be very carefully made.

18044. If a number of men sat and disposed of petty cases would it be on the whole for the good of the people themselves?—Yes.

18045. (Mr. Hichens.) Is there any other point in particular which you wish to bring before the notice of the Commission beyond what you have already said?—No, I think not.

18046. Is the Collector out of touch with the villagers?—I cannot say that he is very much in touch with them.

18047. You say you have not had much experience with regard to villages. Therefore you may not perhaps be aware exactly what the Collector's relations with the people of the villages are?—That is no doubt likely; my experience is limited and there must be a great deal beyond the sphere of my knowledge, but as far as I can gather from second-hand information and from knowledge derived from accompanying Magistrates many years ago when making local investigations, I must say that although there is a great deal of curiosity exhibited when a Magistrate goes into a village, there is very little real approach. Many people come, but they stay a distance, and very few have any opportunity of exchanging a word with the Magistrate.

18048. Do you think matters are getting worse in that respect, or that they are about the same as they used to be?—I fear I am bound to say they are getting a little worse.

18049. You say that you have not considered the subject of Advisory Councils very fully?—I have not considered it very fully, but I would be in favour of them if the scheme is properly worked.

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18050. Have you considered at all what subjects might be referred to such Advisory Councils?—No, I cannot say that I have carefully considered the matter.

18051. Are you in a position to say whether the people who would be members of such Advisory Councils are people who are consulted in practice by the Collectors to-day?—I could not say anything definitely, but there is one class of people who are not likely to be consulted now, consisting of men who are of an unobtrusive nature who do not like to thrust themselves upon the attention of Government officers unless they are expressly asked to do so. That class I consider to be the most useful class to consult.

18052. But perhaps the Magistrate does consult them?—It is very difficult for him to get hold of people of that class.

18053. Then how could he get hold of them to sit on an Advisory Council?—By consulting the best of those, he would come into contact with men who would give in their names.

18054. All of which he might do to-day without an Advisory Council?—Yes, he might, if so inclined.

18055. (Mr. Meyer.) Do you mean that it is difficult for a Collector, especially if he is new to the district, to discover gentlemen such as you mention, who would be able to give him valuable advice, and therefore, when once a Collector has discovered them and got them put upon an Advisory Council, they would be valuable advisers to any successor?—Quite so.

18056. As regards appeals, is it not the ordinary procedure in civil and criminal jurisdiction not to allow a second appeal on questions of fact?—In civil matters, unless the subject matter in dispute exceeds a certain limit in value, the second appeal is confined to questions of law; in criminal matters there has been some difference of opinion, but there is no hard-and-fast rule limiting such appeals to questions of law; questions of fact are gone into in criminal cases on revision.

18057. Would you see any objection to applying the same principle to administrative appeals and appeals against matters connected with disciplinary action in respect to public servants?—I would rather not impose those restrictions in regard to administrative matters, because in administrative matters, to begin with, there are no hard-and-fast rules. In judicial matters there are hard-and-fast rules the operation of which is salutary and some safeguard is given that all the evidence will be gone into in the first instance, whereas in administrative matters the same safeguard might not exist; therefore I would leave matters less hampered by hard-and-fast rules in respect of administrative matters.

18058. Are you aware that in the case of Government servants there is a standing rule that all charges against them must be reduced to writing and shown to them, and that they have full opportunity of calling evidence?—Yes.

18059. Are there not occasionally, as in every nationality, designing persons who try to make friends with Collectors and other European officers for their own profit and ends?—No doubt there are such men—I cannot say there are not.

18060. Is it not possible that if a European officer has found, especially when he is young in the Service, that men of that sort have sought his acquaintance and used it for bad ends, he keeps himself aloof in future so as to prevent his confidence being abused again?—Yes, that is quite within the range of possibility, but here again there is one thing to be borne in mind, namely, that there are so many points of diversity between an Englishman and an Indian, that an Englishman is liable to misunderstand an Indian, and it may be that from misconception or misunderstanding-

ing, an Englishman might set down an Indian as a bad man when there was no reason for it.

18061. But may it not also be that an Indian occasionally misunderstands an Englishman and puts down to rudeness what the Englishman never intended as such?—Certainly.

18062. Is the existing system of education too uniform?—It is too uniform.

18063. Do you apply that to the University system mainly?—Yes.

18064. Would it be better, for instance, to allow local bodies to work schools with less regard to the cast-iron restrictions of a provincial Education Code?—I think it would have a salutary effect at least in one direction. The education problem being a new problem in this country, where education is imparted mostly through the medium of a foreign language, different lines of experiments may be tried with advantage, the results determining which lines shall be followed, and that some diversity would be very desirable.

18065. Are you not at present engaged in a very interesting experiment in education?—Yes, we are.

18066. Is your object to start a curriculum of education which is not quite in accordance with the general line pursued by the University?—Yes.

18067. Would you like to see more freedom generally for people to develop education on their own lines?—Yes.

18068. Would it be necessary still to have the results tested by Government officers?—I would stop at testing—it would not be by Government officers, but by trustworthy examiners.

18069. As regards *panchayats* you say you would be inclined, if they were carefully selected, to give them the decision of petty civil and criminal cases; would you make their decisions final?—No, except in very petty cases where the interests at stake have no lasting value.

18070. In a small dispute with regard to movable property worth a few rupees for instance, or in any petty case of assault would you have finality?—Yes.

18071. (Sir Steyning Edgerley.) I suppose the property at issue in matters of administrative appeal is sometimes of very great importance to one or the other of the litigants?—Yes.

18072. Supposing there is a great difference in the wealth of two litigants would not the multiplicity of appeals be a source of great danger to the poor man?—It would be a source of great trouble to him, but I cannot see that it is a source of danger, because the Appeal Court if it reverses the decision of the First Court will do so only where there are good and valid reasons clearly made out, so that, so far as the stability of a just decision goes, an appeal is not fraught with danger. Of course so far as the costs and harassment go there may be that difficulty in the way of appeals being allowed, but the question must always be considered from a relative and not from an absolute point of view; relatively the proportion of good that results from allowing these appeals would outweigh any possible hardship.

18073. Do you think that if a litigant has won in the first two Courts he should be carried on from Court to Court?—Yes, in civil cases that is so at the present day, and after all the result in the end is not very harmful.

18074. On a civil appeal you cannot go into the whole facts of a case, but only into the law. Is it not different on the administrative side?—Unless a good point is made out the appellate authority will only look to the regularity of the procedure and things of that sort and accept the decision, if it is a concurrent one, of two Lower Courts as binding upon it.

(The witness withdrew.)

The Hon. Babu BHUPENDRANATH BASU was called and examined.

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18075. (Chairman.) Where do you reside?—My residence is generally in Calcutta, but I am a resident of the district of Hooghly in Bengal. I have been a solicitor of the High Court for the last 25 years and also a *wakil* of that Court; I have been a Fellow of the Calcutta University for a great number of years

and have twice represented the University in the Council; I am a member of the Indian Association, and of the Bengal Land Holders and the British India Associations.

Within the limits of its budget, where the expenditure may be met out of revenue and where such

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expenditure would not interfere with the efficient working of any other department, the Local Government should have liberty to spend without the previous sanction of the Supreme Government on works of a purely provincial character, but such expenditure should be clearly set out in the budget and sanctioned by the Council. Provincial budgets should be less cryptic than they are at present; any additional or extraordinary expenditure should be distinctly shown, and the Council should be allowed the right of dividing thereupon. If any extra grant is required during the year, the matter should be placed before the provincial Council for sanction. The present constitution of the Council does not offer an effectual safeguard: but the fact that the Council may be divided will work as a brake on any scheme of unjustifiable or extravagant expenditure.

The present financial settlement, though an improvement on the past, is not entirely satisfactory so far as the provincial Government is concerned. As the division is by certain fixed proportions, the Supreme Government reap the benefit of the administration by the Local Government and participates in the increase. There ought to be a rule that taking the division by fixed proportions as a working basis, the Supreme Government ought at the end of at least every 10 years, if not oftener, to allow a rebate, so to say, when the increase exceeds a fixed percentage. The customs have been entirely imperialized: this should not be the case, specially as the whole administration is by the Local Government, which has no voice or control over the appointment.

The difficulties in the case of borrowing by provincial Governments would be greater than in the case of the Supreme Government and the loans would be more onerous: but at the same time I would support power being given to Local Governments to borrow within certain limits for the purpose of spending on productive Public Works such as feeder railways and canals. These railways have in a few instances been constructed by private enterprise on the guarantee of District Boards, but the District Boards generally are not in a position to furnish this guarantee with the result that the development of the country is being retarded.

As regards new appointments to the Subordinate Services the Local Government ought to be allowed full powers, so also as regards the enhancement of salaries if carried out as part of a definite scheme, sanctioned by the Council and not by individual preferment. As regards the new appointment of European officers above Rs. 200, the rule laid down by the Secretary of State that his sanction should be obtained should be strictly followed, and I would extend this rule to non-domiciled Eurasians also.

In certain matters, such as famine relief and sanitation, the Local Governments may be allowed to work on the general lines of policy laid down by the Supreme Government. A special Sanitary Department to deal with the question of malaria in Bengal is urgently needed. In matters relating to the collection of revenue, the control of the Supreme Government is necessary.

In legislative enactments in which any action is directed to be taken by Local Governments, the taking of such action should not be delegated to a lower authority without special legislation. I am against a general delegation of authority, but there are some minor matters in which such delegation would probably be of some advantage, but this should be clearly stated and each Act amended in detail.

The Government of India is too impersonal. The pomp and circumstance with which it surrounds itself is an absolute and often irritating anachronism and is a vain attempt to imitate the outward trappings of the Eastern rule of old without its inwardness. There is no direct touch between the Supreme Government and the people, no *Darbar-i-Am* where the Emperor sat in open state to receive petitions from his subjects. The approach to the Supreme Government is difficult if not practically impossible.

Taking the case of the Director-General of Education, I do not see much use of his appointment so far as Bengal is concerned.

The greatest administrative reforms of recent times, the Local Self-Government Act and the Indian Councils Act were due to the initiative of the Government of India. So far as Bengal is concerned, one of the most retrograde measures, namely, the Calcutta

Municipal Act, was due to the initiative of the Local Government. I would recommend that certain questions should be reserved for introduction after sanction by the Supreme Government, such as questions of taxation, matters prejudicially affecting popular rights, etc. In other matters dealing only with purely local questions I would leave the initiative and the carrying out of any measure to the Local Government.

The right of appeal should not be curtailed: It would not be desirable to restrict appeals only to cases certified as suitable for appeal by the authority appealed against.

Commissioners and Collectors ought to be allowed to spend money, subject to sanction, within a grant limited for each division and district respectively.

So far as the provincial Government in Bengal is concerned it is not too impersonal. It should however be brought in closer touch with the people. A provincial Government is often to a great extent dominated by considerations of revenue. I may instance the case of income-tax, where, notwithstanding the raising of the taxable limit to Rs. 1,000, the receipts have not appreciably diminished, and the result is ascribed to closer scrutiny.

There are sufficient opportunities for personal contact between the executive and the people, but unfortunately they are not sufficiently availed of. Close personal relations seldom exist between the Executive Head of a district and any class of the people: when the District Magistrate is out on tour, he is so hemmed in by, and so closely associated with, the police, that the ordinary people do not, and dare not, come to him freely: here insufficient acquaintance with the language is a great obstacle. In the headquarters also, the visits of the people are generally formal. The young Civilian comes out to India with all the feelings of a ruling race: he is at once placed in a vicious atmosphere: he generally forms an extravagant idea of his own importance, and is led to believe that freer intercourse with the people would diminish it: he generally invests himself in such a coating of dignity and aloofness that self-respecting people as a rule avoid him: he is generally intolerant of opposition and he wields such large powers that he cannot be crossed with impunity. The result is that the District Officer has hardly any personal knowledge of the people under his charge. I would suggest the following remedies—better knowledge of the vernacular on the part of District Officers: the separation of the functions of the police and the judiciary at present combined in the same officer; relieving the District Officer of his municipal and District Board work; the establishment of clubs where Europeans and Indians may associate on a footing of social equality; the cultivation of closer personal relations (for instance, a single unceremonious call by the District Officer on a private gentleman, or congratulation or condolence as the case may be, would draw the hearts of the people more towards him and the Government he represents than any number of formal or ceremonial meetings or *Darbars*); sending for and consulting people more frequently about affairs of the district; the retention of District Officers in their stations for at least three years if not five; the capacity for sympathy to be treated as an essential qualification for promotion.

No general increase in the administration staff is required.

Transfers are very frequent: the same system ought at least to be followed as in the Judicial Service.

There ought to be less interference by the District Officers in the affairs of District Boards and municipalities. The interference with the budgets specially in minor details is unnecessarily irritating; a grain allowance for instance of eight annas to a peon need not be under the scrutiny of the Magistrate. Only major heads of the budget should be examined: on the minor heads freedom ought to be given to the municipalities to spend within the budget grant.

In the case of the more advanced municipalities there ought not to be any interference at all, except in very important matters of capital expenditure, and the two classes of municipalities may be very easily differently scheduled. The District Boards are practically official bodies: half the members are nominated and the Chairman is the District Officer: interference with them—except in the case of capital expenditure—is hardly needed at all. The constitution of the

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District Boards should be entirely changed and should be similar at least to the constitution of the Local Boards, the Chairman being elected. If the District Boards are freed from the incubus of excessive officialization, they would be instruments of great good to the people and much further powers as regards roads, sanitation and education may be given to them than they possess at present.

The municipal Government of Calcutta is an absolute anomaly: it consists of 3 co-ordinate authorities, the Chairman, the General Committee and the Corporation, each of whom is independent of the others: a recent case is an apt illustration of the state of things. The Corporation wanted to enquire into the allegations of corruption against some of their servants; objection has been taken to their doing so by the Chairman, who, under the Act, has independent powers, and who in exercise of these powers has appointed these municipal servants. The result is that the Corporation under the Act has no power over the Chairman and practically no control over the servants appointed by the Chairman or the General Committee, who form, with the exception of a few superior officers, the bulk of the Corporation *employés*. The Corporation has no power of control over the proceedings of the General Committee or the Chairman except in specified instances and as a body has ceased to possess a truly representative character. To the Corporation, as at present constituted, I would not recommend further delegation of powers, as the representation of the ratepayers is unduly weak.

I am in favour of the creation of Advisory or Administrative Councils: if these Councils are to be of any use they ought to include a strong elected element, otherwise as the position would confer some prestige upon the holder, it would inevitably lead to subserviency and sycophancy, if it remained entirely in the gift of the officials concerned. Two-thirds or, if this proportion is considered too large in the beginning, then at least half, of the members of these Councils should be elected, and the remainder nominated. The election may be entrusted to the municipalities and the elected members of the District Boards. As regards Advisory Councils for divisions the same proportion as regards election and nomination should be followed, the election in this case being made by the elected members of the District Councils. The Councils should be consulted in all matters except judicial affairs affecting the district or the division, and regular meetings ought to be held, so that it may not be possible for an official to let the Councils go to sleep.

In the Education Department, funds for the current needs of colleges should be allocated in the beginning of the year, and the College Council, consisting of the Principal, some members of the teaching staff and one outsider to be nominated by Government, should be entrusted with spending it: books, instruments, and other accessories for colleges should be allowed to be indented for by the head professor of the department concerned with the sanction of the College Council. As regards Government schools, when they are under the control of a college Principal, the same system may be followed: in case of other Government schools the Collector of the district in consultation with the head-master should be allowed to buy school requisites.

The distinction now obtaining between the Indian Service and the provincial Service in the Education Department should not be allowed to continue. If it should be thought necessary to continue the system, though I think it is both unsafe and injudicious, let there be two classes A and B, class B ending with Rs. 1,000 and class A beginning with Rs. 400 and ending as the Indian Service now does; but subject to the number in the higher class being limited by the Government of India for each province, the Local Government should be allowed to recruit class A both in England, as well as from class B.

18076. Might some further opportunity be given to provincial Governments to lend money for provincial works without the previous sanction of the Supreme Government?—Yes, provided that it is included in the budget and sanctioned by the provincial Council.

18077. You do not mean it then to extend to works outside the budget as sent up by the provincial Government to the Government of India?—No.

18078. In the case of customs which have been imperialised, you say that the administration being by the Local Government it yet has no voice in the appointments to that service?—Yes, that is how I understand the case to be.

18079. Would you wish such power to be given to the Local Government?—Yes.

18080. Within the general limits of appointment otherwise laid down?—Yes.

18081. Have you any actual experience of the work of local bodies such as District Boards and municipalities?—Yes, I have been a member of the Calcutta Municipality for a great number of years, but not in the *mufassal*.

18082. You say that Local Governments might have more borrowing powers for the construction of feeder railways and canals? Could they get a local market for their stock?—Yes, municipalities and Port Trusts do obtain fairly good local markets for their stock, and if a slightly more advanced rate of interest were offered by the Local Government, I have no doubt loans would find a ready local market.

18083. Would you make the loans of these Local Governments subject to the sanction of the Central Government?—Yes.

18084. Is the offer of a slightly higher rate of interest an essential condition of success for borrowing in a local market?—It has been recognised as such by the Calcutta Municipality, whose credit has always stood very high, and by the Calcutta Port Trust, whose credit has also stood very high; these securities are gladly sought after for investment in the case of Trusts and for similar purposes. The rate is slightly higher than the rate offered by the Supreme Government, and is at present 4 per cent. in place of 3½.

18085. Would the revenues of the provincial Government as based upon their settlement with the Government of India be regarded as a good security by the investors?—I think so. So far as the Government of Bengal and rich people in Bengal are concerned, they would regard the security as quite good enough.

18086. Would not the failure which has attended District Boards in this direction necessarily attend a provincial Government requiring loans for the same purpose?—Not at all. The provincial Government would not meet with the same difficulties.

18087. You say that there is no direct touch between the Government and the people, and that access to the Supreme Government is difficult or practically impossible; what remedy would you suggest for that state of things?—The Supreme Government just now is more or less an abstraction to the people, partly because of the pomp and circumstance with which it surrounds itself, and partly because it spends the greater part of the year away in the hills.

18088. Are you thinking of administrative difficulties, or of some larger questions which are somewhat outside our province?—I am thinking of administrative difficulties. So far as we are aware, the Supreme Government has no means at its disposal of getting information first hand from the people; all its information comes through the Local Government, and as we take it, it is coloured by the tone of the Local Governments; the people have felt on many occasions that their representations have not received the same amount of attention they probably otherwise would if the Supreme Government was in closer personal touch with them. If it were possible for the people to approach the Head of the Government, or the Members in charge of the different departments, directly, greater confidence would be inspired in the people with regard to the work and methods of the Supreme Government.

18089. Have you been brought much into touch with educational matters?—Yes; I represented the University of Calcutta for four years on the local Council, and I was a Fellow of the Calcutta University for many years.

18090. Did you find that the influence of the Director-General in educational matters was either not useful or non-existent?—We did not see much evidence of that influence being exercised upon the Educational Department in Bengal.

18091. Supposing he had attempted to intervene with regard to educational matters in the University,

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would that have been resented or welcomed?—The University as it is constituted is a self-governing institution, subject to certain powers of control by the Chancellor, who is the Governor-General of India, and I do not think the University would submit to outside influences unless offered in a spirit of friendly advice, and not in a spirit of criticism or fault-finding.

18092. Was such advice ever tendered to you by the Director-General?—I do not think so.

18093. Was it ever asked for by the University?—I do not think so.

18094. You have pointed to the desire of the provincial Government merely to acquire revenue, and you illustrate it by the fact that the receipts from income-tax has gone up, although the taxable limit has been raised. Are you aware that that is regarded as a sign of prosperity in most countries?—Yes, but in this case the result of the next year's operations after an enhancement of the taxable limit showed that there was practically no diminution. In one year I do not think the theory of advancing prosperity was sufficient explanation.

18095. Would you be surprised to hear that in other countries, notwithstanding the raising of the taxable limit, the income-tax limit has increased?—No, but a question was asked upon this head in the local Council, and so far as I remember the answer was not that the non diminution was due to the increasing prosperity of the people, but was due to the closer scrutiny exercised by the assessing officers over the incomes of the assesses, thereby including many people who had previously escaped from paying the income tax.

18096. When the Head of a district or division goes on tour, do the people find some difficulty in approaching him?—Before dealing with that question, I might bring to notice a general impression which prevails that in matters, for example, like the excise revenue, though there are directions which apparently restrict the number of liquor and opium shops in the *mufassal*, the local officers are careful to see that the revenue does not suffer by any restrictions imposed by the central authority. That was also in my mind when I said that Local Governments are more or less influenced by considerations of revenue.

18097. Do you suggest that while the Imperial Government desires to restrict the number of liquor shops, the provincial Government takes no notice of that desire?—The provincial Government does, but the officials under the provincial Government do not enforce those restrictions or at least enforce them in such a way that the revenue does not suffer any sensible diminution. The idea amongst the people is that a Revenue Officer who fails to return to the Government treasury the estimated revenue of his department does not find his position a very comfortable one.

18098. You think when District Officers go on tour the people have difficulty in getting access to them. Do you suggest that that is caused by the action of the police and the *chuprassies*?—I think so.

18099. Would you suggest that this is the case frequently or in isolated cases?—It occurs in most cases.

18100. No matter how great is the experience of the District Officer?—No. I think the greater experience he has the more accessible he is, and the higher an official goes up the more accessible he becomes personally to the people.

18101. At what stage in an officer's career does this difficulty of access which is experienced by the people cease?—I cannot say that it does cease, but the difficulty diminishes as the officer gains greater experience of the people and knowledge of the country. For instance, when he has been District Officer for some years, or the Commissioner of a division, he is less hampered in his intercourse with the people than in his younger days.

18102. Would that extend not merely to his younger days, but up to the earlier days of his administration of a particular district?—Relatively it would.

18103. You suggest that an officer ought to be kept for some time in a district?—Yes, for between three and five years.

18104. Would you make the period longer than five years?—That question has two aspects. Sometimes,

unfortunately there have been District Officers who have not been popular, and we cannot contemplate with equanimity the continuance of their *régime* for a longer period than five years; therefore I have suggested that the maximum period should not exceed five years. Of course, on the other hand, with a good and sympathetic officer a longer period would be much more useful, both to the officer and to the people.

18105. When an officer is unpopular in a district, is he unpopular amongst all classes, or is he popular with certain classes and unpopular with others?—Generally he is unpopular with all classes, if he is unpopular. His unpopularity is sometimes due to a lack of sympathy which affects all classes; sometimes, but very rarely, it is due to an antagonistic feeling against a particular class, but that is very rare, and therefore his unpopularity is generally with all classes.

18106. Might a District Officer become unpopular because he took up the rights of one particular class as against another?—It has happened, unhappily, in my experience of District Officers, that owing to their taking up the cause of one class against another that has been the result.

18107. For instance, with regard to such questions as disputes between landlord and tenant?—Yes, that has happened, but not very frequently, and when an officer like Sir Henry Harrison thought that the rights of one class should be vindicated against the other, he proceeded with a degree of caution which eliminated to a great extent any feeling of hostility against his measures; but sometimes in cases between landlords and tenants young officers coming out from England, with preconceived notions as regards the strict rights between the tenantry and the landlord, have sought to carry out those notions, irrespective of their want of knowledge of the country, and have thereby provoked opposition which might otherwise have been avoided.

18108. In cases where there is this lack of sympathy shown, is it possible to overcome the effects of it?—We find that by experience it is overcome.

18109. It is suggested that sometimes social gatherings or visits without ceremony overcome on either side, and so forth, might take place; would you lead us to believe that those are possible as well as desirable?—They are possible and very desirable.

18110. Would there be no hanging back if they were proposed by the British Officer?—I do not think it would be so.

18111. Have you ever noticed that Indian Civilian Officers have shown equally with British Officers what might be called official pride and hauteur?—Unfortunately that has been the case in some instances.

18112. Might it therefore be thought that it is the pride of office rather than the difference of nationality which creates these difficulties?—I have qualified my answer by saying that it is sometimes the sense of belonging to the ruling caste that works against better relations between the people and the rulers; it is often the feeling of the ruling race, but it is also the feeling of the ruling caste, and I am sorry to say that I have known Civilian officers of Indian nationality who have been foolish enough to think that stand-offishness would be a source of strength in the discharge of their official duties, and would assimilate them more closely to the ruling classes, of which they form, for the time being, a component part.

18113. So that difficulties do arise very often in your judgment, not from differences of religion and race and so forth, but from the possession of authority and power and the way in which it is exercised?—Yes, to a great extent; in the case of Civilian officers of Indian birth, some of them have a mistaken notion that to put themselves on a par with their European colleagues they should imitate the manner of their colleagues, and that has been at the root of much of the mischief.

18114. I suppose their European colleagues have themselves perhaps been influenced by the same sense of authority and power?—It may be so.

18115. Generally speaking, you wish to see less interference by the District Officer with municipalities. Have you seen the working of any *mufassal* municipality?—Yes, I have, because I have property in the *mufassal*, and therefore I am more or less acquainted with how they work.

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18116. Are the present powers which municipalities have adequate?—For their present purposes they are adequate, but they are subject to too much interference, which ought not to be the case. I mean interference with the budget and with trifling details. The District Officer interferes too much in every trifling detail, causing unnecessary friction, and where it is probably not at all needed.

18117. Is the Chairman of the municipality which you have in your mind in making that statement an official or a non-official?—He is a non-official.

18118. Does he prepare the budget?—The budget is prepared by the Secretary and the Vice-Chairman.

18119. Both of whom are non-officials?—Yes, but it is done with the knowledge of the Chairman and with the help of a committee. The municipality is divided into committees for the purpose of doing work. They work satisfactorily.

18120. When the budget is prepared and sent to the Commissioner does he interfere with it too much?—It is not the Commissioner but the District Officer who interferes; then the matter goes up to the Commissioner and he does not often revise what the District Officer has done, except in very special cases where there is an appeal to him by the municipality, when the matter has to be gone into. Otherwise the budget as finally approved and passed by the District Officer is the budget sanctioned by the Commissioner.

18121. Is the budget before it is sent to the District Officer circulated amongst the members of the Municipal Council?—Yes, generally about a fortnight before the meeting.

18122. At all events you think that once the Municipal Council have agreed to the budget, unless there is some serious defect in it, it ought not to be altered?—I think at least the minor heads ought not to be disturbed, and as regards the major heads I would suggest that the total allotment may be sanctioned by the District Officer and Commissioner, the internal details being left to be worked out by the municipality.

18123. Is there much interest taken in the government of the town by the members of the municipality?—Yes, they take a good deal of interest.

18124. Apart from the question of the submission of the budget, have municipalities ample discretion and power?—Yes; within the scope of their functions they have quite sufficient power to act.

18125. Are their functions wide enough?—I think so. They do not possess the power of raising money at present except in the case of very exceptionally big municipalities, and I do not think any such power is desirable or necessary.

18126. (Sir Steyning Edgerley.) Are the people generally in this country interested in municipal administration?—They are, because it affects them locally.

18127. Do they feel that they are responsible to the public?—Yes, and I think that is felt at the time of the elections principally. If a Commissioner has not discharged his duties well his chances of re-election are considerably diminished.

18128. Would you say that generally of most *mufassal* municipalities in Bengal?—As far as my experience goes, I think I may say that generally municipalities vary according to the degree of education and public spirit in a particular province, but my experience which is more or less confined to the Presidency Division, shows that the people do take sufficient interest in municipal government.

18129. (Mr. Meyer.) Should the provincial budget be controlled by the Government of India, or are you in favour of complete independence subject to the vote of the Council?—The budget, on the whole, ought to be controlled by the Government of India. Not as to details, but as to the budget itself.

18130. Would it be an improvement, as has been suggested, if all the provincial figures were dropped out of the Imperial budget and only the figures with which the Imperial Government had to deal directly were included?—I have not considered that aspect of the question sufficiently well to be able to give a definite reply, but I think it would be an advantage. I

am inclined to think that if the Imperial budget were less burdened with details as to provincial administration it would in some respects be an advantage.

18131. How would you find out what the Indian Government as a whole, provincial and Imperial, was spending on such a matter as education for instance?—The allotments would appear. The Imperial budget would show the allotments made to the different Governments, and need not go into further detail in order to show the minor provincial expenditure.

18132. Do you desire that the Local Government should have full power in agreement with its provincial Council to spend money on works, whatever the value of the works?—The Local Government and its Council ought to be the best judges, subject to the general control of the Supreme Government. The budget when framed should show the allotments made, but there does not seem to me to be any necessity for interference with the details.

18133. Supposing the provincial Government proposed to build a new college costing 15 lakhs of rupees; under present circumstances that would have to be sanctioned by the Government of India and the Secretary of State. Would you relax that restriction?—If a Council were constituted on which the voice of non-officials could make itself felt, and if the budget allowed it, I do not see why the discretion of the provincial Governments should be fettered.

18134. Would you therefore relax the restrictions imposed by the Secretary of State as well as those imposed by the Government of India?—Not as a general control, but the development of a scheme has to go backwards and forwards between the Imperial Government and the provincial Government and the Secretary of State, and its final execution is so greatly delayed that the original intention of the scheme probably is forgotten, and it is not carried out in its finality with the same degree of completeness and enthusiasm as it would have been carried out if all these detailed negotiations had not been required. Therefore, if within the limits of its budget a provincial Government, with the sanction of its Council, formulates a scheme which is sanctioned by the Supreme Government or the Secretary of State, in my opinion further interference is not needed and is not beneficial.

18135. Would you apply that also to the creation of new appointments in the event of a scheme for the creation of new districts involving additional Collectorships and Judgeships?—I think the cost of new appointments involving the appointments of European officers should receive the sanction of the Secretary of State as it does now.

18136. Do you mean that in any case you would keep the existing restrictions on new appointments which might be filled by European Officers?—Yes, and as regards other appointments, if the scheme were sanctioned by the Secretary of State or the Supreme Government, I would vest the Local Government with power to make them.

18137. As regards the borrowing powers of Local Governments, you wish to confine them to productive public works. Are the canals in Bengal productive?—Yes, in many parts. They have been productive in many parts of Bihar, both as a means of transit and as a means of irrigation.

18138. But have they yielded enough to cover their working expenses and make a profit?—My impression is that the canals in Bihar are productive; I would not advocate borrowing money upon works which are not estimated to yield sufficient return enough to cover the interest.

18139. Is your principle that the Local Government should not be allowed to borrow for works which will impose a permanent burden upon it, but for works which will pay in the long run?—Yes, because in those cases money might be borrowed on more favourable terms than by the Supreme Government, and it would be unwise to burden the finances of the Local Government with a liability which would be more easily borne if undertaken by the Supreme Government.

18140. Are you aware that at present the Supreme Government undertakes productive works and gets as much money as it can from them?—Yes.

18141. Do you think more money could be got if the Local Government borrowed also?—Yes, and the Local Government might develop the resources quicker, having more direct knowledge of the necessities of local administration.

18142. Are you opposed to any general delegation Act which in general terms would allow the Government of India or the Local Government to delegate any powers that the law has hitherto vested in them to some subordinate authority?—Yes.

18143. You want any delegation to be specifically carried out by legislation?—Yes. There are matters contained in special enactments which might safely be delegated to Commissioners, but those are matters which ought to be clearly put before the public or the Council. A general delegation Act would cover many matters which I do not think could be safely delegated, and therefore I am against a general delegation Act.

18144. You said that the Government of India had no means of receiving information from the people, but are there not elected non-official members as advisers to the Legislative Council?—Yes, there are.

18145. And is it not open to any Association, the British India Association for instance, to put their views before the Government of India, and do they not habitually do so?—They do so. As regards the members of the Viceroy's Council there is in Bengal only one member for the whole province, and he is in touch with the Government for a very short period in the year; for the greater part of the year he is not in touch with the Supreme Government at all, and as regards memorials they seldom produce the effect which personal intercourse might produce.

18146. With regards to excise and what you thought to be the tendency of the local officers to act counter to the instructions of the Government of India, are you aware that there was an Excise Committee appointed by the Government of India to inquire into that very subject amongst other things?—Yes.

18147. Ought the Central Government to keep control over the general lines of excise policy in India in order to guard against that possible danger on the part of local officers?—Yes. The Government of Bengal, as at present constituted, and I believe other Governments also, would follow the general lines of policy laid down by the Supreme Government, but at the same time I should prefer some control being vested in the Supreme Government with regard to it.

18148. It has been suggested occasionally that in all matters which Local Governments have the management of, such as police, excise and education, they should have generally a free hand and that the Government of India should not interfere; is that a policy which would meet with your approval?—I do not agree with that view; the Government of India ought to control the policy.

18149. You say that Commissioners and Collectors should be allowed to spend money, subject to sanction within a certain limit for each division and district—what matters have you specially in view?—Various matters which arise in the district; for instance, if there is an urgent call for relief or any small matters involving expenditure.

18150. In the matter of Public Works, for instance, would you like to see larger powers of sanction vested in the Commissioner?—Within a certain limit I would fix an allotment. For instance, the Local Government might fix so much as intended for a certain district or division and the Commissioner might be allowed some latitude as regards the way in which it was spent.

18151. That is to say you would break up the provincial budget to a certain extent and give the Commissioner powers of sanction within a smaller budget?—Yes.

18152. You have said that the young European officer is less sympathetic than the older man; would that not possibly be due to the fact that occasionally when he is young he finds that persons impose upon him a little and make use of his friendship for their own private purposes?—I am not aware that that is done as a rule and that his sympathetic attitude towards any particular class of individual is abused.

18153. Do you not know of any case in which an Indian has made use of his alleged friendship with a District Officer to get more things done for himself or

to spread abroad an impression that he was in close touch with the Joint-Magistrate, for instance?—The influence of a younger officer could not be utilised if it were attempted to be for that purpose to the same extent as the influence, for instance, of a Commissioner. A District Officer after all has much smaller opportunities of things of that kind than the Commissioner, and I do not apprehend that that is one of the causes which keeps the District Officer to some extent apart from the people.

18154. At any rate, as he gets older he gets more accessible and perhaps he knows more who are the useful people to talk to?—He comes out as a junior officer and with increasing experience he is able to judge better, and appreciate better, the people than when he first comes out. When he comes to know their ways he makes concessions for many things which might have offended him to start with.

18155. At the beginning of his service he starts as a Magistrate and is brought into contact with perhaps the worst class of the people?—Yes.

18156. It has been suggested elsewhere that that might be remedied by putting the young Civilian, for the first few months, not to work under a Collector, but under a Settlement Officer, where he might mix with the people more freely and have nothing to do with criminal work: would you think that of any use?—It might be of use, but it has the danger that settlement work is very serious work which requires experience. From the point of view you put it to me it might to some extent serve the purpose, but it might on the other hand prove injurious to the people whose interests would be placed in the hands of the Settlement Officer.

18157. I do not mean that he should do the work, but that he should be merely learning the habits of the people. Might it not be more desirable to give the young Civilian in his early days some means of mixing with the people outside the criminal classes?—It would be better that he should come into contact with the better class of people.

18158. You speak of reducing transfers and following the same system as in the Judicial Service; what is that system?—In the Judicial Service no transfer is made in less than three years.

18159. Is that rule generally observed amongst District Munsiffs and Subordinate Judges?—They are as a rule posted to a place for three years.

18160. You speak of a District Magistrate's power of interference with a municipal budget, but has he any independent power; does not the budget go to the Commissioner for his approval?—Yes, but the Magistrate practically decides it.

18161. Do you mean that he remarks upon it?—Yes, and the Commissioner generally follows them.

18162. But as District Magistrate can he do anything beyond report to the Commissioner?—That is so.

18163. You spoke of municipalities not being able to raise money, but do they not borrow from Government habitually?—Yes, and probably it would not be necessary to invest them with independent powers of borrowing.

18164. As regards Advisory Councils, what would happen if the Commissioner and Collector disagreed with the majority of a Council on any subject?—There is a feeling in official circles that in case of a difference like that it would result in the creation of an unpleasant situation. In my own experience, and I have been a member of the Calcutta Municipality for nearly 12 years, when it was a self-governing institution and when the people had a clear majority of one-third, I never found, except in one instance in which the Europeans led the opposition, that the members of the opposition who were the representative members of the Corporation had disagreed from the Chairman who was an official. I do not think that a contingency like the one you suggest would be a matter which would happen usually or frequently. But even if it did happen in a matter which affected only the internal administration of the district, such as making roads and starting schools, or the excavation of tanks, or the allotment of grants for other purposes within the district in question affecting purely local needs and not questions of policy, I do

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not view any conflict arising between the majority of the members of the Council and the Commissioner with any serious degree of apprehension. If it did arise, I should think that the opinion of the majority should be respected, because it would be the opinion of the popular element represented by Hindus and Muhammadans. If it so happened that in any small local matter all these elements combined came to a different conclusion from that of the Commissioner, I do not think that the prestige or the position of the Commissioner would be in any way affected by an adverse vote of the majority; but to guard against that, I am prepared to suggest that in such a matter a reference might be made to the Local Government, and that the Local Government should be allowed to decide, just as happens in a case where the District Judge disagrees with the Jury and refers the matter to the High Court which decides.

18165. You have spoken merely of local matters, but let us take a matter which conflicts with the general policy of the Government—what would happen then?—Just now it does not strike me that there is any such matter which would arise in a district or division, but even if it did arise, if an ultimate appeal is provided for to the Local Government that would be sufficient.

18166. Would it not turn the Collector from a single individual into a corporation with limited liability?—Not at all, because it would apply only in matters affecting the people themselves; for instance, supposing there is a liquor shop proposed to be opened in a particular area, and the Commissioner's Advisory Council said that it was not proper to put it there, probably the Collector, who is more interested in the development of the revenue than in the improvement of the morals of the people, would wish to have it. I do not think that would be a catastrophe which need be looked upon with any amount of apprehension, and if it were, the final decision of the Local Government would be quite conclusive.

18167. Does the Calcutta University start curricula on various subjects which influence nearly all the colleges and schools in the province?—Yes.

18168. Is that a good thing on the whole, or would you like to see a little less uniformity and the education developed by the people more according to their own ideas?—Taking each province by itself and not India as a whole, I think a certain degree of uniformity is desirable, but it has been recognised both by the Government as well as by the people that the education so far imparted by the Calcutta University has not been all that was necessary or desirable. With the awakening of the Government to that fact, we think that the development of an educational policy for a province may be left to the control of the University of that province. The University entirely controls the literary and scientific education of the people; it has nothing to do with primary education, or with technical education—that is in the hands of a special department of the Government.

18169. Is that department too uniform?—For instance, primary education is, and the middle schools are, largely in the hands, or are supposed to be in the hands, of District Boards and municipalities. At the same time are these bodies not bound to manage them according to the rules and instructions of the provincial Educational Code?—Yes.

18170. Is that a good thing, or should local bodies have larger discretion, so that they might run schools as they think proper?—I think it would be desirable to invest local bodies with larger powers of discrimination as to the methods to be pursued with regard to primary education and the local needs of the people.

18171. If one local body, for instance, thought that agriculture was a better subject to be taught in primary schools than history, should they be allowed to do it?—Yes, or weaving. There are districts where there is a large weaving industry; there are districts where there is a large agricultural industry; there are districts where there are a large number of braziers, potters, and so on, and some latitude ought to be given to the District Board in the way of being able to level up the materials available.

18172. As regards secondary schools, which are generally managed direct by Government, some witnesses have suggested that the Collector should be

given a larger say in their management; does that meet your view, or would you leave it to the Education Department?—I should leave the schools under the control of the Education Department because there you have a department of experience and knowledge, whereas the Collector in the first place has too little time, and in the second place less knowledge with regard to educational requirements.

18173. If you had Advisory Councils, would you put the educational policy under them, or give them a voice in the matter?—I would give them a voice.

18174. (Mr. Hitchens.) Speaking of the power of the Commissioner to interfere unduly with a municipality, in practice does he frequently interfere in regard to details?—Yes, it is the great complaint that minor matters are too much interfered with; for instance, if a peon's salary is increased, an explanation is asked for, or if a man dies while in the discharge of his duty and a compassionate allowance is given to his widow, there is interference and check.

18175. Would you increase the power of a municipality with regard to raising salaries and giving gratuities?—I would limit the control and supervision of the Collector or Commissioner to the budget heads; let them make an allotment for a specific purpose, but as regards details, I would leave them entirely to the municipality.

18176. Would you allow the municipality to give any salaries it liked for any post?—I would allow them to give any salary, or make any expenditure for any particular object. Supposing Rs. 10,000 is allotted for road-making, it does not matter how much of that sum is spent on one road and how much on another; or if a sum is allotted for salaries, it ought to be no concern of the Collector that one rupee is given here or one rupee deducted there—all those matters ought to be left to the municipality.

18177. Would you give a municipality full power, say, to increase the salary of its Secretary as it liked?—There are two classes of municipalities, small and large. With regard to smaller municipalities it might be desirable that in the case of a man drawing a salary of a certain amount an increase should be subject to the sanction of the Collector or the Commissioner, as the case might be. In the case of a man drawing a salary of Rs. 200 a month, sanction might be desirable, but with regard to smaller amounts, I do not think it is necessary. With regard to bigger municipalities I do not think even that amount of control is required.

18178. Then in the case of larger municipalities would you say that there is no necessity for any control by the Commissioner in respect to a matter like salaries?—Yes, because in larger municipalities there is less chance of cliques being formed.

18179. Would you allow a municipality also to lower a Secretary's salary?—Yes; why not?

18180. And to dismiss him?—Yes.

18181. Without an appeal?—There might be an appeal, but the power to dismiss him might be given.

18182. To whom would you allow him to appeal?—It must be to the Commissioner because the Local Government would be too far removed and too much burdened to deal with details like that.

18183. That is to say, you think a municipality would be entirely impartial in regard to increasing a man's salary, but that they might not be entirely impartial in regard to dismissing him?—In the case of larger municipalities I would not advocate any interference by the Commissioner in the internal work, but in the case of smaller municipalities some control is desirable for some time to come, and I would provide for an appeal in the event suggested by you, but not in the case of bigger municipalities.

18184. In the case of bigger municipalities would you allow an important official no appeal beyond the Council?—Yes.

18185. In the case of a municipality are you prepared to agree that there should be no appeal at all, but in the case of the Government you want a substantial number of appeals?—Yes, for the reason that in the case of a municipality you have a large body of men to deal with, while in the case of Government it has happened in my experience that an officer incurring the displeasure of a single official has been dismissed

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sometimes unjustly, because he has been reinstated on appeal; not reinstated by the Local Government but by the Government of India. I have in mind the case of a Government servant in Burma who was dismissed by his superior officer—the case went on appeal to the Local Government of Burma which upheld the dismissal; it then went on appeal to the Supreme Government which reinstated the man.

18186. Have you had any experience of municipal officials being reinstated after dismissal?—I have no knowledge of municipal officials being dismissed without sufficient cause.

18187. Would you think it necessary in the case of larger municipalities for the budget to be submitted to the Commissioner at all?—Yes, it is desirable.

18188. What form of control on his part would you think legitimate?—I would confine it to the allotments to be made under different heads.

18189. Are you in favour of both Advisory and Administrative Councils, or would you favour one or other?—I would prefer Administrative Councils if they could be had.

18190. Would they be Councils to be associated with the Collector or the Commissioner or both?—I think they should be joined with the Collector as well as the Commissioner.

18191. You would not go below the Collector?—No.

18192. Would these bodies be nominated or elected, or partly nominated and partly elected?—It is desirable that they should be partly elected and partly nominated.

18193. Would you be prepared to adopt the same principle as is adopted with regard to District Boards to-day?—With regard to District Boards half the members are nominated and half elected, but what I meant was a proportion of two-thirds and one-third. In Local Boards the proportion is two-thirds and one-third.

18194. Is their sphere of influence to be entirely different from that of the District Board?—Yes, the District Board has some special functions under the Local Self-Government Act and they have in their hands the disposal of the cesses for the specific purposes mentioned in the Act, whereas in the case of Administrative or Advisory Councils they would be bodies whom the Collector or Commissioner might consult in various matters in connection with the affairs of the district.

18195. What matters would you suggest should come before the Advisory or Administrative Council?—The District Board, for instance, has nothing to do with the police.

18196. Do you suggest with regard to police matters that the Advisory Council should discuss with the Collector the policy of the district?—I will take a concrete case. There is, for instance, the quartering of a punitive police force on a particular area; the District Board has nothing to do with that because it is outside its scope; the municipality has nothing to do with it. I think the Collector might with great advantage to himself and to the people consult the Administrative Council, or the Advisory Council, whichever Council the Government may appoint, as to whether the circumstances justified or necessitated the quartering of that police force in that particular area.

18197. Would the punitive police be quartered in any case without the order of the Local Government?—No.

18198. So that all the Collector could do would be to consult with the Council as to whether it was necessary or not, and send on the opinion arrived at to the Commissioner, who, in his turn, would consult with his Council and they would come to a conclusion as to whether it was desirable or not; then the joint deliberations of those two bodies would go on to the Local Government?—Yes. I have only given you an example. I have not considered matters in detail as to which may be within the scope of the Administrative Council or the Advisory Council, or which may be outside.

18199. Would not a Collector or a Commissioner, as the case may be, be able to gauge the public feeling with regard to the necessity or otherwise of that punitive force?—Our great grievance has been, and it

is one of the principal elements of the unpopularity of British Rule in India, that the Collector depends more or less entirely upon the reports of the police. It has been our unfortunate experience that the word of a police officer has more weight with the Collector than any non-official information that he receives from the people; that has been the grievance of the people, and therefore I gave it as an instance shewing one of the acts associated with the arbitrary exercise of powers vested in the Collector of harassing the people at the instance of the police.

18200. Do not Collectors consult leading people to-day?—I do not say they do not; but they do not consult them to the extent that they should, and they do not consult the people they should.

18201. Would it not be possible to develop that system independently, without constituting a formal Council?—Yes, it would be a less efficient method, but it would be a better method than that which now prevails.

18202. The advantage of a Council would be that their advice would come with greater force and that in many matters they would have administrative powers?—They would have greater force and greater weight, and would be recognised by Government.

18203. But would they be recognised as representing public opinion?—Yes, if you select your men and allow your men to be elected.

18204. Would they meet in public?—They need not meet in public.

18205. Then they would meet *in camera*?—Yes, with the Collector.

18206. What kind of executive matters would you give them to decide?—I have not carefully thought about the special functions which might be entrusted to those bodies, and probably I shall be doing injustice to myself if I give an off-hand answer.

