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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRALIZATION.

TWENTY-SIXTH DAY.

CALCUTTA, *Saturday, the 4th 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.

Colonel J. T. W. LESLIE was called and examined.

42520. (*Chairman.*) You are Sanitary Commissioner with the Government of India?—Yes.

What are the main functions of the Sanitary Commissioner?—The office of Sanitary Commissioner with the Government of India was held *ex-officio* by the Surgeon-General with the Government of India (now Director-General, Indian Medical Service), from 1880 until 1904. In the latter years of this period it was found that the volume of work was becoming too great for one man to manage, and that the increasing technicality of sanitary questions rendered it necessary that they should be the charge of an officer with opportunities to apply expert knowledge to their disposal. The separate office of Sanitary Commissioner with the Government of India was accordingly re-created in September, 1904.

The main functions of the Sanitary Commissioner are to advise the Government of India on sanitary questions and to co-ordinate research in connection with the prevention of disease. The advice given to the Home Department may be on references made to the Sanitary Commissioner by them or original, *i.e.*, on the initiative of the Sanitary Commissioner. A function which is essentially advisory is the review by the Sanitary Commissioner of reports by experts under provincial Governments, *e.g.*, of the health statistics in jails.

The Sanitary Commissioner is primarily an officer of the Home Department, but every Department of the Government of India may refer questions to him, but as most sanitary questions coming before the departments of the Government of India, require the advice of the Home Department, as a department, references are generally made not to the Sanitary Commissioner, but to the Home Department who consult the Sanitary Commissioner.

The Sanitary Commissioner is independent of the Director-General, Indian Medical Service, but the two officers work in communication with each other. The relation of the Sanitary Commissioner to provincial Governments is simple. It is intended to allow the Local Governments and their officers to make the fullest use of the Sanitary Commissioner who is frequently in a better position to obtain expert opinion than they are; and at the same time every precaution is taken to prevent the Sanitary Commissioner usurping the authority of Local Governments over their officers. The extent to which use has been made of the Sanitary Commissioner by Local Governments and their officers has varied greatly in different cases, and seems to depend upon personal knowledge of the Sanitary Commissioner possessed by the local officers. There has been no friction in the relations of the Sanitary Commissioner with provincial Governments, except in the cases of Madras and Bombay, where

there has apparently been some misunderstanding of the intentions of the Government of India, and a dread lest the Sanitary Commissioner should interfere between the Presidential Governments and their officers.

The Sanitary Commissioner administers the Central Research Institute and, as he co-ordinates research, has the right to correspond on technical questions with the officials of laboratories under provincial Governments. The scheme provides for a central laboratory at Kasauli and a laboratory in each province. General research is under the direction of the Sanitary Commissioner, who has, however, no concern with routine work done in provincial laboratories.

The Sanitary Commissioner recommends officers for selection for the department, and the Home Department reserve the right of appointing directors of laboratories and sanctioning the leave of all officers of the Bacteriological Department.

The Sanitary Commissioner prepares a report of the work done in connection with sanitation among European and Native troops, among prisoners and among the general population, and in the report reviews the progress made in vaccination, in sanitary works of all sorts, and in medical research in connection with tropical diseases. He edits the Scientific Memoirs and pamphlets and papers on similar subjects, which the Government of India desire to publish for general information.

42522. When you bring up a case to the Home Department, on what is the case founded?—I had better take a concrete example; we had a high death rate from enteric fever in the Army, and we had very little knowledge as to how it arose; we started the new Research Institute and we put the whole of the staff on to the subject, and we got good results.

42523. On any question of a similar character are you at liberty to tour as, and when, you like throughout the whole of India?—Yes.

42524. Would you have to go to a particular province to investigate the conditions which obtain there, or would you call for reports from that province in connection with any outbreak of that sort?—I have to be careful how I call for reports. I can go to a province, and generally speaking I can arrange with the provincial Sanitary Commissioner to get any information I want. I am entitled to call upon him to give me technical reports, but it is very easy to over-step the margin between technical and administrative reports, so that one has to be very careful.

42525. Do you correspond direct with the provincial Sanitary Commissioner?—Yes.

42526. On all other matters how do you get at him?—Through the Local Government.

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42527. Do you write direct to the Local Government, or do you write through the Home Department?—I generally write through the Home Department; there are certain subjects upon which I write to the Secretaries. Cases where I address the Local Government would be those in which the Local Government themselves could give an answer.

42528. Suppose a proposal comes to you from the Home Department which concerns practically the whole of India, what is your method?—Generally speaking I have got the information in my office records; if I have not, I ask the provincial Sanitary Commissioners, or if necessary the Local Government, or I suggest to the Home Department that they should themselves get the information from the Local Government.

42529. As a rule, before you reply to a scheme which must affect India as a whole, do you try in some way to get into touch with the opinions held by the Local Governments?—Certainly, I would get my information from the provincial Sanitary Commissioner, but in certain cases I would not address the Local Government at all; I should suggest to the Home Department to address the Local Government.

42530. Do you know whether the Home Department follows your advice?—Yes, the Home Department draft a letter and send it through to me to see if it is exactly what I wanted.

42531. You would not yourself draft a letter upon a particular question and say to the Home Government "Will you forward this letter to the Sanitary Commissioner or to the provincial Government?"—No, but the Home Department might say "Will you kindly draft this letter yourself?"

42532. It would not be within your right to send a draft letter through the Home Department on your own initiative?—No; I might write a memorandum and request them to send it, but it would be entirely for them to say whether they would send it or not.

42533. When a proposal is made by a Local Government and is referred to you for your advice, what is your procedure?—I go on the facts; I may consult the local Sanitary Engineer, or other officers.

42534. Do you in practice ever consult the local Sanitary Engineer?—Certainly.

42535. Would you say "I have such and such ideas, but there may be some circumstances in your province which require their modification"?—Certainly, I generally know that because I am in fairly close communication with them all over northern India with regard to all these matters; in southern India this is not so quite to the same extent because the development has been different. So far as the Medical Department is concerned they were entirely independent before 1895; they had their own Military Medical Department, etc. The Indian Medical Service has since been changed entirely; it is one Service now; it is not presidential at all.

42536. Have the provincial Governments a very fair knowledge before you advise the Home Department of what it is you are going to suggest?—I should think so, but it depends. If I make a suggestion myself, it is upon something I have discussed with the local people. If a thing comes up from the Local Government they may, or may not, know what I have to say upon it. A simple question might come up whether such and such a pay was to be given to an officer attached to the department; I might advise that it should be so much, not with regard to the Government at all, but with regard to the pay of similar appointments elsewhere; for instance, Bombay might ask me as to the proper pay of an appointment, and I should be able to advise them judging by a similar appointment in Calcutta. If men have to go to the same duties it is just as well to have the pay (within limits) on the same basis.

42537. Have you reason to believe that the Local Governments are sufficiently consulted?—I think they are.

42538. From their point of view or from yours?—From their point of view, certainly.

42539. You recently submitted a scheme for the reorganization of the Sanitary Department throughout the country; upon what materials did you proceed?—I consulted everybody with experience of sanitary administration I could come across in the country.

42540. Did you produce a scheme which would apply uniformly throughout the country?—Not absolutely uniformly, but on the same lines.

42541. So nearly uniformly that it would be difficult to make a difference?—The pay for instance might be different, but the general system is on the same lines throughout the country.

42542. Were the conditions of service different?—The conditions of service might be very different. I did not go into details; the Home Department asked the Local Government for details.

42543. In a question of that sort, in a scheme which applies to the whole country, should there be uniformity of scales of pay and conditions of service?—There cannot be absolute uniformity. The conditions are so different that it is impossible to give the same pay or the same terms of service.

42544. Is that the view taken by the Home Department?—I think that is the view taken by the Home Department.

42545. You say that one of your functions, which is essentially advisory, is the review of reports by experts of provincial Governments. Are those reports lengthy reports as a rule?—Yes, fairly lengthy.

42546. Do you write a lengthy review of the whole of these reports?—Yes. The Jail Review is about 20 or 22 pages.

42547. Do you issue many of these reports in the course of the year?—Not very many. As to the sanitary reports, we used to write a resolution on each; I used to prepare the notes for the resolution. We have stopped that recently, because it was not doing much good. Instead of doing that I write to the Sanitary Commissioner pointing out discrepancies, and asking him to explain them. If there is nothing in the note calling for any comment, I explain that to the Home Department.

42548. Could that be extended?—I should be glad to extend it; for instance, the Prisons Report is very useful.

42549. How long after the facts occur do you issue your review of the Prisons Report?—About ten months after the end of the year. I get the last report about August, and I get the review in to the Home Department by October of the same year. The Sanitary Report is officially due on the 30th November, eleven months after the end of the year to which it refers.

42550. Is that not too late for your review to be of substantial benefit?—No.

42551. Notwithstanding its out-of-dateness, you think it is essential to publish it?—Certainly; it is more up to date than the English reports or the German reports are; it is a year younger than similar German reports.

42552. You say that every department of the Government of India may refer questions to you; do Local Governments consult you quite freely?—They may. Some of them do very freely.

42553. The majority of them?—No, I cannot say the majority.

42554. Why is that?—With regard to the northern Governments, possibly, because I am personally known to the Lieutenant Governors.

42555. The amount of consultation by you with the provincial Governments depends upon their personal experience of you?—I think it probably does.

42556. Do you tour in Madras or Bombay?—I have been in Madras, and I go to Bombay every year.

42557. Do those Governments consult you?—They have done so, but very sparingly.

42558. May any of the officers in the provincial Governments write to you?—Yes.

42559. Do they do so?—Yes.

42560. You have nothing to do with their administrative machinery?—Nothing whatever.

42561. You recommend officers for selection for the Bacteriological Department—is that an Imperial Department?—Yes. It is only newly constituted, and so far it is an Imperial Department; I hope it will be an Imperial Department.

42562. Do you know anything with regard to Sanitary Boards? Are they constituted, generally speaking, on much the same lines in most of the provinces?—They have departed entirely from the original lines. The beginning of the Sanitary Boards was a recommendation in the report of Lord Stanley's Royal Commission; that was in 1863. Nothing happened until about 1887, when Sir A. P. MacDonnell wrote a resolution by which he recommended that Sanitary Boards should be appointed in all the provinces. The Board was to consist of an officer of approved administrative experience, a Sanitary Commissioner, and an Engineer skilled in sanitary science. Most of the provinces resisted the establishment of Boards; Madras, for instance, said that they did not want a Board; Bombay said the same; the Punjab said the same.

42563. What is the present position?—Every province in India, except Coorg, has a Board.

42564. On the whole is the work of those Boards well done?—I think they are exceedingly useful.

42565. Is their work well done?—It is not entirely satisfactory, I think, but I cannot tell you why.

42566. Do you think that every Sanitary Board ought to have something beyond mere advisory powers?—They have in some places. In the United Provinces they have executive powers; they got executive powers in 1896.

42567. Is it a good thing that a Sanitary Board should have executive powers?—I think it is. I imagine that the work is better done in the United Provinces than it is elsewhere; in the Punjab the Sanitary Boards have certain executive powers, and they have so much money given to them to spend. It is a small sum given to them by the Punjab Government.

42568. Composed as they are, or as they ought to be, of experts, would it be a wise thing to allow them to sanction schemes on their own authority up to a certain limit?—The Board I should like to see would be a very small Board indeed, no more than three officers, one of financial knowledge, a Sanitary Commissioner, and a Sanitary Engineer; I would give them certain executive power to spend small sums, but their main functions should be advisory.

42569. What powers of sanction should they possess?—It would depend on the circumstances of different places. I would give them powers to sanction up to anything which did not require the interference of the Local Government—where the Local Government were not likely to have to foot the bill.

42570. Suppose the Local Government now confine them to, say, Rs. 5,000, would you like to see it go up to, say, Rs. 10,000, or so?—Yes, I think I would; I have not any very clear idea.

42571. You suggest that these Sanitary Commissioners or representatives from each Sanitary Board should meet every year; do you contemplate conferences?—The Home Department suggest conferences; I do not think that that is anything like as useful as allowing a man to go anywhere he likes in order to see things. For instance, the Sanitary Commissioner in Bengal might very usefully perhaps go to Madras to see the King Institute there, or to Belgaum to see the new Vaccine Institute there. I do not think that conferences are likely to be often useful, or anything like so useful as allowing a Sanitary Commissioner to visit different places.

42572. You say that it would be a great advantage if the initial appointments as provincial Sanitary Commissioners were made by the Government of India; do you propose a scheme of provincial appointments to be made by the Government of India?—The Local Governments get their Civil Surgeons from the Government of India; they have a cadre of Civil Surgeons in the province. At present the Deputy Sanitary Commissioners are simply cadre appointments in the province; Smith, Brown or Robinson goes to the province, and if they have no Civil Surgeoncy for him they put him in as Deputy Sanitary Commissioner. That is exceedingly unsatisfactory. All over northern India, when they want an officer for a Deputy Sanitary Commissionership, they generally write and say so. The Government of India have not accepted my proposal that they should appoint Deputy Sanitary

Commissioners, but they have done what amounts to exactly the same thing. They suggest that no officer should be appointed Deputy Sanitary Commissioner who has more than seven years' service, or who is not technically qualified for the appointment. I think they should have added, who is not a candidate for the appointment. Very often men are made Sanitary Commissioners against their will, and they are continually trying to get out of the appointment. That is unsatisfactory.

42573. You want to level up, as it were, the whole work done by the Deputy Sanitary Commissioners?—Yes.

42574. And for that purpose you would introduce the agency of the Government of India?—I think you must do so.

42575. You would not leave it to the Local Governments?—No; the Government of India have the patronage of the Sanitary Commissionerships except in Madras and Bombay, and, if we had to sacrifice one or the other, I would rather sacrifice the power of promotion; I would rather have power to select my man than have power to promote him.

42576. Are you responsible for preparing the returns of vital statistics?—Yes.

42577. Do you attach much importance to them?—As far as numbers go they are in most places fairly correct; as regards the details of the causes of death they are very far from correct.

42578. How do you know that the numbers of deaths are correct?—The census reports give you figures, and whenever you make a special investigation you get a figure which is pretty reliable; it is certainly not one per cent. out in most cases.

42579. We were told by a witness who had collated some of these statistics himself that they were not at all reliable; would it surprise you to hear that?—It depends on what he meant by "not reliable." As far as numbers are concerned, in most provinces the numbers are correct—the totals are correct, but the causes of death are all wrong. In some provinces the vital statistics are very bad. For instance, you have a birth rate of 23 in Madras; that cannot be right; but take the Punjab, or the United Provinces, or Bengal, or the Central Provinces, their figures, so far as the totals are concerned, are very nearly quite accurate.

42580. How do you check the totals which are returned?—The figures are collected by the headman in each village; those are sent into the police thana, and from there they are sent to the Sanitary Commissioner, who tabulates them.

42581. At all events you do not agree with the suggestion that it is desirable to reduce the frequency with which these returns are called for?—No, it cannot be done.

42582. Just as you would have an Imperial Service of Deputy Sanitary Commissioners, you want an Imperial Service of Sanitary Engineers?—Yes.

42583. All to be appointed by the Government of India?—No, certainly not. For instance, in many provinces there are Sanitary Engineers at present, and there are men who are Assistant Sanitary Engineers. These men who are taken into the cadre would be eligible for promotion in their own province or in another province.

42584. At all events you want something centralized under the Government of India instead of being localised under the provincial Governments?—I think it must be so; the Service is so small.

42585. (Mr. Hitchens.) Is research work under the Government of India, or under the provincial Governments, or under both?—Mainly under the Government of India; so far as it is official, it is under the Government of India.

42586. How far should that be confined to the Government of India?—You cannot confine it to the Government of India. A man in a certain laboratory will do research work himself, but the systematizing of all the various research work must be in the hands of the Government of India, if we are to economize our personnel. If you have half a dozen men working in half a dozen different laboratories on the same subject you have power wasted; if you put the same half dozen men to work on a given subject and to work

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together, you will obtain good results; the odds are that if they are working separately you get nothing except controversy.

42587. Is it desirable that the provincial Governments should spend money on research work at the same time that the Government of India are spending money on the same work?—The more money well spent on research work the better I am pleased.

42588. You would not leave it to the Government of India to take up that side of the question?—I think the Government of India should control it, certainly.

42589. That is practically what happens to-day?—That is what happens so far as the work is official. We exercise no control over the individual in his laboratory, of course.

42590. In other words, as far as research work goes, you are satisfied with the existing conditions?—Yes.

42591. Speaking from the point of view of your department what should be the relations between the Government of India and the provincial Governments in regard to sanitary matters? Would you say, for example, that it was the function of the Government of India to deal with principles and the function of the provincial Governments to attend to details?—The provincial Government must deal with details, the Government of India cannot do it.

42592. The Government of India should deal with matters of general principle?—I think so.

42593. As regards your proposals for the reorganization of the Sanitary Department, is it desirable that the Government of India should apprise the Local Governments of their nature, but leave it entirely to their discretion whether they give effect to any of your suggestions or not?—What the Government of India has done is to bring these matters to the notice of the Local Governments, and ask them to express their opinions upon them; they then will collect the opinions of the different provincial Governments and frame a resolution upon them.

42594. But suppose any individual Government says, for example, that they do not think your suggestion to create an Imperial Service of Sanitary Engineers is a good one; would you press that on the individual Local Government?—That is extremely likely to happen. For instance, the Public Works Department of the Government of India think that this should be an Imperial Service and should be recruited in England. One Local Government, I know, thinks it should be taken entirely from the Public Works Department. If the majority said that it should be an Imperial Service, the Government of India would, no doubt, refer the matter back to the Local Governments that dissented, and say "These are the views of the majority of the Local Governments, perhaps you will re-consider your position." I do not think that any actual compulsion should be put upon any Local Government if it chooses to hold out.

42595. In other words, the Government of India should use advice and explanation in a matter of that sort, not coercion?—Certainly not coercion; they will not use coercion.

42596. You apply that also to your other recommendations?—Yes, certainly.

42597. (Mr. Dutt.) Is your direct correspondence with the provincial Sanitary Commissioners mainly of the nature of calls for information?—Yes; practically the correspondence is entirely confined to requests for information.

42598. On receipt of the information, when you submit your report to the Home Department, does that Department sometimes send out instructions or advice to the Local Government?—They may say that the Government of India are advised that such and such is the case, and ask the Local Government if it is so; or they may accept it and say, do the Local Government think that such and such a thing might be amended; but that in practice does not happen.

42599. Generally, it is only a matter of advice or suggestion?—That is all.

42600. Suppose it came to your knowledge that malaria or some other epidemic disease had broken out in a district where the same disease had not occurred before, would you make any enquiries, or call for

information from the provincial Sanitary Commissioner?—Certainly, and I would offer the provincial Sanitary Commissioner help to investigate it; we have an Institute for that very purpose.

42601. If you were touring in that province at the time, you would probably consult him personally in regard to those matters?—Certainly.

42602. Then your report on the subject would be submitted to the Home Department?—Yes.

42603. Have you had any occasion to make such enquiries as regards the outbreak of plague in new places?—Not exactly in the sense you mean.

42604. Nor with regard to the outbreak of malaria in districts in Bengal?—Yes, as to malaria. Take the black-water fever enquiry; we have been making private enquiries for some time. Recently the Planters Association in the Duars asked the Government of India to make an enquiry; they asked that the Liverpool School should send out somebody to enquire. Most of the new work in the investigation of malaria has actually been done in India. I therefore suggested to the Government of India that they should appoint a committee, and that we should employ experts of our own; the committee was appointed and the experts are now at work in the Duars.

42605. Is black-water fever the same as *kala azar*?—No. A certain clue to the causation of *kala azar* was obtained; I suggested to the Government of India that we should pursue that clue; they assented and provided the money, and I had an officer appointed and set him to work at it, and I think we have made some little progress with it.

42606. Have these enquiries resulted in any definite suggestions of any kind?—Certain of them have. The preliminary phase of the black-water fever enquiry has only just concluded; as to the *kala azar* enquiry we have got it to a certain point, and we cannot get any further at present; these things take some time.

42607. But so far as they have gone have you been able to issue any suggestion?—Yes, in regard to typhoid; we have, I think, got at the cause of the spread of typhoid among European troops.

42608. Are such suggestions communicated to the Local Governments?—Typhoid is mainly a concern of the army. The result of our inquiry has been communicated to the Principal Medical Officer, and we shall publish a report upon it which will be issued to the public under the authority of the Home Department.

42609. I am speaking not of the Army but generally. —It is a little difficult to explain. Take plague; we had a special inquiry into plague; they took a good deal of time investigating, and the result will be circulated to all the Local Governments so that they may frame their administrative measures upon what has been ascertained.

42610. (Sir Frederic Lely.) Is it not more or less true that the appointments of Deputy Sanitary Commissioners are rather unpopular because their functions are only advisory, and men like to have powers?—Yes, they are unpopular.

42611. There is a feeling that they are ploughing the sand?—That is an expression that I have heard used.

42612. In your letter to the Government of India you mention that the Civil Surgeon should be the Medical Officer of Health, and should always be Chairman of the Sanitary Sub-Committee of the Municipality? A professional witness we had yesterday said that he rather objected to a Civil Surgeon taking up that rôle, on the ground that he thereby got mixed up in local disputes and became unpopular?—It is only in small places that I suggest that; it is only where there is no special Health Officer.

42613. But the objection would apply equally in small places, or even more so?—You may put it the other way; you may say that he puts himself in a position to acquire more influence.

42614. Then you would not attach much importance to that opinion?—I would attach none.

42615. You also say that the Medical Officer of Health in the municipality should be under the administrative control of the Sanitary Commissioner; that

is, you would set aside the authority of the municipality entirely?—There is a little difficulty about the law; I would not set aside the authority of the municipality entirely, but there is no reason why the municipality and the Sanitary Commissioner should not co-operate with each other; their interests are exactly the same.