18207. Then you are not prepared to say at present that there are any executive functions which could be given to such a Council?—Yes, I will cite an example which is very fresh in my mind. Take the case of the last Mymensingh riots. It was brought to the notice of the Collector that certain notices which had been posted in the town had been removed, and it is admitted that in the dead of night he ordered a police patrol composed of civil and military police to visit the city. Now if, instead of doing that, he had had an Advisory Council he could have sent for them and ascertained the truth of the reports which came to him and the means by which the mischief done could be repaired, and the end that he had in view would have been attained without the ill-effects which have been caused by subsequent events.

18208. Was not that a case where prompt action was required?—Yes.

18209. On this Council you would have representatives from all parts of the district—you would not confine the representation to headquarters?—No.

18210. Therefore in the case you cite might it not have been difficult to call the Council together in time?—Yes, but there would always be some members at headquarters who could be easily consulted.

18211. Is it not an objection with regard to an Executive Council that very often prompt action is required and therefore your Council, to be of any good, must be on the spot?—Yes.

18212. (Mr. Dutt.) You suggest power being given to Local Governments to borrow within certain limits for the purpose of spending the money on productive works. Might that not lead to their undertaking schemes which might prove to be losing concerns in the end?—If it is controlled first by the Council, constituted as I suggest, and secondly by the Supreme Government, the risk of mistakes would be diminished.

18213. You do not want the control of the Supreme Government over every particular work that is undertaken?—There must be the sanction of the Supreme Government with regard to every work for which money is borrowed.

18214. Sometimes there is a great deal of pressure brought to bear on the Local Government for the construction of works by men or by Companies who are interested in such works?—If you gave Local Governments power to borrow for such works, might

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they not sometimes yield to such pressure and undertake works which might not be remunerative?—A mistake might be made once in a way, but one mistake committed in that way would be a warning.

18215. Then on the whole you think the bad results would be more than counterbalanced by the good results?—Yes, provided it is sanctioned by the Council. I think the risks of mistakes would be diminished, and at the time we in Bengal suffer from the lack of these communications, and that difficulty probably would be obviated.

18216. You said that the provincial Government could borrow money from the Imperial Government on such occasions and for such purposes?—Yes, but there might be difficulty; the Supreme Government might be unwilling to lend, and in that case I am inclined to think that power might be given to the Local Government.

18217. In cases where the Supreme Government was unwilling to give the money, would it give its sanction to borrowing?—I do not think they would give their sanction.

18218. Then what would you gain by having this power?—I should gain in this way that the Supreme Government might not like to lend its own money for the purposes of the project, and then it could be borrowed elsewhere.

18219. You have stated that for certain matters, such as famine relief and sanitation, Local Governments should be allowed to work on the general lines of policy laid down by the Supreme Government, but is that not the case now?—That is the case now, but in matters of sanitation it has been felt that Local Governments have not done all that was possible. In the case of deaths from malaria, for instance, we feel that greater attention ought to have been devoted to the question than there has been hitherto, and if the Local Government was able to carry on any works of importance to mitigate the ravages of malaria, it would be able to move sooner owing to its greater knowledge of local conditions, and the pressure that might be brought upon it by the non-official members of the Council.

18220. My question was whether the control and supervision of the Government of India has in any way impeded the provincial Governments from doing what they liked?—We are not cognizant of what passes between the Governments, but we have felt that many schemes are tied up in the Secretariat of the Supreme Government, and considerable delay takes place.

18221. With regard to sanitation or the finding of a remedy for malarial fever, do you know of any proposals of the Bengal Government which have been tied up by the Government of India?—No.

18222. You speak of a special Sanitary Board to deal with the question in Bengal, but is there not a Sanitary Commissioner in Bengal?—We have a Sanitary Commissioner in Bengal, but there is no special department to deal with malaria.

18223. Have you not a Sanitary Board?—Yes, but just as we have a Sanitary department for plague in Calcutta, I would suggest a special body to deal with malaria alone to the exclusion of other matters.

18224. In certain matters would you allow the provincial Government to pass legislative measures without the sanction of the Imperial Government?—It must be subject to the final sanction of the Imperial Government. I was thinking of a measure like the Smoke Nuisance Act, which might be easily undertaken by the Local Government and passed subject, of course, to the Imperial Government.

18225. Is there any great need for sanitary improvement in municipalities?—Yes, there is need of good drinking water.

18226. What prevents the municipalities meeting those requirements?—Want of funds.

18227. What is the income of the municipality you are speaking of?—About Rs. 48,000.

18228. Is that money mostly spent on its annual requirements leaving no margin for large sanitary improvements?—Yes, it is spent on current needs.

18229. How do you propose that those sanitary improvements should be carried out?—They cannot

be carried out by individual municipalities; it is absolutely impossible, and they could only be carried out by the Local Government or by the municipalities grouped together.

18230. In such matters as large sanitary improvements might the municipalities look to the Local Government for some contributions from time to time?—Yes, I certainly think so, because the protection of life and the prevention of death are considered to be the prime duties of the Government.

18231. Latterly the resources of the District Boards have been supplemented by a grant from the Imperial Government which has been distributed by the Local Government. Might such contributions with advantage be made to municipalities for the specific purposes you mention?—I think so.

18232. Is it within your experience that there are certain municipalities which are very small and which, although they are called municipal towns, are practically only villages?—There are such places.

18233. Is anything gained by keeping them up as municipalities?—I do not know how they could otherwise be looked after. If arrangements could be made for the proper conduct of a place, that is all that is needed.

18234. If you made them into village unions, or villages under panchayats, would that not answer all purposes?—Yes.

18235. Is primary education now practically managed by District Boards?—Yes.

18236. Are primary schools supervised and managed by Government inspectors, or by the servants of the District Board?—They are supervised by Government inspectors.

18237. Would you give District Boards full power to appoint their own servants, to supervise their own schools, or do you prefer the schools being supervised by the Government inspectors?—I prefer their being supervised by the Government sub-inspectors.

18238. With regard to roads constructed by District Boards, would you like to have that work done by an Engineer who is a servant of a District Board, or by a Public Works Engineer whose services were lent to the District Board?—That is a question which has engaged the attention of the Local Government for some time past and upon which there is a difference of opinion. It is a very difficult question and I have not formed an opinion.

18239. When measures of legislation are sent to the District Officers for their opinion, would Advisory Councils be able to give any useful opinion on those matters?—I think they would; in any event they would be able to give very valuable information about the local conditions in reference to the proposed measure.

18240. Can you think of any matters in which the advice of an Advisory Council would be valuable regarding the general condition of the district, or the water-supply, or the drainage of the district?—Yes, their opinion and the information that they would place at the service of the District Officer would be of great value, because they would necessarily have a personal knowledge of things which the Collector may not possess.

18241. Is the want of water-supply a great and crying want in some parts of Bengal?—Yes, a very great want. For the present, it can be met only by good tanks and wells.

18242. If the Government pays a contribution, could money be raised locally for making tanks to be devoted to drinking purposes only?—I have great doubt about raising money locally in those places where there is no filtered water supply; elsewhere some money might be raised, but having regard to the conditions of Bengal, it would be difficult to raise money in the interior.

18243. Might the money come from the allotments given to the District Officers?—Yes.

18244. Allotments are made too for the purpose of excavation of tanks provided the people themselves contribute a definite proportion?—Some parts of that money remained unutilized because the people themselves could not raise the contribution.

18245. Are there not occasionally little local disputes between different sections of the people—different castes, or between Hindus and Muhammadans? Do you think that an Advisory Council would be of any use to the Collector in trying to settle those disputes?—I think it would be of very great use. On the occasion of the last Bakri-id festival, some influential Hindus in Bengal issued a notice saying that there should not be any interference with the ceremonies that Muhammadans might perform upon that occasion, and I have reliable information that that notice had a great deal of effect, and happily there were no Bakrid riots in Bengal on the last occasion.

18246. You mentioned something about the location of liquor shops in the *mufassal*; might the Collector usefully consult the District Council in the matter of the location of the liquor shops?—Yes, at least the members coming from the particular locality.

18247. Would their advice be of any value to the Collector in that matter?—Yes. For instance, take the Municipality of Calcutta; in many of these matters the Commissioner of Police or the Chairman of the Corporation consults the representatives of the Wards concerned, and their opinion is always acted upon. I have rarely known of a case in which their opinion has not been acted upon. As regards the location of a jute godown, or of a mill or factory or liquor shop, the opinion of the local representatives is obtained in Calcutta and always acted upon. The same system might be followed with advantage in the interior.

18248. A great deal is being done at present by the Government to encourage local trades and industries. Would the Advisory Council be able to help the Collector in that matter?—Yes, in making suggestions to him as to what industries should be introduced or fostered in a particular district and how it could be done—what classes should be approached, and how they should be educated.

18249. Would you have the Collector consult the Advisory Council only in these matters, or would you have him invite other gentlemen to be present there to give their opinions also when these questions arise?—If an Advisory Council is properly constituted I do not think that other men should be invited, because that would diminish the sense of responsibility of the Advisory Council and that would not be desirable. But for any particular measure, just as the Local Government now consults the members of the Local Council, but forms special committees to work out the details of any particular measure which it has in view, so the Collector may form individual committees, but they should be outside the Advisory Council; the Collector may nominate to them members of the Advisory Council.

18250. But the Collector would not be debarred from taking other advice from any other quarters?—Not only would he not be debarred, but he should not be debarred.

18251. Generally speaking, if the Collector consults these members of the Council would his administration be more in touch with the requirements of the people?—Yes; it would bring the Collector into closer touch with the people. It is a great gain, to my mind, that the Collector should be looked up to by the people as not apart from themselves. In the next place, he would know the feelings of the people and sentiments of the people in a much greater degree than he does now, and through more trustworthy channels.

18252. Would you suggest that the Council should be convened once a month, or periodically, or whenever it is necessary to ask them to come?—I think once a month ought to be the minimum.

18253. And they should meet when necessary?—Yes, they should not be like some of the local Councils which are seldom called together.

18254. Would you like to constitute small village panchayats and give them more powers than they exercise at present?—I think so. In arranging local disputes village panchayats would be a great help, and they would be helpful in putting down the desire of some people to rush to law on the least provocation.

18255. At present we have chaukidari panchayats?—Yes; they do not inspire any confidence.

18256. If you had to organize village panchayats, would you take the chaukidari panchayats as your basis?—I would get a different class of men.

18257. Would you have a panchayat in every village, or would you sometimes group villages together?—I would group together villages to give them sufficient importance and weight.

18258. Would you create these panchayats all over the district where the conditions are favourable?—Certainly.

18259. You think also that in that way the administration might be improved and popularised?—Yes.

18260. (Sir Frederic Lely.) I understand that you have not any practical acquaintance with the working of District Boards?—No, except as a resident sometimes in the *mufassal*, otherwise not.

18261. The interesting evidence that you have given us is the product of your own thought rather than your own contact with the people?—It is the product of my own contact with the people, not so much from my experience of District Boards. The actual workings of District Boards are brought home to us by our surroundings.

18262. Your view pre-supposes that we get for these Advisory Councils men of public spirit and determination?—Yes.

18263. With reference to municipalities, you are acquainted with one or two of rather a large size?—Yes, I am more familiar with them.

18264. You think that it is essential and necessary that they should be able to borrow for special objects?—From the Local Government.

18265. Never mind from whom, but that they should be able to raise money to discount future income for important works?—I am not in favour of *mufassal* municipalities borrowing independently.

18266. But you are in favour of their anticipating their future income with a view to carrying out large works?—In the case of big municipalities, yes.

18267. Would you go so far as to say that borrowing was essential for progressive administration?—Yes.

18268. At present a municipality is not ordinarily allowed by the Government of India to borrow for a longer period than 20 years; might that period be extended?—The period would have to be extended to provide for sufficient sinking fund and interest; the 20 years is too short. I would not make it less than 30 years.

18269. Would you suggest that the period should be to some extent adjusted according to the life of the work that was to be executed?—According to the life and value of the work. For a small work costing a small sum of money a long period would not be necessary, but for a big undertaking, one which would benefit future generations for a long time, it is desirable that the burden should be spread over a longer period.

18270. In the case of a municipality would you have the Chairman elected?—Yes.

18271. Would you advocate that all the members of the municipality should be elected instead of a proportion as now?—I am to some extent conservative as to that, and I think that two-thirds elected is not an unfair proportion.

18272. You justified not allowing an appeal from large municipalities on the ground that there are fewer cliques in large municipalities; is that really so?—I think so; you have to get together a much larger number of men to carry out a particular thing.

18273. Would not the practical result of that be that there are more cliques?—No. I have experience of some large municipalities, including the Municipality of Calcutta.

18274. You have used some rather strong words about the British officer. May I ask whether you speak from personal knowledge or is it only general?—Both from personal and general knowledge.

18275. Have you known yourself personally Englishmen who are intolerant of opposition, who invest

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themselves with such a coating of dignity and aloofness that self-respecting people as a rule avoid them?—I am sorry to say that I have known them in my younger days.

18276. It is not a general impression derived from what you have heard people say?—It is derived from both personal experience as well as from impressions received from people.

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18279. (Chairman.) What is your profession?—I am by profession a *vakil* of the Calcutta High Court of 44 years' standing and a landholder. I have had some experience in the *mufassal* administration of municipalities, and I was Chairman of the Berhampore municipality for nine successive years. I was once a member of the District Committee before the constitution of the District Boards, and also a member of the Bengal Council.

To have some real control over the bureaucracy, we must have a Governor and his Executive Council, who all should be appointed from England unless indeed any of those appointments are given to Indians.

Experience has shown that a provincial Head of each Department with an expert and exclusive staff, such as in the Excise, Registration and other Departments (by exclusive staff, I mean a staff the members of which are not ordinarily liable to transfer to other departments, and who therefore develop expert knowledge of their own departments), secures the greatest efficiency in the administration. The Excise Department is now about the best administered, and it will be still better when it is given an entirely exclusive staff. There should be a provincial Head for each important Department, who should be called the Inspector-General of the department and who should have an exclusive expert staff under his control. The provincial Heads of Departments should be called Inspectors-General of their respective departments, where they are not so designated now. And we may similarly have an Inspector-General of Wards' Estates, of Government Estates, of Tausi and Cess Collections, of Partition and Land Acquisition, of the Chaukidari Department, and so on. The Land Registration Department should be under the Inspector-General of Registration with a Deputy Inspector-General under him. The Inspectors-General of big departments should have Deputy Inspectors-General to assist them, for instance the Accountant-General should have Deputy Accountants-General who will be inspectors of district and sub-divisional treasuries. In this way not only will decentralization be secured but the maximum efficiency insured.

The Governor of the province should have an Executive Council of four members, all the European members of which should be appointed directly in England and not recruited from the Indian Civil Service. The Governor will himself have a Chief Secretary and will hold direct charge himself of the Political, Legislative and Appointment Departments. All the other departments should be divided between the four members of the Executive Council. Each member of the Council should have the Inspector-General of all his departments directly under him, and each member will have a junior secretary to assist him.

The chain of subordination will be as follows:—(1) Governor and member; (2) Inspector-General; and (3) District Officers. The District Officers will have powers of decision up to Rs. 1,000. The Inspector-General up to Rs. 5,000, member of Council up to Rs. 25,000, and the Governor above that sum. Appeals will lie with the Inspector-General and member in all cases. Appeals from the decisions of members will lie beyond a certain limit to the Governor in Council, and thence beyond a certain higher limit to the Secretary of State in Council.

If the above scheme is accepted, there need be no Board of Revenue and no Divisional Commissioners. The latter serve no useful purpose at present, the only thing at all useful which they do is their periodical inspection of the District Officers, but these are not done effectively, as they have too many departments to inspect and no man can be an expert in all departments. Hide-bound routine and red tapeism is unquestionably the bane of the existing form of

18277. (Chairman.) Probably the number of cases to which you refer is rather small?—Yes, so far as my personal experience goes.

18278. Your knowledge of what may be called village life is very limited indeed?—I live mostly in Calcutta but my home is in a village.

(The witness withdrew.)

administration, and the greatest share of this mischief has been brought about by the cart-loads of manuals issued by the Board of Revenue, and whose correction slips in a year would fill boxes. They have made all initiative almost impossible and have reduced the members of administrations into machines. These two anachronisms, viz., the Board of Revenue and the Divisional Commissioners, should be altogether abolished. It is quite feasible to reduce the shelf-full of manuals into two handy volumes for all the departments put together.

There need be no separate Advisory Councils for the Local Governments and District Officers. When the provincial Local Self-Government Board, the Education Board, and the Committee of Wards' Estates are constituted as proposed below, all local officials will then have ample opportunities of meeting the representatives of the landholding and educated middle classes in those Boards, and in the District Boards, and in the municipalities.

The anomaly and the anachronism of the Non-Regulation districts should be removed. Almost half of each of the districts of Midnapore, Birbhum and Bankura is inhabited by Sonthals and other aboriginal tribes. Is it seriously maintained by anyone that they are at all discontented because they have to live in Regulation districts?

There should be a provincial Education Board at the capital of the province to consist of one representative from each district (to be elected by the District Board and all the municipalities in a district jointly), and representatives from each of the recognised Landholders' Associations and literary bodies, such as the British Indian Association, the Bengal Landholders' Association, the Bihar Landholders' Association, the Muhammadan Literary Society, the Anglo-Indian Defence Association, and the Asiatic Society, as well as four representatives each from the University, and the Agricultural and Industrial Departments of Government. There should be also a number of nominated members equal to one-fourth of the total strength of the Board in order to secure the representation of minorities and of Government interests. The present Director of Public Instruction, who should be called the Inspector-General of Education, should be the Secretary to the proposed Education Board, and it should be presided over by the Member of the Governor's Council in charge of the Education Department. All non-collegiate education should be under the control of this Central Education Board which should fix the curricula for all grades of schools, should sanction all grants-in-aid, and should control the entire inspecting staff of the Education Department. There should not be separate standards for the collegiate educations of Europeans, Eurasians or Muhammadans. For the non-collegiate education, they may have separate curricula to be decided by Special Committees of the Education Board, consisting of a majority of members belonging to their respective communities. There should also be Special Committees of the Board for female education, agricultural education, and for industrial and technical education generally.

When the Divisional Commissioners are abolished, there should be a provincial Local Self-Government Board, consisting of one representative member for each district to be elected by the District Board and all the municipalities in the district put together, and two representatives from each of the Landholders' Associations in the province, such as the British Indian Association, Bengal Landholders' Association, Bihar Landholders' Association, etc., and a number of nominated members equal to $\frac{1}{4}$ th of the total strength for securing the representation of minorities and Government interests, the whole Board to be presided over by the Member of the Governor's Executive

Council, who may be in charge of this department. This Board should exercise the necessary control over District Board and *mufassal* municipalities, which is now exercised by the Divisional Commissioners and other executive authorities. All Local Boards should be entirely elected. The District Board should have $\frac{1}{4}$ th of its members nominated in order to secure the representation of minorities and of the Government interests. All *mufassal* municipalities should also have the same proportion of nominated members for the same reason. But there should be non-official Chairman for all. The Vice-Chairman may be official, but there should be a well-paid Secretary to each municipality and District Board to be the head of its executive staff. Men with administrative experience, such as Deputy Magistrates and Sub-Deputy Magistrates of seven to ten years' standing, may be available for these posts, if it is made worth their while to accept them.

Rightly or wrongly the Indian public believe that Collectors and Commissioners are as a rule against imparting any high education to the wards, especially to those inheriting any considerable estates. There is ground for complaint in the excessive cost of management incurred under the Court of Wards by the appointment of European managers, assistant managers, and guardian-tutors on big salaries with house accommodation and large stables. My proposal is that instead of a member of the Board of Revenue forming the Court of Wards, as now, a Court of Wards Committee or Council may be formed at the capital to consist of three representatives from each of the recognised Associations in the province (British Indian Association, Bengal Landholders' Association, and Bihar Landholders' Association); two members of the Local Legislative Council, representing the landholding classes, the Inspectors General of Education and Agriculture, and to be presided over by the member of the Governor's Executive Council. The proposed Inspector-General of the Wards' estates should be the Secretary, and he should inspect the local wards' offices regularly.

The provincial Government ought to have borrowing powers within certain limits and under certain restrictions, and they might issue debentures like those that are issued by the Calcutta Corporation and Calcutta Port Trust.

I am not at all for curtailment of the right of appeal, nor for any restrictions being put upon it. If any changes be made in that direction, the measure will be highly unpopular and give rise to general discontent.

As a rule Executive Officers belonging to the Indian Civil Service are not much in touch with the people. There may be a few noble exceptions. Very few of them possess sufficient knowledge of the vernaculars. Want of courteous treatment is the chief obstacle amongst others. It is difficult to suggest methods of removal of those obstacles, as much depends upon the temper and training of individuals.

In Bengal the village communities are not in existence. Village unions with panchayats are their substitutes; the status of the President of the panchayat should be at least co-ordinate with, and not subordinate to, the local police officers. He ought to be a link between the police and the District Magistrate.

18280. You sketch out a scheme of decentralisation which may be briefly described as depending upon the person at the head of the provincial Government, a system of Inspectors-General, and below them again District Officers. Would not the creation of all these Inspectors-General, with water-tight departments below them, tend towards centralization?—No, there would not be centralization, there would be division; there would be supervision and inspection by Heads of Departments, and what I suggest is that they would have an expert exclusive staff.

18281. You do not think that the expert staff would try to get into their hands the whole management of things?—Sometimes they do, but so far as my experience goes one of the departments which is successful is the Excise Department. They have an exclusive staff; they have got Excise Deputy Collectors and inspectors, and sub-inspectors: of course there ought to be certain safeguards.

18282. You think that the power of appeal both in administrative and personal matters ought to remain

as it is at present?—Yes, it would be very unpopular to curtail it, and the people would feel that a certain vested right, as it were, which they have been enjoying, had been taken away from them.

18283. Has the habit of appealing increased of recent years?—No, I think not.

18284. You tell us that there are cart-loads of manuals issued by the Board of Revenue; upon what is that belief grounded?—In almost all departments there are manuals. In the Land Records Department, Settlement, Survey, Income-tax, Customs, etc., in all the different departments, there are a large number of manuals which are not necessary. They enter into details which are certainly unnecessary and which handicap the subordinate officers; the subordinate officers act as it were like machines—they are restricted to a great many details which might be avoided.

18285. Could the manuals be easily reduced both in volume and in number?—I think so, and the correction slips again which are issued make it very difficult for subordinates to act.

18286. Where did you get your experience of educational administration?—As a member of the municipality, and I happen to be a member of the Board of Trustees for the management of the Krishnanath College at Berhampore.

18287. What schools could be best entrusted to municipal bodies?—In my judgment primary teaching might be entrusted to the municipal bodies, not secondary education. The middle schools ought to be under the control of the District Boards. The non-collegiate schools ought to be under the control of the Education Department. The collegiate schools ought to be entirely in the hands of the University.

18288. How would you deal with the primary schools in the villages?—They ought to be under the control of the District Boards, and there ought to be co-operation with the officers in the Education Department.

18289. Would it be possible to entrust the primary schools to a village body?—Village bodies are not so constituted now as to be capable of being entrusted with such institutions.

18290. If it were possible, or desirable, to create a panchayat, would you put the primary village schools under them?—Yes, provided that the constitution of the panchayats was of a satisfactory character. It would depend on the personal qualifications and attainments of the members of the panchayat.

18291. With regard to the District Boards, would you keep the Chairman an official?—No, a non-official. The Vice-Chairman may be an official of experience; I would not insist upon his always being a non-official.

18292. Would it be easy to get men to act as Chairmen of the District Boards and to do all the work which the position entails?—I think so.

18293. How long would it take a man to get through a day's work of the District Board?—If he devotes three hours every day that ought to be sufficient.

18294. And you think it would be easy to get a gentleman to give that time?—Yes, I think so. From the experience I have had of non-official Vice-Chairman, they do most of the work of the Chairman, devoting their whole time almost, as it were, and without any honorarium or fee. I think that such men would be found to act as Chairmen, and that they would devote the necessary time.

18295. Would you say the same thing of the municipality—that the Chairman ought to be a non-official?—Yes.

18296. Do you desire to see any control exercised by Government over the municipality or the District Board?—Yes, some outside control. I much prefer the sort of control we had in the olden days. When I was Chairman there was a sort of control, but now-a-days the control has developed into detailed supervision, criticising, curtailing and restricting to which I object.

18297. What was the earlier control of which you speak?—Under big heads at the time of the budget; the minor heads they did not take into consideration.

18298. So much was allotted for sanitation, so much for roads and so on, and within those limits the Board was left free?—Yes, now they are not.

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18299. Do you wish to see any extension of the powers of a municipality?—They have got sufficient powers under the Act as it now stands, only some powers are withheld by Government under the law and are not extended to certain municipalities. The Municipal Act comprises sufficient provisions for the exercise of rights which would keep the municipality in good order.

18300. And the same with regard to District Boards?—Yes.

18301. Do you work in the municipalities by committees?—Yes. I think the system works well.

18302. Do you have committees on the District Boards?—No, the District Boards have no other committees; there is simply the District Board.

18303. Would it be desirable to establish committees?—I think it would be.

18304. Do municipalities depend for their income entirely on taxation?—Yes; in some municipalities it is a tax on "persons," as they call it, and in some cases it is a rate—that is, a valuation on buildings. There is also the latrine tax, and where there are water-works there is the water rate; then there are certain other sources of income. In the Berhampore municipality they have a certain income from pounds and ferries.

18305. There is no contribution from the Government?—Not as a rule, unless for special works.

18306. For Public Works, either under the District Board or municipality, do you borrow from Government?—Yes; the Government does not charge a high rate of interest.

18307. Is there any principle by which the Road Cess is shared as between the Local Board and the District Board?—Unfortunately, no. It is desirable to lay down some principle. The allotments made to these Local Boards are generally poor, while they are expected to keep up and maintain the village roads. The agriculturists pay the tax; they can only appreciate its benefits if the roads are kept in good order and if village communications are maintained, but unfortunately the District Boards made scanty allotments to the Local Boards, and the actual agriculturists, the cess-payers, do not feel the benefit at all; that is a grave complaint.

18308. Would you suggest what a fair division should be?—I think it should be half and half of the Road Cess; half to the District Board and half to the Local Board.

18309. If members of District Boards and municipalities were gazetted by the Commissioner of the division, instead of by Government, would that lead them to think that their position was in any way lowered?—It would be a sentimental question, and I think, in view of the feelings and views of my countrymen, they would look upon it with disfavour.

18310. Do sanitary projects, which are contemplated by municipalities or District Boards, go to the Sanitary Board?—Yes, they go to the Sanitary Board. The people go to the District Board; the matter passes through some channel or other and then goes to the Sanitary Board.

18311. Is that a satisfactory method of doing the work?—I do not consider it satisfactory. In my district there are two endowments by a liberal gentleman. He has endowed Rs. 50,000 for the improvement of the sanitation of the district, and a lakh of rupees for the supply of drinking water. I happen to be one of the trustees of these two endowed funds. With regard to sanitation, the improvements which have been adopted have simply been cutting down jungle to try and improve the drains and to kill the mosquitoes; they have not proved successful as yet. From that fund we tried in one village, but we failed, partly owing to the apathy of the village people themselves. We cleared the jungle and cleared the drains and did everything; we spent some thousands of rupees over that, and wished them to keep the place clean henceforth, and they would not do it. So that with regard to the improvement of sanitation, a good deal depends upon the sympathy and co-operation of the villagers themselves. We have not got village communities now, but if we could substitute village panchayats, composed of men of higher status and educational attainments, much good could be done by them so far as sanitation is concerned.

18312. Are the comments and criticisms of the Sanitary Board generally justified; do they generally add to the value of the work?—The expert ideas sometimes differ from the people's way of thinking, and amongst my countrymen there are few who can claim an expert knowledge perhaps of sanitation, so I would not like to attach much importance to that.

18313. Is the work done pretty speedily?—Some work is taken up and some money is spent; jungles are cut and drains are kept clean, and so on, spasmodically as it were, not in a systematic way, and they do not do much good.

18314. You would like to see panchayats established where possible? It would probably be necessary to start experimentally?—Yes. Instead of starting wholesale throughout the province, it would be much better to take up experimental and tentative measures in some well-advanced districts.

18315. Would you give them a small jurisdiction in petty civil and criminal cases?—Yes.

18316. Probably you would be able to add to that minor sanitation?—Sanitation and education in primary schools.

18317. With perhaps a simple water-supply?—Yes.

18318. And would you suggest the distribution of irrigation water?—There is not much feeling in Bengal about the distribution of irrigation water, but in Bihar there is a considerable feeling, and it would do much good in the Bihar districts. I have known of several cases where from a single dispute as to taking water from one field to another there have been lots of riots and murders.

18319. Would those be probably less frequent if they were settled by a panchayat?—I am inclined to think so.

18320. Would you add the management of any communal or forest lands that might adjoin the village?—That would be too big a subject.

18321. When you start experimentally with these panchayats, would you start them in single villages?—No, I should start them in groups of villages; you could not start them in a single village. I would take a population of about 10,000; that is, if one village is to be taken; if a group is to be taken, perhaps two or three thousand in each village—three or four villages of two or three thousand each.

18322. With regard to the conduct of Executive Officers towards the people, you tell us that there is a want of courteous treatment often; is that from your own personal knowledge?—Speaking for myself, I should say, perhaps, that I have been always very courteously treated, but I cannot say the same with regard to others.

18323. When you have heard complaints of discourtesy have you ever taken the trouble to personally investigate them or have you simply accepted the statement?—I have accepted the statement of the gentleman who came into contact with the authorities.

18324. Is it possible to draw together the officials and population of the districts in any way?—There might be a sort of meeting occasionally. It is very difficult to lay down any rule for that; it depends a great deal upon the temper and nature of the individuals in authority. There might be a gathering in some shape or other and an exchange of thoughts; perhaps that would bring into existence a sort of touch which might be desirable.

18325. Is there a desire on the part of both parties to come together?—I think there is.

18326. Therefore it is perhaps only want of consideration—perhaps on both sides—that prevents it?—I think on both sides, yes.

18327. Perhaps some sort of racial pride on one side, and some amount of diffidence, which to a certain extent is equally pride, on the other?—Yes, diffidence on one side, and I might almost say arrogance on the other.

18328. Is this arrogance, where it exists, due to the fact that the man is an office-holder?—Yes.

18329. So that it may affect both Europeans and Indians?—Yes.

18330. (Mr. Hitchens.) You suggest that the Lieutenant-Governor should be replaced by a Governor

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and an Executive Council; what is your reason for that?—The Members of the Indian Civil Service would be under proper control. It is very important that this control should come from outside.

18331. You might have a Lieutenant-Governor from outside; if you had that, would you still want an Executive Council?—Yes, the Executive Councils would be an essential thing to help him in administration.

18332. Why do you think that the Head of the Government requires advisers and colleagues; is it because you would get greater continuity of policy?—Yes, there would be greater continuity of policy, and his colleagues would help the Lieutenant-Governor in duties which he alone could not be expected to discharge.

18333. You mean you would get several minds looking at the thing instead of one, and possibly a broader point of view?—That is my idea.

18334. You are not in favour of Advisory Councils for District Officers?—If what I have suggested be accepted, there will be no necessity for Advisory Councils.

18335. You would rather have an effective Advisory Council for the whole province than a number of small Advisory Councils dotted about all over the province?—Yes.

18336. You might have a conflict of opinion among the smaller Advisory Councils, and one might be in conflict with the other?—Yes, and that would give rise to disorder and difficulties which it is not desirable to introduce into the administration.

18337. If there was a question which provoked a certain amount of conflict, you might have a number of conflicting views sent up to the Government, and the temptation might be to play off one against the other?—That is the reason why I suggested that the central control should be properly representative.

18338. The Local Boards to-day have a certain amount of money for roads; do they spend that money well?—Neither the Local Boards nor the District Boards spend their money well.

18339. Which spends it best?—I should say it is better spent by the Local Boards than by the District Boards.

18340. In the case of the District Board there may possibly be less supervision and therefore possibly more leakage—is that what you mean?—I fear so.

18341. Would that be an argument for giving greater powers to the Local Boards?—I think so.

18342. (Mr. Dutt.) You propose to abolish the Divisional Commissioners and the Board of Revenue and to substitute an Inspector-General at the head of each department? Would you tell us briefly what would be gained by that arrangement?—Strictly speaking, the Board of Revenue as originally constituted has ceased to exist long ago. These officers are, as it were, channels by which certain reports and resolutions pass and are recorded. If they did not exist the members in charge of departments would receive advice and reports from the Heads of Departments. Now you have got several steps—first the District Board, then the Commissioner, then the Board of Revenue and then the Government; but according to my suggestion the Governor with the Council would get his report from the Head of the Department.

18343. You would do away with a lot of circumlocution?—Yes that is the gain; we should get rid of circumlocution which causes delay and lengthy writing, the repetition of despatches and reports, and so forth. Abbreviate work and secure efficiency—that is my idea.

18344. Under your system would the administration be as much in touch with the people as it ought to be, or is supposed to be now?—It would certainly be more so than at present.

18345. One of the duties of the Divisional Commissioner now is to supervise the work of the District Officers under him; would that be secured under the scheme that you have recommended?—Far more would be secured; you cannot expect a Divisional Commissioner to be an expert in all departments; he is only human. There are so many departments. A Divisional Commissioner's inspection cannot always be

very useful and satisfactory, but if these inspections are made by the Heads of different Departments, that would be an expert examination.

18346. You do not think that under your system the administration would be too departmental and not sufficiently human, too much the administration of experts and not sufficiently the administration of men in touch with the people?—I believe they would be in touch with the people.

18347. You say that provincial Governments should have borrowing powers within certain limitations; you have not told us for what objects the provincial Governments should be allowed to borrow?—For the improvement of general administration—not for the construction of residential houses or for the improvement of a ball-room, or anything of that sort.

18348. What do you mean by the improvement of general administration?—For irrigation purposes, for sanitary purposes, or for educational purposes, or for anything leading to the improvement of the country.

18349. Would you make it a rule that these loans should be incurred under the sanction of the Government of India on each occasion?—Yes.

18350. At present provincial Governments can borrow from the Government of India?—Yes, but I am not in favour of that.

18351. What is the advantage of the system which you recommend in comparison with the present system of the provincial Governments borrowing from the Government of India?—If the provincial Governments borrow from the Supreme Government, the Supreme Government might say that it is not able to do certain works, it might plead impecuniosity; but if on the other hand the provincial Governments borrowed money by issuing debentures it would be borrowed from the public.

18352. Could the provincial Governments borrow at the same rate of interest as the Government of India?—Yes. Every Corporation and Port Trust can do so; therefore, *a fortiori*, they can.

18353. Does the Corporation or the Port Trust borrow on as advantageous terms as the Government of India?—Not quite, but I think the provincial Government would be able to do so.

18354. Would you make any kind of police work one of the duties of the village panchayat?—The panchayat ought to be a link, as it were, between the police and the District Magistrate. These panchayats ought in no way to be subordinate to the police; they ought to be at least co-ordinate with them. They might be entrusted with certain police powers, not all. For instance, just as there is a legal obligation on the chaukidars to report some local offences, it might be made an obligation on the panchayat to give information on certain matters.

18355. Barring that, you do not want them to undertake any other police work?—No.

18356. Otherwise you confine the panchayat entirely to sanitation, education, and the improvement of their villages and so on?—Yes.

18357. Would it help the organisation of these panchayats if a special officer was employed?—I think so.

18358. You were Chairman of Berhampore municipality; is that not a large town?—Yes. The population is about 40,000. I ceased to be Chairman in 1895.

18359. Was your Vice-Chairman a non-official gentleman elected by the members?—Yes.

18360. Did you feel that you had sufficient powers to carry on all the work of the municipality?—I think I had; the executive authorities perhaps thought that I had too much power.

18361. Did you have to maintain any schools or dispensaries in the municipal area?—Yes, there was a large dispensary which we supported entirely.

18362. Were the services of the doctor lent by the Government, while you paid all expenses?—Yes.

18363. Had you sufficient control over the working of the dispensary?—The municipality had not sufficient control over the dispensary, nor has it now. There is now a Dispensary Committee.

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18364. For the money you paid did the municipality have a sufficient voice in the expenditure?—Yes.

18365. Are primary schools inspected by sub-inspectors paid by the District Board or by the Government?—The sub-inspectors are paid by Government.

18366. So that you maintain the schools and Government inspect them?—Yes.

18367. Is that a good system?—No, it is not at all a good system. I would prefer to have our own schools inspected by our own servants under our own control.

18368. (Sir Steyning Edgerley). Your suggested Council is an Executive Council of four members; how many of these would be European?—Provided you cannot appoint an Indian they should be recruited from Englishmen.

18369. Where will you get all these Inspectors-General from?—They will be drawn from the Indian Civil Service; they will gradually rise to those posts. All the appointments should be by competition; in that I include also the Indian Civil Service examination.

18370. You mean for instance that your Inspector-General of the Imperial Survey Department should be a member of the Indian Civil Service?—Yes, that is the case now.

18371. And the Sanitary Commissioner?—He, too. Unfortunately there is not now much training in sanitation, but sanitary men with good sanitary education would spring up.

18372. And the Commissioner of Excise?—Yes, gradually.

18373. And the Director of Public Instruction?—Yes.

18374. Then it is practically a change of name?—A change of name and change of functions.

18375. A change of name and a change to administration by subject in place of territorial charges?—Yes.

18376. (Mr. Meyer.) Under your system you speak of an appeal going up to the Governor-in-Council, and thence, beyond a certain higher limit, to the Secretary of State. Where does the Government of India come in; is it to be dropped out?—Yes.

18377. The provincial Government should go straight to the Secretary of State?—Yes: I would not like any decision by the provincial Government to be subject to the revision of the Government of India; it ought to go direct to the Secretary of State.

18378. You speak of special Boards for education and local self-government and Court of Wards. As far as I can make out your Education Board would consist of over 70 members: would that be a good administrative body?—In this province we have 31 districts; there would be 31 members; then from the Associations and Universities and so forth there would be about 40 members.

18379. You do not see any objection to a body of that size?—No.

18380. With regard to the Municipal Council, who punishes a municipal clerk?—The Chairman.

18381. Does appeal lie from him to the Council, or to the Commissioner or where?—The Chairman can make appointments up to Rs. 20 and can punish departmentally, his order being subject to revision by the Municipal Commissioners, but with regard to other appointments and dismissals, punishment has to be inflicted, and the appointment has to be made, by

the Municipal Commissions at a meeting by the whole body.

18382. Suppose a Rs. 20 clerk is appointed and dismissed by the Chairman, is there any appeal?—There is no appeal.

18383. If you have a Rs. 50 man, he is appointed and dismissed by the Council. Has he any appeal?—Yes. To the Divisional Commissioner.

18384. Are you in favour of that system?—Yes.

18385. You said that middle schools should be under the District Boards. What about middle schools in municipalities?—The middle schools, too, might be under the control of the municipal Commissioners.

18386. Do you consider that the municipality has sufficient power in the matter of managing and aiding schools?—Not at present. I think that local bodies generally might have more discretion.

18387. Who looks after your streets and drains and so forth in the municipality?—There are the overseer, sub-overseer, Vice-Chairman and Chairman. The Chairman is always expected to do outside work besides the office work.

18388. Are those overseers entirely municipal or are they appointed by Government?—They are entirely municipal servants.

18389. Is it the same with regard to the Assistant Surgeons and so on who look after the dispensaries?—They are not under the municipality. They are lent by Government.

18390. Is the Assistant Surgeon under the control of the Chairman while he is in charge of the dispensary?—No, under the local Committee of Management.

18391. That Committee is responsible to the municipality?—No, the municipality merely subsidises it; with regard to the management the municipality has no control.

18392. Is that the usual thing in Bengal?—Yes, as far as I know.

18393. Does the municipality give a fixed amount?—The dispensary Committee sends its requisition; the municipality makes an annual contribution.

18394. Suppose the Committee wanted to add to the dispensary building or to extend the work of the dispensary in any way?—The municipality can hardly afford to make any contribution, and they would do it by other means.

18395. Would you be in favour of the municipality having a larger control over the dispensary itself?—The Chairman generally is a member of the Managing Committee. Speaking personally, all the time I was Chairman I was a member of the Managing Committee and the subsequent Chairmen have all been members. I think the present system works well.

18396. As regards the panchayats of which you have been speaking which, when properly constituted, are to deal with local matters; if they were successful, would you let them absorb the present chaukidari panchayats and the local fund unions, or would you keep them separate?—I think they should be kept separate.

18397. So you might have in one place three authorities within the same area more or less—a chaukidari panchayat, an ordinary panchayat, and a village union?—The duties of the chaukidari panchayats would be confined to certain matters in connection with police work, and the other panchayats and union committees would have other duties independent of those.

(The witness withdrew.)

BABU MOTI LAL GHOSE was called and examined.

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18398. (Chairman.) What is your profession?—I am a landholder, and I am connected with the press as proprietor of the "Amrita Bazar Patrika."

It is very desirable that large financial powers should be given to provincial Governments; for, in that case, they will be in a better position than now to benefit the people entrusted to their charge. But where is the guarantee that they will not abuse the authority?—So long as the people have no hand in

controlling the administration of the provincial Government, it does not mean much if you give larger powers to it in the matter of finance and borrowing.

More independent financial and administrative powers should be given both to the provincial Governments and the district administrations, but, at the same time, the people should also have a voice in controlling them, respectively through Legislative Councils and self-governing district bodies.

The district administration may at once be made substantially useful by bringing it under popular control without encroaching on the rights of the local authorities. The two so-called existing self-governing bodies in the districts are the municipalities and the District Boards. It was the Government of Lord Ripon which inaugurated these two institutions. The objects in view were to teach the people the art of managing their own affairs and impart to them "political and popular education," and the other to afford relief to the over-worked District Officers. It was further stated in the Government Resolution that in the beginning the scheme was bound to be attended with failure, but this must not discourage the authorities. Neither of the above-mentioned two objects has been attained. The District Officers are still as hard-worked as ever, while the people have been allowed to learn very little of local self-government. This is due mainly to the fact that the principles embodied in the Resolution of 1882 have but been very partially followed, and that even in an unsympathetic spirit.

The principles were adopted, to some appreciable extent, in the case of municipalities, but very partially in that of District Boards. A municipality in a *mufassal* town, however, affords very little opportunity for learning self-government, as its area of jurisdiction is very limited. It is in the District Board that representative men can expect to get an effective training in the management of local affairs, as its jurisdiction extends to the whole of the district. The Municipal Board, again, is so much dominated by official control that, as a rule, it is practically no self-governing body at all.

Under the existing arrangement, two-thirds of the members of municipalities are elected and one-third nominated. Now, why should not the proportion between the elected and the nominated be three-fourths and one-fourth, considering that municipal towns in the *mufassal* are inhabited by a large number of educated men, and also considering that nearly a quarter of a century has passed since the two-thirds concession was made?

The chief complaint against the smooth working of municipalities is official interference. In many places the District or the Sub-Divisional Magistrate is the Chairman. The District Police Superintendent is an *ex-officio* member, and so is the Civil Surgeon of the station. Then, again, Government officials have the privilege of being elected as members and Chairmen of the Municipal Boards. The Sanitary Commissioner has the authority to recommend the suspension or the supersession of a municipality on the ground of the insanitary condition of the area. Such an incident took place about a year and a half ago with regard to the Pubna municipality. The Commissioner of the division is empowered to set aside even the unanimous decision of a municipality. Officials should not be Chairmen or Members of Municipal Boards, except in cases where non-official members have shown their utter incapacity to manage the local affairs of the town. They should supervise and control the acts of these bodies without taking any actual part in their proceedings. Then, the Local Government, and not the Divisional Commissioner, as now, should have the authority to interfere with the work of Municipal Commissioners.

The necessity of withdrawing all official control applies with greater force to the District Board. The main object of the District Board was (1) to give relief to the over-worked District Officer; and (2) to confer the privilege of administering the affairs of the district upon representative men. As neither of these objects has been fulfilled, so not only does the constitution of the Board require change but its functions must also be extended.

Half the members of the District Board are elected and half nominated. The Magistrate Collector has, as Chairman, the casting vote; so practically the number of nominated and official members is larger than that of the elected. Now when the municipality was allowed to elect two-thirds of its members, I do not see why the same privilege was not given to the District Board. In the matter of its constitution, the District Board should be in line with the municipality. Great care should be taken in selecting nominated members, that is to say, as few officials as possible should be selected so that there may be, to quote the words of the Self-Government Resolution of 1882,

"a large preponderance of non-official persons" on the Board.

District Officers should be relieved of the duty of serving as Chairmen of District Boards, and replaced by elected non-official persons as a rule. This will secure the two-fold object for which the local self-government measure was initiated. It will relieve the overworked District Officers of many petty duties, and, at the same time, enable the representatives of the people themselves to manage the local affairs of the districts. The appointment of the District Officer as Chairman might have been a necessity in the beginning, but as the District Boards have now worked for upwards of twenty years, the time has certainly come when the Magistrates may safely retire in favour of non-official representatives of the people. The other important change needed is in the direction of entrusting to the District Board more serious work. At present the Board is not at all attractive. The principal sum of money placed at its disposal—namely, the proceeds of the Road Cess—is not even as large as an ordinary zamindar spends annually with the help of his servants. You can make the Board as independent as possible, but its members will not feel any real interest in it, or work with heart, if the duties imposed upon them are not of an important nature or do not appeal to their vanity or patriotism.

At present the only sources of income to the District Board are the Road Cess, the pounds, and the ferries, besides the grant made by Government on account of education. But why should not several other sources of income be also made over to it?

The functions of the District Board may be expanded by placing the following departments and sources of income at its disposal: (1) The Road Cess; (2) the Public Works Cess; (3) the income-tax (which has supplanted the license tax suggested in the Self-Government Resolution); (4) the chaukidari tax; (5) the ferries; (6) the pounds; (7) the abkari and other cesses or rates if any. As to the Road Cess, which was imposed with some specific objects in view, a separate account should be kept showing that its proceeds are spent for only such purposes for which it was levied. Besides, a portion of the land revenue of the district, say one-third, should be placed in the hands of the District Board for sanitary, educational and other matters in rural tracts.

As in the case of the municipality, so in that of the District Board, the Local Government, and not the Commissioner of the division, should have the power to interfere with its proceedings. Such also was the advice of the Government of Lord Ripon.