42616. But would you distinctly recognize, as tending to smooth working, that the Sanitary Commissioner, or the Deputy Sanitary Commissioner, as the case may be, acts as adviser of the municipality?—Certainly, but I think that he ought to be able to deal with a recalcitrant municipality; there ought to be some power over the municipality. For instance, a Deputy Sanitary Commissioner at present goes round a municipality and points out defects; he writes a note on it perhaps; the note is sent in duplicate; in one province at any rate, one copy is sent to the Sanitary Commissioner, the other to the Local Government, and nothing is done. I do not think that is satisfactory.

42617-18. Would not his proper course in a case like that be to bring the recalcitrancy of the municipality to the notice of the Government or of the Commissioner or whoever the authority might be?—The Sanitary Commissioner may weary of doing that.

42619. At present the Sanitary Officer could insist upon pressing home his recommendations until they were paid attention to?—It is an almost impossible position for him; in some places any suggestions he makes are gladly carried out; in other places nobody pays any attention to them; it depends on the place.

42620. Would you suggest any change in the present system?—No, I cannot suggest any change.

42621. Have you served as a Deputy Sanitary Commissioner yourself?—No.

22. Practically you know nothing about the method of collecting vital statistics?—I have gone round with Sanitary Commissioners and Deputy Sanitary Commissioners and seen how they do it.

42623. What is the agency by which it is usually done?—It varies; in nearly every province at some stage the police have the collection of them.

42624. Would you be inclined to deprecate the intervention of the police at any stage?—*Prima facie* I would; in practice the more the police have to do with them the more correct they are. I think it must be left to the provincial authorities.

42625. (Sir Steyning Edgerley.) You use the phrase "to co-ordinate research"; does that imply control?—It is rather a diagrammatic phrase, and I think the explanation must be rather diagrammatic. Suppose there is on hand research into a particular subject, I would ask one man to take one part and another man to take another, so that they should not both be working at the same thing; I would tell A what B had done, and tell B what A had done.

42626. You would simply divide the work and control it?—That is all.

42627. You would control it?—When I say "control," I think we should say what work has to be done. I would not interfere with the man in the laboratory doing what he likes; but when it is a large work you must have control, otherwise all our power is frittered away.

42628. You were asked whether research work should be provincial or imperial, and you favour its all being under your hands, for the reasons that you have first given?—I think so, for the present; if it develops, then it would be impossible to keep it in one hand.

42629. Your opinion is really that it should be imperial?—My opinion is that it should be imperial at present.

42630. For instance, do you think that so far as any control is necessary for co-ordinating the work at the Parel laboratory, it should be exercised by you; would you get better results if you had the control?—Parel is rather peculiar; that is the only laboratory that we have working on plague on a large scale; there is far more knowledge about plague in the Parel laboratory than anywhere else, and I should be sorry to interfere with it. I can say to them, "Such and such a distinguished scientist in Europe says so and so, for instance that a particular procedure will destroy rats; the Local Governments must know if this is true; will

you make experiments," and I suggest what the experiment should be, and I should ask the Government of India (as I do as a matter of fact) to get the apparatus.

42631. You do ask the Government of India for it?—We do.

42632. And you get it?—We get it at once; we telegraph for it.

42633. Who pays for it?—The Government of India pays, but the Bombay Government administer the general funds of the Parel laboratory.

42634. Would not the position be very much clearer if the laboratory was frankly imperial?—It has got a certain amount of provincial work to do, and I think we could make an arrangement whereby the provincial people would be very well pleased with the work that is done.

42635. I do not put it that they are dissatisfied, but it is simply a matter of administration. —For the present it would be very much better indeed if it were imperial.

42636. That is to say, if you had a free hand you would, for the present at any rate, go back on the arrangement which was originally made, whereby the laboratory was handed over to the provincial Government?—The arrangement was a very curious one; it was never clearly handed over to the provincial Government.

42637. The laboratory was declared provincial; the Bombay Government received from the Government of India Rs. 1,20,000 a year to run it, and are nominally responsible for it?—Certainly.

42638. Would an arrangement by which it was frankly imperial be better?—I am not prepared even to say that. If the Bombay Government were willing to recognize that we did not wish to interfere in their affairs, frankly I do not care whether it is imperial or provincial. As it is, it is very difficult to assure the Bombay Government that one is not interfering unnecessarily, and there is always the possibility of trouble.

42639. I am not discussing that question at all. —But that is what it depends on.

42640. Not at all; there must be certain functions for a provincial Government and certain functions for the Central Government. I simply asked whether you thought that this sort of scientific research was better in the hands of the Central Government?—For the present, it is very much better in the hands of the Central Government.

42641. Then your view practically is that the Parel laboratory would be better under the Government of India?—Yes. I should like to qualify that statement; I say, that is for the present; the thing may grow so big that it must be under the Local Government, but, at present, when it is very small, I think it ought to be under the central authority.

42642. In the resolution which communicated your appointment the Government of India said that "they had no intention of relieving Local Governments of the direct control and responsibility they had exercised in sanitary matters or weakening their authority over provincial sanitary establishments"; that is one statement; "and the Sanitary Commissioner will not be permitted to encroach in any respect upon the authority of the Local Government over the officers under their control, but he will be prepared to confer with them" (that is, the provincial Governments) "informally on matters connected with sanitation; he should also correspond unofficially with provincial Sanitary Commissioners and the heads of provincial laboratories upon points of departmental procedure, forms and statistics and purely technical questions"; is that the position?—That is the position; you will note the word "unofficially."

42643. What is meant by "points of departmental procedure"; how do you construe that phrase?—I did not write the resolution.

42644. But what do you understand by it; the resolution was in 1904, and it is now 1908?—As to "departmental procedure" in regard to a laboratory, there is practically no departmental procedure, because there is as yet no department.

42645. Then does it mean nothing?—I take it that it is with a view to developments; I dislike criticizing it.

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42646. I do not want you to criticize it; I want to know how you have interpreted it during the last four years?—I have had no occasion to interpret that particular phrase.

42647. You agree that sanitation is a matter of the every-day life of the people?—Certainly.

42648. And therefore it is a matter of provincial, if not local, control?—Provincial or local.

42649. In all such matters you must carry the people with you; you must not drive them?—Exactly.

42650. Therefore all these matters require very close knowledge of the habits and customs and prejudices of the people?—Certainly.

42651. They must practically be entirely in the hands of officers and authorities close to the people?—Yes.

42652. Therefore the details of sanitation are a purely local matter?—Yes.

42653. You cannot administer it all over the country from one centre?—Yes, you could; for instance, you might have people doing nothing, letting things simply rest as they are, with enormous death rates, and nothing done at all; there you can do something; you can stir them up, and I think you ought to do so.

42654. You can bring such matters to notice, you mean?—Exactly.

42655. But you cannot administer?—No.

42656. You can have a sort of central body of information, and warning and so on, but you cannot administer?—You cannot administer.

42657. This resolution gives nothing in the shape of the Head-of-a-Department position to the Sanitary Commissioner?—I think it was intended to give a position of that sort, not with regard to Local Governments at all; it would be a Sanitary Department under the Government of India; there is no intention to control the Local Governments in any way, or to control the officers under the Local Governments; that is specifically avoided.

42658. Will you turn to your letter of the 14th August, 1906: in paragraph 2 you will see the phrase "to co-ordinate the work under Local Governments"; does that refer to research?—No, it refers to a great deal more than that; for instance, you visit a place in the United Provinces where you have very good water-works, suitable for a small town; you visit a town, we will say in another province, a town of similar size, where they want a water-works: you put the two sets of people in communication.

42659. You pass information?—You pass information; that is co-ordination.

42660. The word "co-ordination" in that passage then does not quite mean what it meant when you first used it?—No.

42661. Now look at paragraph 9; you say "Thus, in Bombay Lieutenant-Colonel Channer, who entered the Service in 1876, is Sanitary Commissioner, while Major Jameson, who entered the Service in 1890, was Inspector-General of Prisons," I suppose "Jameson" is a mistake?—It should be "Jackson."

42662. He is not Inspector-General of Prisons?—He was when I wrote.

42663. He was only acting in a furlough vacancy?—He was acting.

42664. The permanent Inspector-General was really four or five years senior to Lieutenant-Colonel Channer?—Yes.

42665. Does not that sentence, therefore, produce rather an inaccurate impression?—It was not intended to do so.

42666. But do you not think it does?—No, I do not think so; I took that example simply by chance; the point was applicable all over the country.

42667. But the fact is not accurate?—That is so; it was true at the time; it was an ill-chosen example; I will put it in that way.

42668. I think you would have to say that he was acting in the vacancy?—But the matter was of slight importance, because there were any number of examples; I took that one; it was a badly chosen one.

42669. I do not say that it was badly chosen, but I wanted to bring to your notice that the facts as stated are not quite correct.—The next fact, which is just as striking, is absolutely correct.

42670. I am not touching the merits of an argument?—But surely the merits of an argument are considerably touched when the facts are not accurate?

42671. I put the question because I have seen it stated, not with reference to yourself, but with reference to other officers, that the Government of India must rely on their Inspectors-General and similar officers for truly living information as to what is going on in the provinces, rather than on the Local Governments; I only put the question to point out that the information they got on this particular occasion was not exactly accurate; I do not want to go any further. Again, you say "It should be impressed upon the Bombay Government that if they are to make full use of their Sanitary Department, the expert officer must be directly responsible to them for his work." Surely the question of the position to be given to the Sanitary Commissioner under the Local Government is a little outside your sphere?—I was asked to make a reorganization of the Sanitary Department.

42672. Is it not rather interfering with the details of local government?—I do not see that this is interfering at all; it does not go near the Local Government; it is merely a recommendation to the Government of India.

42673. Would you be surprised to hear that the Surgeon-General in Madras told us that he would very much prefer a system by which the Sanitary Commissioner was one of his Deputy Surgeons-General?—I daresay.

42674. Is not the pay of a Sanitary Commissioner only Rs. 1,500 to Rs. 1,800 a month?—Yes.

42675. Do you suggest that the Bombay Government could get an officer on that salary who would contentedly remain as Sanitary Commissioner and be able to take independent charge of the whole of the delicate business of the sanitary work of a Local Government?—I think his pay should be higher.

42676. Is that not a very good reason for the Government of Bombay objecting to any system of giving him independent authority under present conditions?—I think it would have been simpler for the Bombay Government to have recommended more pay.

42677. Is not his present relation to the Surgeon-General a very good reason for objecting to giving him more pay?—No, I do not think it is any reason at all.

42678. You also suggest as regards this imperial scheme that you would make promotions to the office of provincial Sanitary Commissioner from the general body of provincial Deputy Sanitary Commissioners; does that mean that you would not necessarily promote to the Sanitary Commissionership of a given province from within that province?—No.

42679. He may come from anywhere?—He may come from anywhere within limits.

42680. That is to say, the Local Government would no longer appoint their own Sanitary Commissioner?—They do not now in any province except Madras and Bombay.

42681. Then you say "The only real obstacle is the language objection, which in my opinion is greatly outweighed by the advantages of welding the department into one whole." Suppose for example an excellent officer came from Bengal to Bombay on promotion as Sanitary Commissioner, would he know anything of the habits or customs or the general life of Mahrattas, or Gujeratis, or Sindis?—I think he would; he knows the broad general lines; he knows how carefully he has got to tread, and he will very soon find out.

42682. Sufficiently to administer a department interfering with all the details of the daily life of the people?—They do not interfere very much.