The District Board should thus be un-officialised to as large an extent as possible and supplied with ample funds, so that, in addition to its present duties, it may undertake various other works and thereby not only relieve the over-worked District Officer of many of his duties, petty and large, but perform these with greater efficiency than now. Such unpopular taxes as the income-tax and the chaukidari-tax, and the Excise Department may also be placed in the hands of the Board, and the odium attached to the administration thereof may be transferred from the shoulders of Government to those of the representatives of the people. In fairness to the Board, however, if unpopular taxes are made over to it, it must also have the power to convert them into more popular ones. Such funds as trust funds, unclaimed funds deposited in the treasury, may be made over to the Board. It should be remembered that unless sufficient funds, or rather sources of income, as well as real responsibilities are placed in the hands of the Board, it is bound to fail in its object.

The District Officer has to administer criminal justice. He is the Head of the police, that is to say, he is primarily responsible for the peace of the district and the protection of the people. He is responsible for the management of prisons. He has to take care of the district if it is visited by famine, plague, cholera or malaria. In times of famine, fire, pestilence, inundation, and other calamities, he is the man who has to administer criminal justice and control the police, to see that the people are protected from sufferings of various sorts. The District Officer is also the Collector. He has to make land settlements and collect the land revenue. He is the head steward of all Government estates. He is the head manager of all Wards' estates. He has to collect the Public Works Cess and the

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income tax. He has to hold charge of the treasury. He is the stamp-vendor general, as also the Head of the Excise Department. He is the Head of the Registration and the Education Departments, and is the Chairman of the District Board. Latterly the village watch or chaukidars have been amalgamated with the regular police and brought under the control of this hard-worked officer. Where is then the wonder that the Magistrate should find himself overwhelmed with work and fail frequently in the performance of his numerous heavy duties? Where is also the wonder that he has very little control over his subordinates who frequently bring disgrace upon his administration?

The District Board should be made a living thing, by transferring a considerable portion of the administrative work from the shoulders of the officials to those of the representatives of the people. Lord Ripon's Government suggested that all matters which, for imperial reasons, had not to be retained in the hands of the representatives of Government, might be made over to the people themselves. One such matter is sanitation. Another is education. A third is the rural police. One more is work relating to village roads, village tanks, wells, canals, water reservoirs, &c.: the other is the improvement of village cattle and the agricultural and industrial condition of the masses. Yet another is the disposal of various civil and criminal cases among the rural population. The Board should be entrusted with these duties, as also several others which the local officers can part with, without jeopardising imperial interests, and also be furnished with the requisite sinews of war to carry them out. The Board must have its paid agents in the shape of engineers, sanitary experts, educational and police inspectors, to conduct their work. Government officers should have perfect liberty to inspect the works of the Board and offer friendly advice from outside. Government may also appoint a special auditor to check the accounts of the Boards. Indeed, there must not be any friction between the Board and the officers of Government; on the other hand, the latter should make it a point to see that the project becomes a success.

A Board of Control, consisting of two non-official Indians, with a senior Civilian as President, should be appointed to direct control and supervise the proceedings of both the Municipal and District Boards of a province. This suggestion emanated from the Government of Lord Ripon. The controlling Board should be subordinate to the Local Government. If the District Magistrate or the Divisional Commissioner want to know anything regarding the doings of any particular municipality or District Board he should have to do it through this controlling Board.

How the municipalities and the District Board are to be constituted are matters of details. Either the present electorates may be retained, or they may be altered according to the circumstances of each district. The proportion between the elected and the nominated official members should be $\frac{2}{3}$ ths to $\frac{1}{3}$ th.

The District Board, as now, should have Local Boards subordinate to it. As regards village unions or village communities they should be created by the District Board, and not by the Magistrate as now. The village communities might have been developed into excellent and very useful institutions 25 years ago; but alas! the respectable classes in all the villages of Bengal, with the exception of a very few, have been decimated by malaria and cholera. Village communities have thus practically disappeared from Bengal. The District Board, however, may be entrusted with the duty of selecting such villages as have yet some educated men left and constituting them into unions or communities, and making over such matters, civil and criminal, to them as they deem fit.

The reformed municipality and the District Board may elect a body of, say, half-a-dozen persons to serve both as an Advisory and Administrative Council. The Administrative Council is, of course, more desirable than the Advisory. The District Magistrate may relegate several responsible duties to the Council in the interests of both himself and the public. The members of the Council may be paid an honorarium in the shape of a fee of, say, Rs. 10 per sitting.

To summarise the above:

(1) Larger financial powers might be safely given to the provincial and district administrations provided

they could be controlled respectively by the Legislative Council, and the District and the Municipal Boards.

(2) If two-thirds of the elected members of the local Legislative Council vote for or against the disposal of provincial funds, their voice should be respected by Government.

(3) The local Legislative Council should be expanded in the following way, namely, each first and second-class district as well as two third-class districts grouped together shall have the privilege of returning not less than one member to the Legislative Council through the District and Municipal Boards.

(4) Both the Municipal and the District Board, specially the District Board, should be largely expanded and as thoroughly non-officialized as possible. These institutions should be under the control of a Board, consisting of two non-official Indians and one senior Civilian Officer, the controlling Board being subordinate to the Local Government.

(5) The Calcutta Corporation should have its old constitution returned to it and further liberalized in due course.

(6) Unless the people of the country have at least one municipality in the metropolis and two local bodies in the district, containing some real self-governing element in them, it is useless to expect that they will ever learn to manage their own affairs.

(7) It is a pity that our old village communities were demolished by the rulers and no real self-governing institutions substituted in their place. Return these old village republics with all their privileges to us and we don't want your Boards, Legislative Councils and so forth.

11399. Have you had any experience of local administration?—I was a member of the District Board for two years—that is a long time ago.

18400. Subject to certain considerations, into which we need not now go, you would like to see the hands of the provincial Governments and Municipalities and District Boards strengthened so as to give experience to the members of the municipalities and District Boards how to manage their own concerns?—Yes.

18401. Was the Chairman of the Board to which you once belonged an official?—Yes.

18405. Is it desirable that the Chairman should be an official?—He should be non-official.

18402. Would a non-official Chairman have the experience and would he give the time which would be necessary to manage the affairs of the district?—Yes, the district is very large and there are men interested in its administration who could do the work quite efficiently. The business is not of a very complicated nature.

18404. Does it differ in different districts?—No, in Bengal it is all the same. They deal with the roads and primary education and some small sanitary works, such as small water works, digging tanks, sinking wells, and so on; the road work is the main work, and there is a District Engineer who does this work under supervision.

18405. If you remove the direct control of Government over the proceedings of the District Board, do you desire to retain their indirect control in any way or do you wish it to disappear altogether?—I think it ought to cease; the Local Government might have control. The controlling Board is not my suggestion although I approve of it; Lord Ripon's Government suggested that there should be a controlling Board consisting of three persons, two non-officials and one official, who would supervise the work of the District Boards and municipalities; this controlling Board should be immediately under the Local Government.

18406. Suppose a District Board wanted to carry out some sanitary improvement, and they had to spend something more than the money which they could get from revenue, would you have the Board frame its own scheme and prepare its own estimates?—The Board should be expanded according to the suggestion of Lord Ripon's Government, and various other matters should be entrusted to it. In that way the functions of the Board would be increased, and a Board of Control should be established to supervise their work. The especial reason for that is that the District Officers are very hard worked; they have so many things to do that unless they part with some of their work it is simply impossible for them to do

things as satisfactorily as they ought to do them. That being so, the Board should be enlarged and expanded, and a non-official controlling Board should be placed over the District Boards and municipalities. This Board would have ample work to look after, and they would be able to suggest improvements in administration.

18407. Would a Board, constituted as you would desire to see it constituted, be perfectly competent, with the aid of the District Engineer, to undertake all district roads and sanitary works? How would you find the funds wherewith to do these things which you desire to do?—Under the existing system the District Board has got only the proceeds of the Road Cess and the proceeds of pounds and ferries; Government makes some grant for educational purposes. These are the three funds, and there are small grants which are in the hands of the Board now. The result is that practically all the money is swallowed up by road-making; no sanitary works are done; education is neglected. Then again, the Road Cess Fund was created for a separate purpose altogether, but the Fund is practically mis-applied for purposes for which it was not intended. That being so, the Government must find the funds; the Government must make other sources of revenue available as Lord Ripon's Government suggested, such as the licence tax for instance. Under present circumstances the Board has practically no funds at all.

18408. So that your suggestion would entail on the one side the removal of control and on the other side the increase of Government contribution?—When you talk of Government contribution you speak of the people's money, and the Government would be simply giving back some of the people's money to help the District Board. You must give some control to the people over their own taxes.

18409. But viewing it from the administrative point of view, would not your proposal entail the removal of the administrative control, but an increase in the public contributions?—It would involve the removal of the official administrative control, but the popular administrative control is as good as, or I think better than, the administrative control.

18410. In Bengal are most of the municipal Chairmen elected or appointed by Government?—Generally they are elected. In the large municipalities such as Howrah, Patna, Dacca and others they are all official Chairmen.

18411. You wish to see official control removed also in the case of these large municipalities?—Yes.

18412. Since the municipalities practically raise all their own funds, no increased contribution by Government would be necessary in respect of their expenditure?—But Government has certain duties to the people; for instance, plague or some disease breaks out, or there is a necessity of improvement in educational matters. It is the duty of Government to impart education from Government funds, and it should contribute; with regard to other matters which affect the citizens directly they must manage to find their own money.

18413. In the case of municipalities you do not want an increased Government contribution, at all events not so much proportionately as you do in the case of District Boards?—Yes. I said with regard to certain matters only; in exceptional cases, or if a disease breaks out, the Government should help.

18414. Are you in agreement with the last witness that primary education should come under the municipalities?—Yes.

18415. And secondary education should remain with Government?—Under the existing system the Government has got a larger staff of officers than the municipality has, so that it is better that higher education should be left with the Government.

18416. The District Boards in their turn would also control primary education?—Yes.

18417. Suppose that a panchayat is created in either single villages or groups of villages, would you prefer that primary education should be in the hands of the District Board or in the hands of the panchayat?—The existing panchayat is nothing; it is all under police control; but if you can get an improved panchayat, then educational matters might be placed in

their hands. It is very difficult because our villages have been denuded of all the respectable classes practically by malaria and cholera; it is very difficult to get men who could be trusted with those duties.

18418. Are there not sufficient men left in the present villages to be able to undertake the duties?—There are only illiterate agriculturalists—that is the class that predominates.

18419. Have you any practical experience of village life in Bengal?—Yes, I have a native village of my own. Now and then I go to my own village; it is now a deserted village. We had formerly more than one hundred families there of the higher classes, and now we have got half-a-dozen.

18420. How would that affect the administration by the District Board?—The members of the District Board are generally recruited from those who live in the town; those villagers who could save themselves from the influence of disease and malaria have emigrated to the towns, in which you have a number of educated people; the District Board members are generally recruited from these educated people, so that the District Board is composed of men who are educated and highly respectable men. There are some villages no doubt here and there where some respectable people manage to live; they may also supply members for the District Boards.

18421. Where are the members of the Local Boards drawn from?—From the sub-divisional areas.

18422. Are they mostly people who are living in villages or in small towns?—In very small towns, from 5,000 up to 10,000 people.

18423. Are the powers of the District Board sufficient?—As it is now, practically the District Board is in the hands of the Magistrate-Collector.

18424. But apart from the question of an official Chairman, are the powers which the District Boards are supposed to have now sufficient?—They are not sufficient. First of all the Boards are equally constituted of elected and nominated members; they may have power, but what is the good if they are in the minority.

18425. Leaving apart the question whether they exercise the powers, are the powers which they have by law sufficient?—Yes, they can look into the accounts. In that respect they have some powers no doubt, but if the Magistrate-Collector wants to have a thing done they cannot resist him.

18426. Do District Boards work by committees?—Some of them do.

18427. Is that a good system?—I think it is, and it might be usefully extended.

18428. Do the municipalities work by committees as a rule?—Yes.

18429. Do they work well?—Yes.

18430. With regard to the Advisory or Administrative Councils do you think that they would be a good thing to establish?—Yes, if they can be constituted properly they would be of use.

18431. From your point of view, you wish to see a Council for the Collector or the Commissioner as the case may be, which he should be bound to consult, not which he should call together at his pleasure?—Yes.

18432. And unless there is that obligation, you do not attach much importance to Advisory Councils?—No.

18433. You think that they ought to be paid some honorarium?—Yes, because they will give up their time; that would make the work more attractive to them—like the Municipal Commissioners in Calcutta, who get their fees.

18434. You would really like to see before everything else the re-establishment of the village community so far as that is possible?—Yes, but unfortunately it is utterly hopeless. I wish the Commission had gone into a village and seen the havoc which has been played; I think that that is the most important subject for consideration; if the people die out who pay the taxes; Government will be bankrupt in no time.

18435. (Mr. Meyer.) Are you aware that the population of Bengal increased very considerably, as shown by the last census?—I think it can be accounted for in

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this way; the local Mussulmans in Eastern Bengal—not in old Bengal—have multiplied, and they make up this deficiency.

18436. I have got the census figures for every division in Bengal, and every one of them shows an increase?—The lower classes might have increased—I do not know about that, but the higher classes have been decimated; every high class man in the country will tell you that. If Government has its census, so also we have our social census. I belong to the Kyasth community, and I know what its condition was 50 years ago, and what it is now. More than half of my castemen are dead and gone. This is also the case with the two higher castes in Bengal—the Brahmans and the Vaidas. The lower caste Hindus have suffered more terribly; some of them have totally disappeared.

18437. Do you desire that the District Board should deal, among other sources of revenue, with income-tax and excise revenue?—That is not my view; it is Lord Ripon's view with which I agree.

18438. The licence-tax was a very different thing from the income-tax?—The licence-tax has been converted into the income-tax?

18439. It was a mere tax upon trade?—Afterwards it was converted into the income-tax.

18440. You speak of the odium connected with the collection of these taxes; do you think that an elective Board would face that odium?—It would make it more popular.

18441. You speak of a Board of Control to be established to look after local self-government, and you speak of that as one of Lord Ripon's projects; are you correct there; was it not a scheme started by the late Mr. Colman Macaulay for Bengal, which was disapproved?—I know it was started.

18442. It was not a scheme propounded by the Government of India in Lord Ripon's time?—But it was started, and if you like I can tell you the reasons why it was given up.

18443. You speak of an Advisory Council or an Administrative Council to assist the Collector; if you are going to disassociate the Collector entirely from these local self-government matters, what are they going to assist him in?—The administrative body ought to be a popular body.

18444. But what work is left, because road and schools and sanitation and the administration of the excise and income-tax will all have gone over to the District Board with which the Collector has nothing to do?—I would give them the duties of the Collector; the list is half a mile long. I would relieve him of many of them both in his own interests and in those of the people; that is one of the reasons which led the Government of Lord Ripon to propose that.

18445. Should they help him to try cases?—You have Honorary Magistrates; why should you not have an Honorary Board?

18446. (Mr. Dutt.) You say that the District Superintendent of Police is an *ex-officio* member of every municipality; is that so?—So I am told; a man connected with the police told me.

18447. But you are not quite sure?—No.

18448. Is the District Superintendent of Police *ex-officio* a member of any municipality?—I will enquire about it; I am not quite sure.

18449. You say that the proceeds of the Road Cess are now misapplied; will you tell us what you mean?—This Road Cess was levied with definite objects in view; when the Road Cess was proposed the zamindars made a row over the matter. The Government silenced them by giving direct pledges that the cess would be applied to certain purposes, only to village roads; not provincial or imperial roads, but village roads, village tanks—everything connected with the village. But now the proceeds of the cess are being applied to provincial roads and dispensaries, which were not the object originally; they are being applied to maintain veterinary schools and for other purposes, so that practically the purposes for which the cess was originally levied have not been fulfilled.

18450. Are you sure that the proceeds of the road cess are now being applied for veterinary purposes?—Yes, I am absolutely sure.

18451. Are you aware that the Bengal Government has lately passed an order to the effect that the Road Cess money should be applied only for the construction of roads and for sanitation?—No; that is not published yet. I have heard that the Government is going to earmark it, so that the Road Cess Fund may be devoted to the purposes for which it was collected.

18452. If that is so, would that be bringing back the money to its original purpose?—Yes.

18453. Among the duties which you propose to impose upon District Boards you include the trial of civil and criminal cases?—Yes.

18454. Is that quite in keeping with the object for which District Boards were established?—No.

18455. Is there anything gained by making them Judicial Officers also?—No. It was put to me in one of your questions whether civil and criminal cases might be made over to the villages. My idea was that the District Board might constitute village communities and these communities might take over those cases.

18456. You do not propose that the cases should be tried by the District Board itself, but that they should be tried by village communities which should be under the District Board?—That is my idea.

18457. You say that one of their duties should be to look after the rural police; would not that impose on the District Board a part of the police work for which the District Board is hardly qualified?—Yes. Let me explain: Lord Ripon says all local rates should be made over to the District Board. The chaukidari-tax is a local rate; it should, therefore, be placed under the Board. The chaukidars, or the village police, for whose benefit the chaukidari-tax is raised, are practically the servants of the villages; they have now been incorporated with the police. That is wrong. That being so, the chaukidars, as servants of the villagers, should be under the District Board, or its subordinate, the Local Board, which practically represents the villagers.

18458. You mean that the chaukidars should be under the village communities, which should be under the District Boards?—Yes.

18459. When you speak of the village communities, do you mean the chaukidari unions which now exist?—They might be improved.

18460. You are rather hopeless in the matter?—Yes.

18461. You say there are very few respectable people or qualified people in the villages; under these circumstances, would you try the experiment gradually?—In some places at first, where the conditions are favourable.

18462. You tell us about the great havoc which has been played by malaria and fever; have you any concrete suggestion to make to meet or remedy that evil?—Generally the drinking water or drainage system are the main causes; that is generally admitted by all people who can speak with authority on the subject.

18463. Would you entrust that to the District Boards?—Yes.

18464. Are the present funds at the command of the District Boards sufficient for that purpose?—No, not at all.

18465. How do you propose to meet that?—The Government must make grants for the purpose, or if the Road Cess may be allowed to do its duties—one of the duties being sanitary purposes—that might also suffice.

18466. (Mr. Hichens.) Would you suggest that the Public Works Cess should be devoted to the purposes of the District Boards?—That ought to be under the District Boards, too.

18467. Suppose the Legislative Council had all the powers that you indicate, would you want Advisory Councils for the District Officers, or would you then think it unnecessary to have them?—They would almost become unnecessary.

(The witness withdrew.)

Adjourned.

THIRTY-FIFTH DAY.

CALCUTTA, Wednesday, January 29th, 1908.

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 Honourable Mr. F. A. SLACKE, C.S.I., was called and examined.

18468. (Chairman.) You are a member of the Board of Revenue in charge of the Land Revenue Branch?—Yes; I deal with land revenue, survey and settlement, land registration, land improvements, the sale or lease of waste land and Government estates, the management of Wards and attached estates, the collection of cesses, and so forth.

The relaxation of the existing limits on the exercise of powers is desirable and can be best effected by a general Act giving power to delegate, such as was suggested by the Bengal Salaries Commission in 1885, but with this proviso that no delegation should be made until (i) a notification had been published in the Gazette to the effect that such delegation was contemplated and inviting criticism from the public and (ii) such criticism had been considered.

The proper sphere of work of Directors and Inspector-General under the Government of India is that of inspection and suggestion. These officers being the expert advisers of the Government of India exercise very important powers and where an opinion given by one of them is adverse to a proposal submitted by a Local Government such opinion might be first communicated to the Local Government concerned for any criticisms they may like to offer before a decision is arrived at on the proposal by the Government of India.

I would not curtail the existing right of appeal in respect to administrative action, but as regards the right of appeal now granted to officers of Government against orders affecting them personally I would not allow any such appeal in respect of promotion or the selection of officers for special posts.

I am not aware of any increase in the demand for returns and information from the Government of India since the curtailment effected by Lord Curzon.

I have doubts as to whether the influence of the Commissioner is sufficiently strong in matters relating to the supply of drainage facilities by railways. A case came to my notice when I was Collector of Saran where it took about eight years to compel the Bengal and North-Western Railway Company to provide a bridge and thereby remedy the distress occasioned to the people living by the side of the railway line whose lands were yearly inundated and the water banked up on them for want of an outlet across the railway line.

Owing to the continuous increase in office work and the inadequacy of the administrative staff in point of numbers, District Officers have not sufficient opportunities for personal contact with the people. Matters could be improved by providing an adequate staff, including a Joint-Magistrate at the headquarters of each district, and by the appointment of an Officer to be the Sub-Divisional Officer in charge of the headquarters sub-division. This last suggestion will be carried out as soon as the additional officers, who were lately appointed to the Provincial Executive *cadre*, have been sufficiently trained.

Several Executive Officers do not possess sufficient knowledge of the vernaculars, a defect due partly to the fact that business is now, owing to the advance of education, mostly carried on in English, partly to there being several vernaculars in this province, and partly to the frequency of transfers.

No general reduction in the area of district or other changes is needed, though such is needed in respect to the Patna Division and the district of Midnapore. I

would like to see an increase in the number of subdivisions, the average area of a sub-division not to be much more than 600 square miles.

The grant of larger powers to Commissioners, Collectors and other local authorities would involve greater care in their selection and less regard to the claim of seniority.

Transfers of officers are not unnecessarily frequent, bearing in mind that the existing staff is inadequate, and owing to this the transfer of officers is such as to render in some instances efficient district administration a matter of extreme difficulty. Thus the district of Singhbhum has had eight Deputy Commissioners in the last three years, and in the last two and a half years the district of Manbhum has had five Deputy Commissioners. This constant transfer of officers, due to inadequacy of the staff, is the greatest administrative evil which now exists.

I am not in favour of creating Advisory or Administrative Councils to assist Divisional or District Officers or of investing District Boards with powers of supervision and control over the smaller municipalities within their respective districts.

18469. With which Directors and Inspectors-General have you been brought into touch?—I have very little to do with the Imperial Directors. They should not deal with details; they should not give suggestions with reference to details, but should confine themselves to general principles.

18470. Do they do that as a matter of practice?—It depends on the officer himself; some officers do and some do not.

18471. Is anything laid down with regard to their duties?—In the recent appointments made the Government of India laid down certain stipulations; if they were followed always it would be beneficial.

18472. You would not curtail the right of appeal with regard to administrative action?—No. Where it is a question of selecting an officer for a particular post, there should be no appeal against the Lieutenant-Governor's order.

18473. But in the case of such things as small revenue appeals, would you allow them to go up?—I think that any curtailment of the right of appeal would be very distasteful to the people.

18474. Are appeals against supersession frequent?—No, there are not many. I would stop them absolutely beyond the Lieutenant-Governor in certain cases, and beyond the Commissioner in others.

18475. You say that there is no increase in the demand for returns made by the Government of India; what about the provincial Governments?—There has certainly not been any increased demand for returns since the time when the returns were revised in Lord Curzon's time.

18476. Have you issued any fresh ones since that inquiry?—No, I have cut down two or three periodical returns concerning land revenue quite lately.

18477. Is there any further reduction that would be advantageous?—I cannot think of any at present.

18478. From the point of view of the Board of Revenue are you bound to ask for all that you now do ask for?—That is my position, as far as I can see

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at present; I am always on the look-out to see what can be reduced both in respect of registers and returns.

18479. You tell us that the Commissioner has generally enough influence in matters which appertain to his duties, except in respect of railways; is that an exceptional case?—Hardly, because railways are increasing, and railways where they do not provide sufficient water-way do a very large amount of damage to the country.

18480. You would expect a Commissioner to deal with a railway?—I cannot say that he would have a voice in the amount of water-way. That would be done through the Local Government.

18481. Then it is a matter not as against the railway, but of the Commissioner as against the Local Government?—No, it is the Government of India. I have instanced a case where there was delay of eight years; that shows that the procedure that is now followed is too cumbrous. In that case the railway had made its bank, and then it was found that the spill water of the Ganges could not get across country as it used to, so that a bridge was wanted. The railway authorities were against a bridge; it had to go up to the Government of India, and the Government of India said that the bridge should be made. Then it came up on appeal; twice it was appealed on certain points by the railway authorities, and that made a delay; the bridge had to be made and it was made, but it took about eight years; meanwhile the crops of all these people were being drowned nearly every year. The Commissioner knew best about the local needs, and his view was not given sufficient attention to. It obtained ultimately, but only after this waste of time had caused an enormous damage.

18482. You tell us that there is a great want of Joint-Magistrates in Bengal. Would the real remedy be to relieve the pressure of work, or could it also be done by a larger appointment to the Provincial or Subordinate staff of Deputy or Sub-deputy Collectors?—I do not think so.

18483. Is the Joint-Magistrate the essential person missing?—I want other things also; more Sub-Deputies, and officers to be kept in their districts continuously, for, say, four or five years each.

18484. Are transfers too frequent at present?—Yes, because we have not got the necessary staff.

18485. Suppose you had the necessary staff to enable you to keep your officers four or five years in one place, would you then have something like a language limitation governing the districts where an officer should be posted?—I would not lay down a hard-and-fast rule that an officer, say, in the Orissa Division should not be sent to the Chota Nagpur Division; I would have it considered whether he knew anything of the language of the division to which he was proposed to be transferred.

18486. Is it not essential to good administration that an officer should know the language of the district which he administers?—Yes; it is very necessary; unfortunately you have so many languages in Bengal. Take the Chota Nagpur Division; you have there some six or seven languages. You have got, for instance, Mundari, which is probably spoken by half a million people; then there is a kind of patois of Hindi.

18487. Is there a predominating language?—You can hardly say that; the Bihar division has got one language and Orissa has an altogether different language; if a man knows two languages well he can be utilised, and that is done; we pass in two languages.

18488. What is the length of time that an officer should be kept in a district?—There are different classes of districts: in a very small district I should say three years would be the minimum. I would not prescribe any maximum. In a very big district like Midnapore, if that is not split up, he should be five years.

18489. An officer having served five years in a district would probably have reached the maximum amount of usefulness there?—Probably, but I would not make it a hard-and-fast rule that he should be sent away.

18490. As a rule do your officers know sufficient of the vernacular?—Some do not.

18491. Is that held to be a disqualification for promotion?—No, I do not know of any case in which an officer's promotion has been stopped or retarded because his knowledge of the vernacular was somewhat insufficient.

18492. Then what encouragement is there to an officer to learn the vernacular?—First he has to pass his examinations; he does not draw an increment of pay until he has passed certain examinations. Then, if he does not know the vernaculars well events may happen which, owing to his lack of the vernacular, will show that he is not a good District Officer, and thereby retard his promotion. The retardation of promotion is not dependent on his knowledge of the language, but his lack of knowledge affects his promotion.

18493. It is an indirect, not a direct, factor?—Yes.

18494. Might vernacular knowledge be profitably taken into larger account?—It is very hard to do that. I am myself not good at languages; I am not good at the classical portion of the languages; but there was once a Commission sent round, and I had to conduct it round my sub-division; one of the members had passed in the High Proficiency Examination in Bengali; it was a Bengali sub-division. I found that he did not understand the people in the slightest; I did all the interpretation. Upon that experience I venture to say that these examinations will not help you to get any idea as to the value of an official's work amongst the people.

18495. Would you lead us to believe that the superior officers of the Service are so unacquainted with the capacity of their juniors that they do not know whether a man has a reputation as a practical linguist?—I did not mean to say that, because one travels about amongst one's subordinates and hears how they speak.

18496. Then there is some method, other than examination, by which an officer's knowledge of the vernacular can be arrived at?—Certainly.

18497. Ought the knowledge of an officer's power to speak the vernacular to be taken into account either in retarding or advancing his promotion?—In some cases it should be. I would not go so far as to say that it should always be taken into account. It should be left to the discretion of the officer who makes the appointment to take it into consideration.

18498. An officer should only be exceptionally promoted when he knows the vernacular?—Exceptionally promoted for a post in which a knowledge of the vernacular is necessary.

18499. Is enough care taken in selecting officers for promotion for the ordinary posts such as Collectorships?—You have got to make the most of what you have got; you have not sufficient officers. To a certain extent there is selection. For instance, some men would not be sent to certain districts, because they would not be considered competent to manage them.

18500. Suppose one of these exceptional districts fell vacant, is it within your knowledge that a senior man has been passed over and a junior put in?—Not generally; they might transfer from another district an officer who could manage that district properly.

18501. So that the non-observance of selection may not only lead to a more or less incompetent officer being promoted, but it may possibly result in a greater number of transfers?—That is so.

18502. Suppose you could get an adequate staff, would it be well to take greater care in the promotion of Assistant Collectors to Collectorships?—Certainly. I would go further; I would go to a Joint-Magistrate.

18503. Suppose the process of selection had been more rigorous than it appears to have been at the present moment, would the result have been that some considerable number of officers would have been passed over for promotion?—I could not say a considerable number, but some would have been passed over.

18504. You state that the number of transfers recently has been very large?—For some time past.

18505. Has that had a bad effect upon Government generally?—Certainly; we are letting go the most valuable asset that we possess—the confidence of the people. Over and over again the zamindars and those entitled to have some say have told me: "We want

to know who the Head of our district is; we want to know him so that he may know us, but he is here only a very short time, and we know by experience that he is likely to be here so short a time that it is not worth our while to go near him."

18506. Would that apply with even greater force to the raiyats than to the zamindars?—Yes; they are very slow to take anything in, but they are being taught "The *Hakim* is here for only a short time, and by the time he gets to understand our needs somebody else will come." It is now extended not merely to District Officers, but to Sub-Divisional Officers at headquarters; it is affecting the office work. I have done a good many inspections this past year, and in most of the Collectorates I have found many departments in which on the average the Gazetted Officer-in-charge has been there only six months, and so he lets the department be run by the clerks. It is affecting the administration very badly.

18507. Has there been a large increase in the number of clerks attached to district offices away from headquarters?—Not clerks; there have been increases, but you cannot call them large.

18508. Has there been a steady increase?—No, I will not go so far as that; spread over the whole clerical establishment of Bengal, the yearly increase has been very small.

18509. Therefore the most urgent reform is to prevent the constant transfer of officers?—Yes, I look upon that as equivalent to fourteen annas in the necessities of administration.

18510. A considerable number of Court of Wards cases come to you from Commissioners and Collectors?—Yes, that gives me a great deal of work.

18511. Could a large number of your powers in that respect be delegated to one or the other of your subordinates?—A great deal of the heavy work cannot be delegated, for instance, budget and returns; they cannot be wholly delegated unless the subordinate establishments are better. Commissioners have the power at present to pass the budgets for estates the revenue of which does not exceed one lakh of rupees, but I find they cannot be trusted to pass them; they must be checked here, because their establishments have not been sufficiently trained, or the officer-in-charge does not know his work sufficiently to be trusted to pass the budget. In time I hope it will be possible to do it, but it will take some years before we can safely do without the check that we have now.

18512. What is it that you find wrong with the budgets?—They are not sufficiently carefully prepared; there are a number of faults which are detected here and are put straight; matters are put under the wrong heads, or there is no explanation given, and there are variations in amounts.

18512A. Could that not be checked by audit?—It might be, but these estates with incomes under Rs. 50,000 are not submitted to professional audit; they are only audited by some Deputy Collector at headquarters.

18513. It is not that the Collector or Commissioner would not have experience to be able to deal with these points, but that his clerical staff is not sufficiently careful?—Quite so.

18514. Therefore the power of the delegation might be given?—The power has been given, but it does not affect the amount of work in my office here.

18515. Would you give Commissioners a considerable power of making small budgets in their own divisions dealing with Public Works and things of that kind; so that they could undertake Public Works without reference to Government up to a limited sum, say, Rs. 10,000?—They have now a certain sum which they can spend. At present I am unable to see the necessity of anything further.

18516. You do not think it would save time?—I think not. I would not like to pledge myself unless I had an instance put to me.

18517. (Sir Frederic Lely.) The Board of Revenue in Bengal consists of two members?—Yes.

18518. It is an appellate Court in revenue administrative matters?—Yes.

18519. Do appeals to the Board of Revenue afterwards lie to the Lieutenant-Governor?—He can be

memorialised. It is very rarely that a memorial is submitted.

18520. Practically the Board is a final Court of Appeal?—Yes.

18521. It is also the superior executive authority in certain departments. Do you consider that it is an advantage to have a Court other than the Commissioners and the Local Government?—Somebody has to deal with the appeals from the Commissioners, and it seems to me that the Board is the best authority to deal with them.

18522. It has been suggested that the status of the Board of Revenue should be somewhat altered—that the members should still sit to exercise appellate authority, but for all executive work they should act as the Lieutenant-Governor's agents; that all minor matters should be referred to, and dealt with by, them, and that on important matters they should act as a Consultative Board to the Lieutenant-Governor; what do you say to that?—That is very much what is being done now. Many matters are submitted to us either individually or jointly.

18523. What do you consider is the special place of the Commissioner in the official administrative machinery?—Certain matters do not pass beyond him in executive affairs, and he sees that a certain portion of the province is properly administered.

18524. Does he, or ought he, to fill in his division practically the place which the Local Government fills in the whole province?—No, I would not go so far as that.

18525. Would you consider that the Commissioner has any responsibility for the management of excise in his division?—He has responsibility, and he exercises it. I cannot say that he has any authoritative power in the matter, but his suggestions are always given great weight to.

18526. As a matter of official courtesy, so to speak, to a man of position and influence?—Yes.

18527. Has he any authoritative influence in matters of police?—The Commissioner has a great deal of power with regard to the police. He hears appeals from police officers.

18528. Was that under the recommendations of the Police Commission?—I have not had experience of police work during the last two years, but up to about two and a half years ago he had.

18529. Has he any authority over education?—A great deal.

18530. I mean direct authority?—No, I think not.

18531. Would he be in any way held responsible for anything going wrong?—I think he would be held responsible for not knowing that any large matters were going wrong. He is expected to know about everything of magnitude that is going on in his division. He would be looked upon as responsible for seeing that if anything was going wrong steps were taken to put it right. Suppose there was friction going on between the Educational Officer and the Head of the district, it would be his business to know of it and to see that it was stopped.

18532. Suppose a training school or a college is utterly mismanaged; would he be held responsible in any degree?—Yes, because he would have to satisfy himself that the District Officer was taking steps to see that the want of discipline was remedied.

18533. But he would have no direct authority himself?—Except the authority that is given to his position, that is all.

18534. (Mr. Dutt.) You have made some suggestions for the delegation of powers to Divisional Commissioners; will that delegation largely, or to some extent, reduce the work of the Board of Revenue?—Wards' matters give one more work, and the work will not be reduced very considerably until we can get better staffs in the *mufassal*.

18535. But in other branches besides the Court of Wards will there be any great reduction?—There will be a slight reduction, but then on the other hand you have to take into account the extra work that may be entailed by the delegation of powers to the Board from above, powers which they do not possess now. I cannot say to what extent that will employ the time which will be rendered free by the delegation of the powers of the Board to Commissioners.

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18536. So that you do not foresee any great reduction in the work of the Board if these recommendations are accepted?—I cannot yet foresee it.

18537. A suggestion has been made that the members of the Board of Revenue, besides acting as a Board of Revenue in regard to revenue matters, should be either advisers or colleagues of the Lieutenant-Governor in matters other than revenue; in fact, that they should be something like members of his Council?—I would not let them be colleagues, because that would divide authority; I would let them be advisers as they are now; the Regulation gives them that position; the old Regulation lays down that they are the confidential advisers of the Government.

18538. Is that so in all matters?—The Regulation says so.

18539. But as a matter of fact are they the advisers of the Lieutenant-Governor in these matters?—There is nothing laid down about that: all matters are to be sent to them for their opinion. Under the present system it is only the matters which the Lieutenant-Governor sends to them for their opinion; it rests with the discretion of the Lieutenant-Governor as to what subjects they are consulted upon. Matters have not to pass through them, as they would in the case of the Council of a Governor in Madras or Bombay. It may be possibly read that they are confidential advisers of Government in revenue matters; on the other hand (I am only speaking from memory) that they are confidential advisers to Government in everything.

18540. Would you approve of the idea that they should be *de facto* advisers of the Lieutenant-Governor in general administration, including all matters?—I should leave it to the Lieutenant-Governor's discretion: I would not hamper him and say to him, "You must take the advice of the Board on every point."

18541. For instance, is there anything in the law to prevent the Lieutenant-Governor from consulting the Board in municipal matters?—There is nothing in the law to prevent the Lieutenant-Governor consulting anybody he chooses.

18542. You say that you are in favour of a general Act giving power to delegate, as was suggested by the Bengal Salaries Commission in 1885. Does that mean that when certain powers are vested in the Government by certain Acts a general power of delegation should be given enabling the Lieutenant-Governor to delegate any of those powers to any local officer by Gazette notification?—Subject to certain safeguards; that is to say, the Local Government should not delegate those powers without having first of all published their intention to do it and obtained any comments that others might choose to make. Delegation should be made with the sanction of the Imperial Government, and with the proviso that those comments had been examined.

18543. In certain matters there is a good deal of debate in Council as to the authority which should have the power to sanction a certain thing, and the question is settled sometimes as the result of a compromise. If such a power has to be delegated, would it be altogether fair to delegate it by simple Gazette notification?—I cover that by providing that the intention should be published and that comments should be invited; then if it was not thought to be fair there would be a large mass of opinion against it, and presumably the Imperial Government would be asked to take that into consideration, and the delegation might not be made except through the Legislature.

18544. Then you do not provide for an amending Act in every case?—I think that that is not elastic enough; look at the time it takes to pass an Act through the Legislature; very often prompter action than that is needed.

18545. Suppose it to be the law that a new tax in a municipal town can be introduced by the Government of Bengal, and under a general Act of delegation the Lieutenant-Governor delegates that power to Divisional Commissioners, thereby amending the Act without a specific amending Act; would that be altogether fair to the rate-payers of municipalities?—But they would have had their say before any delegation took place; the delegation would not be rushed through in a week; time will have been given to anybody to put forward any reason for objection, and those reasons would be considered; if it was thought the reasons of objection

were tenable, delegation would be made, so that I see no unfairness. It would be in some instances quite unfair, not to have those safeguards, and to have the thing simply done by notification, without the persons interested hearing anything of what was taking place. Where the delegation was objected to strongly, if the Government still thought it necessary to delegate, I would have a special Act so that it would be debated in the Council.

18546. You mean if there was strong opposition?—Strong and reasonable opposition.

18547. Who is to judge of that?—The Imperial Government.

18548. You say that you would not curtail the right of appeal except with regard to appointments?—Yes, with one exception; I think it has just been altered lately. Commissioners of Divisions should be put on the same level as Heads of Departments.

18549. How are the Deputy Collectors appointed?—They are appointed by the Government, except that first of all, in some instances, they are nominated by the Commissioners, and in other instances they are nominated by the Board; there are also promotions from Sub-Deputies to Deputies; appointments of outsiders to Sub-Deputy Collectorships are made on the nomination of the Commissioners and Collectors; some are made direct by the Lieutenant-Governor.

18550. I am speaking of the actual appointment; is that made by the Government in every case?—You may say that it is made by the Government, but it is not made always direct by the Government.

18551. Would you recommend the delegation of that power, or would you keep it in the hands of the Lieutenant-Governor?—I would certainly keep the power in the hands of the Lieutenant-Governor.

18552. Are the posting and transferring of these officers done under the orders of the Government?—Except as to Sub-Deputies in a division.

18553. I am speaking of the Provincial Service?—You mean the Deputies. When the staff is sufficiently strong I would like Commissioners to transfer their Deputies within their division; I would not do that now; the *cadre* is not sufficiently strong. It might be considered hereafter.

18554. You recommend that there should be a larger number of sub-divisions; is that with reference to the area of sub-divisions generally, or have you some particular sub-divisions in view?—I think the area of sub-divisions generally should not exceed 600 to 700 square miles, because the more sub-divisions you have the closer you bring the administration to the people through the medium of a reliable officer other than the police.

18555. As a rule now are sub-divisions over 600 square miles?—There are a great many over 600 square miles.

18556. Are you in favour of the idea of creating one or two circles inside the sub-division under the Sub-Divisional Officer and placing officers in charge of those circles?—That would not be so good as lessening the size of the sub-division. You would then have an inferior officer to carry out the work. Of course, something is better than nothing; if you could not afford to increase the number of sub-divisions that would be an improvement, but it is not nearly so good as increasing the number of sub-divisions, when you would have a much better officer in charge.

18557. In Madras and Bombay under the Sub-Divisional Officer there are smaller circles mainly for revenue collection but also for other purposes, of which circles tahsildars are in charge. It has been suggested to us that some arrangement like that would probably bring the administration more into touch with the people. What is your opinion generally upon such a scheme as that for Bengal?—I do not think it would be useful, generally speaking; it might in certain sub-divisions be of assistance. There are a very large number of sub-divisions in which such an officer would have next to nothing to do; you would not give that officer first-class powers probably in many instances; he would not have even second-class powers, and even if he had second-class powers he would have very little criminal work to do, and the revenue work he would have to do, unless there were many Court of Wards or Government estates in his division, would be trifling.

He certainly could be utilised in continual touring about and seeing how the village chaukidars and panchayats did their work and assisting them; I do not mean in the way of critical examination, fault-finding, and so on, but generally helping them. But in purely revenue work, unless he had Government or Court of Ward's estates to supervise, I cannot see what he would have to do; now and again he would have a little to do.

18558. I suppose nine-tenths of the cases which come up are triable by a Magistrate of the Second Class?—There are a great many cases which are not. There are, of course, a large number which are so triable.

18559. Therefore if you had an officer in charge of such a circle he would be able to take a large number of the cases as they came up?—I would not say large. You put him in charge of a certain area; from that area only a certain proportion would come. Taking the sub-division it would be a large number, but he would only deal with a small proportion.

18560. But he would have all the other work which you have just indicated?—Yes, if it happened to come up.

18561. Is it possible to delegate to Sub-Divisional Officers some of the revenue work which is now done at headquarters in the Bengal districts?—As it is the Sub-Divisional Officers has excise, he assists in income tax, he does stamps, he does Government estates, if there are any. The only things that might probably be delegated would be land registration and the collection of land revenue. Delegation of those two things might be useful in a few tracts, where you are practically coming to a *raiayatwari* land settlement, such as, for instance, in Bihar; otherwise it would not, and it would be exceedingly unpopular with the landlords themselves; it would mean their having to keep an agent in every sub-division instead of keeping one only at head-quarters.

18562. With regard to income-tax, what do you say?—I do not think that that would be much work for the Sub-Divisional Officer, because the income-tax realised in the *mufassal* is very small.

18563. Or land acquisition work?—That is very small.

18564. You do not then think it is possible very largely to transfer the work of the officers at head-quarters to the Sub-Divisional Officer?—No. Of course, there are cases in which an officer does not transfer; at present it is permissive; I have found cases in which an officer could have transferred revenue work and did not do so.

18565. It would also be possible to transfer some of the treasury work from the Sub-Divisional Officer to the circle officer, suppose the circle was created?—You must consider the grade of the officer; if you have an officer at Rs. 200 or Rs. 250 a month, you would not transfer to him excise work about the locality of a liquor shop, for instance. I cannot see what could be transferred; you might transfer some of the few certificate cases to him to realise on the spot; I cannot think of much more.

18566. So that there would not be very much work for him to do?—There would not.

18567. You say you are not in favour of creating Advisory or Administrative Council at all to assist Divisional or District Officers; have you any sort of suggestion to make to delegate any powers or any duties to non-official or popular bodies?—You have it already in the case of District Boards and municipalities.

18568. But have you any suggestions to make for the further delegation of powers or duties to non-official bodies?—No, nothing further than has been given in the list from the Bengal Government.

18569. Have any suggestions been made in that list for the delegation of any powers to non-official bodies?—I think there are; I have nothing to add.

18570. Are you in favour of the suggestion that officers who are considered to be unfit for promotion in the Service should be retired on a proportionate pension?—Yes.

18571. Would you apply that rule only to members of the Covenanted Civil Service?—I would apply it to the Uncovenanted Service too.

18572. (*Mr. Hitchens.*) What do you mean by a "proportionate pension"?—At present after a certain number of years, when an officer has to retire on medical grounds, he is entitled to a pension; I would give him something like that.

18573. Some matters which come before the Board of Revenue are settled by one member, and some have to be referred to both members. In regard to those that have to be referred to both, are they usually settled by correspondence or by a meeting?—Sometimes by meeting and sometimes by correspondence.

18574. Are appeals usually settled at a meeting?—When I have an appeal in which I think I am likely to go against the Commissioner's orders I ask the other member to say what day will suit him, and he comes and sits with me. Occasionally the record is sent to the other member beforehand with my draft decision, to see whether he agrees with it.

18575. In certain matters is it a great advantage to have a meeting and a joint discussion?—Yes.

18576. Do the public in Bengal attach greater value to the opinion of a Board of Revenue than they would to that of a Financial Commissioner, because they feel that two heads are wiser than one?—I think probably they would.

18577. Is it for that reason alone that you would not be in favour of having a single Financial Commissioner?—I cannot see the grounds for it.

18578. Might it be equally desirable that the principle that two heads are wiser than one should apply to other administrative matters, such as municipal matters?—I only say that the Board require two members, because there are more departments than one member can attend to. If the departments were so small, each in itself, that the work could be done by one member, then there should be only one member. We carry out the principle really here by Commissioners' conferences.

18579. Would it be desirable to have possibly an additional member attached to the Board of Revenue, and make it one deliberative Body in regard to all administrative matters?—That is to say, the Lieutenant-Governor would be bound to consult them? I cannot see the advantage of that over the present system; you have joint deliberations now. With regard to other matters you have your deliberative body in the Commissioners' conferences.

18580. How often do such conferences sit?—Once a year for about 14 days.

18581. Once a year would be a very inadequate amount of time if the same amount of deliberation is to be applied as is applied in the Board of Revenue?—Those are particular questions that come up. Most of these big questions are not so urgent that they cannot be postponed for two or three months.

18582. You appreciate the importance of a deliberative body in the case of your own work; do you not think that the importance might apply equally to the Lieutenant-Governor's work; if not, what is the difference between the two?—The Lieutenant-Governor should have the power to pass orders of his own motion; he should not be subjected to the dictation of another body; he might ask for advice where it suited him to ask for advice and where he thought it was necessary to do so, but you should not compel him to submit every question that arises to a deliberative assembly for their opinion.

18583. Would your first point not be met if he had the power in exceptional circumstances of over-riding his colleagues?—I think that that would increase the work without any necessity; you would have to put it always down on record why he over-ruled his colleagues.

18584. Would that be an advisable and desirable check?—If you had a deliberative assembly the Lieutenant-Governor should have the power of veto.

18585. Suppose he had to put his opinion in writing and to consider it very carefully before he over-ruled his colleagues, would that not be a desirable check against impetuous action?—I do not think you will find that there is impetuous action.

18586. Does the Board of Revenue decide whether encumbered estates should be taken over by the Court of Wards?—They have taken under the Encumbered

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Estates Act, not by the Court of Wards; the Board of Revenue advises as to whether Government should take action under the one or the other method.

18587. The decision is left to His Honour?—Yes, there is a proposal to delegate that power to the Board of Revenue.

18588. Is it desirable to delegate that power?—Yes.

18589. Is the taking over of estates under the Encumbered Estates Act a matter of political importance?—Yes.

18590. In practice, has the taking over of such estates grown or decreased?—It has grown, because the part of the province where these estates exist is becoming opened up; the owners of these estates are very thrifless; they have greater opportunities of getting into debt, and therefore more cause arises for bringing estates under the Encumbered Estates Act.

11591. Are estates taken over merely because they are encumbered, or is there any additional reason?—You do not want to have these aboriginal people in the hands of alien money-lenders, who have no sympathy with them, who do not know their ways and customs, and who might produce a revolt or rebellion.

18592. You say that an increase of staff is necessary; have you figured out at all in numbers what it would cost?—No.

18593. (Mr. Meyer.) You say: "Where an opinion given by an Inspector-General is adverse to a proposal submitted by a Local Government, such opinion might be first communicated to the Local Government for any criticisms they might like to offer before a decision is arrived at on the proposal by the Government of India." Do you mean an opinion given by the Inspector-General in the course of his tour of inquiry?—If a scheme is submitted to the Government of India and the Government of India send it to their expert for his opinion, then if his opinion is adverse to the scheme, before orders are passed, that expert's opinion should be shown to the Local Government to see whether they accept it or not, or to get their reasons for not accepting it, so that the Local Government's reasons for not accepting the expert's opinion might be before the Government of India when they came to decide the matter finally. I was thinking of officers such as the Superintendent of the Geological Survey; he is an expert adviser.

18594. Would you say that the Secretary's opinion should be held confidential but not the opinion of an Inspector-General?—I did not contemplate the Secretary's opinion being other than confidential.

18595. Is the Inspector-General not referred to as a sort of Secretariat officer?—As an expert adviser to the Government in that particular matter.

18596. Would it not often involve considerable delay when it might possibly be an urgent matter?—It would make administration smoother.

18597. In many cases the Government of India, as a matter of fact, now do not overrule the Local Government without first referring the matter to the consideration of the Local Government?—Yes, for further consideration on certain points.

18598. And it often happens that the Local Government is able to produce reasons in favour of their own course, which the Government of India accepts?—Yes.

18599. You would like that practice to be extended?—I would like the Imperial Government not to override the Local Government with regard to a proposal, where the decision of the Imperial Government was arrived at on the advice of their expert, without first of all letting the Local Government see what the advice of the expert was; I did not contemplate for a moment that the opinion of the Secretary in the department concerned should be similarly treated.

18600. Is it not likely that the expert, if he has travelled all over India, will know more about the circumstances of the province and the local arguments than the Secretary, unless the Secretary happens to have belonged to that province himself?—I would not say so always.

18601. You mention among the matters in which larger powers might be given to the Local Government questions which are covered by the Bengal Tenancy

Act. That was arrived at as the result of a compromise after a very acute and lengthy controversy?—Yes.

18602. Do you think the time has now come when it would be quite expedient to delegate powers which were advisably reserved to the Government of India?—Yes, subject to the safeguard that I mentioned just now.

18603. As regards general delegation, should the orders of the Government of India be sought in all cases: where the Act as it stands says that the Local Government shall exercise the power, and the Local Government want to delegate it, say, to the Board of Revenue, must it go to the Government of India?—Yes.

18604. Where the Act says that the Commissioner is to exercise power and the Local Government wants to delegate it to the Collector, should you go up then?—Up to the Local Government, not up to the Government of India.

18605. Is there not a general distinction between Acts which may be called Acts of administrative expediency, as to who shall sanction a particular matter which the law already provides for, and matters which affect the liberty of the subject, such as who shall sanction a particular prosecution, or what powers a Magistrate should be invested with; would you allow a general delegation in respect of such questions also?—I am not in favour of a general delegation Act; I would have special delegation Acts where the liberty of the subject was involved; I was simply looking at it with reference to revenue matters, not with reference to criminal matters.

18606. Do you make the distinction I suggest between matters of revenue and administrative convenience, and matters involving the liberty of the subject?—Yes.

18607. It was suggested to us by a member of the Board of Revenue in Eastern Bengal that one undesirable restriction imposed at the instance of the Government of India, and he thought of the Secretary of State, was the prohibition of *salami*; I understood that to mean payments for the original right of occupancy. In the case of Government or Court of Wards' estates do such matters come before you?—Yes, the policy of the Government is not to allow *salami* to be taken in Court of Wards or Government estates; personally I am not in favour of *salami*; there may be one or two cases where it should be taken.

18608. Is it a matter upon which you would allow discretion?—No, I would not. I would lay down a hard-and-fast rule that *salamis* are not to be taken into account.

18609. Outside appeals, when it is a question of overruling the Commissioner, are there other two-member subjects that come before the Board?—No, but there are two or three manuals in which, when a correction is to be made, one member would consult the other because both are concerned in the matter.

18610. Is that merely a matter of expediency which the Board itself has adopted, or is it enjoined on them by Act or by Government?—It is enjoined on them in both ways.

18611. We have heard from other witnesses about the present method of disposal of cases which come up to the Board of Revenue; are you satisfied with that system; do you think it leads to efficiency?—I think it leads to efficiency. Of course it involves more noting, because if you have to take the opinion of somebody else which was not taken before, that means a note; it leads to more routine office work.

18612. You have, in fact, got double office work, first in the Board's office, and secondly in the Revenue Secretariat?—It does lead to more routine office work; that is one complaint that was recently made, and I am going into the matter very soon to see if I can remedy it.

18613. Is not the logical corollary of the system the abolition of the Board's office?—Yes, that is also contemplated—the amalgamation of Board's office with the Revenue Department.

18614. Might it not also be possible to reduce Under-Secretary to Government?—He does not practically come in under the present system as regards revenue work; he merely comes in in the routine work.

18615. A note is submitted by the Secretary to the Board to the Secretary to Government; the Secretary to the Board is practically the Under-Secretary in this scheme?—Yes; there are one or two things in which the Under-Secretary does come in, but it is merely routine.

18616. Is there sufficient work for him?—I could not say that, because I have not got the figures.

18617. Is it a matter for consideration?—Certainly.

18618. You mentioned that various powers in respect of the Court of Wards had been formally conferred on Commissioners and others which it was proposed to confer on them could not really be exercised by them because of their want of sufficient establishment. Could not that be met by distributing some of the Court of Wards staff among the Commissioners?—Hardly; you could not pass them round quickly enough; the men who do this particular work are not numerous enough; you cannot get the men from the Board's Office for six Commissionerships; you have great estates with income of over a lakh of rupees, so that you have to keep your best men here.

18619. You say Commissioners have the powers, yet they have to send the budgets up to you?—Naturally they must in any case send the budgets up to the Board for information, otherwise the Board would be in the dark; and when the Budgets come to the Board they have to be examined because they cannot be relied upon.

18620. Is there much use in decentralization when you do not rely on the lower authority?—I quite agree, and I hope in the course of years their establishments may be reliable; then it would be of some help.

18621. Is not the best method of reliable decentralization to strengthen the establishments?—That is what I am trying to do, but I have not yet a sufficient number of properly trained men to strengthen Commissioners' offices to the extent that is necessary.

18622. Conferences of Commissioners are attended by the Secretaries to Government, by the members of the Board, and by the Heads of Departments, and they deal with matters affecting the administration of the province generally; they are presided over by the senior member of the Board of Revenue?—Yes.

18623. Would it not be better if the conferences should be presided over by the Lieutenant-Governor in person?—We thought not, the reason being that it is better for the Lieutenant-Governor to be outside and to be able to focus the discussions that go on and pass an opinion upon them, rather than that he should be present and take part in the debates.

18624. On the other hand, the Lieutenant-Governor misses a valuable opportunity of hearing opinions interchanged?—Those are all down on the notes.

18625. Is it the same thing to have the decisions recorded on paper and to hear various officers debating questions?—Not quite—not always.

18626. Are there divisional conferences of the same character?—Yes.

18627. The Commissioner has held regular conferences of his own for the last three or four years?—Yes.

18628. Who attends them besides the Collectors?—Only the Collectors, as far as my knowledge goes.

18629. Not the officers of other departments in the division?—The inspector of schools would attend on certain matters.

18630. Then, acting on the same principle, does the Commissioner abstain from presiding over the divisional conference?—No.

18631. Should he not preside over the divisional conference?—No, I do not think so.

18632. In Eastern Bengal we were told, generally speaking, that the Sub-Divisional Officer had practically nothing to do but magisterial work, and that his revenue functions were of the slightest; you have told us just now that he does a great deal of revenue work?—I did not say a great deal; I said there are various items of revenue work; it depends on the sub-division itself as to whether there is much revenue work to be done, or not; in some sub-divisions the Sub-Divisional Officer might have heavy Government estate work; in others he might have none; and so on with other subjects.

18633. Does he take the original criminal cases coming up in his sub-division?—Yes, or he transfers them.

18634. But as regards revenue work he has no territorial jurisdiction; he has only the work that the Collector chooses to delegate to him?—Yes.

18635. Is that a good system?—The Collector and the Commissioner too see that he gets sufficient work delegated to him.

18636. As a consequence of that you have a number of Deputy Collectors at headquarters all dealing with particular subjects, one dealing with excise and income-tax work, another dealing with certificate work, another dealing with collections, and so forth?—Yes; but certificate work is deputed to the sub-divisions.

18637. At the same time, you have a whole lot of Deputy Collectors at headquarters?—But then you must consider the size of the sadar sub-division; it is very much larger than any other sub-division in the district.

18638. The Madras and Bombay system is that the district is split up into sub-divisions, and the Sub-Divisional Officer takes practically all the local revenue work; there is, of course, a Deputy Collector at the headquarters treasury, but there is no aggregation of Deputy Collectors. Would not a Civilian be likely to get better training in that way than under your system?—The best training a Civilian can get is to be in charge of a sub-division in his early years.

18639. A Madras Civilian is in charge of a sub-division and exercises all the powers of a Collector. A Bengal Sub-Divisional Officer may possibly have been a Sub-Divisional Officer for years and done hardly any revenue work?—I think that is rather an exaggeration; he is not all his time in one sub-division, and therefore he gets a variety of work in some sub-divisions there may be next to no revenue work to do, no matter what the Collector may wish to depute; in others there may be a good deal to do.

18640. Take income-tax work; it is quite possible that he may never do any income-tax work if the Collector chooses to do all his work at headquarters?—That is so, but the Commissioner should see that that is not done.

18641. Is not income tax essentially a matter that ought to be done locally?—Yes, therefore you have the assessors.

18642. Can a Sub-Divisional Officer dispose of an appeal from a Second or Third Class Magistrate?—I think he can be specially empowered.

18643. In Eastern Bengal the District Magistrate usually takes appeals; is that a good system?—I would rather have the appeal heard by a Sub-Divisional Officer.

18644. From the point of view of the people, does not your system oblige the people often to go to district headquarters to get their business done?—Yes, because we have not a sufficient staff; if we had a sufficient staff it would be different.

18645. We were told that the average size of a sub-division in Bengal is 1,170 square miles; you would nearly double the existing sub-divisions?—Yes.

18646. That would involve a large expense?—No doubt.

18647. In other provinces the bulk of the magisterial work is done by tahsildars of corresponding pay and status with your Sub-Deputy Collectors here. Are you in favour of having a similar system of delegation in Bengal?—It would be a much better system to have a number of sub-divisions than to do that, but something is better than nothing.

18648. Then the practical doubling of the number of sub-divisions is what you would like, but in default of that you would be quite prepared to accept some system analogous to that in other provinces, by which powers might be given as far as possible to Sub-Deputy Collectors?—Yes.

18649. You want to have a separate officer for the headquarters sub-division; do you want a Joint-Magistrate besides?—I think it is very probable you would.

18650. For what sort of work?—For general district work and for important cases.

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18651. That is to say, a sort of additional Collector?—Something like that to help the Collector, so as to give the Collector more time to go about touring himself.

18652. Have other provinces with much larger districts these additional Collectors?—I believe they have in Madras.

18653. There are only one or two as a temporary experiment. Has not the Bengal Government already submitted some proposals for a considerable increase of the district staff and is contemplating others?—It has already had sanction for a large increase in its Provincial Executive Establishment; that was some two years ago, and I am not sure whether it is not thinking of asking for more men with regard to other projects.

18654. Before embarking on schemes involving much expenditure, would it not be desirable to study the systems of administration in other provinces?—It would be very helpful.

18655. Do you share the opinion that has been expressed that one of the most serious difficulties and drawbacks of administration in Bengal is that there is no local officer in communication with villages except the police thana officer?—They have forgotten to take into account the fact that more than a third of the whole of Bengal is in direct management; therefore for more than a third of the whole of Bengal you have other agency.

18656. Those are estate tahsildars?—And managers.

18657. What sort of pay do these estate managers get?—The Government estate managers may be Deputy Collectors.

18658. Are the majority of Government estates in Orissa?—There are large estates in Orissa, but in almost every division you have a number of Government estates of considerable size.

18659. Are they all under Deputy Collectors?—There is a Deputy Collector in charge of each.

18660. Through whom you have a link with the people?—If you choose to use it.

18661. Is he generally so used in your opinion?—As far as I have seen he is certainly used.

18662. Still, in two-thirds of the province you have not got that link? You think that that is unsatisfactory?—Certainly.

18663. Your Sub-Deputy Collectors at present are on a provincial list; they are appointed by the Local Government?—Yes.

18664. Could you not break them up into divisional lists and leave the Commissioner the power of appointing them as well as posting them?—I cannot see the necessity for it.

18665. Might it not avoid transfers and correspondence?—I cannot see the necessity of having six different series of Sub-Deputy Collectors; you have six divisions and you would have six different series of Sub-Deputy Collectors; I would recruit them for the general work all over the province.

18666. And therefore they are constantly transferred from one division to another?—Sub-Deputies are not constantly transferred from one division to another by the Commissioners; they may be transferred from one district to another.

18667. You told us that you saw no object in splitting up the Public Works budget and dividing a portion of it between divisions; at present have all the allotments for provincial work to be made at headquarters?—I believe so.

18668. Assuming that to be so, is it not likely that there is a considerable rush and that the divisions may not all get their fair share?—That would be so in any case.

18669. Would it not therefore be of advantage to give a Commissioner a certain sum for his division?—No complaints have come before me showing the necessity for that. It has not been discussed.

18670. Would you give the Commissioner power to invest officers with magisterial powers, subject to the conditions of fitness laid down by the Local Government?—Without consultation with the judge I do not think I would. In consultation with the Judge it might be considered; I should not like to commit myself definitely.

18671. Would you give Commissioners the powers of Government under the Land Acquisition Act—of course within certain pecuniary limits?—I think the procedure might be simplified.

18672. In the case of small areas of small value not included in growing towns might the Commissioner notify the acquisition?—Certainly.

18673. Might the Commissioner's powers in connection with District Boards and municipalities be increased; it has been suggested, for instance, that all such powers of outside control as are necessary over these local bodies, except of course the actual creation or suspension of them, should be given to the Commissioner instead of to the Local Governments except possibly in the case of certain large towns?—You mean that certain powers now possessed by the Local Government should be delegated to Commissioners; certainly.

18674. It has been suggested, on the other hand, that the non-official members might feel aggrieved if they were appointed by the Commissioner; is there anything in that?—There is something in it, but it might be lived down.

18675. Could it be obviated by giving Commissioners a sort of formula such as "I have been authorised by the Lieutenant-Governor to appoint you member of such and such a municipality"?—It might be tried; I would not say that it would meet the difficulty.

18676. Has the Commissioner sufficient say in the allocation of Public Works funds?—So far as my memory goes the budget goes through the Commissioner.

18677. As Commissioner or Collector did you ever have any difficulty in that respect?—No.

18678. Are you satisfied with your control over the forest officer?—Yes.

18679. Have you any idea as to the proper distribution of education work as between the Government and local bodies? Would you make over primary schools to the management of local bodies?—They are now under the management of local bodies.

18680. Is that a satisfactory allocation?—So far as funds permit.

18681. Then about middle schools and secondary schools?—I should not like to entrust them to the District Boards. The Government high school should be maintained by Government as a model for the rest of the district.

18682. Suppose it were proposed to start a new Government high school, or to aid some mission or other high school that had not been aided before; would the Commissioner or Collector be consulted?—Speaking from memory, I do not think he would be.

18683. Supposing that to be so, ought he to be consulted?—I am not sure whether the Collector—the District Officer—is not asked, but I do not think the Commissioner is. The District Officer certainly should be asked.

18684. Should the Commissioner have some say in the preparation of the educational budget as to what is needed for his division?—He might be shown the educational budget and asked whether he has any remarks to offer in regard to it. I remember that reports were sent to me when I was in charge of the Chota Nagpur Division by the Education Officer for any comments that I might like to make with regard to education as a whole before they were published.

18685. Was that with regard to his inspection of particular schools?—No, as far as I remember, it was with regard to the year's work.

18686. But were you consulted in the matter of future expenditure?—I do not remember. I would send him the budget for any remarks, but I would not keep the budget back until I got his remarks.

18687. You would put him on the same footing as he is now in the matter of the Public Works Budget?—Yes.

18688. Do Collectors tour sufficiently in Bengal?—As a rule, the Collectors tour as much as they can.

18689. The minimum prescribed is three months?—Ninety days.

18690. In Assam it is four months?—You must take into consideration the amount of their correspondence and other calls upon them, the correspondence

in Bengal is just double what it is in the North-West Provinces, and they have got about 48 districts to our 36, I think.

18691. If the pressure of work would allow it, should Collectors travel more than they do?—Certainly; I always travel myself more than that, and I try to impress it on other officers; I believe thoroughly in touring.

18692. What would you consider a reasonable minimum limit to impose?—One hundred and forty days. Say four or five months—not as matters now stand, but assuming that you provide the Collector with a staff which will enable him to get through the work; it would be absolutely impossible for him to do that now.

18693. Does the Sub-Divisional Officer have to tour?—Yes. His minimum, I think, is 90 days, too.

18694. Could he do more touring?—No, because he has so much magisterial work to do.

18695. Cannot he dispose of his magisterial work when he is touring?—No; the people if they want to employ a *mukhtear* have to pay him a great deal more to go out to camp than they would if the case was tried at headquarters. The people object, because they know probably that a complaint which has not the whole truth in it is likely to be broken down if tried locally.

18696. Would it be desirable to over-rule objections of that sort?—There would be very strong objections to-day to that, with regard to Sub-Divisional Officers dragging the unfortunate complainants and defendants out into camp.

18697. Would you be in favour of giving specially selected village panchayats the power of disposing of petty civil and criminal cases locally?—That would not always be safe because there is too much village faction; there are individuals here and there to whom you could depute power, but you cannot say that generally it could be done.

18698. Does your statement about factions apply to the whole province?—The parts of the province to which it would not apply are parts of the province—for instance, Chota Nagpur—where you cannot get a literate man to carry out the work.

18699. Not Orissa?—I have not served there. I am speaking of Bengal, Chota Nagpur and Bihar; that is more than three-fourths of the province.

18700. Could you group the villages so that the faction of one should neutralise the factions of another?—Then they would not know the village conditions themselves. The essence of giving powers to the headman is that he knows everybody in the village; you would lose your local knowledge by the grouping together of villages.

18701. You group for chaukidari and police purposes?—But you have the individual chaukidar who knows about every bad character in the village.

18702. But you have the chaukidari panchayat which has to perform certain functions?—It has to get in reports from the chaukidars of the different villages.

18703. Would it be possible to have a similar grouping for the disposal of petty cases?—You mean to have a panchayat of headmen of these villages to settle disputed cases?

18704. Headmen or other people from the panchayat?—I should be afraid of it. I do not think it would work.

18705. Would you be against the suggestion that has also been made to us that the villagers should be allowed allotments from which to carry out their sanitary work, drinking-water tanks, and village roads, and even schools, getting certain subsidies from the District or Local Board?—I would not be against that; it does not imperil the liberty of the subject in any way.

18706. Would not the faction you speak of tend to destroy the utility of control in respect of a well or a school, just as much as in respect of the disposal of a case?—No; it is not their interest to destroy a well, because they thereby destroy the water for themselves; nor is it their interest to destroy a school, because they would make it less useful for their children.

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18707. Then you think they could work together?—I think it is possible; I do not say that they could, but it is possible.

18708. Would you be in favour of trying the experiment?—Yes, in some cases in carefully selected villages.

18709. Your Local Boards in Bengal do little work?—Very little.

18710. Would you be in favour of giving them larger powers?—It is under discussion and, as far as I know, we are of that opinion.

18711. In Madras, for instance, the Sub-Divisional Boards, corresponding to your Local Boards, get half the land cess and certain other receipts; but in Bengal the Local Board only gets what the District Board chooses to dole out to it; would you be in favour of putting the Local Boards more on the Madras footing?—Yes, anything that would give them a certain knowledge of the income they would have to deal with, provided you alter the present system of election.

18712. Assuming that to be done, would you like to give the Local Board the functions which the District Board now has in regard to education, medical relief and sanitation?—I would give them a more assured position than they now possess.

18713. At present they only deal with petty roads and ferries and so on; in Madras they deal with primary education, sanitation and medical relief.—I quite agree that if the Local Boards are to be a success they must have more powers.

18714. And the people will then be more likely to take an interest in them?—That is so.

18715. Would you be in favour of trying to diminish transfers in some parts by making acting appointments depend more upon character than upon seniority. For instance, if a Collector goes upon leave and you have a Civilian in the district who is not next for promotion by any means, but who has had some years' service and is quite fit to run a district for a time, would you put him in?—Such a Civilian would be the Joint-Magistrate; there are very few Joint-Magistrates in any of our districts.

18716. In the matter of grading, the Joint-Magistrate corresponds to the lowest grade of Assistant Collectors in other provinces?—I cannot say that; they draw Rs. 900 and Rs. 700; there are two grades of Joint-Magistrates.

18717. Let us say that the man who was next for promotion according to seniority was in the first grade of Joint-Magistrates, and you had a second grade officer in the district?—Unfortunately we have not got it; if we had Joint-Magistrates the work would be better done and the transfers less frequent.

18718. Speaking generally, is it not desirable to reduce transfers by giving acting appointments as far as possible locally?—On the assumption that you have an efficient officer locally, yes, and it is so done with regard to Commissioners.

18719. Disregarding the fact that there is also an efficient officer senior to him some districts off?—An efficient officer on the spot should be appointed in the case of short leave—a three months' vacancy.

18720. I will assume that you have got more men; might you not extend your proposal of local selection to six months instead of three?—Possibly you might.

18721. Should larger powers be given to Commissioners and Collectors in the case of remissions and suspensions of revenue in Government estates?—They can suspend within the revenue year.

18722. Only within the revenue year; might not Commissioners have larger power than that?—It comes up so very seldom in Bengal; it is important in other provinces where they have not the permanent settlement.

18723. You said just now that one-third of the province was made up of Government estates?—What the raiyat pays to Government in Government estates is not looked upon as revenue, but as rent; the Government is in the position of landlord. I was talking of revenue in the strict sense of the word.

18724. In the case of Government estates you are in the position of zamindars?—Government is the landlord, as the people are its tenants; they do not pay revenue, they pay rent.

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18725. Have they occupancy rights?—Yes, just in the same way as on private estates; over the bulk of the province they are regulated by the Bengal Tenancy Act; in Chota Nagpur they have a special Act.

18726. Who deals with suspensions and remissions of rent?—The Commissioners deal with remissions of rent in Government estates.

18727. Do you suspend very often when you do not remit?—Yes; he goes up to the Board for the year afterwards, but they occur so seldom.

18728. Generally speaking, you do not think that Collectors and Commissioners need more powers in that particular matter?—It would not lessen the work; I am perfectly willing to delegate powers where necessary, but I do not see the necessity for this; the present system does not hamper them, because the need for their carrying out those matters occurs so very seldom.

18729. Is the principle under which decentralization should be conducted merely that of lessening work?—And making it more efficient; there is no necessity to delegate a power which is used probably once in five or ten years.

18730. Is not the principle rather that when there can be no objection to an officer having power, there is no reason for not giving it to him?—But you have not sufficient instances before you to show that there is no objection.

18731. Suppose a Joint-Magistrate is passed over for a Collectorship, would you debar him from an appeal?—I would put him then to serve in another division and see what the officer there said of him.

18732. Suppose the Lieutenant-Governor came to the conclusion that X was unfit to be a Collector, would you allow X to have an appeal to the Government of India?—No.

18733. In a Lieutenant-Governor's province is that not rather a dangerous power to be in the hands of one man?—I would not bar the man from promotion for ever. I would let him go to another division, and then if the Commissioner there reported that he was unfit I would retire him on a proportionate pension.

18734. His fate after one or more trials is to lie absolutely in the hands of the Lieutenant-Governor?—Supported by the advice of two Commissioners.

18735. You would have a sort of Committee?—No; the Lieutenant-Governor depends on the advice of his Commissioners in the first instance.

18736. Therefore if two Commissioners have said that X is not fit, that should be accepted; suppose one Commissioner says that he is fit and the other says he is not?—Then I would give him another chance.

18737. Take a man who is passed over for a Commissioner and feels, rightly or wrongly, that he has a very real grievance; are you going to allow him to appeal?—No.

18738. The appointment of members of the Board is now technically in the hands of the Government of India; that is to say, it requires their sanction. Do you see any necessity for that?—I think it will be better for the procedure to remain as it is now.

18739. In the railway case you mention of the Bengal and North-Western Railway, that it is not a railway under direct Government management?—No.

18740. Do you say that in a railway matter the Commissioner's opinions should at once prevail if he says that a bridge or some expensive work, say, wire-fencing, is necessary?—I do not say that it should at once prevail, but I should like to see the procedure altered so that frequent references to the Government of India would not be required.

18741. As long as railways are an imperial matter there must be references to the Government of India?—I am afraid so, but there is the fact that in railway matters a great deal of harm is done to the people by the present procedure.

18742. (Sir Sleyning Edgerley.) I should like to call your attention to Act I of 1903, that is, an Act by which in the second schedule a large number of delegations were made to the Government of Bengal; would that be an illustration of specific legislation for the purpose of delegation?—You mean specific legislation for specific subjects; yes.

18743. That Bill was introduced and specific permission to publish given on the 20th February 1903 (I am quoting from the Legislative Department proceedings); it was not referred to a Select Committee; it was finally passed on the 6th March 1903. Do you see any advantages in that procedure over a general Act of delegation with notification?—These were all things which were non-contentious; no one would for a moment think of disputing them; as far as I remember they were simply the substitution for an old defunct procedure of a modern one; that is to say, where you had "the Governor-General in Council" you put in "the Lieutenant-Governor." At the time it was imposed there was no such thing as the Lieutenant-Governor; the administration had improved since then, and no one had the slightest objection to the Lieutenant-Governor being substituted for the Governor-General in Council in these matters.

18744. Is the procedure that was followed in that case in any way better than the procedure would be under a general delegation Act such as I have suggested?—You could utilise this procedure just as effectively with regard to non-contentious matters.

18745. Would that not be much more trouble?—Yes, in so far as you could not do it except probably in the cold weather and the rains.

18746. Does this procedure, as followed in this case, give any advantage over the procedure that you suggest?—No.

18747. The public have just the same notice under your procedure?—Yes, just the same.

18748. Rather more?—I do not know about more, because this Bill has to be published.

18749. It was published and passed within fourteen days?—But they would not do that always; they knew that these things were non-contentious; this would not be a general instance.

18750. Can you always know *a priori* that things are non-contentious?—You can have a very good idea whether they are likely to be contentious or not.

18751. The Salaries Committee reported that the custom of introducing the words "subject to the previous sanction of the Government of India" into Acts was of comparatively modern origin; do you agree with that view?—Yes.

18752. Would it not be generally sufficient to legislate in the sense that action should be "subject to the control of the Government of India" in order to enable the Government of India to maintain effective supervision?—In some cases, yes; I would not adopt it universally.

18753. It has been suggested?—Yes, in some instances, not for general use.

18754. Could anything be done in the way of delegation in the sphere of executive administration, by devolving the powers and saying that instances of the exercise of the powers should be reported in periodical returns for the purpose of information and control?—In some instances it might be useful.

18755. Could that be made general use of?—No. Possibly there would be some instances in which it would be waste of time to do it; it might be considered on each delegation.

18756. You say that the functions of Inspectors-General should be those of "inspection and suggestion." What do you mean by the word "inspection"?—For instance, take agriculture; where you have got an experimental farm, it would be for the Inspector-General to inspect the farm, to see whether the work was being carried on upon proper lines.

18757. Should they be able to come into the provinces and make tours of regular inspection?—Yes.

18758. If they do that, should they inform the Local Government beforehand of their intention to come?—Certainly.

18759. And after they have inspected it, to whom should they report?—To the Government of India, sending a copy to the Local Government for information, unless of course there were confidential matters that they did not want to send.

18760. You suggest that the Inspector-General of Education, say, could come into a province, make an extended tour, examine everything, and report direct

to the Government of India?—Sending a copy to the Local Government. He is not under the orders of the Local Government; I mean that he should inform the Local Government beforehand that he was coming; I do not see why he should not; he is not giving any orders; he does not over-ride the Local Government in any way; he simply comes to see whether education is being carried on on proper lines, and if he does not consider that it is, to point out to the Supreme Government in what way it is not being properly done. He would send a copy to the Local Government, so that they might be forewarned of what he was saying; there might be some confidential things that he wanted to send to the Government of India first, and those he would not send copies of.

18761. You think he should be able to come in and obtain information and take it away and discuss it confidentially with the Government of India, about matters for which the Local Government is primarily responsible?—No orders are passed. My idea is that no orders changing the system should be passed until his views have been put before the Local Government and discussed by them.

18762. It was suggested to us in Burma that there is apt to be a very great deal of correspondence (and your suggestions would possibly promote it) by Local Governments having to be continually combating unsuitable suggestions made by officers who have not sufficient local knowledge to make their advice of real value?—Of course officers do sometimes make suggestions which are useless, because of want of local knowledge; I do not think that the system of reporting direct to the Government of India would add to such work.

18763. You say the Inspector-General exercises very important powers?—Apparently so, because they have the powers of advertising.

18764. You do not mean that they exercise any actual powers?—I do not mean that.

18765. I suppose you have seen schemes coming back from the Government of India for further opinion. We have been told elsewhere that there is a tendency to the growth of detailed criticism?—It all depends on the officer who at the time is at the Head of the particular Department.

18766. Do you think the Government of India chiefly reproduce their Inspector-General's advice?—No, I do not mean the Inspector-General, but the Head of the Department, who may be the Secretary, or may be the Member-in-Charge; very much depends upon him; some go into detail, others do not.

18767. Have you noticed in your tours any tendency on the part of your own provincial officers to look up to these Inspectors-Generals as Heads of their Departments?—I have not noticed any tendency of that kind.

18768. As between the Government of Bengal and the Government of India, might there be a system whereby the Government of Bengal should decide various matters which contravene the financial rules, such as the regulations in the Account Code and so on, and send up the instances of the exercise of their powers to the Government of India in periodical returns?—I think it would be useful with regard to departures from the Civil Service Regulations.

18769. Not as regards other matters also?—I cannot think of any other matters.

18770. Take the Forest Code or the Public Works Code?—Deviations from those are very infrequent; the deviations would occur chiefly with regard to the Civil Service Regulations.

18771. Are there not a good many references about the Public Works Code—desiring to get exceptions?—Yes, they may be numerous.

18772. Would you wait till you saw the burden was great before taking advantage of the system?—I would not initiate any change unless it was for the better.

18773. And you would require rather a severe experience in order to convince you that it was better?—I would not say a severe experience.

18774. You do not think that up to the present you have seen sufficient reason for a change?—Yes, as to the Civil Service Regulations I have. It might apply to others.

18775. Who pays for the Court of Wards' establishments?—The estates.

18776. What is the general charge for management?—Ten per cent. generally; in some cases more, in some cases less; on the average 10 per cent.

18777. Ten per cent. on the gross income?—On the yearly income—not on the arrears, but on the yearly annual demand.

18778. Would it tend to prevent transfers if you had a certain number of general-duty Collectors in order to meet leave and special duty?—That means a reserve staff, which we have not got at present. If you had a reserve staff, that would do; it is tantamount to what I want, that is, a larger staff.

18779. It would stop a good deal of the transfers of Joint-Magistrates?—Yes; I would not say off-hand that it should be adopted, but it is worth considering; it means a reserve staff which we have not got.

18780. In the course of your tours have you heard any sort of complaint that the recent police reorganisation has injured the prestige of the District Magistrate?—No.

18781. One suggestion we have had in different places is that it would be a great relief to the Collector if he were relieved of the charge of the treasury, and the treasury were really worked directly by the Accountant-General; do you think the relief would be great?—No, because all the Collector has to do is to count the treasury and the stamps, once in two months I think it is. I cannot see how it would relieve him except that he might be allowed to depute the examination of stamps and so on to some other senior officer. All the other treasury work is done by the Treasury Officer.

18782. You do not think there is much in it?—I do not think so.

18783. Have you any rule in this Presidency that when an officer is transferred from one linguistic division to another he must pass in the new language within a limit of time?—No, because he has to pass in two languages, one of which two languages is current in some portion of every division, for instance, Hindi and Bengali.

18784. He has to pass in two languages before he is regarded as a fully qualified Assistant?—That is so. I do not say that the two languages are current all over the province, but they are current in some portion, except in Orissa; but Uriya is a variation of Bengali, and once knowing Bengali you can learn it fairly easily.

18785. Have you had complaints about inadequacy of the staff from Engineers, Civil Surgeons or Education Officers?—I certainly have large complaints about education that there is not a sufficient staff.

18786. Is the medical staff adequate?—No, it is not what might be done; it is a question of funds.

18787. And the police?—Certainly not; it will take years to increase the police up to their proper strength; you cannot introduce things all at once; that is gradually going on.

18788. Do you approve the system of the appointment of the superior staff in the Forest and Public Works Departments by the Government of India; do they not appoint Conservators of Forests and Superintending Engineers?—Yes.

18789. Is that desirable or would a local *cadre* be better?—The local *cadre* is too small.

18790. In these outside departments, have you heard any complaint that the rates of travelling allowances are inadequate to enable the officers to travel?—Generally speaking, no; but in some few places they are; for instance, in the hills travelling is very expensive.

18791. And there are special concessions made?—Probably in some cases these are not enough, unless you say that a man has never to take his wife out with him; the wife's existence is always ignored by Government. You cannot expect a man never to travel without his wife, and if he takes his wife out on tour it becomes a serious expense to him.

18792. You are the Chairman of the Port Trust?—Yes.

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18793. Have you seen the memorandum of evidence that they have put before the Commission?—Yes.

18794. Do you personally agree with that?—Yes, it was discussed at a meeting of the Commissioners.

18795. For instance, as to the inclusion of a recommendation in favour of the transfer of the Pilot Service to the Port Commissioners?—I think there is something in it.

18796. (Chairman.) Is a considerable amount of time spent between the arrival of a question, say, before the Board of Revenue and its final settlement?—Sometimes; one always tries to get a question settled as quickly as possible.

18797. You said as regards conferences of Commissioners, that projects could be quite easily put off for a few months?—Not ordinary projects, but big projects which would involve the whole province and which could not be decided in a short time. Probably, if you started correspondence now between each divi-

sion you would not get the results arrived at in those particular areas before the time came for the conference.

18798. You told us the delegation could be put off—that in the course of years it might be possible to have a greater amount of delegation; may I take it that time is no object in the Secretariat of Bengal in regard to the Court of Wards for instance?—I am trying to improve it; it is a question of time to raise the officers up to their proper standard; that must require time. As soon as they are efficient the work will be lessened and my office will be decreased to a certain extent; I cannot decrease my office now; the moment I have worked them up to the proper standard they will have the full powers and I shall not check these budgets.

18799. I am not to take it from your evidence that time is of no consequence?—No, I am sorry if I conveyed that impression; I did not mean to do so at all.

(The witness withdrew.)

The Hon'ble Mr. WILLIAM CHARLES MACPHERSON, C.S.I., was called and examined.

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18800. (Chairman.) You are a member of the Board of Revenue in Bengal and have more particularly to deal with Customs, Excise, Income-tax, Opium, etc.?—Yes.

The financial powers of the Lieutenant-Governor of Bengal are, generally speaking, sufficient, but they may properly be enlarged so as to give the Lieutenant-Governor power to relax rates and a wider discretion under the heads specified in the list recently submitted by the Bengal Government, and specially in the matter of establishments (permanent and temporary), local, personal and travelling allowances, expenditure on residences of officers, and petty charges.

Generally speaking, the administrative powers exercised by the Lieutenant-Governor of Bengal are sufficiently wide. In the statutory control of revenue administration it is the exception for the Government of India to be the ultimate authority in this province. Ordinarily the Local Government, or the Board of Revenue, has final statutory control. In revenue administration less fettered control of survey and settlement work, more power in the alienation of land and land revenue, complete authority with regard to refunds, and more power with regard to appointments, should be conceded. So far, then, as regards delegation of statutory powers exercised by the Government of India in Bengal, there is no great need for a general Act of delegation such as Act V of 1868; and there would be obvious advantages in specific amending legislation, or at least in a full citation of Acts and sections and powers delegated. But a delegating Act, with safeguards, is required to permit of full and reasonable delegation of powers by the Local Government to inferior authorities.

There is no doubt at times a tendency in the departments of the Government of India towards excessive rigidity and uniformity. Much depends on personal idiosyncrasies and experience. In times past the Revenue and Agricultural Department of the Government of India has had insufficient knowledge of conditions in Bengal, and on a supposed analogy of other provinces, has pressed economies in the survey and record writing which, if accepted, would have seriously impaired the accuracy and value of the records. The Home Department is not always sympathetic in handling proposals regarding education.

As a measure of reform it is suggested that a Lieutenant-Governor of a province should not be finally over-ruled, in matters great or small, unless with the concurrence of His Excellency the Viceroy, and in important matters not until after discussion in Council. It is also suggested that orders of the Government of India disallowing a Lieutenant-Governor's proposals should more often take the form of suggestions, or at least be passed after giving opportunity to show further cause or after discussion unofficial or otherwise.

Except occasionally in matters of expenditure, there is not a tendency in the Imperial Secretariat to consider matters too much from a purely departmental standpoint; nor can I remember cases, unless one or two only throughout my service, in which I have

thought that the Government of India was unduly dominated by considerations of revenue.

The proper sphere of work for Directors and Inspectors-General under the Government of India dealing with departments which are primarily administered by Local Governments is to inspect and to advise. The instructions issued at the time of the appointment of the Inspector-General of Agriculture, Director-General of Education and Inspector-General of Excise and Salt were very suitable. It would be better to call such officers "Inspectors-General" rather than (as in the case of Education at present) "Director-General." Care should be taken not to dictate to, or overrule, a Local Government on the strength of advice given by an Inspector-General, until the Local Government has been fully heard.

The initiative in administrative reforms relating to the land in this province, excepting the Department of Agriculture, has come chiefly or entirely from the Provincial Government and its officers. So also with regard to municipal and local self-government. In reforms carried out under the head of police, criminal and civil justice, excise, emigration, sanitation, education and agriculture, the initiative has been divided. The Commissions, which have done so much to clear the ground for, and introduce, reforms, have been appointed, as is believed, to deal with defects pointed out and proposals made for the most part by the various Local Governments. Proposals for reforms submitted by the Bengal Government have often been improved by the Government of India; but remedial measures have also been seriously delayed by discussions between the two Governments. As instances of such delays may be cited the discussions which preceded the reorganization of the police, the discussions of the pending Bengal Local Government and Municipal Bills, the Calcutta Improvement Trust and the proposals for increasing the cadre of Deputy Magistrates and Deputy Collectors.

The right of appeal now granted in this province in respect to administrative action is not excessive, nor are such appeals numerous. I should be opposed to laying down that no such appeal should be admitted unless accompanied by a certificate from the Local Government that reasonable grounds of appeal exist. I would not curtail the right of appeal now granted to officers of Government against orders affecting them personally.

I am generally in favour of an extension of the powers of the Board of Revenue, Commissioners of divisions and District Officers in matters relating to revenue, general administration and Court of Wards. This subject has received much attention in Bengal in recent years.

The influence of the Bengal Government is not in the direction of excessive rigidity or uniformity, nor is the ordinary tendency of the Provincial Secretariat to regard matters too much from a purely departmental standard. The Bengal Government has never before been in so close touch as at present with its officers and with those leaders of the people who have a right to be consulted. This result has been obtained

by constant unofficial communications and conferences on all subjects of administration. Such unofficial communications and conferences should be continued and extended. I can remember no cases in which the action of the Provincial Government has been too much dominated by considerations of revenue.

The influence of the Commissioner of a division in Bengal is as strong as he likes to make it in all matters, unless in regard to Public Works and railway administration.

Executive Officers in Bengal do not come sufficiently into personal contact with the people, chiefly because they are too much taken up with desk work, also because they do not stay long enough in their charges. Relief can be given by increasing and improving the staff and establishment, and by the reduction of correspondence.

Executive Officers in Bengal frequently do not possess as much knowledge of the vernaculars as is desirable. They have to master two distinct languages, viz., Hindustani and Bengali, and if they serve in Orissa they must master three languages. In addition the province has many local languages and dialects. Greater conversational fluency and greater readiness in reading at least one language should ordinarily be required. But it would be possible to require too much in this matter. All persons have not the gift of tongues; and it may be remembered that Sir Ashley Eden, who was among the best of District Officers and administrators, is stated to have been a "poor linguist." Intercourse with the people is prescribed, but is not sufficiently required.

I have never served in a district which had a staff at all adequate for the work. The district staff should be strengthened. With regard to areas and charges, the first requirements are that the Patna Division and the Midnapur district should be divided, and that Sub-Divisional Officers should be appointed for headquarters sub-divisions.

The care taken in selection of Commissioners, Heads of Departments and officers of higher rank is ordinarily sufficient. Selection of District Officers would be more careful if it were practicable to require compulsory retirement of weak or otherwise inefficient officers.

Transfers of officers both of the Indian Civil Service and of the Provincial Executive Service are too frequent. Increase of the cadre, specialization of departments, allocation of officers to districts for fixed periods, and some regulation of leave would mitigate the evil.

I am not in favour of establishing Advisory or Administrative Councils for districts or divisions, with responsible functions. The District Officer has his district Board and Municipal Commissioners to deal with the business committed to it; and he frequently consults them collectively or individually on matters not immediately within their cognizance. District Officers and Commissioners of divisions frequently consult, formally and informally, the Associations and non official leaders of the communities. There is no need to lay down hard-and-fast rules in the matter; but neglect to take such advice, when it should be sought, should always be pointed out.

It is desirable to give respected residents of villages greater powers in the disposal of local affairs. This matter is being carefully considered in Bengal. The organization of such local authority itself requires a special staff.

18801. Are the financial powers of the Lieutenant-Governor sufficient?—I think so. In matters of establishments the Lieutenant-Governor's powers might well be increased.

18802. You say that the necessity of reference to the Government of India often prevents questions being brought forward. What kind of subjects have you in your mind?—The position of the Bengal Secretariat was very aptly described in a letter of the Government of India which referred to the question of the grant of special pensions. The Government of India said that in so many years they had only referred 25 cases of applications for special pension to the Secretariat. No doubt, there would have been more frequent grants of special pensions if the matter had been in their own hands. In the case of a Local Government it is too often a question, "How will the Government of India look at this question; will it go through?"

18803. Might that not possibly be a reasonable check upon the desire of the Local Government to give an excellent officer something more than he is entitled to?—No doubt there is much to be said in favour of the check, but improvements and progress are also impeded.

18804. The Board of Revenue acts in many ways as a sort of consultative body to the Lieutenant-Governor in this province?—Yes, not only as a consultative body, but they are a judicial tribunal with large powers. They are defined in the Regulation as the Lieutenant-Governor's confidential advisers.

18805. If their consultative position was more definitely recognised, could the administrative powers exercised by the Lieutenant-Governor be extended; it might be that the responsibility which is too heavy for one man might be increased, if there were three men, for instance?—I am not aware that in matters of fact importance the Lieutenant-Governor has in fact smaller powers than the Governors in Bombay and Madras who have their Councils to help them.

18806. You do not think that the responsibility is too great for one man?—I do not.

18807. You say that there is some tendency in the departments of the Government of India towards rigidity and uniformity, and that they have not sufficient knowledge of the conditions in Bengal and so on; would not one way of getting over that want of knowledge be to demand statistics and information?—The way to get over it is to leave more control as to details in the hands of the local authorities. For instance, officers with great experience in settlement in other provinces wished to apply their experience to the conditions connected with Bengal settlement work, but in Bengal it was considered that the analogy was not complete, and the economies that were suggested were earnestly deprecated.

18808. Have you noticed any tendency on the part of the Government of India to increase their knowledge by periodical demands for information?—I should say that the tendency was checked in Lord Curzon's time.

18809. Has it sprung up at all since then?—No.

18810. Do you in this Government make too many demands on the time of local officers?—I think it is our constant effort to control any tendency in that direction.

18811. Notwithstanding your efforts, might your demands be still further curtailed?—I think so; since conferences of Heads of Departments and Commissioners were instituted four years ago, very useful work has been done with regard to delegating powers and cutting down reports, returns, and correspondence.

18812. We have been told that a great deal of information is demanded by the Board of Revenue in the way of periodical returns; has any systematic attempt been made by the Board of Revenue to go through the returns required from local officers?—It was done very thoroughly in the years 1902-03. From time to time since in particular departments the reports have been overhauled and considered in isolated cases, not in the mass.

18813. Are there still outstanding returns which might be dispensed with?—I think it is quite possible that some pruning might be done. I was, perhaps, wrong in saying that the work had not been looked at in the mass, because we had a Committee sitting a year or two ago which enquired into the whole work of the District Officers. The fact is that pruning and examination of the returns and reports is constantly going on under the examination of the superior inspecting officers, whether it be the Board or the Commissioners of divisions. I suppose hardly a month passes without their considering some return or report. The improvement of the form and matter of the report is discussed, and suggestions are made in the way of reduction.

18814. Without any corresponding subsequent attempt in another direction?—I hope not. I should say that a great deal has been done apart from Lord Curzon's orders in that direction.