42683. You further suggest that all full-time Health Officers should be absorbed into this Sanitary Department?—You mean full-time Health Officers of ports; certainly.

42684. That is to say, you take those appointments away from the local medical cadre and put them into the Imperial Sanitary Department?—Yes.

42685. For instance, the Port Medical Officers of Bombay and Aden?—Bombay certainly; Aden is perhaps different.

42686. You think there would be no difficulty in the medical cadre losing a certain appointment of that sort?

—I do not think so; there is no competition between the departments, or there ought to be no competition, as to that; it is the general interest to get the best man into the place; obviously the medical people would lose and the sanitary people would gain.

42687. You also say "The practice of sanitary engineering in India must be learned locally; there is all the difference in the world between an engineer with a liking for and experience of sanitary work in India and an equally competent engineer without his liking and experience." Is that not exactly the present system in force, for instance, in Bombay?—It is the system in many places; the trouble has been that we have had very few of these men.

42688. How many Sanitary Engineers do you want in a province?—You may want a great many: in the United Provinces for instance besides the Sanitary Engineer for the Government you want half a dozen for the towns. At present it is not a Government Service at all. A man who is doing a very large amount of sanitary engineering engages men privately in England for the municipality; I think you could get the same material for less money if the men belonged to Government; you could also create a Service upon which you could draw to fill vacancies.

42689. You would entirely do away with the local interest of the bodies having their own engineers?—The body has its own engineer; it pays a man Rs. 600 a month for three or four years while the work is going on; it could not afford to go on paying Rs. 600 a month.

42690. Again you say "Under the present system an engineer is gazetted to a sanitary appointment with little reference to his special fitness for the post"?—I am afraid that is the case.

42691. Do you really suppose that the Local Governments do not choose their Sanitary Engineers with more care than that?—You cannot choose when you have not got the men.

42692. Do you say that we have not got any suitable men on the local cadres?—In certain provinces they have not got them; that is an actual fact.

42693. It is not a fact in Bombay?—I have said nothing about Bombay.

42694. This is a general statement?—My statement is "Under the present system an engineer is gazetted to a sanitary appointment with little reference to his special fitness for the post"; that very often happens; I do not say that it always happens, or suggest that it always happens.

42695. You say, "The remedy is the creation of a separate Service of Sanitary Engineers"; would they be brought out from England?—Yes.

42696. That would entirely conflict with your argument that sanitary engineering in India must be learnt locally?—Not at all; we must get the men and we must train them; they must be trained as engineers, and they should have a certain training as Sanitary Engineers before they came out, at least three years; I would not give them work or be responsible for them until they had gained experience.

42697. You say that you submitted these proposals after conferring with the Local Governments; did you really confer with the Government of Bombay about them?—Not with the Government of Bombay *qua* Government; I discussed these matters with Mr. Muir Mackenzie. On the occasion of my last visit to Bombay I was referred by Mr. Muir Mackenzie to you, and I failed to meet you; you were in Calcutta.

42698. Did you see my predecessor about them?—No, I did not discuss them with him at all.

42699. How often have you come to Bombay since your appointment?—Three times: in December, 1906; February, 1905; and December, 1904.

42700. Do you generally give the Local Government notice of when you are coming?—No, I cannot say that I generally do; I generally communicate with my own people, not with the Local Government as a Local Government.

42701. You do not ask the Local Government whether there is anything in the province, as you happen to be there, that they would like you to look at?—No; I write to the Sanitary Commissioner and

say I am coming, would he like to see me; and when I get to the place I call on the secretary and I call on the member.

42702. Did you do that in December, 1904?—Not in December, 1904; I was in Bombay and I saw my own people, but practically I was on privilege leave in 1904. In 1905 I came down and I saw Mr. Muir Mackenzie and Mr. Quin; I saw His Excellency; and Colonel Channer came with me, and remained in Bombay with me for some time.

42703. Do you not think that the Local Governments would be extremely grateful to you if you gave them a little notice?—I should be only too pleased to get into relations with the Local Government, but one is almost afraid to approach them.

42704. For instance, you might let them know you were coming, and they could ask you whether you could help them on any matter; there may be questions as to which they would be only too glad to have your advice?—I should be very glad indeed.

42705. When you leave a Presidency, do you not think you might write and say that you had been there, and, if it be so, say that you had not noticed anything wrong?—I think that would be too much for me to do.

42706. Or say, "I have noticed this, that or the other and I tell you of it"?—I should be very glad, but I should not do that unless the Local Government asked me to do it; I should not offer to do it; I might come to very serious grief.

42707. You really think so?—I might—not possibly with the Local Government, but with the Home Department.

42708. You discussed this proposal with the provincial Sanitary Commissioner?—I think he saw the letter.

42709. Did he not write a letter to the Local Government about March 1906 forwarding a number of letters from his Deputies, and complaining of the prospects and so on of the department?—Yes, I saw that letter.

42710. He at the same time forwarded a copy of his letter officially to you?—Yes; he had no right to do so.

42711. Did you send it back to him and say that you could not accept it?—I paid no attention to the communication at all.

42712. You did not show him that you considered he had gone outside his sphere?—I perhaps ought to have sent it back; it did not occur to me; I paid no attention to it; I did not answer it.

42713. When that state of things comes to the notice of the Local Government is it not apt to make them have some suspicion?—Of course.

42714. Would you not be in a very much stronger position with the Local Government if you were able to say "I refused to receive the communication, I returned it"?—Perhaps it is a pity I did not return it.

42715. It is one of the dangers of this sort of appointment which has to be guarded against, that it does tend to make local officers look past their Local Government to the officer of the Government of India?—It is impossible to say that it does not, because on a particular occasion it has done so; but I do not think it necessarily does so.

42716. I do not say anything more than that there is that tendency to be guarded against?—It certainly has to be guarded against and strongly guarded against.

42717. And might I put it that on that one particular unfortunate occasion it was not quite so strongly guarded against as it might have been?—I am not prepared to admit that; I think it would have been better to have sent the letter back; I do not know that it was officially incorrect not to send it back; the ignoring of it was quite as effective.

42718. (Mr. Meyer.) Was this report of the 14th August, 1906, submitted on your own initiative?—It depends really on the resolution of the 8th September, where Government said that they wanted the Sanitary Commissioner to submit a general scheme.

42719. You proposed a scheme which goes considerably in the direction of centralization; was that on your own initiative?—So far as centralization is concerned, it is certainly entirely on my own initiative.

Colonel
J. T. W.
Leslie.

4 Jan., 1908.

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MINUTES OF EVIDENCE:

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J. T. W.
Leslie.

4 Jan., 1908.

42720. Have any orders been issued on it?—The Home Department and the Finance Department considered it went too far in the direction of centralization.

42721. There was a letter recently issued by the Home Department on the question of sanitation. Was that the outcome of this scheme?—Yes.

42722. Has not this question of the recruitment of Sanitary Commissioners and Deputy Sanitary Commissioners been dropped?—No, it has not been dropped; the Government of India said that the Local Government must appoint a man with not less than seven years' service, who was qualified for the department generally.

42723. That is a very different thing from taking the patronage away from the Local Government?—It comes to exactly the same thing.

42724. Anyhow, the Government of India now simply say to the Local Governments, "We consider that the man you appoint must not have less than seven years' service"?—Yes, and, particularly, qualified; they say, if you cannot get that, come to the Government of India; that is all they want.

42725. You say that as long as you have your say, or the Government of India through you, in the selection of Deputy Sanitary Commissioners of the province, you would not care whether the Local Government appointed the Sanitary Commissioner or not?—I should like to have the Government of India appoint both, but, if I had to give up one, I prefer to bring in the man at the bottom.

42726. In that case the Government of India and you would simply be concerned with the initial recruitment of the department?—Yes.

42727. And all the subsequent control of the personnel of the department would rest with the Local Government?—So far as possible.

42728. As to the question whether the Sanitary Commissioner should, or should not, be subordinate to the Surgeon General or the Inspector General of Civil Hospitals, is there any necessity for uniformity in a matter of that sort?—No.

42729. It might perfectly well be done in one province and not in another, as the Local Government thought best?—I do not think you would get it efficiently done; of course it is a matter for the Local Government to make up their minds about; it is their affair.

42730. You would give the Local Governments their own way?—Not if I could help it, in this matter.

42731. You spoke about the Sanitary Commissioner being able to deal with recalcitrant municipalities; you do not mean that the Sanitary Commissioner should have power then and there to order a municipality to take specific action?—No.

42732. You say that it is very unsatisfactory that the Sanitary Commissioner should be able to do nothing but complain?—It is not that; what I said was that it was very unsatisfactory that the Sanitary Commissioner had no ear given to his complaints.

42733. He is a voice crying in the wilderness want him to remain a voice, but to be listened to That is it.

(The witness withdrew.)

Adjourned.

THIRTY-SEVENTH DAY.

CALCUTTA, Saturday, 1st 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., I.C.S.
W. L. HICHENS, Esq.

Mr. S. EARDLEY-WILMOT was called and examined.

Mr. S.
Eardley-
Wilmot.

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42734. (*Chairman*.) You are Inspector-General of Forests to the Government of India?—I am.

At the present time about 22 per cent. of the area of British India is under the professional management of forest officers although continuing absolutely under the control of the Local Governments concerned.

Of my 34 years' service, 16 were passed in executive, 13 in administrative work, and the remaining five as adviser to the Government of India. During the first period there was much to contend against. The Government of India, although expressions of their forest policy may have issued in various circulars and letters, had not published any special definition of it, and there were many obstacles to progress which, as the aims and results of forestry have become better understood, have been, and are still being, removed. But the one original rule still exists in its entirety, and must continue to be upheld, namely, that the district forest officer is the assistant of the Collector as regards local forest matters, and that he can issue no orders which in any way affect the welfare of the population without the Collector's agreement. This embodies an unalterable policy, and I need therefore, perhaps, say no more of the work of the district forest officer save that the system which has gradually been built up in detail has been found to work so satisfactorily that, from time to time, and particularly during the past year, proposals to enhance the financial and administrative powers of these officers very considerably have been readily accepted.

The administrative officers of the department are and always have been, responsible for the silviculture and finance of their circles. But here, again, the Commissioner and the Local Government stand between the Conservators and the people, and every detail of work affecting them must be endorsed by the approval of the Commissioner, and, in important cases, by that of the Board of Revenue, before passing into practice. Many proofs may be adduced in justification of this system, which has stood the test of years. That Government is satisfied is shown by the enhanced financial and administrative powers lately granted to Conservators; that the Revenue Officers are contented is proved by the absence of friction, and the frequency of collaboration, between officers of the two departments; that the people, as a whole, are satisfied is proved in practice by the phenomenal success which has been attained in forest operations, a success which would be impossible save for the co-operation of the population who are now interested in the protection and exploitation of the State reserves as affording them a lucrative employment near their homes, while they share to a very large extent in that portion of the forest yield which is utilized in their daily lives.