18815. Do you agree with the evidence of the previous witness with regard to the work of Directors and Inspectors-General?—Generally I agree with Mr. Slacke's evidence.

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18816. Is there anything which you would wish to say in addition?—No, my experience with regard to the help and advice given by Inspectors and Directors-General is altogether favourable, and I would not wish to be without such assistance.

18817. With regard to one particular item of their work, Mr. Slacke stated that a Director-General would consider whether work was being carried out on proper lines; supposing in the opinion of the Director-General the work was not being carried out on proper lines, would you agree that he should report to the Governor of India to that effect?—He is bound to report to the Governor of India.

18818. What is the action in the case, say, of the management of a farm—is the Government of India to interfere with the discretion of the Local Government in such a matter?—I am not sure that it is part of the province of the Government of India to go into the details of the management of a farm: they would advise, and in some cases it is very hard to distinguish between details and principle.

18819. Suppose the Government of India were to write and say "Our Inspector-General says such and such a farm is not well managed" and the Local Government wrote back and said "We disagree, it is well managed," would the correspondence cease there?—I think so in the case of an experimental station. But I can hardly conceive that the Local Government would not adopt the advice of the greatest expert in India with regard to the management of a farm.

18820. Are you in agreement with Mr. Slacke that curtailment of the right of appeal would be a doubtful proceeding?—I see no necessity for it; so far as regards statutory appeal, there is very little to the Government of India.

18821. With regard to questions of revenue and so forth, are you in agreement with him that any curtailment of appeals would be unwise?—There is very little that goes to the Government of India in the way of appeal in revenue matters. I have never seen any harm come from the existence of such powers of appeal as there are.

18822. Do you also agree that transfers of officers are too frequent?—Yes, certainly.

18823. And that the knowledge of the vernacular is too limited?—Yes, it is too limited.

18824. And that the time during which an officer ought to be kept in a district should be at least three years?—I think that is very desirable.

18825. Would you put any limit, ordinarily, on the stay of an officer in a district?—I would not put an absolute limit. I have known an officer stay for 12 years in a district and do much good there, but five years is about as reasonable a period as can be fixed.

18826. Would that apply not only to Collectors but Commissioners?—I would apply it to officers generally.

18827. Do you also think that the staff of officers is insufficient?—I have never served in a district in Bengal which has had a staff at all adequate for the work.

18828. Should any increase be in the higher or in the lower Services?—In both—in both the Imperial and the Provincial Services.

18829. Do you wish to see an increase in the number of Joint-Magistrates?—Yes.

18830. In what rank of the lower Services should the increase be?—There should be an increase of Deputy Collectors.

18831. You are not in favour of Advisory or Administrative Councils?—Not for District Officers at all events.

18832. Or for Divisional Officers?—That is a matter more open to discussion. The District Officer has to act more promptly: he is a Magistrate, and his functions are largely executive, while the Commissioner's functions are more administrative, and he has more time to act. I think the work of a district, so far as it can be made over to a Council, is sufficiently provided for in our Local Self-government and Municipal Acts, that is to say, much work has already been made over to District Boards and municipalities.

18833. Do Commissioners at the present moment consult the residents in their division?—Certainly.

18834. Do District Officers do the same thing?—It would be very exceptional to find that a District Officer had cut himself off from discussion with the people who ought to be consulted in his district with regard to any measure in which he was going to take important action.

18835. Is sufficient care now taken with regard to the selection and promotion of officers in the province generally?—Great care is taken so far as the weakness of the staff permits in making selection of officers, not only for particular appointments, but for particular districts.

18836. Do you agree with your colleague who said that the weakness of the staff necessitated not so much the passing over of an officer not sufficiently qualified, as his promotion to a less troublesome district?—I agree that the result of the paucity of the staff compels you to send a man to a less important district, though you do not refuse him the appointment altogether.

18837. And all the evils consequent upon frequent transfers then follow?—It aggravates the position.

18838. You would like to see something done in the way of giving powers to village communities?—Yes, I think it is the hope of the future. We have not much left in Bengal now in the shape of a village community in the sense of an indigenous institution. I think there must be new development in that way.

18839. What size should such villages or groups of villages be?—It is exceedingly difficult to say, because if you increase the size of a community you lose the local knowledge which is so often useful. Experiments have been made with big unions. In big unions you have more choice of good men, while in favour of little unions it is to be said that you get the men who know about all the local affairs. The general feeling, perhaps, in the province is in favour of 10 *chaukidari* beats, representing, perhaps, about 5,000 people for a union.

18840. With a community of that size might you make an experiment in the way of self-government in regard to local matters?—I should be prepared to make experiments on a much smaller scale than that if there were the funds and the means of organization.

18141. With what size village would you make a beginning?—In a district like Hooghly where the people are advanced you might find in a village of 500 or 1,000 some intelligent persons who would be quite competent to look after the sanitation and perform minor magisterial duties, while on the other hand in Chota Nagpur and Bihar you might not find them in a village of 5,000.

18842. Are you prepared to see an attempt made to revive village autonomy within the limits you suggest?—I would prefer to say "develop village administration" rather than "revive village autonomy"; it is doubtful whether we ever had autonomy in villages over a great part of Bengal.

18843. (Sir Steyning Edgerley.) With regard to the general Act of delegation, do you say that there is no great need for an Act as between the Government of Bengal and the Government of India?—Not in revenue matters; there are not many statutory powers of the Government of India in revenue matters, or so many as to require a delegating Act as between the Government of India and the Government of Bengal.

18844. Supposing such an Act applied to all departments, would it then be useful?—Such an Act would be useful if you mean generally as between the Government and its officers. The Government of Bengal and the Board of Revenue have almost plenary powers under Statute in regard to revenue matters.

18845. Then you limit your remarks to revenue matters?—Yes.

18846. But there are a great many matters outside revenue, in which you think such an Act would be useful as regards the whole sphere of administration of Local Governments generally?—I think it probably would be useful.

18847. Could it be sufficiently safeguarded in the way Mr. Slacke suggested?—I understand that Mr. Slacke said that he would allow the Government of India to decide after hearing public opinion—that was his solution.

18848. An invitation by notification of objections and the sanction of the Government of India to the proposed delegation after consideration of the objections if unimportant, and if there was a large amount of objection, then recourse to special legislation. Would that be a reasonable solution?—I think so.

18849. And would an Act, similarly safeguarded, *mutatis mutandis*, between the Government of Bengal and its subordinates, be useful?—I think so with reference to the statutory powers existing. I do not say that this is the best way of delegation, because I think the best way is to provide for delegation in the Act dealing with the subject. There are, however, so many Acts under which officers exercise powers that without a general delegating Act there might be almost interminable discussion in the Legislative Council as to what powers should be delegated to Executive Officers; I think in any new Acts we ought to provide who should delegate and to whom.

18850. As regards Inspectors-General, if they report to the Government of India and the Government of India takes action, are you not coming very close to direct administration by the Government of India on the advice of the Inspector-General?—That would be so if the Local Government had not full opportunity of replying to anything the Inspector-General had to say in the way of criticism and advice, or if the Government of India interfered over much in details.

18851. When the Inspector-General tours and forms conclusions as regards any matter in connection with the administration of provincial Governments, what is your objection to allowing him simply to report to the Local Government?—That would be very desirable indeed. My experience is that Inspectors and Directors-General have taken the Local Government fully into their confidence as to what they are going to say to the Government of India in respect to the faults they have found, and where they would advise amendment.

18852. But why should the Inspector-General report at all to the Government of India in a matter for which the Local Government is responsible; why not leave the Local Government to deal with the Government of India?—It is very desirable that the Local Government should be informed; but one reason for the existence of Inspectors-General is to keep the Government of India also informed, and without their experts they might fall behind.

18853. Do you mean that it is to increase the efficiency of the control of the Government of India?—Certainly, and also their knowledge.

18854. Would you agree that the first function of these expert advisers is to increase everybody's knowledge?—Certainly.

18855. And if they improve the knowledge of the Local Government with regard to the technical factors of any problem, might not the Local Government usefully be left to deal with the whole problem?—Yes, often that would be the desirable solution.

18856. If an officer goes for a few weeks to a province and only reports to the Government of India, he might make mistakes; and if the Government of India took action the result would be a long correspondence, the object being merely to convince the Government of India that he had misunderstood local factors of the problem?—Yes.

18857. Would not all that be saved if the officer might report to the Local Government?—I think the Local Government would be quite content if he reported to them without his being fettered in any way as to giving full information to the Government of India. There is, of course, a risk of misunderstanding.

18858. Otherwise, apart from that risk, are these officers useful?—Most useful; I have had experience of the visits of the Inspector-General of Education and the Director-General of Agriculture, and other officers.

18859. Have you noticed any tendency on the part of local officers to look to Inspectors-General as the Heads of their Departments?—They are bound to look to the Director-General of Education, for instance, as the Head of a Department. They must treat his recommendations with proper respect.

18860. Of course they would treat the opinion of any expert with respect, especially that of a person

with such wide experience, but evidence has been given that the Sanitary Commissioner of a Local Government had written past his Government to the Sanitary Commissioner to the Government of India with regard to matters of pay and prospects which had nothing to do with expert advice as to sanitation—what would you say with regard to that?—That might have been injudicious.

18861. Similarly, I believe, there has been an instance in the United Provinces with reference to the Director-General of Agriculture; have you seen any tendency of that kind in Bengal?—I have not seen any such tendency.

18862. Should it be repressed if it exists?—I think it should be repressed if the local officer in any way gives the Local Government the go-by.

18863. You are considerably impressed by the inadequacy of the staff, both Indian and European?—Very much so.

18864. As to the European staff, would you say that that is dangerously weak, politically?—I find it difficult to answer that question. We have always governed India with a comparatively small staff.

18865. Would you say, looking to the result arising from the inadequacy of the staff, that, in a great measure, the staff is dangerously weak?—I think one might go so far as to say that great inefficiency might cause such discontent as to give a handle to political agitation.

18866. Is the power of a District Officer suffering owing to the tendency of modern administration to specialise?—If you refer to influence in his district, it is not what it was 20 or 30 years ago, but I do not mean to say that it is undesirable or an evil that his power should have waned.

18867. Is that an evil?—I have not noticed any evil results. Much depends upon the personal character of the officer—a strong District Officer has still great power for good or evil in his district.

18868. Is the European element in other Services too weak, taking, for instances, the Civil Surgeon and the Educational Officer and so on?—Those Services generally are not strong enough; I am not prepared to say that there should be a greater percentage of Europeans either in the Medical or the Public Works Department, but they are numerically weak Services.

18869. Could that weakness be remedied sufficiently by recruitment in this country?—I could not say with regard to those two Services; they are both numerically weak.

18870. (Mr. Meyer.) In Eastern Bengal the Deputy Collectors, who used to deal with excise in conjunction with other duties, are about to be replaced by a regular excise staff of superintendents: is that so in Bengal also?—We are now formulating our proposals, and there is much divergence of opinion in Bengal as to whether a close Service should be formed for excise administration, or whether we should continue to do the work by recruiting from the general line.

18871. The objection to that was that the men were constantly changing?—And that the Excise Service gets the bad bargains.

18872. Assuming that the excise superintendents are constituted, it is not intended to diminish the control of the Collector over general excise administration?—By no means.

18873. It has been laid down by the recent Excise Committee that the excise superintendent or the chief excise officer of the district should stand very much in relation to the Collector as the District Superintendent now does?—Yes, no one in Bengal wishes to diminish the responsibility and duties and powers of the Collector in the matter of excise.

18874. In matters of excise administration does the Collector come direct under the Excise Commissioner?—Yes.

18875. But it is laid down that the Divisional Commissioner shall be consulted on all questions of policy which affect the well-being of the people generally?—It is emphatically laid down in the orders of the Bengal Government that there is to be no change of policy, or important discussion upon any excise question on which the Commissioner of the division should not be consulted.

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18876. Does that give the Divisional Commissioner sufficient control with regard to excise matters?—It does.

18877. With regard to the Government of India and the Secretary of State having to be addressed as to allowances for overtime and attendance, and so on, would the need for reference disappear with a larger margin to the Local Governments in regard to powers of sanction?—That is so.

18878. In the Board of Revenue, is the necessity for one member consulting his colleagues, when it comes to possibly over-ruling a Commissioner on an appeal, laid down by Statutes or by departmental order?—It is laid down by Statute. There is a distinction between an exercise of the Board's statutory and executive powers. In exercising its statutory powers on appeal one member of the Board must not over-rule the Commissioner, and must not pass a final order without the concurrence of his colleague.

18879. But in the exercise of his administrative functions he may?—He may and he does.

18880. What you call statutory functions are mainly appeals under the Revenue Law of the province?—Exactly.

18881. But you could over-rule a Commissioner in a matter of excise policy, and so forth without consultation?—Yes.

18882. And in matters which are regulated by separate Acts do you over-rule a Commissioner on your own single responsibility?—A Commissioner has been over-ruled by a single member on applications made under certain Acts; but my practice is to consult my colleague before over-ruling.

18883. But you need not do it?—There is occasionally some doubt about the matter.

18884. As a matter of fact, has a Commissioner never been over-ruled unless the two members of the Board agreed?—It is very rare for a Commissioner to be over-ruled in the matter of an application under an Act on the strength of one member's decision only.

18885. To take a question such as the dismissal of a head-clerk; if the man appeals to the Board would a single member over-rule a Commissioner and reinstate him?—That is permissible; but in practice the members often consult one another.

18886. Do you agree with Mr. Slacke that the system of noting, as between the members of the Board and the Government, introduced by Sir Andrew Fraser, has proved successful?—Generally speaking, it has been very advantageous.

18887. Do you also agree with him that it must inevitably tend to merge the Board's offices in the Secretariat?—Yes, to a large extent, but not entirely; because the Board in many cases is the final tribunal, and the Board must have under existing conditions a separate status from that of the Local Government. It is as much a separate tribunal as the High Court is.

18888. But that would not affect its clerks working along with the Government office clerks?—No.

18889. Is it not inevitable, under this system, that the Board need not have a separate clerical establishment, but that there might still be a Board's Secretary?—To a very large extent. The proposal that the Board's Secretary should be made a Deputy Secretary to Government was not allowed; it was held that the functions were to a large extent separate.

18890. With regard to a general delegation Act, you heard Mr. Slacke's distinction as to ordinary administrative matters and matters which affect the liberty of the subject, and that he was against any general Act giving a general power to the Local Government or anybody else; he wanted a delegation Act with specific schedules or sections showing what powers might be delegated. Do you follow him in that distinction?—I think it would be very hard to draw the line. Nearly all administrative action touches the liberty of the subject in one way or another.

18891. It is a little like detail and principle?—Yes.

18892. But still, if you could draw a distinction, would you make one, or would you stick to the general proposition that a delegation Act is better?—I am not sure that the distinction is quite sound.

18893. Do you agree with Mr. Slacke that Commissioners should not have separate Public Works

budgets, but that the provincial Government should have charge of the budget and that it should be distributed amongst the Commissioners?—I have never seen any need for the change.

18894. Do you agree with him that there is no necessity to break up the Service of Sub-Deputy Collectors and give the Commissioners powers to appoint Sub-Deputies?—We have practically come to the appointment of Sub-Deputies by Commissioners, because they are appointed on the nomination of Commissioners by the Local Government.

18895. That being so, might you not go a step further and recognise the position and leave appointments to Commissioners?—I think the Service is too important.

18896. In practice are Commissioners' nominations nearly always accepted?—Some Commissioners' nominations are accepted.

18897. Do you mean that sometimes the recommendation of Commissioner A. is accepted, but not the recommendation of Commissioner B.?—Yes.

18898. Do you agree that Commissioners should have the power of posting Deputy Collectors and junior Civilians below the rank of Collectors within their divisions?—The time may have come for allowing Commissioners to post Deputy Collectors and junior Civilians as they post Sub-Deputy Collectors, but the question is one of staff. When the staff was very inadequate, the Chief Secretary had to make the best he could of it, and the power could not be delegated, but with the strengthening of the staff it might be possible to make the work over to Commissioners.

18899. And if so would it be desirable?—Yes.

18900. Do you agree that subject to the concurrence of the District Judge, the Commissioner might be entrusted with the investment of officials with magisterial powers?—I do.

18901. And that he might take the place of the Local Government in land acquisition matters?—That is a more difficult proposal, because the taking of a very petty piece of land for a local authority, or for a public purpose, might raise a question of principle just as much as the taking of a large area. I should prefer to examine the question carefully. Some right of appeal would have to be given if any authority short of government sanctioned an acquisition.

18902. Do you agree that the Commissioner should take over, speaking generally, such outside control as has to be exercised over District Boards and municipalities?—Yes; the last word should ordinarily rest with the Commissioner.

18903. From the Government point of view, would you think the Commissioner alone would be sufficient?—I think it is reasonable that a public body should have the right of having a matter put before the Government.

18904. Would you leave the ordinary action of the Commissioner with a power of appeal from him to the Local Government?—That is how the Act leaves it; in many cases the Commissioner has power of control against which no doubt District Boards and municipalities could appeal, and they do appeal.

18905. You say that the influence of the Commissioner is as strong as he likes to make it in all matters; and you have said that you do not see the object of giving a Commissioner power with regard to Public Works—how do you propose to strengthen his influence?—I did not understand that I was asked to advise as to the Commissioner taking a larger part in Public Works administration, but as to whether it would be advisable or not that the Commissioner should have a separate budget for his division. It is desirable that the Commissioner should see the Public Works budgets of his Superintending Engineers.

18906. Mr. Slacke said he did see them?—A Commissioner can see anything he likes, but it would be unofficial; it is not an official rule that the Superintending Engineer shall submit his budget to the Commissioner of the division.

18907. Should it be made an official obligation on the Superintending Engineer to submit the budget?—Yes, I should like to see that laid down.

18908. Do you accept Public Works and railways from your general statement that the Commissioner's

influence is as strong as he likes to make it?—I am thinking of a case where the Commissioner of Patna and all his District Officers were unable to make any headway in their protest against the administration of a local railway and particularly in regard to a matter of drainage in which they thought the public interests were suffering.

18909. Do you agree with Mr. Slacke's answers to my questions regarding district organization?—Yes, but I should like to add that often the Sub-Divisional Officer performs very useful revenue functions, such, for instance, as the giving of agricultural loans, the management of Government estates, the recovery of public demands, and so on.

18910. Mr. Slacke said that, subject to certain work being done at Government headquarters, he was in favour of a greater amount of territorial jurisdiction in the way of revenue matters and that there should be more Sub-Divisional Officers employed in revenue work; is that your view also?—There is disadvantage, as well as advantage, in concentration of work. If you have revenue work concentrated at headquarters in the hands of an officer who thoroughly understands it, it may be that the public gains by the work being more efficiently done; if you distributed it to sub-divisions you would undoubtedly have to increase the staff largely, and you would prevent that specialization of magisterial and revenue work which is going on and which is likely to come about more and more.

18911. On the other hand, you would save travelling for long distances?—I attach great importance to that in the case of certain parts of the province where there are numerous peasant proprietors; the peasant proprietors in Behar would undoubtedly see considerable advantage in a decentralization of work whereby they would be able to register their titles and pay their revenue at the sub-divisions.

18912. We were told with regard to the collection of land revenue that the zamindar preferred to pay his revenue at headquarters where he had his agents; would that apply in the case of small proprietors?—It would not apply to small proprietors.

18913. And you have a good many of them in Bihar?—Yes, we have scores and thousands of them.

18914. There is also an advantage in having your officers scattered more about the district where they would be in touch with local conditions?—That would be a great advantage.

18915. Might not those advantages outweigh the efficiency which you get by specialization at headquarters?—I think they would, but it would all cost a great deal of money, and a large increase of staff and new buildings.

18916. Apart from the cost, would you approve of it?—Yes.

18917. Might you not diminish the cost very largely by utilising your tahsildars and converting your Sub-Deputy Collectors into local officers with a circle jurisdiction within each sub-division?—Of course we should fully utilise the Sub-Deputy Collectors.

18918. At the present time your Sub-Deputy Collectors are all either at the district headquarters or sub-divisional headquarters?—Yes, but they do a great deal of touring besides.

18919. Might not an increase of establishment be largely met from the Sub-Deputy class?—Not largely; they would not count largely against the additional cost, but they would, of course, be utilised.

18920. Do you also agree that it would be very desirable to reduce the Collector's work so as to enable him to tour from four to five months in the year?—Most desirable, but many Collectors do tour from four to five months in Bengal.

18921. But you must have a minimum limit, which would enable you to deal with the people who do not like touring?—Yes.

18922. I understood from Mr. Slacke that, if the circumstances allowed it, he would like the three months raised to four or four and a half months; would you be in favour of that?—In a large district that is not an unreasonable period for a Collector to spend away from his headquarters.

18923. And that the touring period of Sub-Divisional Officers should be similarly increased?—Yes; there is

no objection to raising the number of days of tour if the Sub-Divisional Magistrate could get help at his headquarters to get through his cases.

18924. Do you not think it would be as well to encourage Sub-Divisional Magistrates to try cases *in situ*?—They try many of their cases in camp, and some *in situ*.

18925. But they try a good many at headquarters. If they toured more might not they deal with more cases locally?—Yes, certainly: it is always an advantage to try a case on the spot.

18926. As to village panchayats, you and Mr. Slacke are somewhat at variance. Mr. Slacke said he would not entrust powers to single villages with regard to petty civil and criminal cases because of the existence of factions; do you agree with that?—It all depends on the men you can get.

18927. Could you get men you could trust as single panchayats?—We have many Honorary Magistrates who sit singly, and dispose of a large amount of work in the province.

18928. I am speaking more of petty cases which might be given preferably to a panchayat?—There is an enormous amount of work to be done in that direction, but it means organisation; it means having officers to go about and make themselves thoroughly acquainted with the people of a locality, and find out who are the proper people to exercise those functions there.

18929. Is the existence of factions likely to prejudice that generally?—That must count in many villages.

18930. Therefore, from your point of view, would it be a question of fact whether in each particular village the factions were such as to make it desirable to give local autonomy to that village or not?—Factions need not seriously interfere with giving powers to local residents as to sanitation and as to certain police matters.

18931. I was speaking rather with regard to the disposal of petty civil and criminal matters?—That might be more difficult.

18932. Speaking generally, if you could get a village fairly free from faction, would it be better to give powers to the panchayat of that village alone, or to a group of villages?—I believe in dealing with small areas rather than large ones.

18933. And the smaller the better, for those purposes?—I think so.

18934. You approve of the existence of Inspectors-General, and you admit that the control of the Government of India is necessary in matters of general policy?—Yes; I agree that their control is necessary.

18935. And that Inspectors-General are the means of bringing to the notice of the Government of India such questions as they think the Government of India should be apprised of?—Yes.

18936. Do Inspectors-General, as a matter of fact, interfere in details; would one, for instance, come and say to you, "You have not enough cows in this particular dairy"?—Yes, certainly, where anything was wrong.

18937. That, however, would not be a matter in which the Government of India were primarily concerned?—Surely not.

18938. On the other hand, if he found that the farms all over the province were being run on a wasteful system, it would be his duty to bring it to the notice of the Government of India?—Yes.

18939. Therefore, might he not confine himself, in regard to details, to bringing the matters to the notice of the Local Government?—It depends on how much the Government of India want to know.

18940. Might it not possibly be a satisfactory solution that he should send a detailed report to the Local Government, mentioning anything in the matter of detail which he thought might be remedied, and that the Local Government should report such matters as they thought the Government of India might want to know about generally?—He should tell us all he has to say; what the Government of India want to know is for them to determine.

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18941. Would you be satisfied if the Government of India told him not to trouble about details but to discuss them with the Government of Bengal?—That would be common sense.

18942. You have mentioned various matters which had been delayed owing to discussion between the Government of Bengal and the Government of India, but is it not useful that there should be delay sometimes in legislation?—Yes, very useful.

18943. Some three years ago did not the Government of Bengal send up a new Excise Bill to the Government of India?—I think we first sent up proposals for amendment of the Bengal Excise Act more than ten years ago.

18944. But the Bill was recast by various Lieutenant-Governors, and the present Lieutenant-Governor sent it up in 1904?—Yes.

18945. And the Government of India sent it back with some criticism?—They did, and very much improved it.

18946. Then, finally, the Excise Committee said they considered the Bill a bad one and advised the Bengal Government to go on entirely different lines?—And we have now recast it on the lines suggested by the Excise Committee; but I am not at all sure that it would not have been better to have had an imperfect Act 10 years ago rather than to wait 10 years for a better Act.

18947. Has the rule to which you refer with regard to appeals stopped a good deal of work?—I do not think so; it was not my experience that appeal work was excessive before we revised our rules.

18948. (Mr. Hitchens.) Is the principle with regard to provincial administration, that in administrative matters the province has as free a hand as possible?—That is a principle to be generally accepted.

18949. But it has to be qualified in certain ways, and one of those ways is that it is desirable to have uniformity as between one province and another?—Yes.

18950. With regard to travelling allowance, would you say that possibly some uniformity was desirable?—Certainly, on the whole, with exceptions arising out of the fact that travelling is more expensive in some districts than in others.

18951. Is the general principle of travelling allowance that you should reimburse the officer concerned his out-of-pocket expenses for travelling?—It is the first principle of travelling allowance in India that it must not be made a source of gain, but that it must cover all proper expenses of travelling.

18952. Having laid that principle down, do you think that a major province with a Lieutenant-Governor or a province with a Governor-in-Council is incapable, with the advice of all the officers under him, of devising a scheme which would carry that out reasonably?—I think it is well within the capacity of a Local Government to devise such a scheme.

18953. If such a Government is told to prepare a scheme whereby an officer is to be reimbursed his out-of-pocket expenses, would it be able to do it?—Yes.

18954. Therefore is there any necessity for any further uniformity as between one province and another?—I think differences would develop very quickly, but that you might leave each Local Government to decide.

18955. Would it matter much if there were one scale of travelling allowance in Baluchistan and another in Burma, for instance?—Probably it would not matter.

18956. Would it matter if you had one scale in Lower Bengal and another in Eastern Bengal?—I suppose there would always be a tendency to level up; there would be discontent in any province if there was some notable difference as compared with the condition of things just over the border.

18957. Then one of two things in that case must happen; either one Government has made much too low a travelling allowance, or the other too high a one?—Yes.

18958. Would you be in favour of letting each province fix its own allowances subject to a general principle?—Yes.

18959. Would you say the same with regard to a local allowance?—I think that in the case of the higher officers I would leave that with the Government of India.

18960. What is the object of a local allowance?—It is to compensate for living in a particular place, or for particular disadvantages, such as an unhealthy station, or duty, or for specially arduous work.

18961. Which should be the authority to say what the extra expense of living in a particular place is—the Local Government or the Government of India?—Undoubtedly the Local Government has most knowledge of the facts.

18962. Given that you can trust your Local Administration, is it not enough to say that a local allowance should merely cover the extra cost of living, and would they not have the common sense and integrity to carry that out reasonably?—You would have much greater variety quickly developing in the matter of the grant of local allowances.

18963. Supposing all cases of the kind were reported to the Government of India for their information, so that they could see what was going on; and if it was found there was a great divergence they were to call together a small committee to consider the matter; would that not meet the difficulty?—It would meet the difficulty to a large extent.

18964. It would avoid any rigidity which might arise from the tendency which you indicate, to hesitate to appeal in certain matters to the Government of India?—Yes.

18965. On the whole, is that feeling of hesitation a good one or a bad one?—I think it is on the whole good.

18966. One must admit that mistakes are made by every department, and what one wants to get at is the best principal; is it best to select as good a man as you can get for a provincial Government and be prepared to trust his judgment, or is it best to hedge him round with conditions so that he cannot exercise that judgment?—I plead for more power for the Lieutenant-Governor in such matters.

18967. You say that a Commissioner should have more power with regard to Public Works, but what powers would you give him?—I would not give him a separate budget for his division with the last word; he should get from the Superintending Engineer the budget for the division and make on it his remarks and suggestions for the orders of Government.

18968. I understand that you are not in favour of Advisory Councils for District Officers or Commissioners?—I think there is more to be said in favour of Advisory Councils for the Commissioner under the present circumstances than for such Councils for the District Officer.

18969. Is there enough work for these bodies to do, assuming that they do not deal with matters which to-day come before District Boards and the Boards below them?—There is plenty of work, but it is not work which should at present be made over to an Advisory Council; it is much better that one man should do it without being compelled to call an Advisory Council to help him to make up his mind.

18970. Would there be enough work for such a Council meeting, say, once a month, in the division?—Yes, there is work enough.

18971. (Mr. Dutt.) With regard to what you said as to receiving help from Directors-General, to what did you particularly refer?—In regard to new ideas and the practice prevailing in other provinces which would be brought to the notice of the Director in this province.

18972. Has that helped the Bengal Government to shape, say, its educational policy to some extent?—I think so.

18973. Have you received any assistance from any other officer besides the Director-General of Education?—Yes, from the Inspector-General of Agriculture and the Agricultural Chemist; I have had a great deal of assistance from them.

18974. You said that you would like a general Act of delegation with certain safeguards, and you explained that the safeguards would be that when

any power was delegated there should be a Gazette notification of the delegation, and in case of opposition the case should be left to the Government of India to decide—am I correct?—That is one way of safeguarding the exercise of power. It has also been suggested that you might allow the Legislative Council to decide with regard to the delegation of powers.

18975. Would you do it by bringing in an amending Act?—The Legislative Council might be empowered to sit and consider the question of delegation.

18976. Would it be within its province to consider it unless it came before them in the shape of a Bill?—They might be formerly empowered; it could be provided in a delegating Act that the question of delegation should be considered by the Legislative Council sitting in committee.

18977. Would the safeguards which you suggest be any simpler in operation than the bringing in of an amending Act and passing it in the usual way?—There are so many Acts under which statutory powers are exercised that to deal with each subject, Act by Act, would mean an enormous amount of legislation.

18978. Could they not be grouped in a schedule and the whole thing passed in one Act?—I think there is much to be said in favour of a schedule.

18979. Would that not be a simpler way of providing the safeguards which you have suggested?—The simpler way undoubtedly would be the shorter cut, and it might be that a schedule would be a way of achieving the end more satisfactory to the public generally.

18980. So that on the whole you would prefer the latter course?—I should like to hear both proposals discussed.

18981. You said that under present arrangements some portions of the work of the Board of Revenue are likely to merge in the Bengal Secretariat?—I cannot foresee what is going to happen, but the tendency is towards amalgamation.

18982. Would that be a desirable result?—Yes.

18983. The Board of Revenue is to some extent a separate and independent body?—Yes.

18984. Would it be desirable that some portion of the work of that independent body should merge in the Bengal Secretariat?—I do not think it is desirable that important work at present done by the members should in future be done by Secretaries.

18985. That work you would keep separate?—There should be safeguards.

18986. At any rate, if the work of the Board of Revenue, or a portion of it, did disappear, would you suggest that the members of the Board should perform other functions and become colleagues of the Lieutenant-Governor, not only for the purposes of revenue administration but with respect to all kinds of administration?—It is advisable that they should be consulted so far as they have time to spare from their revenue duties, and in fact it is the practice in Bengal to consult them outside their revenue work.

18987. But that is only done occasionally?—It is only done occasionally.

18988. Would you like it to be made a rule that they should be consulted in all important matters?—No, I would not make it a rule.

18989. Or that they should become members of the Lieutenant-Governor's Executive Council?—I would leave that to the discretion of the Lieutenant-Governor.

18990. Is there any portion of the District Officer's work in which the advice of a formally constituted Council would be valuable to him?—Outside the District Board and the municipal authority, I would not say that there is no matter in which an Advisory Council could not give useful advice; an Advisory Council properly constituted could often give valuable advice.

18991. So that to that extent you have no objection to the formation of an Advisory Council?—There might be, and I think there would be, counterbalancing disadvantages in those branches of the work in which the District Officer at present acts without the help of the District Board and Municipal Commissioners.

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18992. Would the idea be to leave it to the discretion of the District Officer in matters where prompt action was necessary, but in matters which could wait and in which in the opinion of some of the leading people it was desirable, a meeting might be convened?—I would not bind him to convene an Advisory Council.

18993. And you would not nominate certain people as members of an Advisory Council?—Not at present; that would excite expectation and hopes which could not be fulfilled.

18994. Then would you leave the District Officer to consult people as he does at present?—Yes.

18995. If such a Council were formed would it make district administration a little more popular?—To a certain extent, yes.

18996. But you do not want to undertake it now?—No.

18997. You say that there are certain villages in which it is possible to create some sort of a panchayat and to impose some work upon them at once?—I hope there are many such villages.

18998. That depends on the advancement of the people?—Yes.

18999. In some places you would find it difficult to carry out such a scheme?—Yes.

19000. In places where matters were more advanced would it be advisable to take that work in hand now and to organise village panchayats?—Yes, the Bengal Government is now taking action in that direction.

19001. (Sir Frederic Lely.) You speak with approval of the specialisation of departments; you are not one of those persons who think that departmentalism is one of the deteriorating influences of the present day Government?—On the whole, no; I think that departments have at times done harm, but on the whole departmentalism has not been an evil in Bengal.

19002. You would admit that they represent a tendency which should be checked?—It should be very carefully watched.

19003. The one man who is above departments and who is also in actual touch with the condition of things is the Commissioner?—Yes.

19004. And he also is generally a man of greater experience than the Head of a Department. Therefore, would it not be a good thing to give him a certain amount of power to bring everything into line and to exercise control over outside departments?—The Commissioner in Bengal has much power of this kind.

19005. But this power consists only in the shape of being able to give an opinion?—He can bring any defects to the notice of Government. He sees budgets and estimates and annual reports.

19006. I am speaking now of education, excise, and medical work?—He sees them all; all the education budgets go to him from the inspector of schools; there is no important matter with regard to education upon which the Commissioner is not consulted and upon which it is not his duty to express an opinion; he is accustomed to visit schools of all kinds, and to interfere if anything appears to him to be wrong.

19007. Generally, has he any authority other than purely consultative?—He has power to object; he could not at once deal with a defect because he would have to write to the Inspector or Director of Public Instruction with regard to an educational matter; he could not pass orders at once correcting anything that was wrong unless in a case of friction between two departments, and then probably he would at once pass an order putting things right, for instance, between a District Magistrate and an education authority.

19008. Has he power to enforce his views?—No, I would not go so far as to say that.

19009. Has he sufficient power to induce him to take an interest in such matters as excise and education and their general effect on the welfare of the people?—I think so.

19010. (Chairman.) You say that he has not power to enforce his views, but would a strong expression of his views to any official concerned result generally in the attitude which he took up being adopted?—It would practically result in action being suspended, and the matter being referred to the Government by the

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Head of the Department or by the Commissioner himself; that is to say, if the Commissioner were in earnest he would take care that that would be done.

19011. (Sir Frederic Lely.) You say it would "practically" result—do you mean generally it would result?—Yes, generally.

19012. Are railway administrative matters of the utmost importance in Bengal?—Yes, and the drainage question is of great importance.

19013. Would it be too much to say that drainage is even more important than irrigation in Bengal?—It is quite within the mark to say that.

19014. Supposing it is alleged that a railway has blocked the waterway, and that the country has become waterlogged, and that a village, or more than one village, has been deprived of its supply, what steps would be taken to enquire into and remedy it?—It would first come to the notice of the District Officer, and he would make representations to the local railway official, who might, or might not, be sympathetic and take action; but if no action were taken, then the District Officer would represent the state of things to the Commissioner of the division, who perhaps would write to a higher railway official.

19015. Has the Commissioner no power to order a railway company to take action?—He has no power to give orders to railway authorities; he would probably refer the matter to Government or to the Consulting Engineers, if the Agent or Manager of a railway would not take such action as he considered reasonable.

19016. In such an important matter as that ought not the Commissioner to have power to order an enquiry at once?—I think that the Commissioner of a division ought to have that power.

19017. But, as a matter of fact, he has none?—He would have the power to direct the Public Works Superintending Engineer or the Inspector of Local Works to make enquiries, but he would have no power to direct the railway authorities to take any part in those enquiries. Of course he might order an enquiry independently of the railway authorities, but that would be undesirable. Even if an enquiry is held, the civil officers and the railway authorities might, perhaps, still be at issue, and then the matter would go to the Bengal Government, and finally the Bengal Government would represent the state of things to the Government of India, who would send down one of their Consulting Engineers to the place.

19018. Would all that take place before an enquiry was even set on foot, so far as the railway authorities were concerned, unless they were sympathetic?—Yes.

19019. And meanwhile probably the people would be dying of malaria and their crops would be ruined? Yes.

19020. Has the Railway Board no authority to intervene in a matter like that and summarily dispose of it?—The Railway Board has come into existence since I was a District Officer, and I do not know how far they have power to shorten matters.

19021. Should a District Officer have no connection with Public Works?—Public Works in Bengal means buildings and probably occasionally a provincial road; in Orissa it also means irrigation works.

19022. The Public Works Department, as to works, is in an entirely isolated position?—Not entirely; as Commissioner of Patna I have been in close touch with the Superintending Engineer, and files would go from my office to his and from his office to mine, so that we have been closely in touch with regard to any important matters going on; but the position is perhaps more isolated than it should be.

19023. Your connection with the Public Works officials was possibly more in the way of personal friendship?—To a great extent one gets over any defect in official rules by demi-official correspondence.

19024. What means of travelling has an officer in most of the districts in Bengal, and what means has he of conveying his kit about?—His kit must go in a bullock cart except where it can go by train.

19025. Is there any difficulty in getting carts?—Yes, it is becoming more difficult.

19026. Has it been found that some gentle coercion has to be used sometimes to obtain them?—Yes, I should say a good deal.

19027. Is that felt to be a considerable burden on the people?—Yes, even when they are paid the full and proper rates.

19028. Which is sometimes doubtful?—An officer must give his personal attention to paying for his transport or the people may not be paid.

19029. On the whole, then, a touring officer is not an unmitigated blessing to the people?—He is not.

19030. It is not enough to pass an order that a District Officer must be away from his house so many days in the year, but if he is to be of any advantage to the people, it should be arranged that he should only live in central camps and avoid small villages; are rules of that kind necessary?—The difficulty is not so acute that we need pass orders that a camping officer should only go to central camps; that would be a great discouragement to efficient camping, and I would let an officer go where he thought proper.

19031. If camping is attended with certain evils would it not be better to limit the touring to such time as would bring an officer into contact with every part of his district once a year?—That would be desirable.

19032. All persons have not the gift of tongues, but everyone can learn a language if he takes the trouble? Not always so as to be able to speak intelligibly to the people.

19033. Are some Englishmen as bad as that?—I knew an officer who was a learned scholar and wrote grammars of Indian languages, but who at the end of his service could not converse in such a way that the village people could understand him.

19034. Beyond requiring a man to pass an examination, does Government take any measures whatever to encourage or to urge men to learn the language?—Apart from examinations and apart from degrees of honour, which are examinations, the fact that a man can speak a language fluently and make a speech if necessary in it, would weigh to some extent in the question of appointment to a particular district or division; it would be borne in mind that he was a good linguist.

19035. Would it be so very much out of the ordinary that the fact could not escape notice?—I am afraid it is a little out of the ordinary for a European officer to be able to make a set speech in Bengali or Hindustani in this province.

19036. Ordinarily a man would not fail by acquiring a good knowledge of the language, to get on better with the Government?—I think it is recognised that a man who can speak one or more of the languages of the province is more useful than a man who cannot.

19037. But is it known to Government that he can?—I think so; it should be known to the Chief Secretary.

19038. In the course of 10 years you were employed in eight districts?—Yes, that is about right.

19039. Were any transfers made at your own request?—I do not think I have ever been transferred at my own request.

19040. (Chairman.) What is your opinion generally as to the administration of sub-divisions; it has been stated that in order to bring the Government officials more into contact with the people in Bengal the sub-divisions should be made smaller, while other people say it would be better to appoint a subordinate officer to one or more thanas to act as a go-between between the Sub-Divisional Officer and the people; which course would you think most advisable?—I should begin by strengthening the sub-divisional administration. I would have more sub-divisions, and increase the officers at sub-divisions before making smaller circles.

19041. Are the railway difficulties to which you have referred of frequent occurrence?—It is eight years since I left district work, but I can remember the time when all the District Officers in Bihar were dissatisfied with the work of the railway, and when it was necessary for the Government of India to send its Consulting Engineer in order to settle a *modus vivendi* with the railway authorities.

19042. Was that during a period of rapid railway construction?—Yes, railway construction was being pushed forward rapidly at the time.

19043. And that having ceased, have the cases also ceased?—There is still a good deal of misunderstanding between Railway Officers and Civil Officers with regard to the acquisition of land; the Railway Officers take possession before the Civil Officers think that they are legally justified in doing so.

19044. Is it sometimes the case that an officer may receive a reward for acquiring a knowledge of a language, and that then he may be moved to a fresh district at once and never return to the district the language of which he had received a reward for learning?—We have two main languages, and it would be

unlikely that an officer, having taken a degree of proficiency in a Bengal district, would be moved to Bihar and remain there for the rest of his service and never return to Bengal. Of course, it might happen that after taking a degree he might be removed to a district where the language in which he had become proficient might not be spoken.

19045. There are a good many outlying districts. Are rewards given for learning the languages in them?—Yes.

(The witness withdrew.)

Adjourned.

The Hon.
Mr. William
Charles
Macpherson.

29 Jan., 1908.

THIRTY-SIXTH DAY.

CALCUTTA, Friday, 31st January, 1908.

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.

KHAN BAHADUR MAULVI SARFARAZ HOSEIN KHAN was called and examined.

19046. (Chairman.) You are the Vice-Chairman of the Patna municipality?—Yes.

The tendency of the Imperial Secretariat is to consider matters too much from a purely departmental standpoint, and the Government of India is too impersonal and too much dominated by considerations of revenue.

It is desirable to allow provincial Governments to develop their administrations on their own lines, adopting at their discretion such suggestions of reform brought to their notice from other provinces as may suit the requirements of their own provinces.

I do not advocate any curtailment of the right of appeal, nor is it desirable that the appeals, when preferred, should be accompanied by a certificate from the authority passing the order appealed against. There should be no right of appeal in cases of officers drawing salaries below Rs. 200 per mensem.

Commissioners and Collectors should control to a greater extent than at present the expenditure in their divisions and districts by allowing the Commissioners an allotment by provincial grants by percentage, and by authorizing them to part with a certain percentage of this allotment in favour of the Collectors of the districts subordinate to them.

The influence of the Commissioner is sufficiently strong in matters other than land revenue, and due weight is given to his views in matters connected with the police and the administration of criminal justice, though such is not the case in matters connected with excise, agriculture, and the administration of civil justice.

Executive officers, specially the non-Indian officers, have not sufficient opportunities for personal contact with the people. The existing obstacles are overwork and difference in social customs. To remove these obstacles I should suggest a reduction in the Executive Officer's work and the diffusion of cheap and popular education among the people.

The transfers of officers are unnecessarily frequent. They can be reduced if the Commissioners and the Collectors were given a voice in the matter.

Municipalities should have elected Chairmen, and their present functions might be suitably extended.

I am in favour of the creation of Administrative Councils to assist Divisional and District Officers, the Divisional Councils to consist of District Officers and one representative selected from each district, and the

District Councils of Sub-Divisional Officers and one representative from every sub-division. The term of office of the Councillors to be three years. Their responsibilities should be in respect of finances, schemes of sanitation, and matters generally affecting the welfare of the people.

It would not be expedient to invest District Boards with powers of supervision and control over smaller municipalities.

It is desirable to give village communities greater powers in the disposal of local affairs relating to revenue and police, petty criminal cases, and sanitary and educational matters.

19047. Is Patna a very large and important city?—It is rather an old city than a wealthy one. Its population is over 150,000.

19048. You do not advocate any curtailment of the right of appeal, but you suggest that officers drawing less than Rs. 200 per mensem should have no right of appeal; will you tell us what you mean?—I think the Lieutenant-Governor has sufficient experience and a sufficiently high position to be able to have control of officers drawing less than Rs. 200.

19049. Would you give municipal servants any right of appeal beyond the municipality itself?—The responsible officers such as the Secretary should have the existing right of appeal, but the subordinates should only have the right of appeal up to the Chairman of the municipality.

19050. Would the stoppage of appeal at that point create discontent?—I think not.

19051. Have you had any other knowledge of Government beyond that of being Vice-Chairman of the municipality?—No, I have been Vice-Chairman for ten years.

19052. Are the Executive Officers of Government at all difficult of access?—I think so.

19053. Is it equally difficult for the native population to have access to Indian Collectors or Deputy-Collectors?—I have no personal knowledge, but I think it is.

19054. Both on the side of Indians and Europeans is there a desire to have closer intercourse?—Yes. The principal obstacles in the way are social customs.

19055. Are they an insurmountable barrier?—Not insurmountable, but it will be so long as the caste system—the *purdah* system and so on—continues. That is likely to last a long time.

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19056. Is the Chairman of the Patna municipality appointed or elected?—He is appointed. The present practice in Bengal varies.

19057. In a large municipality like Patna might the municipality elect its own Chairman?—Not for the present; given the education of the people the Chairman should be elected, but Patna city is at present not so advanced as to get on without control.

19058. Is the Vice-Chairman elected?—Yes, I was elected.

19059. What are your duties as Vice-Chairman?—To prepare the budget in consultation with the Chairman. Under the Municipal Act all the executive powers are vested in the Chairman, and the Vice-Chairman has no original powers; the Chairman delegates his powers to the Vice-Chairman. The budget is first submitted to the Finance Committee; it is passed, and then it goes to the General Meeting.

19060. How long before the General Meeting do the members of the municipality see the budget?—Copies of the budget are circulated along with the notice for the meeting; it has previously been examined by the Finance Committee; after that it is put up before the General Meeting and finally sanctioned.

19061. Is there much discussion on the budget?—No, because the people are not very advanced; they do not take much interest.

19062. You have other committees?—Yes, a Sanitary Committee, and so on; the Committee work is generally done by the Vice-Chairman. He acts as Chairman of the various sub-committees.

19063. Is that a good system?—Yes; I do not think it is necessary to have different Chairmen for these sub-committees because there is a danger of friction between the different Chairmen.

19064. Where does the income of the municipality come from?—Tax on holdings, animals, vehicles, ferries, pounds, and so on.

19065. Does Government contribute to the municipality?—Only in the case of plague.

19066. In the matter of education?—No. When we ask for a grant the Government nearly always give us it; for instance, on the last occasion there was a deficit of Rs. 22,000 and we asked Government for a contribution, and Rs. 17,000 was granted to us.

19067. Do you raise your own loans?—No; we have borrowed from Government on two or three occasions.

19068. Does that system work well?—Yes.

19069. You say that the functions of the municipalities might be suitably extended; in what direction?—In the financial direction; I think the municipality should have more control over its finances. In primary education the Government asks us to contribute so much. In just the same way the Government asks us to contribute so much to hospitals and so on, on which account we have freedom of action in controlling our finances. With reference to the lighting of streets and so forth, we have, however, a freedom of action.

19070. Does Government lay down that upon lighting and education you must spend so much?—On education, but not on lighting.

19071. Does it leave you free to spend that as you like?—Not on education.

19072. What you want is not only freedom as to detail but as to the whole expenditure?—Yes; in Patna we have to pay Rs. 12,000 towards dispensaries and Rs. 3,000 go to primary education. We had only left some Rs. 20,000 for roads. We could not do anything with Rs. 20,000, and the first duty of the municipality is to have the lighting properly done and the drains properly cleaned.

19073. Did Government order you to spend so much on sanitation?—Upon dispensaries; it did not say anything about sanitation.

19074. Is it within your power to raise a greater amount of revenue?—The municipality has only the power of enhancing taxation, but on account of the condition of the people we cannot do it.

19075. Would it have made you unpopular to raise greater taxes?—Yes.

19076. Did you want to spend less upon education in order that you might spend more on roads?—Roads must be the first consideration.

19077. Who controls the primary schools in Patna?—The District Magistrate.

19078. Has the municipality nothing to do with them?—It makes a grant of Rs. 3,000 to the inspector of schools; that is all. That is spent upon the pay of teachers and scholarships, and so on.

19079. Is there a committee of the municipality which goes round the schools?—No; I go round at times when I have time—very seldom. My chief point is this: the roads, drains, and lighting, and all things connected with local sanitation, should be the first consideration.

19080. You have nothing to do with the middle schools or secondary schools?—No.

19081. With regard to education, is more power wanted by municipalities?—No.

19082. When you say that their functions should be extended, is it in order that you might be able to spend your money as you like?—Yes.

19083. Have you any knowledge of the interior of the district?—Not much. I sometimes go and see the place where I have property, but beyond that I have not much knowledge of the mufassal.

19084. You tell us that there might be an Administrative Council to assist the District Officer; have you ever seen the work of a District Officer?—Especially in matters of sanitation I wish that the people should have more voice.

19085. You are speaking not so much of the work of a District Officer as the general principles which you think ought to be applied?—Quite so.

19086. (Sir Frederic Lely.) Why do you say that the Commissioner ought to have more authority in matters connected with excise?—Because I do not find him having any voice in the matter. I think he should have a voice.

19087. Are you aware of any particular injury which has been caused to the people, or to the Government, by his not having sufficient voice?—I cannot say that I am.

19088. You say that the municipality should have an elected Chairman; would you give Government any power of approval of the appointment of the Chairman?—Not necessarily.

19089. Do you make that statement with reservations?—Yes. In some cases I think that Government should retain the power of approval.

19090. Should the budget be sent up for the sanction of Government?—I do not think so.

19091. Suppose the municipality wished to undertake some large work costing Rs. 50,000, or a lakh of rupees, should Government exercise any control in that matter or should it be left entirely to the discretion of the municipality?—It greatly depends on the character of the municipality.

19092. I am speaking of the best class of municipalities; are there municipalities which might be trusted with that discretion?—If the people are well advanced. I cannot say that there are any such.

19093. Your municipality of Patna is an average municipality; would you give a municipality like Patna the power to grant pensions?—No.

19094. Would you give them power to levy a new tax without the sanction of Government?—No.

19095. Would you have the members of the municipality entirely elected?—Speaking from my experience of Patna, I would not.

19096. Supposing the municipality neglected its duty or committed any serious default, would you give Government power to intervene and suspend it, or to order it to do its duty?—Yes.

19097. Then, generally, you think that very substantial control should still be exercised by Government even in the better class of municipalities?—At present I have already said that, theoretically, they should be as free as possible.

19098. But with a view to the further education of the people, is any further extension of the powers of the municipality possible now?—Yes.

19099. You do not wish to add to what you have said already?—No. For instance, in the Act it says that the Chairman is to have all the powers unless he

delegates his powers to the Vice-Chairman. When Chairmen are nominated, something should be put in the Act to show that, as a rule, they should delegate the powers; it should not entirely depend on their will.

19100. I understand that the municipality of Patna has incurred two loans; what was their amount?—The first loan was 3 lakhs; then there was another loan of, approximately, Rs. 50,000. We are repaying them in instalments by a sinking fund; it will take some 16 or 18 years to clear the loans off. I do not remember the total term of the loans. I do not think it was such as to hamper us.

19101. (Mr. Dutt.) What is the annual income of your municipality?—Rs. 1,50,000. After paying all expenses we have a balance of about Rs. 12,000 left.

19102. Is not Patna the biggest town in Bengal, next to Calcutta, and much above the average municipality in income and population?—Yes.

19103. There is a section in the Act by which a municipality can impose certain taxes with the sanction of the Government. Have you imposed all those taxes in Patna?—No, there have been no additional taxes.

19104. How many members, besides yourself, have you got on the Finance Committee?—I think four; they are all non-officials.

19105. Is the main duty of the Finance Committee to prepare the budget?—Yes, and estimates of the cost of drains, culverts, and so on. When an estimate is made it is put up first before the Finance Committee; then it goes to the General Meeting.

19106. What was the purpose of your loans of 3 lakhs and Rs. 50,000?—They were for the construction and flushing of drains. The scheme is not quite complete.

19107. You say that the district Administrative Council should consist of the Sub-Divisional Officers and of one representative from each sub-division; in that case would it be possible for it to sit and work regularly at the headquarters of the district?—There would be some difficulty.

19108. If you wanted to have a working Council at the headquarters of a district, you would have to modify your proposals so that the members could come once a week or once a month to do the work at headquarters?—That is so.

19109. In Bihar are the chaukidari unions in working order?—I have no personal knowledge; I speak from general knowledge.

19110. (Mr. Hitchens.) When you send your budget up to the Divisional Commissioner, does he make many alterations in it?—Not many.

19111. Can you think of any instances where he has made alterations which you objected to?—There was one with regard to the appointment of Secretary. That was not an alteration in the budget.

19112. You say that you have got to spend Rs. 3,000 on education; who puts that into the budget?—I put it in as a lump sum. The budget is made by the school authorities, and comes to me through the Magistrate; under the orders of the Government so much per cent. of the municipal revenues must be given to education.

19113. Is that in the Act?—I think not; it is an executive order; every year the school authorities submit the budget to me and I put down that sum.

19114. (Mr. Meyer.) What is the procedure as to the appointment of the municipal servants?—The Chairman appoints. Up to Rs. 50 a month the Chairman can himself appoint; beyond that the power is with the Municipal Commissioners as a body.

19115. Does the power of punishment and dismissal rest with the body that appoints?—With regard to appointments and dismissals, within a certain amount the Chairman has the power; beyond that Municipal Commissioners have the power.

19116. If a man on Rs. 30 is to be punished, is the punishment inflicted by the Chairman or by the Council collectively?—The Chairman can suspend all officers.

19117. But the dismissal would rest with the Council?—Yes, up to a limit; I cannot give you the

exact amount; I think the Chairman cannot appoint above Rs. 50, and he cannot dismiss above Rs. 20. The limits are not the same.

19118. Is the Chairman of the Patna municipality the Collector?—Yes.

19119. You say it is desirable to allow Commissioners and Collectors to control to a greater extent than at present the expenditures in their divisions and districts by allowing the Commissioners an allotment by provincial grants by percentage. What do you mean by that?—I have no personal knowledge of it, but from my general knowledge the District Officer should have a certain amount allotted to him and have complete freedom with regard to that.

19120. But what do you mean by "percentage"?—I have not gone into the details.

19121. You mean that the Local Government should take the provincial revenue raised in a division and say, "We will take a certain amount of revenue for headquarters, but the rest shall be left to the Collector to deal with"?—Yes.

19122. How do you propose that the Commissioners shall intervene in details of civil justice?—I do not propose it. I simply state the facts.

19123. You say, "Transfers can be reduced if the Divisional Commissioners and Collectors were given a voice in the matter." Do you mean that the Commissioner should transfer Deputy Collectors within his division?—He may transfer, or at least have a voice in the matter.

19124. You have spoken about the pressure put upon your municipality to devote money to education and dispensaries, and so forth; is there any general rule that a municipality must give a percentage of its revenue to these matters, or is it what the Divisional Commissioner thinks appropriate?—I am not quite sure about that; I think there is no general rule. It is under the orders of the Government, not the orders of the Commissioner.

19125. I understand your complaint is that you are made to spend more on dispensaries and schools, and so on, than you think you should do; does that arise from the Commissioner's alterations of your budget? It is not that; under the orders of the Government we have to spend so much on primary education and so much on dispensaries; upon those orders we frame the budget.

19126. Are those general orders in the Municipal Act?—I think they are in the general orders. They apply not merely to Patna but to every municipality in the province.

19127. What power have you with regard to the re-allotment of expenditure from one head to another within the year; can you transfer from one major head to another?—Not without the sanction of the Commissioner.

19128. Can you transfer between sub-heads within one major head?—I think we have to go to the Commissioner even then.

19129. Is it necessary that you should go up for that sanction?—I think so.

19130. Do you pass many bye-laws?—Not many. They go to Government.

19131. Might the Commissioner deal with them finally?—I think so.

19132. Would you be in favour generally of giving powers into the hands of the Commissioner with regard to the normal work of the municipality?—It is a question of details; in some instances I would give the Commissioner power of control.

19133. Have you had much experience of village Communities?—No, I speak from general knowledge.

19134. Would you give greater powers to all village Communities or only to selected village Communities?—Only to selected village Communities.

19135. In your part of the country, are there many small proprietors holding estates, say, that pay an assessment to Government individually of less than Rs. 50?—There are many such.

19136. Do they pay their land revenue at the district headquarters?—Yes.

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19137. Would they prefer if they could settle their payments locally?—They would like it, but the big zamindars would not like it.

19138. (Sir. Steyning Edgerley.) Has the Chairman delegated to you all his powers?—All excepting the power of appointment and dismissal, and as to contracts above Rs. 100; the chairman keeps the general powers of supervision.

19139. Otherwise, you are practically Chairman, subject to those limitations?—Subject to those limitations; of course, it depends upon the individual Chairman how much he interferes.

19140. Why should the Commissioner sanction re-appropriations within the budget?—So that he should have full knowledge of matters and that the Municipal Commissioners may not make mistakes.

19141. You do not think they are fit to be trusted to re appropriate within the budget?—It is not a question of trusting; they would make mistakes. I am speaking of Patna.

19142. Would they not make fewer mistakes as they learnt?—It is not a very serious question.

(The witness withdrew.)

Adjourned.

THIRTY-EIGHTH DAY—(continued).

CALCUTTA, Monday, 3rd February, 1908.

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.
W. L. HICHENS, Esq.

BABU AMBICA CHARAN MAZUMDAR was called and examined.

Babu Ambica Charan Mazumdar.
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19143. (Chairman.) What is your profession?—I am a pleader and a landholder. I reside at Faridpur. I have been Chairman of the Faridpur municipality for 16 years; I was a member of the Faridpur District Board for about 17 years; before that I was Vice-Chairman of the District Road Cess Committee, and I was a member of the Bengal Legislative Council.

No larger powers, relating to either financial or administrative policy, should be given to provincial Governments, particularly to that of Bengal, nor should the control exercised over them by the Supreme Government be either removed or relaxed. The Government of the country is bureaucratic in its character, and so long as the people have little or no voice in the administration, the decentralization of Local Governments, however agreeable it may be for the ease and convenience with which affairs may be carried on in the provinces, can never be good for the people. Decentralization ought to begin from the bottom and not from the top, so as to afford a proper training both for the people as well as the officials and furnish a popular and substantial basis for independent local administrations, and the District Boards and the municipalities ought to form the ground-work in any such scheme. Speaking of the Governments of Bengal and Eastern Bengal and Assam, their financial policy should be subject to the control of the Imperial Government so long as these Governments are not constituted on a popular representative basis. It is hardly possible to effect a complete separation between the imperial and the provincial finances. It may be possible to make over certain sources of revenues with their improvements entirely to Local Governments and to mark out others as wholly imperial. But even in these cases the policy of the Local Governments should be laid down and controlled by the Imperial Government.

It is not desirable to invest Local Governments with power to borrow in the market. Whatever advantage it may secure to them is likely to be lost in the heavier rate of interest.

There should be a pecuniary limit to the power of the provincial Governments in creating new appointments which may not exceed Rs. 100. But all new appointments above that and all enhancement of salaries should be subject to the sanction of the Imperial Government.

The general lines of policy laid down by the Government of India should be applied to local conditions by that Government only, and when so applied the Local Government concerned may be required to see that the policy is properly carried out. The enlargement of the powers of Local Governments in this direction has not been productive of happy results in either Bengal or Eastern Bengal and Assam. If the Governments in Bengal can be made to conform in their constitution to the Government in Bombay a general Act of Delegation, such as Act V. of 1868 in

regard to the Commissioner in Sindh, may with advantage be availed of to relieve the Local Government of much of the administrative details now imposed upon it.

I do not understand how the Directors and Inspectors-General recently created under the Government of India are necessary adjuncts to the administration. If they are to exist and become useful the Local Governments ought to be relieved of the departments for which they are created.

I am not aware of a single instance in which any popular measure of reform has been initiated by the Local Government of Bengal. On the contrary, instances are not wanting where retrograde measures have had their origin in that Government. All important administrative reforms have generally emanated from the Government of India.

I am not at all in favour of curtailing the right of appeal either in respect of administrative action or against orders affecting officers of Government personally. It would not be desirable either to limit the number of such appeals or to make them contingent upon certificates granted by officers whose orders may be appealed against. Any curtailment of this right of appeal will take away one of the safeguards and attractions of the Public Service.

The triple authority of the Board of Revenue, the Commissioner and the Collector is unnecessary. In Bombay and Madras there are only two. The office of the Commissioners in Bengal is very much like a post-office, and it may safely be dispensed with, his functions being distributed between the Board and the Collector. The financial and administrative powers of Collectors might be advantageously enlarged by authorising them to sanction temporary settlements up to a rental of Rs. 1,000 instead of Rs. 500 as at present; to sanction suspension and abatement of land revenue of temporarily settled estates on account of such irremediable circumstances as diluvion, etc.; to suspend realisation of agricultural and other loans in seasons of drought, scarcity or other extraordinary calamity, and to remit or write off irrecoverable loans up to a certain limit. The Commissioners are primarily Revenue Officers and a good deal of complication has already been introduced by vesting them with some sort of supervision over judicial and other matters. They should be relieved of these burdens.

Collectors should be empowered to transfer from one head to another in their sanctioned budget estimates, and to employ temporary hands on urgent occasions as at the time of the *kists*. I am not in favour of allowing the delegation of powers vested in Local Governments to Commissioners of divisions or other subordinate authorities.

The new Court of Wards Act has already armed the Courts with extraordinary powers, and these powers are distributed between the Collector, the

Commissioner and the Board of Revenue. No estates of any disqualified proprietor other than a minor should be either taken over or retained for management by any Court of Wards until the matter is fully heard and finally decided by the Board of Revenue as a judicial proceeding, like resumption and settlement proceedings.

The influence of provincial Governments is distinctly in the direction of excessive rigidity and uniformity. Some circulars go so far as to prescribe hard and fast rules as to the exact number of nibs, nib-holders, pencils, blotting papers, knives, scissors, etc., to be allowed per man; while the returns do not exclude even separate statements for the number of snakes and pigs killed in a year, together with the necessary explanation for their decrease or increase. With the exception of the Accounts Department most of the business should be simplified. Some of the circulars dealing with petty details may be conveniently withdrawn and some of the returns cut down. The District Officers should be given greater time and facilities, and required more to attend to the real improvement of the districts with reference to their local conditions and requirements.

Local Governments in an elaborate system of administration like ours cannot but be impersonal. The tours of Lieutenant-Governors are mostly given to the inspection of offices and the reception of candidates either for appointment or for promotions. They have seldom any opportunity, or probably even any inclination, for mixing with the people or of ascertaining the views of the public. Public opinion is generally discounted and any condescension to non-official views is regarded as a sign of weakness. There is too much of contempt on the one hand and too much distrust on the other. The Local Governments are, of course, too much dominated by considerations of revenue.

The influence of the Commissioner in matters appertaining to departments other than land revenue, if not strong, is sufficiently obstructive. I think he should be completely relieved of all connection with other departments.

Executive Officers seldom avail themselves of the opportunities they possess for coming in contact with the people. They make tours no doubt; but their camping-places are nearly the same every year and are generally the sub-divisional headquarters and the police-stations. They are generally exclusive and are too much surrounded by the police and the officials. European officers do not possess sufficient knowledge of the vernacular and do not care to study the manners and customs of the people. The Sub-Divisional Officers, in their tours, are merely moving Criminal Courts, carrying with them whole retinues of parties to cases, their witnesses and legal advisers, from one quarter to another and generally at enormous expense and inconceivable inconvenience to all but the officers themselves.

The Deputy Magistrates and Deputy Collectors are very hardworked. In some cases, I have known them working even up to 8 P.M. They are sometimes pressed to work also on holidays. Their number ought to be increased.

It is very undesirable that junior officers of a few years' standing should be placed in charge of districts. Both the Collector as well as the District Judge should be officers of at least ten years' experience and training in the service.

No hard-and-fast rule can be laid down for the transfers of Executive Officers. The ordinary rule of three years ought to be quite enough.

The Presidency Municipalities should be made essentially representative and popular institutions. The best intellects in the country, as well as the strongest public opinion, are available in the Presidency towns, and these should be largely availed of where the interest of the people are directly and so largely concerned. The district municipalities, which are practically the only self-governing bodies in the province, have had sufficient trial for more than 22 years, and they should now be freed from their leading strings. Their budgets are too much interfered with by the Commissioners, whose sanction is necessary even for the pettiest expenditure. These restrictions should be removed, and with only such supervision as may be necessary by the Sanitary Board and the Account Department of Government, they should be allowed to work with complete freedom and independence. The number of municipalities should also be

increased. There are still many towns and important centres of business where there are no municipalities. The establishment of municipalities is the only effective remedy against the growing insanitation and mortality in the country. In 1886 there were 138 municipalities in Bengal, and the total number of municipalities in 1905 was not more than 161, and it is remarkable that while in 1886 only 26 municipalities had their Chairmen appointed by Government, the number of such municipalities rose to 52 in 1905. The Sanitary Board established by Government exists practically for these municipalities, and considerable advantage may be secured by further developing these institutions. They should also be strengthened like the District Boards by grants from the provincial revenues.

The District Boards should also be non-officialised and given extended powers and freedom of action. It is more than 20 years since District Boards were established in Bengal, and although the law provides for non-official Chairmen being elected for them, not a single Board has yet been allowed to exercise this privilege. Out of a total number of 105 Local Boards in Bengal no less than 53 have been gradually officialised by making Sub-Divisional Officers *ex-officio* members and thereby thrusting them as Chairmen upon these Local Boards. Then the rules, or model rules as they are called, dictated by Government, have made large encroachments upon the policy of the Local Self-Government Act, and made the District Engineer completely independent of the non-official Vice-Chairmen whose position, if not reduced to that of a clerk, has certainly been rendered in many cases quite unattractive. These Boards cannot incur the pettiest expenditure without the sanction of the Commissioner, and they are unable to execute any work, the estimate for which exceeds Rs. 500, without his sanction. The District Boards have gradually sunk to the level of a department of the Collector and the Commissioner. The Road Cess which is the principal source of their revenue is not wholly available to them, more than 20 per cent. being deducted for collection charges over which they have neither any check nor control. District Boards are entitled to a fair share of the Public Works Cess for famine relief, sanitation and other works of public utility. The Local Boards have of late been very much condemned for want of capacity and efficiency; but it seems not to be remembered that very little power and very little resources are given to them for the display of their energies. Their pettiest estimates are subject to the approval by the District Engineer and the sanction of the Local Examiner of Works before any work can be undertaken. Their allotments from the District Board are miserable, and they have absolutely no freedom of action. No wonder that the interest of the people in the election of these Boards should be found to be flagging, and the Government of Bengal frankly admitted in 1904-05 that "this lack of interest is no doubt due in part to the limited powers and resources of the Local Boards." The function of these bodies should be extended, their powers and resources increased, and freedom of action given to them ungrudgingly.

If Advisory Councils could be formed on an elective basis, they would certainly be a substantial step towards the improvement of the administration, and in order to serve their purpose, they should be as widely representative in character as possible. The District Boards, the municipalities, the professions, the landholders and the cultivators of certain status should all have their representatives in the District Councils. As regards the District Boards and the municipalities, it is the non-official members who should form the electorate for the District Councils and the non-official members of these Councils the electorate for the Divisional Councils. At least two-thirds of the members of these Councils should be elected. Famine, agricultural loans, sanitation, departmental education, appointment of panchayats, assessment of chaukidari tax, establishment of stills or liquor-shops, location of police-stations, improvements of agriculture and the destruction of wild animals may be mentioned among the subjects upon which these Councils may prove useful adjuncts to the administration. Their collective deliberations should carry with them certain weight and responsibility. I am, however, strongly opposed to these Councils unless they are formed on elective principles.

Nothing could be more objectionable than to invest District Boards with powers of supervision or control over municipalities of any description. Their treatment

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of the Local Boards is an object-lesson which should never be lost sight of, and to allow these official Boards to extend their influence to municipalities would be to swallow them also.

Village communities in Bengal have practically died out. Attempts should be made to develop the village unions, the statutory provision for which stands almost a dead letter so far as most of the districts are concerned. I would not allow these bodies any power of disposal of petty criminal and civil cases until they are sufficiently strong.

19144. You think that no estate of a person other than a minor should be taken over by the Court of Wards until the matter has been decided by the Board of Revenue as a judicial proceeding. Is there some difference in taking it over without a judicial proceeding?—Yes; these estates are mostly taken over by the Board without giving a full hearing to the parties concerned, and it often leads to much inconvenience and injustice. It is particularly so under the new Act that has been passed by the Bengal Council, which has armed the Court of Wards with immense authority, not only to take over estates, but also to retain estates after the disqualification has ceased.

19145. You mean the disqualification of age or bankruptcy?—Anything. The parties should have a full hearing as in a judicial proceeding as to the taking over of estates.

19146. We have had evidence to the effect that greater freedom should be given to the Collector or the Deputy Collector and the Commissioner in the management of Court of Ward estates; are you in agreement with that?—I am not. I do not think the management of estates by Court of Wards has proved beneficial in many cases.

19147. But if the management of the Court of Wards is to continue, should not the chief officer in the district have greater freedom in dealing with the estate administratively?—No.

19148. Every small expenditure ought still to go up to the Board of Revenue?—Yes.

19149. You tell us that, with the exception of the Accounts Department, most of the business of the Government should be simplified; why do you except the Accounts Department?—Because the accounts have to be strictly scrutinised, and the Accountant-General ought to have a strict hand over the expenditure; the account rules should not be relaxed.

19150. You think they are adequate and should not be dispensed with?—Just so.

19151. What duration of time ought officers to stay in their districts?—Not more than three years; no hard-and-fast rule can be laid down; sometimes it may be necessary to change officers, and sometimes it would be advisable to allow them to continue; it must depend on how the officer manages the district; if he manages it properly it will be to the interests of the district to keep him; if he does not manage properly, the sooner he is relieved the better.

19152. Should he stay longer than three years?—If necessary, say, up to five years. Not longer, because there may be personal likes and dislikes, and so forth.

19153. Have municipalities as full powers as they can usefully employ?—They should have a much greater freedom than they have. The municipalities have shown very good results in the last twenty years, and greater powers and greater freedom should be given to them, as regards their budget, and also in connection with certain matters of improvement. At present everything that they do has to be sanctioned by the Commissioner, and even the Collector is authorised in certain cases to interfere in their work; they ought to be free from this control.

19154. As Chairman of the Faridpur municipality, have you been very much hampered by the action of the Commissioner or the Collector?—Yes, as regards the budget; I have not been very much interfered with by the Collector, but the Commissioner's interference with the budget has been sometimes found an obstacle. Suppose, for instance, a man has to be granted a grain compensation allowance of eight annas a month, or any petty charge of that sort, that must be sanctioned by the Commissioner. The Commissioner interferes too largely with the minor details of the budget.

19155. With regard to the larger heads of the budget, say, the allotment for education or sanitation

or roads, should the municipality have a perfectly free hand?—There would be no harm in giving them such freedom.

19156. Does Government make any contribution to the expenses of the municipality of Faridpur?—Not usually, but sometimes when an application is made for a grant, it is given for some special object.

19157. Apart from extraordinary expenditure you have to find the money entirely yourselves?—Yes.

19158. Suppose all Government control over the budget was withdrawn, would the municipality be prepared to accept full responsibility for its actions?—I think so.

19159. Suppose, for instance, the municipality became very extravagant?—There would be sufficient check as to that; there would be the check of the Examiner of Accounts, and that ought to be sufficient; he ought to examine the accounts to prevent defalcation or embezzlement.

19160. But apart from defalcation or embezzlement, suppose there was such extravagance that the municipality became bankrupt; should the Government have no liability in that respect?—In extreme cases they might have.

19161. If the Government is to have no control over borrowing, why should there be any liability on that account?—There is a provision in the law that if a municipality mismanages, its powers may be withdrawn: that is sufficient.

19162. How would the authorities have the knowledge that the municipality was overspending?—There is the annual report and the Sanitary Commissioner who examines their work.

19163. He does not examine the accounts?—Yes, he sometimes sees the accounts so far as sanitary matters are concerned.

19164. But you want to withdraw all the accounts from Government control?—No, I want the inspection of the Sanitary Commissioner; he exists for the municipality; if the Sanitary Commissioner and the Examiner of Local Fund Accounts remain, they can exercise all necessary check on the municipalities.

19165. The examination of accounts now is only to see that such money as the municipality requires is expended?—Not only that; the Examiner is also allowed to take objections to expenditure which is not under the proper heads and so forth; he would be entitled to see to that.

19166. Would you keep the check of the Examiner upon the amount expended?—To the extent of the budget; if the expenditure exceeded the budget he would be entitled to make an objection as he always does.

19167. You would not allow any objection to the amount spent within the budget?—No, and that is not necessary.

19168. Do you desire that there should be a complete separation between the Collector and the District Board?—Not a complete separation at the present moment. The Chairman of the District Board might be a non-official gentleman now, the Collector having some sort of supervision over the District Board just to see that they do not go wrong at the beginning.

19169. How would he obtain that supervision?—The Collector would receive reports from the Chairman of the District Board, and he would scrutinise their work.

19170. What would be the good of his scrutinising their work if he had no check upon them?—Certain powers might be given to him just to direct their work.

19171. Suppose they refused to accept his directions?—But the Legislature can make it compulsory upon them. Even now in the case of the municipalities there is a provision that the Magistrate may interfere in certain actions of the municipality; in the same way the Magistrate might be empowered to interfere in certain respects with the District Boards.

19172. You want to see the Collector taken away from the Chairmanship of the Board, but to retain his full control over it?—Not his full control over it, but sufficient supervision over it—of course, some control also with it.

19173. Control when he thought they were going wrong?—Quite so.

19174. Does he exercise much more than that now?—Yes, he practically rules the District Board now.

19175. Does not the Vice-Chairman of the District Board prepare the budget?—Yes, but he is merely a clerk, if he is a non-official.

19176. Is he paid for it?—No.

19177. Will a man become merely a clerk without pay?—Certainly; if he had some responsible powers given to him it would be different.

19178. You desire us to think that at the present moment a non-official, unpaid, who acts as a Vice-Chairman, and who in many cases has large powers delegated to him by the Chairman, is a mere clerk?—I doubt if there are many cases where a non-official Vice-Chairman has large powers delegated to him; it is only in cases where the Vice-Chairman happens to be an official that the Chairman delegates his powers. In the case of a non-official Vice-Chairman there is seldom any such delegation by the Chairman. The Act provides bye-laws and rules to be framed by the Board itself, but the Government has chosen to frame a set of rules called model rules which have practically superseded the Act itself.

19179. We are talking about the Vice-Chairman; do you mean to say that the powers which have been delegated to him by the Chairman are not real ones but only sham ones?—Certainly, that is what I say.

19180. So that when a Vice-Chairman tells us that he prepares the budget, he does not prepare it really—he is only acting as a clerk?—I should think so.

19181. (Sir Steyning Edgerley.) You think that the Local Boards ought to have more powers and more resources. What powers might be added?—They ought to be given freedom of action with regard to their works; all their works are now subject to the previous sanction of the District Engineer.

19182. You do not mean a larger sphere of action, but more power within the sphere of action which they already have?—Yes.

19183. And more money for the same objects?—Yes.

19184. You do not approve of any delegation at all from the Government of India to the Local Government at present?—I do not.

19185. You say "If the Government of Bengal can be made to conform in their constitution to the Government in Bombay, a general act of delegation, such as Act V. of 1868 in regard to the Commissioner in Sind, may with advantage be availed of." Does that mean that you do not like the form of Government in Bengal?—That is exactly what I mean; it seems to me that the form of Government in Bengal ought to be changed, if any reform is to be introduced.

19186. Do you mean that there is a lack of continuity?—Yes.

19187. In fact, you do not feel the same confidence as you would in a Council Government?—That is so.

19188. (Mr. Meyer.) Are not some of the municipalities in Bengal really of a very petty description?—Yes, but the number of municipalities is very small.

19189. Should these petty municipalities have the same sort of powers and confidence entrusted to them as are given to the larger municipalities?—All these municipalities have not got all the powers provided by the Act; it is only parts of the Act that are introduced in certain municipalities; the inferior ones have only limited functions.

19190. When you say that the municipalities should have larger powers in regard to their budgets and so on, do you mean municipalities of the larger towns or every municipality?—I spoke of every municipality.

19191. Have you to go up to the Commissioner to re-appropriate between one head and another, and under the same major head?—We have to go up with regard to everything.

19192. Even from one class of medical expenditure to another class of medical expenditure?—Yes, that has to be reported for special sanction.

19193. You say you want some further powers for the Sanitary Commissioner. All the Sanitary Commissioner is concerned about is whether the town is clean, and whether the drains are effective and so forth?—That constitutes the bulk of the work of the municipality.

19194. He is not concerned with the amount of money; all he wants is a good drainage scheme?—He is concerned with the amount of money in this way;

when he finds that a town is not in good condition so far as sanitation is concerned he makes remarks and sometimes instructs the municipality to make larger allotments; sometimes he suggests certain improvements which will necessitate larger allotments in the budget.

19195. If the Government lends you money to carry out a drainage scheme, is it not interested in seeing that you are managing your affairs economically, so that you may pay back the loan?—The Government does not practically do anything; in raising the loan the Commissioners have simply to make an application; it goes through the Collector, and the Government takes a statement just to see whether there is sufficient security for the loan or not. If it finds that there is sufficient security, the loan is granted.

19196. That is because the Commissioner now scrutinizes the budget; suppose he did not scrutinize the budget, would the Government have equal faith in the solvency of the municipality?—I do not see why it should not; municipalities have been on trial for more than 20 years now, and there is not a single case in which they have not been shown to be trustworthy.

19197. You say that Sub-Divisional Officers have been made *ex-officio* members of the Local Boards; are they made Chairmen?—It happens in this way; the *ex-officio* member of a Local Board necessarily becomes the Chairman, because of his position, and nobody would venture to throw him out.

19198. Do you think that once he gets into the Board, the other members are so frightened of him that they will not turn him out?—Certainly they are.

19199. (Mr. Hitchens.) You are not in favour of granting larger powers either financial or administrative to the provincial Governments at the present time. What is your reason for that?—There is want of sympathy and consequent want of confidence, and this is the root cause of the strained relations between the Government and the people.

19200. Have you any other reasons why you think it would not be advisable to grant larger powers to the provincial Governments?—My view is that the partition should be modified, repressive measures withdrawn, and confidence restored. Further the heads of the administration should not be recruited from the Civil Service. If, without effecting these improvements, greater powers were given to the Local Government, it would be very unpopular.

19201. You think there should be control from above, unless there is more control from below?—Yes.

19202. Your opinion is that unless Advisory Councils are to be elected you would rather have none at all?—That is so. Unless elected, they would be simply not only useless, but they might be positively harmful. The Advisory Councillors, who were to be recruited for example from a darbar list and so forth, would be persons whom the Collectors might like, they would not be representative men, and they would not have the courage to voice forth representative opinions.

19203. You mean that people selected or nominated would not really carry the confidence of the people?—No.

19204. And there would be no security that the advice that they were giving was the advice which the people would like them to give?—Selection and nomination have always proved in this country to be a failure; because selections are made mostly from men who are somewhat in favour with the local authorities. Proper representative men never go in by selection or nomination by Government.

19205. Otherwise, assuming they were not all to be elected, you think it would be better to give the Collector discretion to consult everybody he chose?—That would be practically useless; he would only choose to consult those about him; that would not be going down to the representative men at all.

19206. If there were an Advisory Council, would the people from a distance come frequently to the meetings?—I think they would; if their voice had weight and carried with it some responsibility, they would attend the meetings, but if they are to be treated as nothing, then they will not be tempted at all to do so.

19207. You want to give further power to the District Board; is that also conditional on their being entirely elected?—At least two-thirds of the members of the District Board ought to be elected.

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19208. You would be satisfied with that?—Yes, for the present.

19209 (*Mr. Dutt.*) You are acquainted with the provisions of Act V. of 1878, with regard to Sind?—Yes.

19210. That would empower the Bengal Government to delegate to subordinate officers any powers now vested in the Government by law.—I mean delegation of powers in certain tracts. As the Government of Bombay has delegated certain functions to the Commissioner in Sind, so, if the Government of Bengal could be made to conform to the Government of Bombay with a Governor in Council, then, say, in Orissa or Chota Nagpur or Assam, there might be Commissioners like the Commissioners in Sind, and powers might be delegated to them.

19211. You do not want a general power of delegation?—Certainly not.

19212. You would only empower the Bengal Government to delegate its powers to the Commissioners of certain backward tracts?—Yes.

19213. That is not a general Act of delegation; a general Act of delegation means an Act which would empower the Bengal Government to delegate any of its powers to any of its subordinate officers?—In that case I misunderstood it. I mean, powers of delegation as given to the Commissioner in Sind by that Act, to be given by the Government of Bengal to certain backward tracts.

19214. Is it not desirable that the annual budget of each municipality should be sanctioned by some other authority than the Municipal Commissioners?—Of course. It might go to the Commissioner, but he ought to see only the major heads.

19215. You do not object to the budget going to the Commissioner for his sanction?—No, but he should not interfere with the minor details and so forth.

19216. What would be the good of the Commissioner sanctioning a budget if he had no power to interfere with the items?—It would have a salutary effect in the way of a check, because of the very idea that the budget would go before a person who might express censure. He might be able to refer it to Government, or to talk about the items of the budget in the annual report; that would have a salutary effect as a check.

19217. You would not give the Commissioner power to make any alteration in the budget before sanctioning it?—I would give him power to object to the major heads, not the minor heads. He should not directly alter the budget, but he might return the budget to allow the municipality an opportunity of reconsidering it.

19218. Suppose they did not accept the Divisional Commissioner's alterations?—In that case, the matter ought to go up to Government.

19219. Except in the matter of the budget, in which you say that very often small items have been altered, have you had, generally speaking, a free hand in your municipality?—Generally speaking, I have.

19220. While your Vice-Chairman is also a non-official man?—Yes. I have found no friction. I have worked with an official Vice-Chairman, as well as a non-official Vice-Chairman, and I have found no friction.

19221. Are the resources of the municipality generally sufficient for the current expenditure of the municipality?—Extremely insufficient.

19222. How would you remedy it?—The municipality might be strengthened by grants from the provincial revenues, as the District Boards are.

19223. Should such contributions be general, or for specific objects, such as sanitary improvements and so forth?—It would be better to leave it to the Commissioners to decide in what way they would spend their money.

19224. But should not the Government give grants for specific objects?—Certainly, but it would be much better if the Government drew the attention of the Commissioners to the particular objects they thought it desirable to attend to, and then left it to the Commissioners.

19225. You say that District Boards are unable to execute any work the estimate for which exceeds Rs. 500; is that according to a recent order?—Yes, according to certain rules which were made five years ago, formerly it was not so. Previously district Boards could execute works up to Rs. 1,500 without the sanction of the Divisional Commissioner; that is the order of progress through which we have passed during the last 20 years of local-self-government.

19226. Does that hamper you in your work?—Most certainly it hampers us.

19227. You say the Road Cess is the principal source of income of the District Boards, and that more than 20 per cent. is deducted for collection charges; are you quite sure of the amount?—I think that is fairly correct. Speaking for my own district, the Road Cess amounts to about Rs. 90,000, and every year an allotment slip goes from the Cess Deputy Collector, showing that so much is available for the purposes of the District Board and that amount does not exceed Rs. 70,000.

19228. But you are not quite sure of the percentage that is deducted?—I think it must be something from 15 to 20 per cent.

19229. Are you sure you do not include in that the cost of establishment?—Certainly, the Deputy Collectors and everything.

19230. Do you not include in that the cost of the District Board establishment?—No; formerly under the District Road Cess Committee, which was in existence before the Local Self-Government Act was introduced, the collections were in the hands of the Committee; a number of peons were maintained for collection purposes. Now collections are taken away altogether from the hands of the Board, and the Road Cess and Public Works Cess are both collected by one Deputy-Collector; Government make a deduction for the Road Cess collection charges, and then give the Board an allotment of so much every year.

19231. You cannot tell me the exact percentage?—No.

19232. You think that if a fair share of the Public Works Cess was added to the income of the District Board, they would be more useful bodies and could undertake useful work?—Certainly. One of the objects for which the Public Works Cess was imposed was really for famine, and the District Boards are now required to provide for famine relief, so that they are legitimately entitled to it.

19233. Would you be satisfied if two-thirds of the members of the Advisory Councils were elected and one-third nominated?—Yes.

19234. With regard to village unions, you think that if they were put on a proper basis and better men were selected they would be useful to the country. Would you allow them power to deal with small civil and criminal cases?—Not at present; they are not fit for it. At present I would simply entrust them with powers in regard to sanitation and such like matters.

19235. (*Sir Frederic Lely.*) Would you allow the municipality power to levy new taxes without the consent of the Government?—No.

19236. Would you require the sanction of a superior authority for the granting of pensions?—Yes.

19237. You wish municipalities to elect their own Chairman? Would you make that subject to the confirmation of Government?—I do not see why it should be.

19238. Under the present law, the approval of Government is required; would you maintain that?—As a matter of fact Government confirms every nomination that is made. It is not a very large matter; if the Government thinks that, for the sake of safety, the election should be subject to its confirmation, I do not see any objection to it.

19239. Would you give the Government or the Commissioner power to order the municipality to perform its duties in any matter in which it had made default?—The Government might have that power, but I would object to the Commissioner having it.

19240. On what ground do you say that?—The tendency of the Commissioner to interfere with municipal work has been very obstructive. The people have greater confidence in Government than in the Commissioners; they have greater confidence in the Government of India than in the Local Governments.

19241. Have you any special reason for saying that, or is it only the result of your experience?—It is the result of my experience: the higher you mount the purer the atmosphere; there is greater freedom from local prejudices, the higher you go.

19242. Then generally, you would retain a great deal of control, but you would vest it in higher authorities?—Just so.

(*The witness withdrew.*)

APPENDICES.

I. Memorandum showing the organisation of the Government of Bengal, filed by the Hon. Mr. E. A. Gait, Chief Secretary.

II. Letter from the Chief Secretary to the Government of Bengal, to the Secretary to the Royal Commission on Decentralization No. 1550, dated the 16th March 1908, with enclosures.

APPENDIX I.

MEMORANDUM SHOWING THE ORGANISATION OF THE GOVERNMENT OF BENGAL.

Filed by the Hon. Mr. E. A. Gait, Chief Secretary.

Bengal Government.—The Head of the Government of Bengal is the Lieutenant-Governor. He is assisted in the discharge of his duties by five Secretaries, who are in charge of the following Departments :—

- (1) Chief Secretary ... Political (including Police), Appointment and Revenue Departments.
- (2) Judicial Secretary ... Judicial and General (including Education) Departments.
- (3) Financial Secretary ... Financial and Municipal Departments.
- (4) Public Works Secretary ... Roads and Buildings.
- (5) Public Works Secretary ... Irrigation, Marine and Railways.

The two Public Works Secretaries also have administrative duties as Chief Engineers. There is an Under-Secretary in each Department.

Cases of a routine nature are disposed of by the Under-Secretaries in the different departments. Other relatively unimportant cases where the proper course is clear, are disposed of by the Secretaries. It is, however, a rule of business that all communications to and from the Government of India, all circulars and other instructions of a general nature, and all cases in which it is proposed to pass orders contrary to the recommendations of a Commissioner of a Division or the Head of a Department must be submitted for the orders of the Lieutenant-Governor.

The Bengal Government has a Legislative Council constituted under a proclamation, dated the 18th January, 1862, by the Governor-General in Council, which extended to this province the provisions of the India Councils Act, 1861. The number of Members of Council was originally twelve, but it has been raised to twenty under the India Councils Act, 1892. By regulations made under the Act, it has been provided that, of the twenty members, not more than ten shall be officials. Of the non-official members seven are nominated by the Lieutenant-Governor on the recommendation of certain local bodies and associations, and three at his own discretion.

The Board of Revenue.—The control of all matters connected with the collection of revenue and the administration of the land is vested in the Board of Revenue, which was constituted by Regulation III of 1822. There are two members, one of whom deals with land revenue, survey and settlements, land registration, the management of wards' estates, the collection of cesses, &c.; and the other with miscellaneous revenue, including excise, opium, income-tax, salt, customs and the like. Each member is vested with the full powers of the Board in respect of his own department. In all revenue matters, the Board constitutes the final Court of appeal, or of revision in cases where an appeal is not allowed. The Board refer to Government all matters of general importance as well as those requiring its sanction according to law or practice. New circular orders of any importance are submitted for the approval of Government before they are issued.

Heads of Departments.—It may be stated generally that it is the duty of the Head of a Department by inspection and otherwise to see that the work of his department is properly and efficiently carried out. It is also his duty to initiate reforms, but all important changes and general circulars require the previous approval of Government. The following are the Heads of the Department in Bengal with a brief note on the powers and duties of each :—

The Inspector General of Police is the Head of the Police Department outside Calcutta. Under him are three Deputy-Inspectors-General for the three ranges into which the province is divided for police purposes. A fourth Deputy-Inspector-General is in charge of the Railway Police and the Criminal Investigation Department.

The Commissioner of Police is the Head of the Police in the city of Calcutta, and is independent of the Inspector-General of Police.

The Director of Public Instruction is the chief controlling officer of the Education Department. Below him are the divisional inspectors of schools, one for each division. There is a Deputy Inspector for each district, who is assisted by a sub-inspector in each sub-division.

The Inspector-General of Civil Hospitals is in charge of the Medical Department. Under him are the Civil Surgeons in the different districts and the officers in charge of the big medical institutions in Calcutta.

The Sanitary Commissioner, with two Deputy Sanitary Commissioners, is responsible for advising Government and local bodies in all matters concerning sanitation. Their functions are purely advisory.

The Commissioner of Excise is in immediate charge of excise matters and, in that capacity issues orders direct to Collectors. If, however, he differs from the Commissioner of a division, he is required to refer the matter to the Board of Revenue.

The Inspector-General of Prisons exercises general control over, and supervision of, all prisons situated in the province.

The Director of Land Records is in charge of all large settlements throughout the province. Petty settlements are dealt with by the District Officers themselves.

Director of Agriculture.—This is a new appointment. It is the duty of the Director to encourage agriculture by giving advice, disseminating information and supplying seed for new crops. Various agricultural farms are under his control.

The Inspector-General of Registration is in charge of the Registration Department. He is assisted by two Inspectors of Registration.

The Conservator of Forests is the head of the Forest Department. The management of all reserved forests is carried out by him with a staff of Deputy and Assistant Conservators and other subordinates. In respect of protected forests, his functions are more of an advisory nature. The direct control over these forests vests in the District Officer.

Commissioners of Divisions.—For administrative purposes, Bengal is divided into six divisions, each of which is superintended by a Commissioner. The largest of these divisions is that of Patna with a population of 15½ millions.

The work of Commissioners is both administrative and judicial. In almost all matters especially in the Revenue Department, they exercise a general superintendence and control over the proceedings of District Officers. They exercise this control, partly by means of returns and the necessity which exists of obtaining their sanction in various matters, and partly by periodic inspections and local tours. Where they have not authority to dispose of matters themselves, they refer them for the orders of higher authority. All reports called for by Government or the Board are obtained through them, and in submitting the District Officers' reports, it is their duty to sift, check, and collate them, to amplify, where necessary and to furnish their own views.

The judicial work of Commissioners consists in hearing appeals from the decisions of subordinate officers in cases relating to settlements, partitions, certificate sales, and other cases of a revenue nature, in the exercise of powers vested in them by law. They also hear appeals of an executive nature, *e.g.*, from ministerial and police officers against dismissal or other punishments. In certain divisions, they have to perform political, civil and criminal work.

In revenue matters, except famine and forests, the Commissioners are subject to the orders of the Board of Revenue. In other matters, they deal with the Government direct.

Apart from their special duties, the Commissioners are recognized as the local representatives of Government. They are expected to intervene in all matters where prompt action is needed, even when they have no concern with them in the ordinary course of their duties, *e.g.*, in a dispute between two Departments, or where the conduct of an officer is likely to cause scandal. The amount of work a Commissioner has to do depends largely on his activity and his methods, and on the time he has been in his division.

District Officers.—Under the Commissioner is the District Officer. There are 34 districts in Bengal. The largest is Darbhanga with a population of close upon three millions. As Magistrate of the District, the District Officer is required to supervise the work of all the subordinate Magistrates. He seldom tries cases himself, and his judicial work is confined almost entirely to the hearing of applications for revision and of appeals in petty cases disposed of by Magistrates of the second or third class. He exercises the quasi-executive powers vested in him under the Criminal Procedure Code, and he is responsible for peace and good order in his district.

In the Non-Regulation districts, the District Officer still possesses the powers of a Subordinate Judge, but, except in one district, whole time Subordinate Judges have now been appointed, and the District Officer seldom does any civil judicial work himself, other than work of a purely routine nature.