Individual cases of discontent must continue to occur; but when they do, they are now held to prove that there is something wrong either in the application of the forest rules or in the spirit in which they are received, and enquiry is at once set on foot with a view to the removal of the friction. There is in

the State forests so much valuable material which is the property of the public, and is necessarily very tightly guarded, that there must always remain the temptation for the individual or the community to appropriate for his, or its, private use more than the due share. Yet the forest laws of India are trifling in their severity compared to those considered necessary to guard the State forests of Continental Governments, and were they introduced into any European country, the State reserves therein would be devastated in a few months to an extent which it would take generations to rectify. So far as I am acquainted with the forest settlements of the Bengal Presidency, they are generous to a degree which, perhaps in some cases, would not be justified in the interests of the improvement of the forests or, in others, by a perfectly equitable distribution of produce.* For the more is given to those who have the good fortune to reside near Government forests, the higher the price of the remainder and the less surplus revenue remains to reduce taxation in the country as a whole.

Personally, however, I am a firm believer in generosity in this matter, for I am convinced that, without the concurrence of our neighbours, forest protection is impossible in India. The chief causes of any present justifiable discontent are, the oppression exercised on the population by the subordinate forest staff; and it is the fault of the Local Administration when this is permitted to continue. Until quite lately, the salaries and conditions of service of this class of officers were so inadequate as almost to force them to resort to extortion, and the evil was intensified by the fact that, while the forest area continued to increase by reservation, the staff in the branches of upper control remained at the same strength, so there was inadequate supervision of, and far too much independence in, the lower grades. This evil is being remedied in most provinces, and already much has been done in this direction; but while the Government of India is always ready to sanction proposed improvements in the personnel of the department, Local Governments have shown a want of foresight in calculating their requirements, and delay in meeting them thus becomes inevitable.

With regard to the duties of the Inspector-General of Forests, they are threefold. He is the adviser of the Local Governments as to the technical management of their forests, and of the Government of India as regards all forest matters which may be sent to him for an expression of opinion. He has no authority, administrative or otherwise, and his opinions may or may not be acceptable; but in either of the two above-noted capacities he appears to be at present indispensable. In the former he has to advise Conservators and sometimes to express an opinion in order to decide on their conflicting views in regard to permanent systems of silvicultural management which may affect the future of a valuable forest; in the other he has to place the views of an expert before the Secretary and Member in charge of the Revenue and Agriculture Department, both officials who cannot possibly have leisure to give to each one of the various scientific departments they control that study of technical detail which is deemed necessary in deciding matters which may have far-reaching effects. The third duty of the Inspector-General of Forests consists in the control of forest education and research so far as the Imperial Forest College and Research Institute is concerned. With provincial education and research he has nothing to do save to afford advice when this is demanded. The education of the Provincial Service Officer will probably always be carried out at a central institution for the reason that it will not be worth while for the benefit of so few students to undertake the work locally. That of officers of the Subordinate Service will doubtless, in the near future, be arranged by Local Governments (as it now is in Burma) who will be able better to provide what is required to suit the varying forest conditions of the Empire. As to research, it was at first necessary that there should be central laboratories and libraries in the charge of experts, although it is recognized that the future progress of this most important and lucrative branch of forestry will be to a great extent dependent on the efforts made by Local Governments to investigate the value of the material locally available and to assist in placing it on the market.

* NOTE.—The cases are numerous in which the people do not utilize to the full the produce they are entitled to.

It will be observed that the Inspector-General of Forests stands practically alone as the nominal Head of a Department possessing no administrative authority. I have nothing to say against this position. In my opinion the patronage and personal elements introduced into the duties of administrative Heads of Imperial Departments is to a large extent destructive of their utility as such, especially where the members of the Service are, or should be, partly borne on provincial lists, and I would prefer to see the Forest Department remain as it is under provincial control in its executive and administrative grades with the advice of its Head available by both the Local and Supreme Governments. But he should have authority to inspect the State forests throughout India in order to acquire the local knowledge which can alone make his advice valuable. The question of interference with the provincial staff, in the case of the Inspector-General of Forests, cannot possibly be mooted by anyone who has sufficient interest in the subject to enquire into the details of its working. That officer's opinions may or may not be acceptable, but provided that he is given opportunity to make a personal acquaintance with provincial forests, he should, if he is fit for his post, be able to present the best silvicultural advice to Local Governments, while his ripe experience of forest work throughout the Empire, and his knowledge of procedure and precedents, should ensure that the Government of India have at their disposal the best technical counsel which it is possible to obtain.

There is, however, as in all similar matters, a limit which must be imposed to the application of a system of decentralization, and this limit is in Indian forest management very sharply defined. In this country the sole permanent and impersonal institution may be taken to be, as regards forestry, the Government of India. They alone constitute a ruling power where continuity of purpose and policy is assured, and where the personal element is to so large an extent eliminated that, as a rule, it ceases to effect any serious alteration in a policy which has been accepted by experience and carried out with success. Such an advantage is not enjoyed by Local Governments, where the indifference or influence of a personal ruler is able to cause a change, not in the letter of a generally-defined imperial policy, but in the method of its application, or may result in its neglect or evasion.

Forestry is obviously impossible when frequent changes in systems of management are permissible, or when a crop which takes over a century to grow, and but a few days to remove, is treated with indecision, and there are thus in India, even more than in European countries where this principle is strictly enforced, very special reasons why the continuity of forest management should be assured by the general control of a more permanent and impersonal authority than that possible with any Local Government. It must be remembered that the Englishman, save in exceptional circumstances of upbringing or subsequent training, possesses no knowledge of forests, and of their influence in tropical, sub-tropical, or mountainous countries. In the early days of his Indian service the Revenue Officer is, as a rule, unacquainted with the intimate interdependence of agriculture and other industries with forestry, and he is apt to consider this science merely as a fad of an expert department. Becoming senior, if the prejudices of his youth are modified, there still remain the serious disabilities that the benefits to be derived from the inauguration of rational forest management are not to be reaped within the few years of his stay in any locality, and that his rule will not be rendered in any way more acceptable to the people thereby. Thus want of intelligent interest in the aims of State forestry and the fear of unpopularity in the present may combine to cause a neglect of this science which might be severely felt by future generations in India.

It is to combat these obvious disadvantages that the declaration of a fixed policy by the Government of India becomes essential, and that a general supervision should be exercised over the action of Local Governments in those matters which might tend to neglect or misapplication of that policy. For instance, there can at this period of British rule in India be no question of the extent of the forest required in any given locality to supply the inhabitants with produce, to regulate or maintain the water supply, or for any other purpose for which forests are provided by nature, and the power should not be left to an officer whose

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responsibilities cease after a short five years to enforce his personal opinion on the notice of future generations without the concurrence of higher authority. To such an officer who remains in power during the one-thirtieth part of the life of a tree we may well leave the original decision as to what crop provincial forests shall produce and also the method of its disposal by free gift or otherwise; but having done this, it is for a more permanent institution to ensure that no change from a system of management once recognized as suitable shall be made without due cause, so that the property of the State shall continue to be administered for the public benefit in the largest meaning of the term. At the present moment, apart from financial restrictions which are shared in common with other departments, the Government of India have receded almost entirely from the detailed control of forest management in India. They still maintain the power to prohibit the disforestation of the State reserves, and cases are not wanting to show the wisdom of such retention. They still ask that the sanction of the Governor-General in Council (section 77, Act VII) shall be accorded to the promulgation of certain rules or regulations affecting areas outside the limits of the province of issue; and they demand that the State forests shall, whenever possible, be treated under systems of management which shall be suitable to local requirements and continuous in their application. But beyond this no interference in forestry or in the forest staff is attempted. In this regard, however, the appointment of Conservators by the Government of India is sometimes quoted as an exception which, though referable to the exigencies of the Service, may perhaps be worthy of some few explanatory remarks. The department is recruited under a promise, implied, if not given, of similarity of conditions of service throughout India; but such similarity would be, owing to the various size of provincial forest *cadres*, impossible if promotion to the administrative grades were made on these *cadres*. The evil, if such it is considered, is minimized by the fact that Local Governments are always consulted as to the merits and postings of these officers, and every effort is made to meet the convenience of the Public Service in making the appointments. Personally, I am far from considering that the creation of a general list for the Administrative Officers of the department is an evil; indeed I look upon it as one of the most important measures to ensure the progress of Indian forestry. It must be obvious that, if a department is to effectively carry out the wishes of a Local Government as regards the management of the State forests which are frequently overburdened with popular demands on their yield, it must be in a position to prescribe the most effective system of treatment, and that this cannot be done without adequate professional knowledge. Unless a

Forest Officer is scientific and business-like, he cannot utilize his knowledge, or adapt it to the requirements of the people as understood by his Local Government; he cannot arrange to produce, harvest, and dispose of, the required forest crop to the best advantage. The Forest Department is recognized as a commercial and revenue department in India. I am content that this should be so, but to work up even to this very moderate definition its members must be scientific and expert as in any other commercial undertaking, and in the ever-varying and multifarious demands on the Indian Forest Officers none who is not both scientific and expert can justify his existence at the present day. To do away with the general list of Administrative Forest Officers in the Bengal Presidency would restrict each of these officers to the narrower limits of provincial experience, and would seriously hamper the progress of scientific forestry in substituting the selection from the few for the present selection from the many to fill these posts which have such an important bearing on the general welfare of the country.

So much for the system of forest management in the so-called Presidency of Bengal. Its statistics will prove it to be a success. They show that the State reserves there are well protected and well organized; that their yield both in material for local consumption as well as in saleable produce is largely increasing, and that the opposition of the people to a new, and at first unknown, institution has practically disappeared, leaving to Government an estate which cannot but be of infinite value, both directly and indirectly, to the country in the future. This success is, in my opinion, due entirely to the gradual evolution of, and insistence on, an imperial forest policy by officials who are in a position to command a wider field of view than that afforded from the standpoint of the district or the province, and who are content to enforce general principles, leaving details to those who are in more direct communication with local conditions. The Government of India alone are intimately acquainted with the wider influences of the Indian forests; they alone are in a position to decide on the relative importance of provincial and imperial forest questions, just as they are able, by avoiding all untimely interference, and by soothing the fears and jealousies of Local Governments, to ensure their collaboration with the ultimate object that the State forests of India shall remain to their successors as a most valuable asset.

I have no local knowledge of the forests of the Bombay and Madras Presidencies. The following notes, therefore, are based on facts presented by reports, on conversations, on correspondence, and on inferences deduced from comparisons of results of forest management in Bengal, Bombay, and Madras. The systems of administration present the following main variations:—

	Bengal.	Bombay.	Madras.
Head of Department ...	Inspector-General of Forests.	None.	Member of Board of Revenue.
Chief Conservator ...	Chief Provincial Forest Officer where areas are large.	Do.	None.
Conservator ...	Administrative Officer.	Advisory Officer.	Advisory Officer.
District Forest Officer ...	Executive Officer under Conservator.	Executive Officer under Collector.	Executive Officer under Collector.