The District Magistrate is Head of the Police. In this capacity, he exercises control over the investigation of important cases before they come to trial. The Superintendent of Police is required to obtain his approval to all orders of an important nature, except such as relate solely to discipline and other technical subjects; and correspondence between the Superintendent of Police and the Deputy Inspector General passes through him. Appeals against orders of dismissal and punishment lie to him.

In his capacity of Collector the District Officer deals with all revenue matter affecting his district, including the collection of the land revenue, settlements, the partition of estates, the assessment of income-tax, excise, stamps, treasury, &c., &c.

The District Officer is *ex-officio* Registrar and *ex-officio* Chairman of the District Board. In the latter capacity, he has control over primary education and is charged with the execution and administration of all local Public Works. He is also sometimes Chairman of the municipality at his district headquarters.

APPENDIX II.

No. 1550, dated Calcutta, the 16th March, 1908.

From—E. A. GAIT, Esq., C.I.E., I.C.S., Chief Secretary to the Government of Bengal, Revenue Department,
To—The Secretary to the Royal Commission on Decentralization.

I AM directed to submit, for the consideration of the Royal Commission on Decentralization, the following expression of the views of this Government as to practical measures of devolution which it is prepared to recommend in the direction of—(a) giving larger powers to the Local Government itself, and (b) similarly enlarging the powers of the Board of Revenue, the Heads of Departments, and Commissioners and Collectors; and as regards the desirability of giving larger powers to District Boards and municipalities.

2. In regard to the powers of the Local Government itself, the most important direction in which the principle of devolution can be given effect to is, no doubt, that of financial control. The details of this control are contained chiefly in the several codes issued under the authority of the Government of India, such as the Civil Service Regulations, Civil Account Code, Public Works Department Code, &c. While this Government fully realises the paramount importance of rigid scrutiny and strict control of all proposals for increase of recurring expenditure, there are many respects in which the existing Regulations are too rigid. As matters stand, the Head of the Local Government may incur an expenditure up to 10 lakhs of rupees on a particular work; but he is prohibited from spending a single extra rupee on salaries or allowances, where this raises the charge beyond a certain small limit, or from deviating a hair's breadth from some general rule, such as that prohibiting the deputation to foreign service of an officer of less than 10 years' standing. The rule in question is, of course, a good one; but cases often occur in which exceptions have to be made; and it is, I am to submit, absurd that in all such cases a reference has to be made to the Government of India.

3. Sir Andrew Fraser is in full sympathy with the views put forward by Sir S. Edgerley at the meeting of the Supreme Council held on the 27th March last, viz., that all Local Governments should have wider discretion themselves to dispose of all particular cases either of an infringement by past action of financial rules of control, or of cases that do not involve a new principle of administration or sanction to fresh

expenditure beyond such limits as may be imposed from time to time, provided that in financial matters the head Accounts Officer of the province concurs in the proposed disposal as reasonable, and as being such as his experience leads him to consider would be likely to be sanctioned by the Government of India. Periodical statements of all such cases should be submitted to the Government of India in the Financial Department.

4. In the interests of good administration it is essential that everything possible should be done to restore the local officers to the position which they held before the days of telegraphs and returns, when they were far less burdened with routine work, their powers were less restricted, and the people were accustomed to regard their orders as finally disposing of the questions coming before them. The system of administration which has grown up gradually in recent years makes it necessary for a District Officer to devote so much of his time to correspondence, registers and returns, all of which are in English, that he has no longer the leisure to master the local dialects or go about amongst the people as his predecessors did. The result is that he and the people have, to a great extent, got out of touch, and the old conditions of mutual confidence and liking have largely disappeared. The Lieutenant-Governor fears that the average District Officer of to-day knows less of the real life of the people—of their character, interests, and aspirations—than did his predecessors of half a century back.

5. The evil has been accentuated by the more frequent transfers of recent years. These are due partly to the shortening of the journey to Europe, and partly to the growth of special departments, such as the Settlement Department, for which officers have to be carefully selected. It is also due in this province (as will be pointed out immediately) to the staff being inadequate. The objection to frequent transfers are manifold. Nothing tends to reduce the authority of the Head of the district, or to diminish his interest in it, more than the knowledge that his term of office there is not likely to last more than a very limited time. He

never gets to know the zamindars or to acquire any influence with them. Such influence can be acquired only by means of long-continued intercourse. As matters stand, it is scarcely worth a *mufassal* zamindar's while to cultivate good relations with his Collector. For by the time he has got to know him, the Collector is too often transferred and is replaced by a new officer, with whom the process has to be begun over again. Neither is it possible for a District Officer to exercise the same influence for good that his predecessors did. His wishes and orders will receive apparent acquiescence so long as he is on the spot, but the moment he is transferred, they will be disregarded and forgotten. This happens not only in respect of semi-private matters, such as the relations between a zamindar and his raiyats, but also in respect of the working of the District Boards and municipalities, and even in the Collector's own office. Much power thus falls into the hands of, and is abused by, the subordinate staff. Cases constantly come to notice in which improvements effected by one officer are abandoned and forgotten within a very short time, owing to transfers. The effect is equally bad on the training of officers. A man may throw himself with zest into the work of a district where he has a reasonable expectation of staying for a number of years. But he will not do so if his tenure of office there is likely to be short; and, in any case, it is not possible for him to learn all that he should learn before, under existing circumstances, the time comes for another transfer. The loss of efficiency resulting from transfers is accentuated in this province by the fact that the current vernacular differs greatly in different parts of the province. Apart from the three main languages, Bengali, Hindi, and Uriya, there is a considerable number of dialects, and, on the Chota Nagpur plateau, non-Aryan aboriginal languages. It is impossible, in many districts, merely with a knowledge of the book language, to converse freely with the villagers.

6. It is, perhaps, unnecessary to enlarge any further on the evils attendant on frequent transfers. These evils are admitted. The difficulty is to find a remedy. One undoubted cause of difficulty is the weakness of the existing staff and the practical disappearance of the Joint-Magistrate. When an officer is wanted for any special appointment, it often happens that his removal from a district necessitates one or two consequential transfers. Much good might be done if the number of Joint-Magistrates were increased. Their presence in a district would, in any case, serve to preserve continuity; and, if it were recognised that the Joint would ordinarily succeed his Collector when the latter is transferred, he would already be in possession of valuable experience before the time came for assuming charge of the district. Proposals have already been submitted to the Government of India for increasing the number of Joint-Magistrates in Bengal. Another direction in which the evil might be mitigated would be by extending the principle underlying the Resolution of the Government of India, No. 224-240, dated the 25th January, 1901, regarding transfers. It should be left ordinarily to Government to decide on the time when an officer proceeds on, and returns from, leave. The tendency at present is for all officers to go on leave about the month of April and to return at the beginning of the cold weather. Except where there are special circumstances, they should be required to time their departure and arrival so as to enable them to be relieved or posted as may seem most desirable in the interests of good administration.

7. In dealing with this question of decentralization, it is necessary to start with some definite principle. The present system of control is largely one of control by means of periodical or special returns and reports. It is impossible to effect a really extensive measure of decentralization unless some radical change is made in this system. It seems to Sir Andrew Fraser that it should be recognised that the work of Commissioners and District Officers should be watched and controlled by personal inspection on the spot rather than by the perusal of reports and returns at headquarters. Reports and returns are apt to be misleading; and they often fail to give an adequate idea of the work to which they relate. It should be our aim to allow the local officers to work more on their own responsibility than they do at present. If this principle were

recognised, many of the reports and returns which are now called for might be abolished. In particular, the Lieutenant-Governor would be inclined to do away with the whole series of annual reports, replacing them by one general administration report, such as was formerly prepared. In regard to special subjects such as excise, education, the working of District Boards, and the like, the present reports should be replaced by statistics reduced to the smallest possible dimension, which should be accompanied by a brief note similar to the notes now submitted with the registration returns for two years out of three. On the other hand, it would be necessary for controlling officers to devote more time than they now do to local inspection and to improve the present system of inspection.

8. If the principle referred to in the last paragraph were recognised, it would be necessary, at the same time to give full power to the Local Government to pass over officers regarded by it as unfit to hold the appointment of Commissioner or Collector, as the case might be, without being called upon to give detailed reasons for its decision. It would be absolutely necessary that the officers entrusted with these important duties should be in every way fully qualified to perform them, and that they should be men in whom the Local Government is able to repose its confidence. If, therefore, a Local Government is of opinion that a particular officer is not suited for a Commissionership, or for the charge of a district, the expression of that opinion should be sufficient without any detailed reasons being required. The matter is one which should be decided by an officer's general reputation rather than the question whether he has or has not committed specific indiscretions. An inferior officer often succeeds in rubbing along without doing anything calling for serious animadversion, while officers who, in general are thoroughly capable and entirely reliable, are apt at times to do things which lay them open to censure. In this connection, I am to invite attention to the following remarks made by the Famine Commissioners of 1878-1880 on page 101 of their report:—

"The only certain way of avoiding the risk of administrative failure with consequent discredit to Government and probable calamity to the people in time of difficulty is to adopt proved capacity as the sole qualification for official advancement."

The Commissioners recommend a system by which those members of the service whose unfitness for further promotion had been adequately established might be compelled to leave it on such terms of pension as would reconcile them to retirement at an earlier period than that prescribed by the ordinary rules. Sir Andrew Fraser is of opinion that this matter merits the fullest and most sympathetic consideration at the hands of the Royal Commission.

9. Another matter which deserves careful consideration is the question of language qualifications. As noted above, the present generation of civilians are, generally speaking, less familiar with the language of the people than were their predecessors in the days when work was lighter and the bulk of it was conducted in the vernacular. The Lieutenant-Governor has already under consideration the question of taking steps to remedy this defect, but the matter is one deserving of special mention in the present connection. In Sir Andrew Fraser's opinion, a man ought not to be placed in charge of a district who is unable to converse freely with the people. Moreover, in districts of Bengal where there is great diversity of language, arrangements should be made, so far as possible, to prevent transfers between different language areas.

10. If the measures proposed above are taken, a very great improvement in district administration might be anticipated. Officers would remain longer in their districts. They would have greater powers and more influence with the people; they would be better qualified to meet and talk with them, and they would be less burdened with routine work, not only because a great part of such work might be entrusted to the Joint-Magistrate, whom it is proposed to revive as a general feature of district administration, but, also, because the bulk of this routine work would be enormously reduced.

11. There is, however, another direction in which the Lieutenant-Governor thinks that the present opportunity may be taken to introduce a beneficial reform. Soon after his appointment as Lieutenant-Governor, Sir Andrew Fraser introduced a system of placing allotments at the disposal of Commissioners of divisions from which they might make grants on the spot for purposes of a public nature, or to remedy small defects brought to their notice at time of inspection, thereby avoiding much correspondence and delay. During each of the last three years, each Commissioner has received an average allotment of about ten thousand rupees for the above purpose. This measure has worked very satisfactorily. It has reduced correspondence regarding small matters, and it has added to the prestige of the Commissioners. His Honour thinks that the same system might well be extended to District Officers. The position of these officers in financial matters is at present somewhat anomalous. They have wide and important powers to punish and correct, and many responsibilities towards the people committed to their care, but they have no fund from which they can make even a small grant to individuals in distress or to any institution that they visit. The Lieutenant-Governor thinks that it would be an excellent thing if a small grant of, say, two thousand rupees a year were placed at the disposal of each District Officer for expenditure by him as he may think fit subject to no control on the part of the audit officer beyond the receipt of the payee and a certificate signed by the District Officer that the money had been spent in the public interest.

12. There has for many years past been a marked tendency towards "departmentalism." This is, no doubt, a natural result of administrative development and a desire for greater efficiency and uniformity in special branches of Government. There are numerous matters of a more or less technical nature in which the supervision of a Departmental Head with special experience is desirable; but the result of the above tendency has frequently been to dissociate the work of these special departments from the control of the local officers, and to establish separate staffs in each district who do not always realize the importance of working in concord. The proper person to correct evils that may arise from this condition of things is the Commissioner of the division. It should be definitely understood that this officer has authority to take cognizance of any irregularities, disputes or other matters calling for remedy that may come to his notice, and either deal with them himself or advise the departmental authorities as to how they should be dealt with.

13. Sir Andrew Fraser has long been of opinion that more might be done in many provinces to bring the Heads of Departments into closer touch with the Government. It is too often the practice for proposals sent up by them to be examined at length in the Secretariat, noted on, adversely criticised, and either negatived altogether or sent back for further consideration, without any personal communication between the Head of the Department and the Secretary dealing with the case. It would be far better in all cases, that the Head of the Department and the Secretary should meet and discuss the question personally, either after the proposals have been sent in officially, or, better still, before they are finally drawn up. This procedure would often remove misunderstanding; and it might often be of assistance to the Departmental Head in maturing his proposals. It would, moreover, avoid delay. The Lieutenant-Governor would also lay great stress on the importance of the Head of a Government being accessible at all times to the Heads of the different Departments. They should be encouraged to come and see him and discuss with him personally important questions affecting the departments of which they are in charge. It should, of course, be clearly understood that this personal discussion does not supersede, or render unnecessary, a regular official reference through the ordinary channel. The Head of the Government would not pass definite orders until the scheme had been examined and criticized by his responsible Secretariat adviser.

14. There can be no doubt that much benefit is to be derived from personal discussion, not only with Heads of Departments, but also with other officers of

standing; and it was the recognition of this fact which led Sir Andrew Fraser, on his appointment as Lieutenant-Governor to inaugurate a system of annual conferences of Commissioners. These conferences, which are presided over by the senior member of the Board of Revenue and are attended by the Heads of Departments interested in the subjects discussed, have proved of great use in this province. Many important subjects have thus been threshed out. Amongst other matters, the question of devolution has received considerable attention; and numerous delegations of powers have been made in consequence.

15. The last matter to which Sir Andrew Fraser desires to draw special attention is the importance which he attaches to Commissioners and District Officers conversing freely with Indian gentlemen and consulting them in regard to administrative problems, especially such as involve considerations of a social, religious or racial character, or in the disposal of which local knowledge is of special value. Such intercourse is beneficial, not only because of its direct results in ensuring adequate consideration of the subject at issue from the point of view of the people themselves but also because of the sympathy and confidence which it cannot fail to engender between the rulers and the ruled. The Lieutenant-Governor is convinced that much of the present "unrest" and mutual misunderstanding is due to the absence of anything like free intercourse between officials and non-officials, and that it would to a great extent be removed if the system here advocated were adopted. Many good officers do seek the advice and help of Indian gentlemen, but the Lieutenant-Governor would like to see the practice established on a firm and recognised basis. It does not seem desirable at present to establish district or divisional "Advisory Councils." For the purpose in view, the best arrangement would be to consult the gentlemen whose names are entered in the Darbar List of the different districts, or such of them as are shown by the notes of previous District Officers to be worthy of this mark of confidence.

16. As regards the desirability of giving large powers to District and Local Boards and municipalities, I am to say that these Bodies should be employed as fully as possible; but it must be left to experience to say, from time to time, what advance can be made in this respect. It is in the districts, in the work of Local Boards and municipalities, that Government first requires the co-operation of the people; and it is there that real education in self-government must be given. It is the men who do work in the interior who are best fitted to take a worthy place in the Provincial and Imperial Councils. The difficulty that has hitherto been experienced has been to secure as members of these bodies truly representative persons. This difficulty has been less realized in regard to District Boards. In respect of the latter, with a view to securing due representation of the people, election has been largely supplemented by nomination. But if the people themselves took real interest in Local Self-Government, there would be little difficulty in securing true representation by election. As such interest develops, it becomes possible to give more and more power to local bodies. On the other hand, the grant of such powers increases the interests; so that a wise devolution by Government of power to these bodies and the growing interest on the part of the people act and react on one another. On the other hand, it would be most dangerous to local interest to give power rashly and prematurely. It is safe to say that as much power as can be given should be given, for the co-operation of the people is of great importance; but how this principle should be applied must be left to the teaching of experience.

17. I am to enclose herewith two lists of matters in respect of which the Lieutenant-Governor thinks that additional powers should be delegated to the Local Government and officers and Heads of Departments subordinate to it. List I. contains proposals for the delegation of powers which require the sanction of either the Government of India, or the Secretary of State for India, whether the delegation be from the Government of India, or the Secretary of State for India, to the Local Government, or from the Local Government to a subordinate authority. List II. contains all other proposals for delegation, arranged

under the same four heads, which can be made without reference to higher authority.

18. In connection with the above lists I am to point out that it is impossible at one time to foresee all questions that may arise, and there must be many other directions in which the principle of decentralization can be advanced. New questions, moreover, will come up as conditions change; and every year new suggestions may present themselves. It is important that a system should be devised by which the general principles of decentralization that may now be determined upon shall continue to be given effect to in future years. It would be well, as was suggested by Sir Steyning Edgerley, if a general Act were passed empowering the Government of India and the Local Governments to delegate their statutory powers to

such subordinate officers as may seem proper from time to time.

19. With reference to List I., it will be noticed that in several cases the delegation of further powers to the Local Government will depend upon whether wider powers are to be given to my Government of India. The Lieutenant-Governor assumes that the question of increasing the powers of the Supreme Government in respect of financial control will also come within the scope of the Royal Commission's enquiries.

20. The question of delegating larger powers to the Board of Revenue, Commissioners and District Officer has already been under consideration in this province. When Sir Andrew Fraser came to Bengal this question was one of the first that occupied his attention, and large measure of delegation has already been effected.

LIST I.

PROPOSALS FOR DELEGATION OF POWERS TO THE LOCAL GOVERNMENT, BOARD OF REVENUE, COMMISSIONERS OF DIVISIONS AND HEADS OF DEPARTMENTS.

(a)—The amendment of existing Laws either of the Imperial or Provincial Councils.

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
Acquisition of land ...	Political (Police), Revenue, Medical, Local Self-Government, General.	Sections 4, 6 and 17 of Act I of 1894.	Local Government ...	Commissioners of Divisions ...	Powers under sections 4 and 6 may be delegated to Commissioners except where for other reasons the sanction of Government is required, e.g., where the total cost of the scheme requires the sanction of Government (i.e. when over Rs. 5,000 for any Government work, Rs. 10,000 for any municipal work, and Rs. 25,000 for any District Board work). Powers under section 17 (1) and (2) may also be delegated to Commissioners.
Annulment of sale of estates ...	Revenue ...	Act XI of 1859, section 26 ...	Ditto	Board of Revenue ...	Local Government always accepts the Board's proposals. Power may be delegated to Commissioners, subject to report to Government.
Vesting with powers under section 3, Act I of 1894.	Appointment ...	Act I of 1894, section 3 ...	Ditto	Commissioners of Divisions ...	The Protector of Emigrants may be authorised to grant such licenses when, after the survey required, the vessel is found to conform to the conditions laid down in the rules.
Application for licenses from masters of vessels.	General (Emigration) ...	Sections 54 and 56 of Act XXI of 1883, and Rule 124 of the Rules under it.	Ditto	Protector of Emigrants, Calcutta	Power may be delegated to District Judges to dispose of where the value of the property does not exceed Rs. 500.
Powers under the law ...	Judicial ...	Section 7, Regulation VII of 1799.	Ditto	District Judges ...	Power may be delegated to the Commissioner of Police, giving him an annual grant for the purpose of deportation. The Commissioner's recommendation is always accepted.
Deportation of European Vagrants	Ditto	European Vagrancy Act of 1874.	Ditto	Commissioner of Police, Calcutta	May not Commissioners be authorised by law to appoint Honorary Magistrates with third class powers? May not Commissioners be authorised to grant third class powers?
Appointment of Honorary Magistrates.	Ditto	Section 14, Criminal Procedure Code.	Ditto	Commissioners of Divisions ...	
Investment of powers of Honorary Magistrates.	Ditto	Section 14 (1), Criminal Procedure Code.	Ditto	Ditto	
Re-appointment of Honorary Magistrates.	Ditto	Section 14, Criminal Procedure Code, and Government order No. 1931J, dated 20th March 1903.	Ditto	Ditto	
Removal to, and detention in, asylums of criminal lunatics.	Ditto	Sections 466 (2) and 471, Criminal Procedure Code.	Ditto	District Magistrate or Sessions Court Concerned.	
Reports as to state of mind of criminal lunatics.	Ditto	Section 472, Criminal Procedure Code.	Ditto	Ditto	
Release of criminal lunatics ...	Ditto	Sections 474 and 475, Criminal Procedure Code.	Ditto	Ditto	

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
Removal of criminal lunatics to jails.	Judicial	Section 30 (2) of the Prisoners Act III of 1900.	Local Government	Superintendent of the Asylum.	
Removal of insane prisoners from jail to Lunatic Asylum.	Ditto	Section 30 (1) of Act III of 1900.	Ditto	Inspector-General of Prisons.	
Transfer and exchange of Ministerial officers of Civil Courts.	Ditto	Section 34 (1), Act XII of 1887.	Ditto	District Judges	Power may be delegated to District Judges in cases where arrangement can be made between themselves.
Appointment of Marriage Registrars and Registrars of Births and Deaths.	Appointment	Act XV of 1872 and Act VI of 1886.	Ditto	Inspector-General of Registration	Power may be delegated under the law to the Inspector-General of Registration, subject to report to Government.
Appointments to Bengal Council	Ditto	Section 45, Indian Councils Act, 1861.	Government of India	Local Government	May be disposed of by the Local Government.
Power to assign to any Municipality the functions and powers in respect to the granting, withholding and withdrawal of licenses for the sale of excisable articles.	Separate Revenue Branch (Excise).	Section 84 of Act VII of 1878.	Ditto	Ditto.	
Power to appoint Income-tax Deputy Collectors and to vest them with the powers of a Collector under the Income-tax Act.	Separate Revenue Branch (Income-tax).	Section 40 of the Income-tax Act, II of 1886.	Local Government	Board of Revenue.	
To grant refund of Customs duty	Separate Revenue Branch (Customs).	Section 191 of the Sea Customs Act, VIII of 1878.	Ditto	Ditto.	
Extension of parts of sections of Bengal Municipal Act.	Municipal	Sections 220 and 241, Bengal Municipal Act, III of 1884.	Ditto	Commissioners of Divisions	May be delegated to Commissioners as proposed in the draft Bill now under consideration.
Appointment of Commissioners of Municipalities.	Ditto	Sections 14, 16 and 27A, Bengal Municipal Act, III of 1884.	Ditto	Ditto	Ditto
Approval of election of Chairman	Ditto	Section 59 (a), Bengal Municipal Act, III of 1884.	Ditto	Ditto	Ditto
Revision of and exemption from assessment.	Ditto	Sections IIIA and 86 and 98, Act III of 1884.	Ditto	Ditto	May be delegated to Commissioners.
Confirmation of bye-laws	Ditto	Sections 351, Act III of 1884	Ditto	Ditto	May be delegated to Commissioners as proposed in the draft Bill now under consideration.
Carts and carriage registration and levy of fees.	Ditto	Sections 86 (a), 131 and 142, Act III of 1884.	Ditto	Ditto	May be delegated to Commissioners.
Appointment of subordinates on pay of Rs. 200 and upwards.	Ditto	Section 61, Act III of 1884	Ditto	Ditto	May be delegated to Commissioners as in the case of District Boards.
Investment of Municipal Funds	Ditto	Section 83, Act III of 1884	Ditto	Ditto	May be delegated to Commissioners.
Lighting with gas	Ditto	Section 308, Act III of 1884	Ditto	Ditto	May be delegated to Commissioners as proposed in the draft Bill now under consideration.
Rules of business	Ditto	Section 351A, Act III of 1884.	Ditto	Ditto	

Grant of allowances to Chairmen and Vice-Chairmen of Municipalities.	Ditto	Section 59 (c) of the Bengal Municipal Act, III of 1884.	Ditto	Ditto	The power of the Local Government may be delegated to Commissioners.
Appointment, resignation and election of members of District and Local Boards.	Local Self-Government	Sections 7, 10, 11, 15, 17, and 19, Act III (B.C.) of 1885.	Ditto	Ditto	May be delegated to Commissioners as proposed in the draft Bill now under consideration.
Appointment and election of Chairmen of Local Boards.	Ditto	Section 25, Act III (B.C.) of 1885.	Ditto	Ditto	

(b) The relaxation of rules having the force of law.

General (Emigration)...	Local Government	Protector of Emigrants, Calcutta.	Submission of these statements may be discontinued.
Survey of emigrant vessels	Local Government	Ditto	These bonds may be preserved in the office of the Protector of Emigrants.
Submission to Local Governments of bonds executed by masters of emigrant vessels licensed to convey emigrants to the Colonies.	Ditto	Ditto	Submission of these statements may be discontinued.
Submission of way-bills of steamers conveying emigrants.	Ditto	Ditto	These reports need not be submitted to Government except in cases of any report of special interest or importance.
Report on returned emigrant vessel.	Ditto	Ditto	Submission of these statements may be discontinued.
Submission of statements showing the disposal of estates of emigrants who died during the voyage from the Colonies.	Ditto	Ditto	In case of personal exemption in respect of successors to persons previously exempted, power may be delegated to Commissioners.
Exemption from operation of certain sections of the Arms Act.	Political (Police)	Commissioners	

(c) The relaxation of existing Code issued under the authority of the Government of India.

Local Self-Government.	Local Government	Commissioners of Divisions	May be delegated to Commissioners up to Rs. 500 per annum in any one case.
Grant of certain allowances from District and Local Board Funds.	Local Government	Commissioners of Divisions	
Grant of honorarium	Secretary of State and Government of India.	Local Government	Larger powers may be given to the Local Government, say, up to Rs. 500, under Imperial and Rs. 1,000 under Provincial. It should be for the Local Government to decide whether such an honorarium is or is not a "recurring" honorarium or fee.
Acceptance of fees	Government of India	Ditto	The Local Government may be empowered to sanction up to Rs. 1,000.
.....	Ditto	Ditto	The Local Government should have power to sanction up to Rs. 2,500 in each case.
House, local and other allowances.	Ditto	Ditto	The Local Government should have larger powers under this article, say, up to a limit (of pay and allowance) of Rs. 6,000 a year.

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
Temporary appointment and deputations.	Separate Revenue, Appointment, Public Works Department (Establishment).	Article 78, Civil Service Regulations.	Government of India	Local Government	Power may be given to the Local Government to depute in all cases if the pay or allowances do not exceed Rs. 500 per mensem and up to 12 months if they exceed that amount, subject to the provisions of Article 77A, Civil Service Regulations.
Deputation of officers	Separate Revenue, General (Education).	Ditto	Local Government	Board of Revenue, Commissioners of Divisions and Heads of Departments.	Powers may be delegated to Board, Commissioners and Heads of Departments up to a limit of six months in respect of officers whose pay and allowances do not exceed Rs. 250 per mensem.
.....	Appointment (Medical)	Articles 77 to 79 of the Civil Service Regulations.	Ditto	Commissioners of Divisions and Inspector-General of Civil Hospitals.	Power may be delegated to Commissioners in cases in which local arrangements can be made without reference to Government and subject to the report of the Accountant-General, Bengal, and, if Gazette notification is necessary, report to Government. Power may also be delegated to Inspector-General of Civil Hospitals.
Charge allowance	Separate Revenue, Appointment, General (Education).	Articles 161 and 95, Civil Service Regulations.	Ditto	Commissioners, Heads of Departments, District Officers, and Board of Revenue.	"Power may be delegated to, Commissioners, Board of Revenue, and District officers to grant according to the rules and regulations."
To sanction extension of joining time under article 180, Civil Service Regulations, up to a maximum of 30 days.	Separate Revenue	Article 180, Civil Service Regulations.	Ditto	Board of Revenue	Power to extend up to 30 days may be delegated to Board of Revenue, subject to the conditions of the Civil Service Regulations.
Counting of temporary service towards pension.	Public Works Department (Establishment).	Article 368, Civil Service Regulations.	Government of India	Local Government	The power of the Government of India under the article as well as under Articles 422 and 434 may be delegated to Local Government.
To sanction condonation of interruptions and deficiencies in service when the pay of the officer at the date of retirement does not exceed Rs. 50 per mensem.	Finance	Article 422 (ii), and Article 423 (2), Civil Service Regulations.	Local Government	Commissioners	Power of the Local Government may be delegated to Commissioner to condone in respect of officers whose pay at date of retirement does not exceed Rs. 50.
Re-employment of pensioners ...	Local Self-Government	Article 521, Civil Service Regulations.	Ditto	Ditto	The power of the Local Government may be delegated to Commissioners.
Employment of pensioners ...	Finance, Separate Revenue, Local Self-Government, Revenue.	Article 524, Civil Service Regulations.	Ditto	Commissioners of Divisions and Heads of Departments.	The power of the Local Government may be delegated to Commissioners and Heads of Departments.
Deputation to foreign service of an officer not having 10 years' qualifying service.	Appointment, Political, Revenue.	Article 753 (iii), Civil Service Regulations.	Government of India	Local Government	Power may be delegated to the Local Government to relax the rule where it considers necessary.
Grant of travelling allowances to District Board employés.	Local Self-Government	Article 814, Civil Service Regulations.	Local Government	Commissioners	Power to dispose of all such cases may be delegated to Commissioners.

Leave of officers	Revenue, General (Registration), Political (Police).	Articles 825 and 841, Civil Service Regulations.	Ditto	Board of Revenue, Commissioners of Divisions, and Heads of Departments.	May be delegated to the Board, and Commissioners and Heads of Departments in cases in which local arrangements can be made without reference to Government, and subject to the report of the Accountant-General, Bengal, and, if Gazette notification is necessary, report to Government.
.....	Appointment.—(1) Deputy Magistrates	Articles 841 (a) and 825 of the Civil Service Regulations.	Ditto	Commissioners of Divisions	Power may be delegated to Commissioners, subject to the above proviso.
.....	(2) Provincial Judicial officers.	Ditto	Ditto	High Court	Power may be delegated to the High Court, subject to report of the Accountant-General, Bengal.
.....	(3) Provincial Educational officers.	Ditto	Ditto	Director of Public Instruction	Power may be delegated to the Director of Public Instruction, subject to the above proviso.
.....	(4) Police officers, Assistant and Deputy Superintendents.	Ditto	Ditto	Inspector-General of Police	Power may be delegated to the Inspector-General of Police, subject to the above proviso.
.....	(5) Chaplains of the Church of England.	Articles 846 and 849, Civil Service Regulations.	Ditto	Lord Bishop	Power may be delegated to the Lord Bishop, and subject to the report of the Accountant-General, Bengal, and, if Gazette notification is necessary, report to Government.
Sanction to pension admissible under the rules to officers whose pay does not exceed Rs. 50 at date of retirement.	Finance	Article 918, Civil Service Regulations.	Ditto	Commissioners	Under the orders of the Government of India, No. 998Ex., dated the 20th February 1906, power has been delegated in cases in which pay does not exceed Rs. 20 per mensem only.
Further power to sanction special pensions and gratuities under Article 924, Civil Service Regulations.	Ditto	Article 924, Civil Service Regulations.	Secretary of State and Government of India.	Government of India and Local Government.	Power may be given to Commissioners to sanction pension in cases of subordinates whose pay does not exceed Rs. 50 at date of retirement.
Travelling allowances, carriage conveyance and horse allowances.	Marine, General, Public Works, Medical, Revenue.	Various articles of Part XI of Civil Service Regulations.	Government of India	Local Government	Further power should be given to the Government of India, and thence delegated to the Local Government.
Exemption from ten days' rule ...	Finance, Medical, General (Education).	Article 1056, Civil Service Regulations.	Local Government	Heads of Departments and Commissioners.	The powers now vested in the Government of India may be given to Local Governments. The Local Government may also be authorised to grant actual expenses in particular cases in which the travelling allowance admissible under Regulations does not cover those expenses.
Investigation of claims to arrears of pay.	Finance, Political (Police), Registration, Judicial.	Article 5 (c), Civil Account Code.	Ditto	Commissioners, Heads of Departments, and District Judges.	Power may be given to Commissioners and Heads of Departments, subject to the proviso, clause (a) to grant exemption.
Employment of <i>daftars</i> in the Registration Office.	General (Registration)	Article 57, Civil Account Code.	Ditto	Head of Department	Power may be delegated to Commissioners, Heads of Departments, and District Judges to order investigation and payment in case of arrears not more than five years old.
Employment of petty establishment in circuit-houses.	General (Miscellaneous).	Ditto	Ditto	Commissioner	Power should be delegated to the Head of the Department up to a limit of Rs. 20 per mensem.
Entertainment of temporary establishment.	Finance, Financial (Miscellaneous), Separate Revenue, General (Education), Political, Revenue, Judicial, Political (Police Chaudhari), Registration.	Ditto (or Article 78, Civil Service Regulations).	Ditto	Board of Revenue, Commissioners of Divisions, Collectors, Heads of Departments, and District Judges.	Power may be delegated to Commissioners to sanction menial establishment for circuit-houses up to a limit of Rs. 20 per mensem and subject to budget provision. Power may be delegated to the Board of Revenue in respect of temporary establishment up to Rs. 250 per mensem for one year, and to Commissioners, Collectors and Heads of Departments and District Judges up to Rs. 100 per mensem for one year, subject to budget provision.

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
Supply of liveries and warm clothing to messengers in Imperial establishment.	Finance ...	Article 98 (i), Civil Account Code.	Government of India	Local Government	Sanction to an appointment should carry with it power to grant liveries, warm clothing, according to scale to be fixed by Government.
Local purchase of articles of European manufacture.	Separate Revenue, Financial (Miscellaneous), Medical and Sanitation, Revenue.	Article 98 (k), Civil Account Code.	Local Government	Board of Revenue, Commissioners of Divisions, Heads of Departments, and Collectors.	Subject to the condition stated in the articles and to budget provision, power may be delegated to Commissioners and Heads of Departments up to Rs. 250 and to Collectors up to Rs. 100 in each case.
.....	Local Self-Government, Judicial (Jail), Public Works (Roads and Buildings).	Ditto	Ditto	Superintending Engineers	Power to purchase may be delegated to Superintending Engineers up to Rs. 2,500 and to Executive Engineers up to Rs. 500 in any one case.
Rents, rates and taxes	Separate Revenue, Political (Police), Revenue, General (Miscellaneous), Judicial.	Article 98 (m), (n) and (o), Civil Account Code.	Ditto	Commissioners and Heads of Departments.	Power may be delegated to Commissioners and Heads of Departments to sanction rent up to Rs. 500 per year, and rates and taxes up to Rs. 200 per year, subject to certificate from Executive Engineer.
Local purchase of Chubb's lock	Finance ...	Article 98 (i), Civil Account Code.	Government of India	Local Government, Commissioners, and Heads of Departments.	Power to purchase may be delegated to Local Government, Commissioners and Heads of Departments.
Supply of bicycles	Judicial ...	Article 98, Civil Account Code, and Government order No. 1811J.—D., dated 9th June 1904.	Local Government	Commissioners of Divisions	Power may be delegated to Commissioners to purchase, subject to budget provision and rules.
Grant of building advance	General (Miscellaneous)	Article 136, Civil Account Code.	Ditto	Commissioners, Heads of Departments, and District Judges.	Power may be delegated to Commissioners, Heads of Departments, and District Judges.
House allowance	General ...	Article 277 (c), Civil Account Code.	Government of India	Local Government	The power of the Government of India ought to be delegated to the Local Government in this respect, say in the case of officers with salary not exceeding Rs. 500 per mensem.
Special sanction to irregular expenditure up to Rs. 2,500.	Finance ...	Article 278A, Civil Account Code.	Ditto	Ditto	The power of the Local Government may be increased, say, up to Rs. 2,500, whether Provincial or Imperial, and in such cases it should not be open to the Audit office to question the discretion of the Local Government in applying this article.
Writing off of irrecoverable amounts.	Political (Police), Revenue, Judicial, Public Works Department (Roads and Buildings).	Article 279, Civil Account Code.	Local Government	Commissioners and Heads of Department.	Power may be delegated to Commissioners and Heads of Departments up to Rs. 500 in the case of Imperial and Rs. 1,000 in the case of Provincial.
Remission of leave allowances and salary overdrawn, subject to the report of the Accountant-General, Bengal.	Finance ...	Paragraph 371, Public Works Department Code, Volume I. Articles 279A and 801B, Civil Account Code.	Ditto	Superintending Engineers	May be delegated to Superintending Engineers up to Rs. 500 in respect of Provincial funds.

Transfer from one budget subhead to another under the same major head.	Political (Police)	Article 295, Civil Account Code.	Ditto	Heads of Departments	Power to transfer from one sub-head to another in the same Department's budget may be delegated to Heads of Departments.
Power to sanction expenditure in excess of the total provincial grant, provided the provincial balance is not reduced.	Finance ...	Article 295, Civil Account Code.	Government of India	Local Government	The Local Government may be authorized to sanction expenditure in excess of the total Provincial Budget grant, provided the Provincial balance as estimated in the Financial statement be not reduced. Although such reference be rare, the Local Government should have this power.
Appointment of Europeans to posts reserved for natives of India.	Financial (Miscellaneous), Irrigation, General, Marine.	Article 773, Civil Account Code.	Ditto	Ditto	Power under this article may be delegated to the Local Government in cases in which professional or technical qualifications are required.
Transmission of mortgage deeds to Inspector-General of Registration.	General (Miscellaneous)	Paragraph 209, B. T. Manual	Local Government	Commissioners, Heads of Departments and District Judges.	May be transmitted by the sanctioning authority.
Construction of iron records racks	Registration	B. T. Manual	Ditto	Heads of Departments	Power may be delegated to the Head of the Department, subject to the budget limit and subject to a standard plan.
Acceptance of contracts	Public Works Department (Roads and Buildings).	Public Works Department Code, paragraph 900.	Ditto	Ditto	May be delegated to Superintending Engineers up to Rs. 50,000 under Imperial, and Rs. 50,000 for buildings, and Rs. 1,00,000 for roads under Provincial. Power may also be delegated to Executive Engineers up to Rs. 5,000, and in case of selected officers up to Rs. 10,000.
Sanction to execution of contribution works.	Ditto	Public Works Department Code, paragraph 1011.	Ditto	Commissioners of Divisions and Heads of Departments.	Power may be delegated to Commissioners and Heads of Departments up to the same limits to which they have been given power to grant administrative approval in the case of non-contribution works.
Selling or dismantling of permanent public buildings constructed from Imperial funds.	Irrigation	Public Works Department Code, Volume I, paragraph 1057.	Government of India	Local Government	This rule should be modified, so as to give a discretion to the Local Government.
Sanction to expenditure on residences in excess of admissible outlay.	Political (Police), Public Works Department, Revenue.	Public Works Department Code, Rule 1066.	Ditto	Ditto	See note to clause IV. The amount in case of Provincial funds may well be raised to Rs. 20,000. In clause I 8 per cent. should be changed to 10 per cent. It would be more satisfactory if the rule were entirely recast, either (1) prescribing a maximum accommodation for certain classes of officers drawing between certain rates of pay, or (2) omitting (a) the cost of the site from the calculations (a maximum area of site might be laid down), and omitting (b) the cost of foundations which vary greatly according to the soil. It is a question, in fact, whether the Local Government should not be given full discretion in these questions.
Reappropriation within provincial allotments for works in progress.	Public Works Department.	Paragraph 2107 (e) of Public Works Department Code, Volume II.	Local Government	Superintending Engineers	May be delegated to Superintending Engineers up to unlimited amounts.
Reappropriation within Imperial grants.	Public Works Department (Accounts).	Paragraph 2107 (g) of Public Works Department Code, Volume II.	Government of India	Local Government	Transfers from Indian to English grant may be delegated to the Local Government subject to a quarterly statement.
Sanction to expenditure debitable to capital after the closing of construction estimate of an irrigation project.	Irrigation	Public Works Department Code, Volume II, paragraph 2155.	Ditto	Ditto	The Local Government should have full power of sanction under this article so far as Provincial funds are concerned and subject to the submission of an annual statement of such cases.

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendations.
			From whom.	To whom.	
			4	5	6
Sanction to detailed plans and estimates—Increase of Imperial and Provincial.	Public Works Department.	Public Works Department Code, paragraph 2167.	Local Government ...	Superintending Engineers ...	Power may be delegated to Superintending Engineers up to Rs. 50,000 under Imperial and Rs. 50,000 for buildings and Rs. 1,00,000 for roads under Provincial and to Executive Engineers up to Rs. 2,500 under, either Imperial or Provincial (<i>vide</i> Mr. Jacob's letter No. 1852E, dated 15th November 1907). ¹
<i>(d) The relaxation of orders of the Secretary of State or the Government of India which are still in force.</i>					
Quarterly return of memorials withheld.	General (Miscellaneous).	Home Department orders of various dates.	.....	.....	May perhaps be made annual.
Appointment of Settlement and Assistant Settlement Officers.	Ditto	Finance and Commerce Despatch No. 254, dated 3rd September 1895, paragraph 8 (3). In Government of India, Revenue and Agricultural Department letter No. 1384-171-4, dated 28th September 1904, the Local Government was authorized to create for any term all settlement appointments carrying a pay plus settlement allowance not exceeding Rs. 250 a month.	Government of India	Local Government	When the cost is met from Provincial revenues, power might be delegated to the Local Government up to a limit, if necessary, say, for one year at a time.
Journal of Indian Art (mostly asking that the names of subscribers may be struck off the list).	Ditto	Government of India, Revenue and Agricultural Department, Circular No. 17Ex., dated 4th February 1884.	Ditto	Ditto	The Local Government might dispose of such cases in direct communication with the publishers instead of having to address the Government of India on each occasion.
Grant of mining leases in Orissa Fendatory States.	Political ...	Executive orders of India, Foreign Department, Nos. 81-1 of 8th January 1891, and 28721A, of 6th October 1899.	Ditto	Ditto	The power may be vested in the Local Government, subject to the proviso that the terms be in accordance with the rules for the grant of such leases in Government Estates (section 8, Waste Lands Manual).
Grant of Oudh and Mysore pensions.	Ditto	Practice ...	Ditto	Ditto	Power may be delegated to Local Government as in the case of Nizam's pensions, <i>vide</i> Government of India, Foreign Department, No. 103G., dated the 18th January 1900.
Appointment of officers of the Provincial Service to act in listed posts.	Appointment ...	Home Department No. 2159, dated 2nd November 1892, and No. 347, dated 15th May 1901.	Ditto	Ditto	Power may be delegated to the Local Government in respect of officiating appointments not exceeding six months.

Rewards for High Proficiency and Degree of Honour Examinations in languages. Works affecting Calcutta Maidan and Hastings.	Ditto	Home Department Notification No. 708, dated 27th October 1905.	Ditto	Ditto	Local Government may be authorised to sanction payment.
Repairs to launches and boats ...	Public Works Department.	Home Department letter No. 39, dated 29th January 1903, and Military Department letter No. 1925M.W., dated 8th August 1899.	Ditto	Ditto	May powers not be delegated to the Local Government in so far as existing roadways are concerned, e.g., laying of tram lines, cables, etc., where no "buildings" are concerned and no encroachment otherwise on the Maidan involved?
Grant of exploring and prospecting licenses in Orissa Fendatory States.	Police ...	Rule 2 (g) (IV), Chapter XVII, Police Code, Volume I.	Local Government ...	Inspector-General of Police	May be delegated to Inspector-General of Police, subject to budget provision.
Withholding of memorials in managed States.	Political	Fendatory States Manual, Chapter X, paragraph 8. (Executive orders of India, Foreign Department, Nos. 81-1 of 8th January 1891, and 28721A, of 6th October 1899.)	Ditto	Commissioner of Orissa ...	Power may be delegated to Commissioner, provided that copy be submitted to Local Government, and that any right conferred by prospecting license to apply for a mining lease be subject to approval of Local Government.
Purchase and sale of property by Government servants. Examination in tribal languages	Ditto	Fendatory States Manual, Volume II, Appendix III, page 4, paragraph 6. (Foreign Department Memorial Rules.)	Ditto	Ditto	May be delegated to Commissioner.
Promotions and postings—(1) Provincial Educational officers.	Appointment ...	Government Servants' Conduct Rules, Appendix VI, Departmental Examination Rules.	Ditto	Commissioners of Divisions	Power to authorise may be delegated to Commissioners in case of all officers subordinate to them. Power of sanction may be delegated to Commissioners.
(2) Police officers—Assistant and Deputy superintendents.	Ditto	Government of India, Home Department Resolution No. 1704-1718 Aia, dated the 8th November 1893.	Ditto	Ditto	The Local Government is competent to delegate the power of sanctioning promotions and postings, but the sanction of the Government of India is necessary to the delegation of the power of gazeteting them. Such sanction may be given.
(3) Postings of Chaplains ...	Ditto	Ditto	Ditto	Inspector-General of Police	Ditto
Deportation of convicts to Port Blair.	Judicial	Rule 632, Jail Code, and executive instructions.	Ditto	Lord Bishop	At present the Lord Bishop sanctions these postings, and the Local Government gazettes them. The delegation to the Lord Bishop of the power of gazeteting may be sanctioned.
Power to sanction compassionate gratuity from the compassionate gratuity fund of which a portion is to be allotted to each Local Government.	Finance	Finance and Commerce Department Resolution No. 754P, dated 10th February 1902.	Ditto	Ditto	Can this not be delegated to Inspector-General of Prisons? It seems unnecessary that these cases should come up to the Local Government.
Power to sanction withdrawal of money from Opium Department Provident Fund.	Opium Branch	Finance and Commerce Department Resolution No. 3824, dated 18th August 1899.	Ditto	Ditto	A portion of the grant held by the Government of India may be allotted to each Local Government for expenditure.

PROPOSALS MADE BY THE BOARD OF REVENUE, L. P.