The effects of these variations in practice are, I believe, as follows. In Bombay there is no control of technical management save that exercised by the Senior Conservator in addition to his other duties. In Madras the Head of Department possesses no technical knowledge, and though advice on technical management is given by each Conservator, no one of them has, up to the present, power to enforce it. There is in either province no outside criticism of professional work, and no exchange of experience is officially possible. As regards administration, the Conservator's abilities remain to a great extent unutilized because his proposals may be vetoed by the local Collector. As regards executive work, the Conservator is powerless to order or to control, this being also the duty of the Collector. It is believed that many of the Collectors in both provinces are far from convinced that the present arrangement is necessary in order to carry out the policy that insists that matters affecting

the raiyat should be controlled by the Revenue Department. They would prefer that the Forest Officer should be held responsible for all technical business and that they should be relieved of it. Indeed in Madras a new edition of the Forest Code has just been prepared in which many beneficial changes in this direction were proposed, but of these some have been refused acceptance by the Government although the Member of the Board of Revenue was President of the Code Committee. As an example, it is ordered that the Collector must control the "felling, extraction, removal, and disposal of forest produce," which is essentially the duty of a professional Forest Officer. It is obvious therefore that the Revenue and not the Forest Department must be held responsible in the provinces of Madras and Bombay for the success or otherwise of forest management there. As to the results of the abovenoted variations, the best way to form an opinion is to compare the progress of forest

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organization and protection in the three Presidencies from available statistics, and to judge of the attitude of the people from the statistics of forest offences in each. Such statistics are of course readily available. I do not think that the comparisons will be found satisfactory, and it may be found that Madras and Bombay are a generation behind-hand in forest management as regards its reception by, or influence on, the population. If this is so, the reasons in my personal opinion are:—

- (i) The forest staff is undermanned, and both the individual and the work suffer therefrom. In Madras for some time no leave has been granted save on medical certificate, which is a poor policy in any department, but particularly so in the Forest Department, for it is not the fault of the staff that their work is excessive. It has been also often underpaid in the subordinate branches whose members are probably under insufficient supervision, and thus may possess too great opportunities of oppressing the people.
- (ii) The administrative and controlling staff is not permitted to put its professional abilities to the best possible use because of their subordination to the Revenue Officer in professional matters.
- (iii) There is insufficient final control of silvicultural proposals, and subsequent interference with prescriptions is sometimes permitted without deference even to the highest silvicultural ability locally available.
- (iv) There is no professional Head of the Department, and the higher Administrative Officers have no chance of extending their experience and silvicultural knowledge outside the limits of their Presidencies, which, moreover, do not afford in the variety of their forest vegetation nearly so much scope for doing so as do the forests of the Bengal Presidency. In consequence both the creation and maintenance of forests and their exploitation cannot be expected to show rapid improvement in methods, though this is necessary because the demands on the forests increase with the pressure of population.

For the improvement of forest management in India I recommend action on the following lines:—

- (i) A clear statement of forest policy should be made public in every province so that the reasons for reservation and the system to be adopted in the disposal of the forest crop may be understood by all. Nothing upsets the Oriental like changes which he cannot understand, and so long as it is not definitely laid down that it is necessary in the public interest that certain areas shall be maintained as forest, so long will attempts continue to obtain personal advantages from State property.
- (ii) Local Governments should acknowledge that the chief object of forest conservancy is not the supply of produce to the people or of revenue to the State, but the benefit of agriculture generally by the regulation of the water supply; also that consistent forest protection produces both these advantages, the former not being essential to the people (as for instance in the Punjab, United Provinces, etc., where the greater part of the population cannot be supplied with forest produce), while the latter is.
- (iii) Forest settlements should be insisted upon, defining the amount of produce which may be removed under rights or privileges village by village, and they should be drawn up with an eye to the future and on the basis of adequate maintenance in perpetuity of such an area of forest as is requisite for the welfare of the country and its inhabitants.
- (iv) The "possibility" of each area of State forest for each kind of produce should be fixed and, save in emergency, the yield should be confined within that estimate. That is to say, the forest interest, and not its capital, should be expended.
- (v) The question of local requirements in produce should receive more careful consideration, and distinction should be sharply drawn between forest produce required for agricultural and domestic purposes and that used in trade. The population in the vicinity of the State forests should have preferential treatment, for they alone can advance customary utilization of

these areas. On this basis the Local Government should be at liberty to dispose of the whole of its forest crop always within the limits laid down above.

(vi) In all provinces adequate provision for training, not only officers of the lower subordinate, but also of the upper subordinate, class, should be made, and this should be sufficient in quality to supply candidates for the ranger class and in quantity to permit of the reception of students from Native States as well as the nominees of the owners of private forests within British territory. It should be the object of Local Governments to popularize the aims and objects of forestry amongst all classes of the community, and to provide an education suitable to the demands made on the subordinate executive establishment and based on the local forest conditions. This cannot be done at a Central College. A good beginning has been made in establishing provincial forest schools for lower subordinates in several provinces, and these schemes should be matured and extended, so that ultimately the Dehra Dun College would be utilized only for the education of the Controlling Staff in tropical forestry.

(vii) Forest research, which is indispensable if we are to utilize to the utmost our forest produce, should also be extended, preferably by having forest branches attached to the provincial Agricultural Colleges which are now springing up. The Government of India have shown the way by the creation of a small Central Research Institute at Dehra Dun, but this is totally inadequate to meet the future demands of Indian forestry. It is preferable to apportion the work locally, and not to unduly augment the importance of centralized research. This latter will always be valuable in order to undertake investigations of more than local importance, but local investigations are best dealt with locally.

(viii) The administrative and controlling officers of the department should be held personally responsible for every branch of technical forest administration, including discipline, education and research; and if their territorial charges are too large to permit of this being done effectively, the number of circles should be increased. Forestry will never be popular amongst the masses unless there is adequate control of the subordinate executive establishment, and to secure this the quality and the quantity of administration and control must be sufficient.

(ix) The final criticism of important permanent schemes of silvicultural management should rest with the Government of India. The continuance of the present system in Bombay and Madras, who have Forest Departments without professional Heads, should be altered, and more advantage should be taken of the experience available with the Government of India. Indian silviculture is at present far from being on a fixed basis; hence it is necessary to have some final authority to decide questions on which local opinion may differ.

42735. You tell us that in all local matters the Collector of the district must have supreme control over the Forest Department?—Yes; in all matters which affect the people in any way, not in technical matters.

42736. Are all orders of the Forest Department issued in the Collector's name?—The systems are different in different provinces. In the Bengal Presidency the orders to the district forest officer come through the Conservator; he is the Administrative Officer. In Bombay and Madras the Conservator is not allowed to correspond with the district forest officer at all, and the orders come through the Collectors. In Bengal the Conservator is an Administrative Officer; in the other provinces the Conservator is simply advisory.

42737. Are any harmful results to the supremacy of the Collector in his district occasioned by the Bengal system of direct correspondence between the Conservator and the forest officer?—No, because all administrative matters regarding the welfare of the people, agriculture, grazing, and so on, are referred first to the Collector; there are no administrative orders issued without the Collector's sanction.

42738. Is any time saved and correspondence prevented by the adoption of the Bengal system?—The correspondence is scheduled into A and B. The A correspondence goes direct to the Conservator; the B correspondence goes straight to the Collector; so that the forest officer knows exactly what subjects he

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has to refer to the Collector and what subjects he has to refer to the Conservator. The Conservator has the technical and professional matters under his control, and the Collector has the district administration under his control. In point of fact in Bengal the district forest officer is the assistant of the Collector, and he is in constant communication with him; so there is no trouble or correspondence involved at all.

42739. Then from that point of view, the Bengal system is preferable to that which exists in Bombay and Madras?—I have no control of Bombay and Madras; my opinion is that the Bengal system is infinitely preferable.

42740. What provinces had you served in before you came to the Government of India?—First I was in Oudh, then in the North-West Provinces before the amalgamation, then in Burma.

42741. You deal with all provinces except Bombay and Madras?—Yes.

42742. You tell us that every detail of work has to be approved by the Commissioner and in many cases by the Board of Revenue?—In the case, for instance, of a forest settlement it would go first to the Collector, then to the Commissioner, and in important cases it would certainly go to the Board of Revenue.

42743. Does that system work fairly satisfactorily?—The Bengal settlements are the best we have got. There is an enquiry conducted by a Revenue Officer, at which a forest officer is allowed to be present, but not to have any influence in any way. There is an investigation made generally of the number of houses, the area of cultivated land, the number of cattle, and the amount of produce which is necessary for each village, and the settlement is worked out on those figures village by village; those are all scheduled, so that the forest officer knows, and the villager knows, exactly what can be obtained from the forest.

42744. Is the result that the forest officer is free to work the technical details of his own department, or are there some other advantages to which, from the point of view of administration, you attach importance?—The chief merit is that the forest officer is enabled to grow the crop which the Local Government wants to have. The Collector is not able to do that so well as a professional forest officer, unless he has studied the subject.

42745. Would there necessarily be a difference of opinion as to the kind of crop to grow?—That ought to be fixed by the Local Government, but as to the method of getting it, that ought to be left to the forest officer; it may be anything—it may be fuel timber, it may be grass even; it is what the Local Government wants.

42746. Is it forest produce?—It is forest produce of some kind.

42747. We have been told by several witnesses that they complain, not so much of the actual rules which govern the forests, but of the working of the rules by the forest subordinates. Is that a complaint which generally reaches you?—Yes; that is the chief complaint that the people have against the Forest Department—the working of the rules by low-paid subordinates who are not sufficiently supervised. The whole point, in my opinion, is supervision.

42748. Speaking generally, is the cause of that the poorness of pay of the inferior subordinates?—It would require a very considerable rise in pay to make the lower subordinates honest and not amenable to the sort of easements they get; the chief thing is the want of control. The area entrusted to the controlling forest officer is too large for him to visit frequently.

42749. It comes back then to the area of control?—Yes, in connection with the trustworthiness of the establishment.

42750. The area of charge depends upon the Government of India?—No; it depends entirely upon the Local Government, because if they ask for an increase in the controlling staff the Government of India is always ready to give it.

42751. Is any difficulty which exists in this matter caused, not by the action of the Government of India, but by the action of the provincial Government?—Yes, there is no action of the Government of India possible.

42752. Then by want of action?—It must be entirely by the action of the Local Government, because they control the local forest staff.

42753. They would have to apply to the Government of India for staff and funds?—They would have to apply to the Government of India for the controlling staff; for the subordinate staff they do not apply under the present arrangement; they can increase their own subordinate establishment at the rate of Rs. 25,000 a year, but directly they get to the upper controlling staff there are limits of pay, and any appointment by the Local Government beyond those limits requires a reference to the Government of India and probably to the Secretary of State, chiefly as a matter of finance.

42754. Do the revenues derived from forests go to the Government of India?—No; they are generally divided between the Local Government and Government of India in varying proportions.

42755. Would you tell us, briefly, how you carry out your duties as Inspector-General?—With regard to the Government of India in the Revenue and Agriculture Department, the forest cases come through the forest branch of which I am the Head, and they are forwarded to the Government of India with office notes—nothing else but office notes—and on the information before them the Government of India decide on the case. I can issue nothing in the Revenue and Agriculture Department.

42756. Do you go to the Secretary?—My papers go to the Member through the Secretary.

42757. Do you yourself work by office notes or by personal conference with the Secretary?—Mostly by office notes; I am away from headquarters very often. I tour for between seven and eight months; you may say seven months on the average.

42758. Do you go to Bombay and Madras?—I never go there unless I am asked to go; I have just come back from Madras now. I have never been to Bombay. They have never invited me.

42759. Is there a technical Head of the Forest Department in Bombay?—No.

42760. Are they all under the control of the Local Government without any distinctive technical Head?—There is no technical Head; there are three Conservators, and that is the end of it.

42761. Is it the same in Madras?—In Madras there is a Head of Department in the Board of Revenue; I would not describe him as the technical Head, but he disposes of technical questions.

42762. And of course the same in Bombay?—Except that in Bombay the papers no doubt go to the same Government officials, but in Madras you have the Forest Member of the Board of Revenue.

42763. You say you send notes to the Revenue and Agriculture Department upon forest matters which come up to you; what class of matters come to you?—Anything that comes to the Government of India comes to me; it may be an appeal from a forest guard on Rs. 5 a month, or it may be a proposal by the Local Government for a re-organization of staff extending to 2 or 3 lakhs. I have to note on everything.

42764. Is there, as a rule, in the other provinces any expert adviser to the Government—take the United Provinces?—There are two Conservators in the United Provinces, and the Local Government can consult either.

42765. There is no recognised technical Head?—No, it depends upon the individuality of the man entirely who is selected for consultation.

42766. All questions of re-organization and establishment come up to you regardless of the extent of the cost?—They do not come direct to me; they are addressed to the Government of India, and they simply come back to me.

42767. Amongst other things that come to you is every working forest plan?—That is on the other side; that is in the Inspector-General's Office; those do not go through the Secretary at all; they come to me as the technical Head of the Department.

42768. Do they come to you compulsorily?—Yes, every regular working plan has to come through me, and from me to the Local Government, except in Bombay and Madras.

42769. Do you make any special use of the word "regular"?—Yes, there are various kinds of working plans; there may be plans of operations lasting for a few years—for an indefinite period; those do not come to me at all. It is only when there is a regular plan, which fixes the work for a long period of years, and defines the manner in which the forest is to be treated, that it comes to me.

42770. A regular plan comes to you notwithstanding the largeness or the smallness of the area affected by the plan?—Yes; if it was a plan which required the sanction of the Local Government it would come to me for an expression of opinion.

42771. Would that expression of opinion be sent to the Local Government direct?—It would be sent to the Local Government direct, but it is merely an expression of opinion.

42772. It does not go to the Government of India?—No, it comes to me as Inspector-General of Forests. I send the opinion down without reference to the Government of India: it is purely technical, of course.

42773. What would be the smallest area affected by one of these regular forest plans?—If it was an unimportant area supplying produce to a town or to a cantonment, or something of that kind, it might fall as low as 20 square miles, or less; it depends on the importance of the area chiefly.

42774. The Forest Service is an Imperial Service?—It is an Imperial Service in the upper grades.

42775. What would be the standing of one of the senior Conservators of a provincial Government?—The average, under the present rate of promotion, would be about 20 or 22 years.

42776. Would an officer of that standing have served in most of the provinces in India?—No, probably not; very often he would have served in one province, or perhaps in two.

42777. Would he not be moved about a great deal during his term of service?—He would have been moved about; we try, for instance, to get him into Burma, which is a special forest area.

42778. Is not an officer of 25 years' service capable of being trusted with the decision on a small regular forest working plan?—He may or may not be; it depends on the personality of the officer himself entirely.

42779. Would there be much value in an officer of 25 years' service who was not capable of dealing with matters of this sort?—From the silvicultural point of view there would not be much value in him.

42780. Taking it for granted that an officer is what he ought to be after 25 years' service, should he be capable of dealing with these smaller plans?—I think so, but officers after 25 years' service vary in their opinions; if you have a forest with two or three Conservators, you may have two or three different opinions upon one point.

42781. The same thing might happen in the case of Inspectors-General of Forests; your successor might have a different opinion from yours?—He might mentally condemn my opinions, but he could not alter them.

42782. There is no hard and fast standard in silviculture which would enable anybody to say this is right—this is wrong?—At present there is not. Of course there would be in Europe, but the conditions are very varied in India. For instance, in Madras they had three Conservators disagreeing upon a point a few months ago, and they were obliged to refer the matter for decision.

42783. The Inspector-General might be ignorant (and not improperly ignorant) as to questions which might vitally affect some of the smaller plans referred to him for decision?—Certainly.

42784. Under those circumstances would it not be better that the smaller cases should be dealt with locally?—I think the Inspector-General, having a wider experience is less liable to error than a Conservator, who has not so wide an experience.

42785. At all events the qualification of most of these local Conservators is not sufficiently high to criticize those schemes?—I did not wish to produce that impression; the majority of them would be able to do so.

42786. From whom is the Inspector-General of Forests chosen?—From the Conservators.

42787. Is there any step between the Conservator and the Inspector-General of Forests?—There is a Chief Conservator in Burma and the Central Provinces.

42788. Except in Burma and the Central Provinces there is no step between the two?—Chief Conservators have been refused in Madras and Bombay; they were offered by the Government of India, with a view to giving to each province a technical Head, but the provinces declined.

42789. Therefore it is quite possible that an officer who cannot deal with a small working plan to-day may have to deal with the whole of the forests to-morrow?—That may be.

42790. The Subordinate Services are under the Local Government?—Yes, entirely. I have nothing to do with any of the Services. I have nothing to do with the Forest Services except to note for the Government of India.

42791. Do you note upon the qualifications of officers?—I forward a confidential report to the Local Government. In the majority of cases I know 80 per cent. of the men personally in the Imperial Service, and I have seen their work from the working plans and the papers which have reached me.

42792. You do not want any administrative authority?—No, it would hamper me very considerably.

42793. What is your staff at the present moment?—I have got one assistant in the office, and the usual office establishment—a forest branch with about 12 clerks.

42794. You send down officers from time to time to inspect forest areas?—Yes. In the Research Institute there are five officers, and if the Local Government consents I send them round to make specific enquiries on certain subjects. I have to get the consent of each Local Government to each enquiry; the research officers can go anywhere with the consent of the Local Government in each case.

42795. A witness told us that all these officers' notes came to the Government of India, and that later on explanations were asked from the forest officers as to the way in which they did their work; is that so?—We have had no opportunity of testing that yet: the present system has only been established for two years, and the notes of the local officers have not yet been sent back.

42796. Have any remonstrations or observations been sent to the Conservators by the Inspector-General?—No, I am not empowered to do that at all.

42797. It was rather hinted at by a former witness, but you deny that altogether?—I deny it entirely. In Bengal, for instance, no one had been sent there. There was an occurrence in Bengal this year where the Conservators did not wish to have a man sent there, but as he had not tried it before, he was not in a position to criticize the matter at all.

42798. When forest questions come up to the Government of India is your advice invariably sought?—Yes, in the ordinary course of business I have to express an opinion.

42799. Do you often differ from the Local Governments?—No, I do not think I differ from them as a rule.

42800. Suggestions were made to us that when the Local Government had its views overridden by the Government of India before a final decision was given, the views of the Inspector-General upon whose advice their own theories might be upset should be submitted to the Local Government; have you any observations to make on that matter?—I would not mind my opinions being submitted to the Local Government at all; I should like to know beforehand whether they were going to the Local Government or not, because one uses different language in a private note to the language one uses otherwise; the language, I mean, might be stronger or clearer.

42801. But you have no objection to the advice which you give to the Government of India going to the Local Government?—No, not the slightest.

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42802. You say "Forestry is impossible when frequent changes in systems of management are permissible, or when a crop takes a century to grow and but a few days to remove is treated with indecision, and there are thus in India . . . very special reasons why the continuity of forest management should be assured by the general control of a more permanent and impersonal authority." Would you explain what that phrase means?—If you establish a system of management for a forest which is to hold good for 100 or 150 years, I think no authority which is only stopping for a very short time should be able to upset it without reference to the chief authority.

42803. In India all authority remains only for a transitory period?—I think the Government of India is much more impersonal than a Lieutenant-Governor who comes for five years and goes away; he has the chance of introducing his own opinions and enforcing them on an area, whereas the Government of India has no power to do anything of the kind.

42804. On purely technical points is the advice which you give to the Government of India frequently overruled by your superiors in the department?—By technical points you mean silviculture and forestry. My opinions on silviculture and forestry do not go to the Government of India.

42805. Then on what points do you advise the Government of India?—I advise the Government of India on every point outside technical matters in the Forest Department. The cases might vary from a Rs. 5 forest guard up to a re-organization scheme involving a lakh or more.

42806. Do you mean a scheme for the re-organization of the *personnel*?—Yes, or it may be the introduction of tramways, or a large building scheme, or anything of that kind; they may be big, or they may be petty.

42807. Would the question of making a tramway require the advice of an expert in silviculture?—In the case of a forest tramway, decidedly. It is not a point of silviculture, but it is a point of extraction; it is referred to the Government of India from the financial point of view; otherwise it need not be referred at all.

42808. On the technical side of your duties do the Government of India overrule you?—I do not quite understand what you mean by being overruled. I simply advance an opinion, and they can take it or not as they like.

42809. You are the expert adviser, and I understand that the reason your post is in existence is that the Inspector-General is the expert adviser to the Government of India. I want to know whether the expert advice which you give is generally adopted?—That is a very difficult question to answer. In a very large number of cases the advice is not accepted; in other cases it is accepted. They have other considerations besides my technical advice upon which they discuss the subject.

42810. I am only asking from the purely technical side?—My advice is frequently accepted, but I am not surprised if it is not accepted.

42811. And acting more or less under that advice you would lead us to believe that the Government of India have receded entirely from the detailed control of forest management?—I should not like you to think that; I should like you to think that they have receded from it of their own accord—with no regard to my advice.

42812. But at all events they have receded from the detailed management?—Yes, they have. Of late years there has been a regular progress of recession; in fact, there is nothing left now except one or two points.

42813. It has been suggested that under the direction of the Government of India forest management is apt very often to assume too commercial an aspect; would you agree with that suggestion?—I think the best value should be obtained from the forest area; if an area is not required by the people, it is a good thing to turn it into money. We are an economic department, and we want to utilize the produce to the full; that is what the forest officer is made for.

42814. Take, for instance, large forests such as exist in Burma; would the selection of the trees to be felled and so on be in any way under the control of the Government of India?—It would be indirectly if there was a contract which exceeded a certain sum. For financial reasons it might be so, not otherwise. Most of these restrictions in the Forest Department are financial; that belongs to the Financial Department. I would gladly see Local Governments with a perfectly free hand in that matter. The financial restrictions are very often very petty, and in the case mentioned the Government of India would have to interfere if the contract was over a certain sum—not on account of silviculture, but on account of finance.

42815. Would a contract of that sort be referred to you for advice?—Yes, it would come through me in the ordinary course of business, as every paper in the forest branch passes through me before it gets to the Secretary.

42816. And although from the technical point of view you might say, "I think this ought not to be insisted upon," your advice might not be accepted?—It might not be.

42817. Would the question of leasing come before you?—The length of the lease to be given very often does come before me. We may not want to bind ourselves to a certain method of working a forest for longer than a certain period. Our statistics may not be ready for five years; we may be willing to give an interim lease for five years; for that reason it would come under my notice silviculturally.

42818. The Local Government would have to send up to the Government of India for their opinion on a matter of that sort?—Not at all, unless they were hampered by the value of the lease exceeding the value for which they were empowered.