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
Apportionment of cost when disputed.	Establishment ...	Section 17, Bengal Act II of 1882.	Local Government ...	Commissioner.	
Removal of houses, trees, etc.	Ditto	Section 19, Bengal Act II of 1882.	Ditto	Ditto.	
Fixing of dates of instalments and rate of interest.	Ditto	Section 61, Bengal Act II of 1882.	Ditto	Board.	
Appointment of officers to exercise power under the Act.	Ditto	Section 5 of Bengal Act III of 1876.	Ditto	Commissioner.	
To sanction removal of incorrect entries from Register B.	Ditto	Section 36, Bengal Act VII of 1876.	Board	Ditto.	
Sanction to expenditure in respect of an officer who has been reinstated after suspension with salary over Rs. 250 and over a period of six months.	Ditto	Rule 21, Section VIII, Chapter III, page 71 of the Board's Rules, 1902. Article 193 (D), Civil Service Regulations.	Local Government ...	Board.	
Transfer to Collector of execution of decrees of immovable property.	Certificate procedure ...	Section 320 of Act XIV of 1882, page 81 of the Certificate Manual, 1904.	India	Local Government.	
Disposal of claims by zamindars for compensation for injury done by troops passing through their estates.	Miscellaneous ...	Section 5, Regulation XI of 1806.	Local Government ...	Commissioner.	
Disposal of appeals against the order of the Registrar, Co-operative Credit Societies, Bengal, to dissolve or to refuse to dissolve a Society.	Ditto	Section 23 (2) of Act X of 1904.	Ditto	Board.	
Confirmation of the order of cancelling the registration of a Society.	Ditto	Section 23 (3) of Act X of 1904.	Ditto	Do.	
Disposal of escheat cases ...	Ditto	Section VII, Regulation XIX of 1810.	Ditto	Do.	
When Collector is in doubt as to jurisdiction in respect of <i>patni</i> sales.	Sales ...	Section 2, Act VI of 1853 ...	Ditto	Do.	
Fixing the number of process serving peons in Revenue Courts.	Suits and Process	Court-fees Act VII of 1870, section 23.	Ditto	Do.	
Claims of illegitimate heirs to escheats.	Miscellaneous ...	Rule 10, Section VII, Chapter VII of the Board's Rules, 1902.	India ...	Local Government.	
Disposal of escheat cases of illegitimate European claimants.	Ditto	Rule 11, Section VII, Chapter VII of the Board's Rules, 1902.	Do.	Ditto.	

A Government servant not to attend public meetings or receive complimentary entertainments in honour without previous sanction of the Government of India.	Ditto	Rule 3 of the Government Servants' Conduct Rules, 1904.	Do.	...	Ditto.
Order for valuation or revaluation.	Cess	Section 12, Bengal Cess Act, IX of 1880.	Local Government ...	Board.	
Order for partial revaluation	Do.	Section 15, Bengal Cess Act, IX of 1880.	Ditto	Do.	
Extension of section 46 (1) to a district in respect of keeping a separate account of cess.	Do.	Section 46 (1), Bengal Cess Act, IX of 1880.	Ditto	Do.	
Division of profits (mines or quarries) between two or more districts.	Do.	Section 83, Bengal Cess Act, IX of 1880.	Ditto	Do.	
Conferring powers of Collector on others.	Do.	Section 100, Bengal Cess Act, IX of 1880.	Ditto	Do.	
Apportionment of costs of joint work between two districts.	Do.	Section 111, Bengal Cess Act, IX of 1880.	Ditto	Do.	
Appointment of members of District Road Committee.	Do.	Section 112, Bengal Cess Act, IX of 1880.	Ditto	Do.	
Removal of a member	Do.	Section 114, Bengal Cess Act, IX of 1880.	Ditto	Do.	
Fixing date of payment of instalment of cess for revenue-free estate or rent-paying tenure.	Do.	Section 42 (2) and (3), Bengal Cess Act, IX of 1880.	Ditto	Commissioner.	
Fixing date of payment of instalment of cess for rent-free lands.	Do.	Section 57, Bengal Cess Act, IX of 1880.	Ditto	Ditto.	
Fixing instalment of cesses payable by a revenue-free holder.	Do.	Section 88 of the Bengal Cess Act, IX of 1880.	Ditto	Ditto.	
Accepting resignation of a member of District Road Committee.	Do.	Section 113 of the Bengal Cess Act, IX of 1880.	Ditto	Ditto.	
Fixing fees for certified copies of extracts from the proceedings of every meeting.	Do.	Section 127 of the Bengal Cess Act, IX of 1880.	Ditto	Ditto.	
Authorization of special settlement in special cases.	Survey and Settlement	Section 112 (1) of the Bengal Tenancy Act, VIII of 1885.	India Government ...	Local Government	
Confirmation of the above proceedings.	Ditto	Section 112 (3) of the Bengal Tenancy Act, VIII of 1885.	Ditto	Ditto.	
Inception of settlements lasting for more than 12 months, the cost (or a portion of it) being met from Government money.	Ditto	Rule 3 (1) (i), page 13 of the Survey and Settlement Manual, 1900.	Ditto	Ditto (with some reservation as to area).	
Confirmation of settlements of a district or <i>pargana</i> .	Ditto	Rule 5 (V), page 118 of the Survey and Settlement Manual, 1900.	Ditto	Ditto (so far as settlements of <i>parganas</i> are concerned).	
Appointment of "Collector"	Ditto	Section (3) (16) of Bengal Tenancy Act, VIII of 1885.	Local Government ...	Board.	
Appointment of "Revenue Officers."	Ditto	Section 3 (17) of Bengal Tenancy Act, VIII of 1885.	Ditto	Do.	

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
To appoint officers specially to perform the functions of a Collector under the Land Acquisition Act.	Land Acquisition	Section 3 (c) of Act I of 1894.	Local Government	Board of Revenue.	
To direct the Collector to take summary possession before award of any waste or arable portion of land declared for acquisition.	Ditto	Section 17 (1) of Act I of 1894.	Ditto	Ditto.	
To authorise the Collector to make, instead of awarding money compensation in respect of any land declared for acquisition, any arrangement with a person having a limited interest in such land, either by the grant of other lands in exchange, the remission of land revenue on other lands held under the same title, or in such other way as may be equitable, having regard to the interest of the parties concerned.	Ditto	Section 31 (3) of Act I of 1894.	Ditto	Ditto.	
To direct the Collector to procure the temporary occupation and use of any waste or arable land needed for a public purpose or for a company.	Ditto	Section 35 (1) of Act I of 1894.	Ditto	Ditto.	
To withdraw, if necessary, from the acquisition of any land of which possession has not been taken.	Ditto	Section 48 (1) of Act I of 1894.	Ditto	Ditto.	
To order the acquisition of the whole of the land, of which the land first sought to be acquired forms a part, in case the claim for severance is considered unreasonable or excessive.	Ditto	Section 49 (2) of Act I of 1894.	Ditto	Ditto.	
To make rules consistent with the Land Acquisition Act for the guidance of officers in all matters connected with its enforcement, and from time to time to alter and add to the rules so made.	Ditto	Section 55 (1) of Act I of 1894.	Ditto	Ditto.	

To authorise, if necessary, any particular Land Acquisition Officer to make all or any of his payments by cheques, provided no inconvenience is caused thereby to the payees.	Ditto	Paragraph 10 of Appendix C to the Civil Account Code, Volume I.	Ditto	Ditto.	
To direct the salary of Partition Deputy Collector, and cost of special establishment be recovered as part of costs of partition.	Butwara	Section 41 of Act V (B.C.) of 1897.	Ditto	Ditto.	
To sanction formation of Estates Partition Funds.	Ditto	Section 42 of Act V (B.C.) of 1897.	Ditto	Ditto.	
To make a new allotment of land revenue on partitioned estates in case of fraud or error.	Ditto	Section 102 of Act V (B.C.) of 1897.	Ditto	Ditto.	
To require proprietors of under-assessed estates to make refund to proprietors of over-assessed estates.	Ditto	Section 103 of Act V (B.C.) of 1897.	Ditto	Ditto.	
To vest Collectors or Deputy Collectors with settlement powers.	Ditto	Section 110 of Act V (B.C.) of 1897.	Ditto	Ditto.	
To direct any of the Deputy Commissioners to make perfect partitions in the district of Sambalpur.	Ditto	Section 136D, clause (2) of this Central Provinces Land Revenue Act, XVIII of 1881.	Ditto	Ditto.	
To prescribe the form of applications for perfect partition in the district of Sambalpur.	Ditto	Section 136E of the Central Provinces Land Revenue Act, XVIII of 1881.	Ditto	Ditto.	
To make rules regarding partition proceedings in the district of Sambalpur.	Ditto	Section 136V of the Central Provinces Land Revenue Act, XVIII of 1881.	Ditto	Ditto.	
To sanction appointment of special establishments.	Ditto	Section 36 of Act V (B.C.) of 1897.	Board of Revenue	Commissioners of Divisions.	
To prescribe the distance from Calcutta within which a European distillery may be licensed by the Collector of Calcutta.	Excise	Section 7, Act VII (B.C.) of 1878.	Local Government	Board of Revenue.	
To grant rewards not exceeding Rs. 200 in Excise cases.	Do.	Section 78, Act VII (B.C.) of 1878.	Board of Revenue	Commissioner of Excise.	
To appropriate a portion of the fine levied under the Excise Act for rewarding informers or compensating injured persons.	Do.	Section 79, Act VII (B.C.) of 1878.	Ditto	Ditto.	
To sanction Rules relating to warehouses for opium.	Do.	Section 8, Act I of 1878	Government of India	Local Government.	
To sanction rules relating to disposal of confiscated articles.	Do.	Section 13, Act I of 1878	Ditto	Ditto.	
To authorise any officer to receive applications from an Opium farmer for the recovery of the amount due to him by his licensee.	Do.	Section 24, Act I of 1878	Local Government	Board of Revenue.	

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
To sanction the prescription of forms and conditions of licenses, permits and other documents under the Opium Act.	Excise	Rule 21 of Opium Rules	Local Government	Board of Revenue.	
To determine the manner of disposal of confiscated opium declared fit for use.	Do.	Rule 23 (2) of the Opium Rules.	Board of Revenue	Commissioner of Excise.	
To prescribe the manner in which confiscated <i>kaffa</i> shall be dealt with.	Do.	Rule 23 (3) of the Opium Rules.	Ditto	Ditto.	
To sanction special rewards in opium cases.	Do.	Rule 24 (2) of the Opium Rules.	Ditto	Ditto.	
To issue orders for determining the value of confiscated opium.	Do.	Rule 25 of the Opium Rules	Ditto	Ditto.	
To fix period within which goods are to be landed when no period is specified in the bill-of-lading of such goods.	Customs	Section 83, Act VIII of 1878	Government	Board.	
To remit duties on warehoused goods lost or destroyed by unavoidable accident or delay.	Do.	Section 122 of the Sea Customs Act, 1878.	Board of Revenue	Collector of Customs.	
To authorise import of spirit without payment of Excise duty when the spirit is to be delivered into a warehouse appointed in this behalf.	Do.	Section 148, Sea Customs Act, VIII of 1878.	Local Government	Board.	
To appoint godown for deposit of spirit under bond for Excise duty.	Do.	Ditto	Ditto	Do.	
To authorise import of spirit manufactured in British India without payment of differential duty when it is deposited in a warehouse appointed in this behalf.	Do.	Section 151, Sea Customs Act, VIII of 1878.	Government	Do.	
To limit in case of an officer performing the duties of a Customs Collector his power of adjudication of confiscations and penalties.	Do.	Section 182 proviso, Sea Customs Act, VIII of 1878.	Ditto	Do.	
To appoint an officer to be Collector for purpose of the Indian Stamp Act.	Stamps	Indian Stamp Act, 1899, section 2 (9).	Local Government	Do.	
To authorise officers other than the Collector to sanction prosecution under the Indian Stamp Act.	Do.	Indian Stamp Act, 1899, section 70 (1).	Ditto	Do.	

To make rules relating to the supply and sale of stamps.	Do.	Indian Stamp Act, 1899, section 74, and Court-fees Act, 1870, sections 27 and 34.	Ditto	Do.	
To cause Act to be translated and sold cheaply.	Do.	Indian Stamp Act, section 78	Ditto	Do.	
To fix the limits of rewards payable by Collectors.	Do.	Rule 19 of Government of India rules, Section I, Part II of the Stamp Manual.	Ditto	Do.	
To establish local depôts where there is no treasury.	Do.	Stamp Manual, Part III, Section I, rule 8 of Government of India rules.	Ditto	Do.	
To fix the supply of stamps to be kept in stock at local or branch depôts.	Do.	Stamp Manual, Part III, Section I, rules 9 and 32 of Government of India rules.	Ditto	Do.	
To issue orders regarding detailed counting of stamps in local depôts.	Do.	Stamp Manual, Part III, Section I, rule 13 of Government of India rules.	Ditto	Do.	
To direct what officer shall be an <i>ex-officio</i> vendor.	Do.	Stamp Manual, Part III, Section I, rule 16 of Government of India rules.	Ditto	Do.	
To fix the period for which a supply sufficient should be kept under single lock by the <i>ex-officio</i> vendor at a local or branch depot.	Do.	Stamp Manual, Part III, Section I, rules 17 and 34 of Government of India rules.	Ditto	Do.	
To direct in what language the single lock register should be maintained.	Do.	Stamp Manual, Part III, Section I, rule 18 of Government of India rules.	Ditto	Do.	
To limit sales of stamps to the public by <i>ex-officio</i> and licensed vendors.	Do.	Stamp Manual, Part III, Section I, rule 21 of Government of India rules.	Ditto	Do.	
To allow refunds or renewals of spoiled or useless non-judicial stamps, or the re-purchase of stamps not required, when the application for refund or renewal has been made after one year from the date of purchase of stamp or one year from the date on which the stamp has been spoilt or rendered useless.	Do.	Finance and Commerce Department Resolution No. 125, dated the 14th January 1881.	Government of India	Local Government	
To make rules for the custody, supply and sale of stamps and stamped papers of all descriptions.	Do.	By practice	Ditto	Ditto.	

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendations.
			From whom.	To whom.	
1	9	3	4	5	6
Power to declare any place to be a warehouse for opium imported into territories administered by Local Government and to cancel any such declaration.	Opium ...	(a) Section 7, Act I of 1878	Local Government ...	Board.	
Power to authorize an officer to enquire into cases in which an offence has been committed against Act I of 1878, when the offender cannot be found or when opium not in the possession of any person cannot be satisfactorily accounted for.	Do.	(a) Section 12, Act I of 1878	Ditto	Do.	
Power to authorize an officer to issue warrant for the arrest of any person by whom an offence relating to opium has been committed.	Do.	(a) Section 19, Act I of 1878	Government Power in regard to classes may be retained by Government and power may be delegated to the Board in the case of individuals.	Do.	
Power to authorize an officer to attach poppy illegally cultivated (with certain exceptions).	Do.	(a) Section 22, Act I of 1878	Government ...	Do.	
Power to authorize an officer to deal with applications from an opium farmer for recovery of amount due to him from his licensee (with certain exceptions).	Do.	(a) Section 24, Act I of 1878	Ditto	Do.	This has also been included in the Excise List.
To sanction the appointment of a public, or licensing of a private, warehouse at any place which is not a warehousing port, and also to sanction the cancellation of such appointment or license.	Salt ...	Section 4 (1), Act VIII of 1896.	Local Government ...	Do.	
To permit conveyance of salt to inland bonded warehouses under bonds.	Do.	Section 5, Act VIII of 1896	Board of Revenue ...	Collector of Customs, Calcutta.	
To dispose of the proceeds of seizures and fines.	Do.	Section 40, Act VII (B.C.) of 1864.	Ditto	Divisional Commissioner.	

LIST II.

PROPOSALS FOR DELEGATION OF POWERS WHICH CAN BE MADE BY LOCAL GOVERNMENT WITHOUT REFERENCE TO HIGHER AUTHORITY.

(a) The amendment of existing Laws either of the Imperial or Provincial Council.

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
Reports as to death of criminal lunatics.	Judicial ...	(a) Section 472, Criminal Procedure Code.	Local Government ...	Magistrate or Sessions Court concerned.	
Orders for the trial of criminal lunatics.	Do.	(a) Section 473, Criminal Procedure Code.	Ditto	Ditto.	
Appointment of establishment under District Boards.	Municipal (Local Self-Government).	Rules having the force of law.	Local Government ...	Commissioners ...	May be delegated to Commissioners when reference to Government is not required by any rule.
Purchase of tents for salt officers	Finance ...	Article 80, Civil Service Regulations.	Local Government ...	Excise Commissioner ...	Sanction of higher authority is not required to delegate the powers.
Leave of officers—Sub-Deputy Collectors ...	Appointment ...	Article 825, Civil Service Regulations.	Ditto	Commissioners of Divisions	Power may be delegated to Commissioners in cases in which local arrangements can be made, subject to the report of the Accountant-General, Bengal, necessary notifications being gazetted by Commissioners.
Power to grant leave to officers under Articles 811A and 825, Civil Service Regulations, may be delegated to Board in cases in which local arrangements can be made without reference to Government and subject to the report of the Accountant-General, Bengal, and if gazette notification is necessary, report to Government.	Separate Revenue	Articles 841A and 825, Civil Service Regulations.	Ditto	Board of Revenue	Local Government already possesses the power.
Supply of liveries and warm clothing in provincial establishments.	Finance ...	Article 98 (f), Civil Accounts Code.	Ditto	Commissioners and Heads of Departments.	Ditto ditto.

(b) Relaxation of Rules having the force of law.

(c) The relaxation of existing Codes issued under the authority of the Government of India.

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendation.
			From whom.	To whom.	
1	2	3	4	5	6
Purchase of books	Sanitation	Article 98 (c), Civil Account Code.	Local Government ...	Commissioners and Heads of Departments and Legal Re-membrancer.	Local Government already possesses the power.
Extra grants under travelling allowance.	Finance	Article 158, Civil Account Code.	Ditto	Commissioners and District Officers.	The item may be provincialized under orders of this Government.
(d) Relaxation of orders of the Secretary of State or the Government of India, or of the Local Government.					
Appointment of members of Text-Book Committees and approval of text-books.	General (Education) ...	Rules and orders of Education Department, page 13.	Local Government ...	Director of Public Instruction, Bengal	May be delegated to the Head of the Department.
Affiliation of Technical Schools to Collegiate, Zilla and High Schools.	Ditto	Ditto	Ditto	Ditto	Ditto
Sanction to the payment of rent for telephonic connection.	General (Registration)	Government order No. 1412P—D, dated the 5th November 1904.	Ditto	Inspector-General of Registration, Bengal.	May be delegated to the Head of the Department subject to budget limit.
Report on the voyage of emigrant vessels proceeding to the Colonies.	General (Emigration)...	Practice	Ditto	Protector of Emigrants, Calcutta.	This need not be submitted to Government except in cases of any report of special interest or importance.
Quarterly statement of mineral concessions.	Revenue (Miscellaneous).	India, Revenue and Agricultural Department, No. 27—1121, dated 4th October 1901.	.....	.....	Might be made half-yearly or even yearly.
Survey and Settlement Estates ...	Land Revenue	Survey and Settlement Manual, Chapter IV, Part I.	Local Government ...	Board of Revenue ...	Power may be delegated to Board to settle details, subject to budget provision.
Promotions and postings (appointments, etc., of Managers of Court of Wards).	Ditto	Executive orders	Board of Revenue ...	Commissioners of Divisions ...	May be delegated to Commissioners in respect of estates, the rent and cesses of which do not exceed Rs. 50,000. (The Board have power under the law.)
Transfer of officers Supply of Police Guards to Railway Companies.	Ditto	Ditto	Local Government ...	Board of Revenue ...	Power may be delegated to Board of Revenue.
Permission to members of Oudh family to leave Calcutta (not to go to Karbala).	Political	Government order No. 177P—D, dated the 30th April 1903.	Ditto	Inspector-General of Police ...	May be delegated to Inspector-General of Police.
Sanction to forest leases in Orissa States.	Ditto	Fendatory States Manual, Chapter X, paragraphs 7 and 8.	Ditto	Commissioner of the Presidency Division.	May be delegated to Commissioner.
Grant of leases of minor produce, such as lac, etc.	Ditto	Fendatory States Manual, Chapter X, paragraph 9.	Ditto	Commissioner of Orissa ...	Authority may be delegated to Commissioner subject to consultation with Conservator of Forest in technical matters.
Power to constitute State Police in managed States.	Ditto	Fendatory States Manual, Volume II, Appendix VIII, page 275.	Ditto	Commissioner of Chota Nagpur	May be delegated to the Commissioner.
	Ditto		Ditto	Ditto	Ditto

Power of sanction in respect of matters other than works in managed States.	Ditto	Fendatory States Manual, Volume II, Appendix VI, Rules 24, I (c) and 11 (d).	Ditto	Political Agent, Orissa Fendatory States.	May be delegated to the Commissioner up to Rs. 10,000 and to the Political Agent up to Rs. 5,000.
Works in Angul and the Khondmals.	Ditto	Government order No. 62T—E, dated the 4th May 1903.	Ditto	Commissioner of Orissa and the Deputy Commissioner of Angul.	The principles adopted in the cases of Native States under Government management may be accepted (i.e., Political Agent* can sanction estimates up to Rs. 5,000 and the Superintendent up to Rs. 10,000).
Repairs to Calcutta Police Buildings.	Ditto	Practice	Ditto	Commissioner of Police, Calcutta.	May be delegated to Commissioner of Police subject to budget provision.
Deputation of Police on special occasions.	Police	Ditto	Ditto	Inspector-General of Police ...	May be delegated to Inspector-General of Police with any limitation that Government may consider necessary.
Payment of arrears of political pensions.	Political	Ditto	Ditto	Commissioner of the Presidency Division and other Commissioners concerned.	Power may be delegated to Commissioners.
Payment of minority accumulations.	Ditto	Ditto	Ditto	Ditto	Ditto
Appointment of guardians, etc., for minor or insane political pensioners.	Ditto	Ditto	Ditto	Ditto	Ditto
Payment of full pension on attainment of majority.	Ditto	Ditto	Ditto	Ditto	Ditto
Death reports of political pensioners and resumption of political pensions.	Ditto	Ditto	Ditto	Ditto	Ditto
Promotions and postings of Subordinate Educational officers.	Appointment ...	Executive orders—General Department Resolutions No. 1244, dated the 26th March 1897, and No. 1281, dated 30th March 1897.	Ditto	Director of Public Instruction...	May be delegated to Director of Public Instruction.
Postings of Sub-Deputy Collectors within the division or district.	Ditto	Resolution by the Revenue Department, dated the 28th April 1881, and Appointment Department, No. 4879—84A, dated the 16th December 1903.	Ditto	Commissioners of Divisions ...	Power of gazetting may be delegated to Commissioners.
Transmission of medical history sheets and descriptive rolls of criminal lunatics.	Judicial	Executive instructions ...	Ditto	Magistrate or Sessions Court concerned.	
Removal of names from list of Honorary Magistrates in consequence of the expiry of term or death or unavoidable causes.	Ditto	Executive orders	Ditto	Commissioners.	
Acceptance of resignation of Honorary Magistrates.	Ditto	Practice	Ditto	Ditto	
Deaths of prisoners while undergoing sentence.	Jail	Bengal Jail Code, rule 660...	.....	Ditto	Submission of these reports may be discontinued unless the Inspector-General considers it necessary to address Government.
Report regarding cases of cholera in Jails.	Do.	Bengal Jail Code, rule 994...	.....	.....	Reports may be discontinued except in cases of serious outbreaks.
Transfer of officers	Separate Revenue Finance ...	Executive order	Local Government ...	Board, Commission of Bhagalpur ...	Local Government already possesses the power.
Expenditure from Darjeeling Improvement Fund.	.....	Ditto	Ditto	Commissioner of Excise and Salt	Ditto
Boat hire for salt officers ...	Separate Revenue	Practice	Ditto	.....	Ditto

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendation.
			From whom.	To whom.	
1	2	3	4	5	6
Sanction to irregular expenditure from Municipal Funds and District Funds.	Municipal and Local Self-Government.	Practice ...	Local Government ...	Commissioners ...	May be delegated to Commissioners.
Travelling allowance of employés of municipal municipalities.	Municipal ...	Ditto	Ditto	Ditto	The power of Local Government may be delegated to Commissioners.
Sanction to contribution to Pasteur Institute.	Local Self-Government	Executive instructions contained in Government Circular No. 1267 Medical, dated 26th March 1907.	Ditto	Ditto	May be delegated to Commissioners.
Extension and transfer of service	Ditto	Practice ...	Ditto	Ditto	May be delegated to Commissioners except in the case of District Engineers.
Payment of bonus, rewards or commission from District Funds.	Ditto	Ditto	Ditto	Ditto	May be delegated to Commissioners.
Grant of certain allowances from District Funds.	Ditto	Ditto	Ditto	Ditto	May be delegated to Commissioners up to Rs. 500 per annum in any one case.
Travelling allowance of District Board employés.	Ditto	Ditto	Ditto	Ditto	Power to dispose of all such cases may be delegated to Commissioners.
Supply of liveries and warm clothing.	Ditto	Executive instructions and practice.	Ditto	Ditto	Sanction to the appointment of a menial servant should include sanction to livery or warm clothing according to a scale fixed by the Local Government.
Local purchase of articles of European manufacture required by District Boards.	Ditto	Executive instructions ...	Ditto	*	*Power up to Rs. 1,000 has already been delegated to Inspectors of Works. The question of delegating power up to Rs. 200 to District Engineers is under the consideration of Government. No further delegation is perhaps necessary.
Sanction of fees to District Engineers for work done for wards and private estates.	Ditto	Public Works Department Resolution No. 3408G, dated 25th September 1890.	Ditto	Commissioner ...	Full power may be delegated to Commissioners to grant in accordance with Public Works Department rules.
Ambulance work. Petty grants in connection with—	Medical ...	Specific instructions ...	Ditto	Commissioner of Police ...	Power may be delegated to the Commissioner of Police up to Rs. 100 in each case and subject to Budget provision.
Grant of fees for examination at Medical Schools.	Ditto	Ditto	Ditto	Inspector-General of Civil Hospitals.	Powers may be delegated to Inspector-General of Civil Hospitals to grant according to existing orders.
Sanction to the sites for hospitals and dispensaries.	Ditto	Practice ...	Ditto	Commissioner of Division ...	May be delegated to Commissioners, subject to consultation with Inspector-General of Civil Hospitals.
Discharge of non-criminal lunatics from Asylum.	Ditto	Ditto	Ditto	.....	The submission of reports to Government may be discontinued.
Transfer of non-criminal lunatics from Asylums.	Ditto	Ditto	Ditto	.....	Ditto
Visitors' reports on Lunatic Asylums.	Ditto	Ditto	Ditto	.....	These reports need not be submitted, unless they contain some important criticisms on the management of the Asylum.
Recruitment of Assistant Surgeons	Ditto	Ditto	Ditto	Inspector-General of Civil Hospitals.	Recruitment for existing vacancies may be delegated to the Inspector-General of Civil Hospitals, subject to such general rules as Government may prescribe.
Recruitment of Civil Hospital Assistant.	Ditto	Ditto	Ditto	Ditto	Ditto

Petty expenses incurred in disinfection in connection with disease.	Ditto	Ditto	Ditto	Sanitary Commissioner	Power may be delegated to Sanitary Commissioner to dispose of, subject to the limit of a grant to be made by Government.
Approval of Lodging-house Budget	Sanitation	Ditto	Ditto	Commissioners of Divisions	Power may be delegated to Commissioners.
Grants from Lodging-house Funds	Ditto	Ditto	Ditto	Ditto	Powers to dispose of applications may be delegated to Commissioners.

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PROPOSALS MADE BY THE BOARD OF REVENUE, L.P.

Establishment	PROPOSALS MADE BY THE BOARD OF REVENUE, L.P.		Local Government ...	Board.
	Rule 3, Section VI, Chapter VII, page 178 of the Board's Rule, 1902.	Rule 46, Section IX of Records Manual, 1904.		
Power to fix dates of instalments of drainage, embankment and irrigation dues.	...	...	Ditto	Do.
Sanction to entertainment of comparing clerks (over four).	...	...	Ditto	Do.
Disposal of questions relating to pension undrawn for two years.	...	...	Ditto	Do.
Sanction to continuance of pension to the heirs not ordinarily allowed.	...	...	Ditto	Do.
To sanction charge for retention of a Deputy Collector's establishment after his removal or death for arrangement of records.	...	...	Ditto	Do.
To sanction any temporary establishment out of the allotments placed at the disposal of the Board.	...	...	Board	Commissioner.
Payment of arrears of hereditary pension to deceased pensioner after six months.	...	...	Do.	Commissioner and Collector according to his allotment.
To sanction arrears of hereditary pension over Rs. 1,000.	...	...	Do.	Commissioner.
To reduce the amount of security over Rs. 500.	...	...	Do.	Ditto.
To transfer service of Ministerial officers to Court of Wards.	...	...	Do.	Ditto.
To remove incorrect entries of revenue-free properties from the General Register.	...	...	Do.	Ditto.
To sanction reservation of one quarter of the salaries of the temporary establishment other than menial establishment from record grants.	...	...	Do.	Ditto.

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NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendation.
			From whom.	To whom.	
1	2	3	4	5	6
Refund of lapsed deposits on which special orders are required.	Establishment ...	Rule 5, Section V, Chapter IV, page 98 of the Board's Rules, 1902.	Board	Commissioner.	
To sanction payment of salary to suspended officers, when the expenditure is in excess of what would have been the case, if the officer had remained on duty.	Miscellaneous ...	Rule 3, Section II, Chapter X of the Board's Rules.	Local Government	Ditto.	
Exemption of <i>malikandari</i> from personal appearance.	Ditto	Rule 9, Section II, Chapter VII of the Board's Rules, 1902.	Ditto	Ditto.	
Renewal of Revenue Agent's certificates left unrenewed for more than three years.	Ditto	Rule 16, Section IV, Chapter III, of the Practice and Procedure Manual, 1902.	Board	Ditto.	
To sanction rewriting of <i>tanzi</i> roll.	Tauzi ...	Rule 3, Section II, Chapter II, <i>Tauzi</i> Manual, 1907.	Do.	Ditto.	
To sanction removal of estates from the <i>tanzi</i> roll.	Do.	Rule 3, Section III, Chapter II, <i>Tauzi</i> Manual, 1907.	Do.	Ditto.	
To sanction redemption of land revenue of petty estates on payment of 25 or 30 times the annual rental.	Do.	Rule 4, Section IV, Chapter II, <i>Tauzi</i> Manual, 1907.	Do.	Ditto.	
To sanction abatement of revenue demand of estates during the currency of a settlement.	Do.	Rule 1, Section VII, Chapter II, <i>Tauzi</i> Manual, 1907.	Do.	Ditto.	
To direct if copies of records in an area should be distributed on receipt of cost or free of cost.	Survey and Settlement	Rule 81 (d) of the Government Rules (revised) under the Bengal Tenancy Act.	Local Government	Board.	
To direct the writing in English of the Final Report on the survey and settlement of each village or each local area.	Ditto	Rule 90 of the Government Rules (revised) under the Bengal Tenancy Act.	Ditto	Do.	
To refund balances of deposits of survey and settlement costs.	Ditto	Rule 3, page 97 of the Board's Rules, 1902.	Board	Commissioner.	
Writing off irrecoverable cost of settlement above Rs. 10.	Ditto	Rule 19, page 124 of the Survey and Settlement Manual, 1900.	Local Government	Commissioner's and Director of Land Records' powers may be enlarged to Rs. 1,000.	
Empowering any person to perform all or any of the duties of a Collector or of Revenue Officer under the Act (XII of 1884).	Agricultural ...	Rule 4A of the Rules under the Agricultural Loans Act, XII of 1884, Section V, Chapter VII, of the Board's Rules.	Ditto	Commissioner.	

To sanction the sale of Government Estates on modified terms.	Government Estates	Rule 7A, Section IV of the Government Estates Manual.	Ditto	Board.	
To direct the mortgage or sale of any part of the property of a ward, and the doing of all such other acts as the Court may judge to be most for the benefit of the property and the advantage of the ward.	Wards ...	Section 18 of Act IX (B.C.) of 1879.	Board	Commissioners	Power may be delegated to the Commissioners in respect of estates with current rent and cess demand of Rs. 50,000 or less.
To order the Collector to partition off any part of an estate which it is thought expedient to be sold or mortgaged.	Do.	Section 19 of Act IX (B.C.) of 1879.	Do.	Ditto	Ditto
To appoint—(a) one or more Managers for the property of any ward; and (b) one or more guardians for the care of the person of any ward.	Do.	Section 20 of Act IX (B.C.) of 1879.	Do.	Ditto	Ditto
To enforce of its own motion the provisions of the Act.	Do.	Section 23 of Act IX (B.C.) of 1879.	Do.	Ditto	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less. The Board have since decided not to delegate this power.
To order the Collector to apply to the Civil Court, in pursuance of the provisions of Act XXXV of 1858, in respect of the proprietor of an estate reported by him to be of unsound mind.	Do.	Section 31 of Act IX (B.C.) of 1879.	Do.	Ditto	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.
To order the Collector to apply to the Civil Court in regard to the proprietor of an estate considered incapable of managing his affairs owing to physical defect or infirmity.	Do.	Section 32 of Act IX (B.C.) of 1879.	Do.	Ditto	Ditto
If no Manager is appointed, to appoint the Collector of any district other than that in which the greater part of the property lies to do the duty of the Manager.	Do.	Section 33 of Act IX (B.C.) of 1879.	Do.	Ditto	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less. Report to be submitted for Board's information.
To (a) direct how much property to be placed under the care of a Manager, (b) direct when and in what form Manager's accounts are to be passed.	Do.	Section 41 (a), (b), and of Act IX (B.C.) of 1879. Also section 70 (c).	Do.	Ditto	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less. A model form is to be prescribed by the Board. Orders may be passed by the Commissioner to submit accounts in that form in respect of estates with rent and cess demand of Rs. 50,000 or less, but not otherwise without the sanction of the Board.

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendation.
			From whom.	To whom.	
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To (b) direct when and in what form guardian's accounts are to be passed.	Wards	Section 43 (b) and (c) of Act IX (B.C.) of 1879. Also section 70 (c).	Board	Commissioners	A model form is to be prescribed by the Board. Orders may be passed by the Commissioner to submit accounts in that form in respect of estates with rent and cess demand of Rs. 50,000 or less, but not otherwise without the sanction of the Board.
To deduct, before payment of surplus profits to wards, amounts required for working balance and special charges.	Do.	Section 49 of Act IX (B.C.) of 1879.	Do.	Ditto	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.
If no Manager is appointed, to appoint the Collector of any district other than that in which the greater part of the property lies to be next friend and guardian for a suit.	Do.	Section 51 of Act IX (B.C.) of 1879.	Do.	Ditto	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less, provided the other district is in the Commissioner's own Division. A report to be submitted for Board's information.
Without the special permission of the Government (1) the rent of a raiyat cannot be raised during the currency of a settlement above the sum which would be double of the rent previously paid; (2) or the revenue or rent demandable from a raiyat raised by more than 20 per cent. of that payable by him in the preceding year.	Do.	Rule 4, Section VIII (b) of the Bengal Wards' Manual.	Local Government	Board.	
Powers under other enactments To give permission to the Collector—(a) to apply to the Civil Court under section 8 (c) or (d), Act VIII of 1890, with the view of having himself appointed guardian; and (b) to consent, under section 10 (3), to be proposed by a private person for appointment as a guardian.	Do.	Rule 7, Section X, page 97 of the Wards' Manual.	Board	Commissioners	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.
To approve programmes of improvements, the cost of which is to be debited to headings 4 (d), 8 (g) and (h) of the budget estimates.	Do.	Rule 24A, Section I, page 58 of the Bengal Wards' Manual.	Do.	Ditto.	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less, provided that the orders regarding expenditure of 3 per cent. on the demand for works of improvement are observed.

To sanction all works of improvement, the cost of which exceeds Rs. 2,500, or for which funds have not been provided in the budget, or which have not been sanctioned in the programme.	Do.	Rule 24B, Section I, page 58 of the Wards' Manual.	Do.	Ditto	Ditto.
To approve when the estate is situated in more than one district, but in one Division, the appointment (by Commissioner) of each Collector to be the Managing Collector.	Do.	Rule 3, Section II, page 59 of the Wards' Manual.	Do.	Ditto	Powers may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less, provided the other districts in the Commissioner's own Division. A report to be submitted for Board's information.
To sanction Director's estimate of expenditure in Wards' Estates for the survey and settlement operations which are under his supervision.	Do.	Rule 7, Section IV, page 69 of the Wards' Manual.	Do.	Ditto	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.
To sanction expenditure in excess of the annual allotments for survey and settlement operations.	Do.	Rule 10, Section IV, page 70 of the Wards' Manual.	Do.	Ditto	Ditto
To take out a certificate of Administration under Act VII of 1889 for the sale of Government securities belonging to an estate.	Do.	Rule 13, Section VIII (b), page 82 of the Wards' Manual.	Do.	Ditto	Ditto
To sanction the introduction into any state of model rules for the management of Provident Funds.	Do.	Rule 17, Section VIII (b), page 82 of the Wards' Manual.	Board	Ditto	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.
To sanction the institution of an appeal in a case conducted without reference to the Legal Remembrancer.	Do.	Rule 5, Section VIII (1) II, page 89 of the Wards' Manual.	Do.	Ditto	Ditto
To grant copies of certain correspondence on the subject of suits.	Do.	Rule 4, Section III, page 91 of the Wards' Manual.	Do.	Ditto	Ditto
To give permission to the Collector to make representations to the Civil Court under section 328, Act XIV of 1882, to stay the sale of any land.	Do.	Rule 12, page 187 of the Wards' Manual.	Do.	Ditto	Ditto
To issue instructions as to the information the Land Acquisition Officer is to take into account in making his valuation of the land to be acquired, and as to the course to be taken when he finds that the amount of compensation largely exceeds the sanctioned estimates.	Land Acquisition	Rule 22 (a), Chapter I of the Land Acquisition Manual, 1902.	Local Government	Board.	Ditto

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION.		Recommendation.
			From whom.	To whom.	
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issue orders for the resumption and disposal of surplus lands.	Land Acquisition	Rule 4, Chapter III of the Land Acquisition Manual, 1902.	Local Government	Board.	
review and finally dispose of the annual statement showing the progress of work of officers solely employed on land acquisition work.	Ditto	Bengal Government Order No. 115-T-R., dated the 28th April 1900.	Ditto	Do.	
decide whether conditional gift of land by a proprietor for a public purpose should be accepted or not.	Ditto	Rule 24, Chapter I of the Land Acquisition Manual, 1902.	Board	Commissioner.	
decide whether the proportion of cost decreed to Government in cases referred to Civil Court, which is in excess of the amount of compensation awarded should be remitted or not.	Ditto	Note under Rule 69, Chapter I of the Land Acquisition Manual, 1902.	Do.	Ditto.	
decide whether further acquisition proceedings are to be stayed after possession has been taken and whether the land is to be relinquished and restored with the consent of the parties.	Ditto	Note under section 48 of the Land Acquisition Act.	Do.	Ditto.	
issue instructions for the due protection of Government interests in the apportionment of compensation awarded for service lands in respect to its lien for the purposes of the public service.	Ditto	Rule 55, Chapter I of the Land Acquisition Manual, 1902.	Do.	Ditto.	
sanction perfect partition of a <i>malhal</i> subdivided into superior and inferior rights and held by different proprietors in the district of Sambalpur.	Butwara	Rule 1, page 138 of the Central Provinces Revenue Manual, Vol. I.	Local Government	Board of Revenue.	
sanction revised assessment of a <i>malhal</i> in the district of Sambalpur.	Ditto	Rule 3, page 138 of the Central Provinces Revenue Manual, Vol. I.	Ditto	Ditto.	
sanction deputation, transfers and leave of Special Butwara Officers.	Ditto	By practice	Ditto	Ditto.	
permit the removal under bond of non-duty paid spirit from one warehouse to another.	Excise	Section VI, rule 13, and Section VI-A, rule 16, Excise Manual.	Board of Revenue	Commissioner of Excise.	

To fix the rate of charges on account of rent, cooerage, storing, removing, etc., of spirit manufactured in British India and imported by sea into Calcutta.	Do.	Section VII, rule 8, Excise Manual.	Ditto	Ditto.
To sanction the employment of the outstall system in any district or part of a district.	Do.	Rule 88, Section X of the Excise Manual.	Local Government	Board of Revenue.
To sanction special rewards in Excise cases.	Do.	Section XVI, rule 6, Excise Manual.	Board of Revenue	Commissioner of Excise.
To sanction rewards in cases falling under section 59 of Bengal Excise Act.	Do.	Section XVI, rule 7, Excise Manual.	Ditto	Ditto.
To sanction the home-brewing of <i>pachwai</i> for consumption by aboriginal tribes.	Do.	By practice	Local Government	Board of Revenue.
To sanction Board's Subsidiary Opium Rules.	Do.	Ditto	Ditto	Ditto.
To sanction the fixing of distillery fees.	Do.	Ditto	Ditto	Ditto.
To extend the period of bond referred to in section 103 of the Sea Customs Act.	Customs	Ditto	Ditto	Ditto.
To sanction deficiency in the output of kerosine oil imported in bulk in excess of 1 per cent.	Ditto	Government Order No. 2101SR., dated the 20th April 1893.	Board of Revenue	Collector of Customs.
To sanction deficiency in the output of salt cargo over certain percentage.	Ditto	Board's Orders Nos. 1413, dated 4th September 1851, and 820, dated 4th March 1872, referred to in paragraph 616 of office orders of the Collector of Customs, Calcutta.	Ditto	Collector of Customs.
Sanction of refund in the cases in which claims have been barred by limitation.	Income-tax	By practice	Local Government	Board.
Deduction on the value of blocks of Companies on account of depreciation.	Ditto	Ditto	Ditto	Do.
Rules for the selection, appointment, leave and transfer of Income-tax Assessors in the district.	Ditto	Ditto	Ditto	Do.
To order supply of stamps to stamp vendors on credit.	Stamp	Rule 8, Section II, Part II, and rule 18, Section I, Part I of the Stamp Manual.	Ditto	Do.

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendation.
			From whom.	To whom.	
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To make special arrangement for the vend of Court-fee stamps, namely, to appoint some person in public service as stamp vendor on a small salary in addition to the usual rate of discount allowed to licensed vendors.	Stamp ...	Rule 20, Part I, Section I of the Stamp Manual.	Local Government ...	Board.	
To grant refunds of judicial stamps under circumstances of special and unusual hardship.	Do.	Bengal Government Order No. 19T., dated the 14th August 1874.	Ditto	Do.	
Power to sanction expenditure on account of advances to contractors for supply of weignment articles.	Opium ...	(c) Rule 196, Chapter V of the Bihar Opium Manual, Volume II, and rule 246, Chapter V of the Benares Opium Manual, Volume VII.	Ditto	Do.	
Power to sanction remission of well advances when they are irrecoverable up to Rs. 1,000.	Do.	(c) Rule 328, Chapter VIII of the Bihar Opium Manual, Volume II.	Ditto	Do.	
Power to sanction the writing off to profit and loss of the amount due from the cultivators on account of the value confiscated opium not realised from them.	Do.	(c) Rule 188, Chapter X of the Bihar Opium Manual, Volume IV, and rule 222, Chapter IV of the Benares Opium Manual, Volume IX.	Ditto	Do.	
Power to direct the sale of surplus alkaloids and their salts remaining after demands of the Indian Medical Department have been met.	Do.	(c) Rules 543 and 546, Chapter IX of the Benares Opium Manual, Volume IX.	Ditto	Do.	
Power to grant pension and gratuity to officers of the Opium Department in cases in which the pay of the applicant exceeds Rs. 20 a month.	Do.	(c) Rule 5A, Chapter VIII of the Board's Rules (Article 918 of the Civil Service Regulations).	Ditto	Do.	
Powers to sanction temporary withdrawal of deposits by Opium officers from the Opium Department Provident fund.	Do.	(c) Rule XII of the Opium Department Provident Fund Rules.	Ditto	Do.	

Power to sanction remission of outstanding balances of advances to cultivators up to Rs. 1,000.	Do.	...	(e) Rule 287, Chapter. VI of Bihar Opium Manual, Volume II, and Rule 353, Chapter VI of Benares Opium Manual, Volume VII.	...	Ditto	...	Do.
Power to sanction expenditure required for purchase of poppy seeds for distribution to cultivators in a new opium sub-division.	Do.	...	(d) Executive orders	...	Ditto	...	Do.
Power to sanction expenditure on account of rent of inspection bungalows occupied by Opium officers during weighments and settlements.	Do.	...	Ditto	...	Ditto	...	Do.
Power to sanction expenditure on sanitary arrangements during settlements and weighments in the Benares Agency.	Do.	...	Ditto	...	Ditto	...	Do.
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Power to order destruction of <i>kaffia</i> rags by burning by District officers instead of sending them to the Sadar factory.	Do.	...	Ditto	...	Ditto	...	Do.
Power to depute officers to take stock of opium chests in the Presidency opium godowns.	Do.	...	Ditto	...	Ditto	...	Do.
Power to depute Opium officers to the Sibpur College to undergo training to qualify themselves for the post of Factory Superintendents.	Do.	...	Ditto	...	Ditto	...	Do.
Power to grant rewards on confiscation of opium.	Do.	...	Ditto	...	Ditto	...	Do.
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This is an excise matter.

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Power to authorize grant of larger rewards than the time imposed upon the offender and paid by him; and also rewards in cases where the Magistrate could have granted a reward but has not done so.	Do.	Rule 24 (2), Chapter III of Bihar Opium Manual, Volume I.	Ditto	Ditto	...
Destruction of confiscated and contraband opium reported to be unfit for any use.	Do.	Rule 159, Chapter IX, and Rule 390, Chapter XX of Bihar Opium Manual, Volume IV.	Ditto	Ditto	...
To sanction the sale of confiscated salt.	Salt	Rule 3, Section V, Salt Manual.	Ditto	Divisional Commissioner.	...
To order the disposal of confiscated salt in excess of one mound for which no offer is received.	Do.	Rule 4, Section V, Salt Manual.	Ditto	Ditto.	...
To sanction special rewards in salt cases.	Do.	Rules 5 and 6, Section V of the Salt Manual.	Ditto	Ditto.	...
To renew licenses for inland bonded warehouses.	Do.	Rule 6, page 124 of the Salt Manual.	Ditto	Ditto.	...
To transfer salt darogas from one bonded warehouse to another.	Do.	Rule 37, pages 129 and 130 of the Salt Manual.	Ditto	Ditto.	...
To allow duty to be paid through the Post-office or to the Collector of Customs, Calcutta, for salt cleared from warehouses situated at places where there is no Government treasury.	Do.	Rule 38, page 130 of the Salt Manual.	Ditto	Ditto.	...
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To grant passes for duty-free tarred salt.	Do.	Board's Order No. 1235B, dated the 22nd September 1877, and No. 504B of the same date.	Ditto	Ditto.	...
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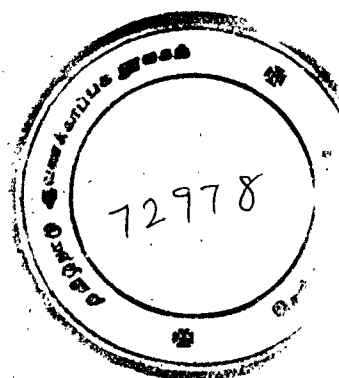
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