42819. There is one code for the remainder of India, and one each for Bombay and Madras?—Yes.

42820. Speaking only of the India Code, could you get rid of some of the restrictions therein?—I think, if the financial restrictions were removed the work would be reduced by about 50 per cent.

42821. Are most of the financial restrictions in your opinion reasonable?—No, much greater power in finance might be given to the Local Government.

42822. Apart from finance, is there anything of the remainder—the other 50 per cent. of the code, which is restrictive?—There are a lot of restrictions with regard to the promotions of subordinates; those should be removed. The reason for their retention is that forest education was centralized in the past, and in order to encourage that centralized education they had to have general rules for the whole of the Bengal Presidency. If the Local Government would undertake the forest education of their subordinates as they should do, and not leave it to our Central College, all those restrictions could go.

42823. You would like to see each Local Government training its subordinate officers?—It is desirable in every way. If they control the subordinate establishment they ought to educate them. In the college at Dehra Dun we had a vernacular class for forest guards; we have got rid of that. In Madras I think it is certain that they will start a forest school for the subordinates, and take those off our hands. I think the same thing will be done by the other Governments in a short time.

42824. As Director-General of Forests, have you any responsibility for the Forest Code?—Yes, I unfortunately had to compile it.

42825. Have you since that time ever considered whether any revision is possible?—It is being revised daily; it was only published 18 months ago, and it is simply bristling with revisions already. Greater powers have been given to forest officers and Conservators and Chief Conservators.

42826. Speaking generally, you think that much of the stringency of the code could be usefully relaxed?—Yes; it was simply on account of the former conditions of the Service: as the Service improves, those conditions can go, although it will always be useful as a compilation of Government orders.

42827. (Sir Frederic Lely.) You speak of the fundamental rule that the district forest officer is the assistant

of the Collector in local forest matters; does that obtain in Burma equally with other parts of India? We heard much less of the relations between the District Officer and the forest officer in Burma than anywhere else.—The rules are the same, but the local conditions are so different; the population is very sparse and the area is very large, so that the people do not come into contact with the forest officer there nearly so much as they do in Upper India or Madras or Bombay; that is probably the reason.

42828. There is no fundamental difference in the policy between Burma and elsewhere?—No, it is exactly the same.

42829. I understand that the provinces not under the Government of India show worse results than the rest in the feelings of the people as indicated by forest offences and such like, and you attribute that, so far as it exists, to two or three causes, one being that the forest staff in those provinces is undermanned and underpaid; is that owing to the fault of the Local Government?—It is because the Local Government has not submitted a scheme of re-organization; they are always at liberty to re-organize their establishment and to introduce better conditions of service if they wish to do so. They are beginning to do so now; Madras has a re-organization scheme preparing at the present time; Bombay has been struggling with a re-organization scheme since 1888, but they have not arrived at finality yet.

42830. The other causes that you suggest are the absence of professional headship and the different position occupied, especially as regards technical matters, by the District Officer. Do you mean that the greater interference of the District Officer in forest matters results in friction with the people?—I did not mean to imply that at all. If there was a technical Head of the Department there would be more continuity of method, and the people would understand the matter better. For instance, a Collector may come and throw open a whole forest to the permit system, by which anyone can go in with a permit and fell; two or three years afterwards the system may be altered, and the Collector may say that there shall be nothing but *dépôts*; then again a third Collector may come on the scene and say something entirely different. The people do not understand that position at all.

42831. Your objection to what you consider is excessive interference is based on the fact that the Collector being a variable person, his influence is not consistent?—Yes; it may be said that that is the point.

42832. So far as the general tendency of the Collector's policy goes it would be towards conciliating the people?—Yes, with the result that the forest area may not yield one-twentieth of what it ought to do. In Madras at present they have 40,000 square miles of forest, and you may say that about 30,000 square miles of forest consist of denuded hills which yield nothing to the people, so that the sympathy of one Collector may result in making it very unpleasant later on for another Collector when there is nothing left for him to give. A regular system of working fixed by the Local Government on the advice of the Head of the Department would be far preferable to that. In Bengal the forest offences are less, the impounding of cattle is less, and, as Sir John Hewett says in his report this year, "the people are well disposed to, and appreciate, the Forest Department"; without having that disposition of the people towards us, we cannot do any work at all.

42833. (Mr. Dutt.) Is the Forest Code merely a compilation of Government orders on the subject of forests?—I look upon it as a compilation of Government orders for ready reference, that is all; there are constantly additions to, or subtractions from, the original, and the code is altered in that way; now it is simply a book of reference.

42834. The last book was issued about 18 months ago. Since then fresh orders have been passed and added to the code?—Dozens of orders. I do not say they are in the way of additions—they may be subtractions or alterations and corrigenda.

42835. Have the Bombay and Madras Codes grown up in the same way?—The Bombay Code can hardly be said to have grown; they have just taken the Government orders and compiled a code out of them. The Madras Code has just been revised.

42836. Do the Madras and Bombay Codes require the sanction of the Government of India?—No, orders are issued locally; they include the Government of India orders in them, but we have got nothing to do with them.

42837. Are the rules of the Bengal Code binding over the whole of India outside Bombay and Madras?—Yes.

42838. There are several Forest Acts apart from the Code?—Yes.

42839. Is there not one general Act?—No. Burma has its own Forest Act. There are many Acts. The Indian Forest Act applies, outside Bombay and Madras, to the minor provinces; then in the Non-Regulation provinces, like Baluchistan and other out-of-the-way places, they have different Acts.

42840. Is this cardinal principle to which you refer, that the "district forest officer is the assistant of the Collector as regards forest matters," based upon any particular rule in the Bengal Code?—It is enunciated in the code; I do not think there is any special rule with regard to it.

42841. Are there any parts of India where that principle is not carried out and where the district forest officer is not subordinate to the Collector?—I know of none.

42842. Not in Assam or parts of Bengal?—No, I know of none.

42843. And if the forest officer was not subordinate to the Collector it would be going against the intentions of the Code?—Yes, if he was not subordinate it would be insubordination.

42844. It would be against some rule or declaration in the Code itself?—I think so, but I should like to refer to the Code.

42845. I ask the question because there is some evidence before us that the practice is not uniform—that in some cases district forest officers are subordinate and in some cases they are not?—That is, I think, incorrect.

42846. Are the opinions which you give upon the regular working plans from all the provinces except Bombay and Madras binding on the Local Government?—They are given as advice.

42847. As a matter of fact, are they always accepted?—No, not always.

42848. Are they generally accepted?—Yes, I think I may say that.

42849. You have certain tracts which you call reserved forest and certain other tracts which are called unreserved or unclassified forest. What is the main distinction between those classes?—There may not be any difference at all with regard to the silvicultural treatment of them; that depends upon the orders of the Local Government. The Local Government may take a reserve and turn 10,000 cattle into it, or they may decide to grow timber on it. There is a distinction in the status of the forest with regard to the law; the reserve is much more protected by law than the unclassified forest; that is the chief distinction. As to the silvicultural treatment of it, that may be anything.

42850. Any forest reserved by law cannot be disforested without the sanction of the Government of India; and any forest not reserved by law may be disforested without the sanction of the Government of India?—Yes.

42851. Is that the main distinction—that one may be let out to the people, for instance, without any sanction from the Government of India?—The reserved forest may also be let out for grazing to the people; that cannot be technically disforested; that is to say, they cannot be removed from the action of the law which affects reserved forests without sanction—that is the distinction. There is a certain law with regard to reserved forest and a certain law with regard to unclassified forest, but, as to treatment, that has nothing to do with the matter.

42852. Could you remove an unreserved forest from the list of unreserved forests without the sanction of the Government of India?—Certainly.

42853. Are you of opinion that the rule should remain as it is, that no part of a reserved forest should

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be disforested without the sanction of the Government of India, however small the area may be?—I think there might be a distinction made with regard to the size of the area; it has already been proposed that any area under 200 acres should be disforested by the Local Government without application to the Government of India; that would remove about 50 per cent. of the applications that are at present made.

42854. Are there any reserved forests in different parts of India very close to thickly populated villages?—Yes, I should say there are a great many of those. I know a great many extremely valuable forests where you could step out on to a wheat field—in fact, the larger the population the greater the value of the forest, and the greater the necessity of preserving it.

42855. Is that a prolific source of complaint?—I do not think it is especially a cause of complaint. Of course, evilly disposed people have the advantage of having the forest close to them when they want to rob it, but I should not think that that is a general ground of complaint.

42856. Are not most of the complaints against the forest rules owing to these reserved tracts being so close to populated villages?—No; the chief cause of complaint against forest rules is the way they are applied by the forest guards.

42857. In reserved forests, do you allow pasturage and other rights free?—That depends wholly upon the Local Government; they can give it free or keep it to themselves; the Government of India has nothing to do with it.

42858. In the Bengal provinces is there nothing in the code which lays down instructions on that point?—No; there is a financial rule that the Local Government if they want to give a grant of more than a certain value must apply for the sanction of the Government of India, but that has to do with the Finance Department, not with the Forest Department.

42859. You say that there is no professional Head of the Forest Department in the Madras and Bombay Governments; I take it that it is your opinion that there ought to be a professional Head of the Forest Department in every province?—I think it is best to have one professional Head for a province than to have three in different parts of the province who are constantly being transferred, and who carry away their personal opinions with them, permitting of no continuity of action anywhere.

42860. So far as the people are concerned, you would not interfere with the present rules at all?—If you are speaking of Bombay and Madras, I should like the professional Head of the Department to be supreme in technical matters, and the Collector to be supreme in matters connected with the people.

42861. Is there any likelihood of that very point being the subject of discussion, as to what is a technical matter and what is a matter relating to the people?—We discussed that a great many years ago in Bengal, and we have a schedule of subjects in which reference to the Conservator and reference to the Collector are separated; that point was settled many years ago.

42862. Those questions do not arise now?—No; I should say not in Bengal.

42863. (Mr. Hichens.) Apart from financial matters, do the Government of India leave the administrative control in forest matters to the provinces?—The sole control that the Government of India now has over the forests is with regard to the regulation of disforestation, and the criticism of regular working plans affecting certain areas. Under section 77 of the Act there are certain other matters; one has to do with hunting, shooting, and fishing in reserved forests; the Forest Department has nothing to do with that. The Local Governments use that clause of the Act in order to introduce game rules in the different provinces. Another instance under section 77 as to the power of Local Governments to enforce import or export duties on forest produce passing through their territory. That also has nothing to do with the Forest Department. It is a question which might affect another territory or people outside the province concerned, or it might affect a Native State; and for that reason the Government of India ought to retain control, so as to obviate any unpleasantness which might affect a Native State or people outside the province.

42864. In forest matters, can the Local Government impose whatever tariff they please?—The Local Government include the forest expenditure and revenue in their provincial budget, and the Local Governments are under financial contracts by which these budgets do not much affect the Government of India one way or the other.

42865. Is there a schedule of rates for forest produce?—That has nothing to do with the Government of India; it varies from district to district; it is settled by the local forest officer and the Collector. It is entirely independent of the Government of India.

42866. Does the Bengal Forest Code enter into considerable detail?—Yes; it is a very big book.

42867. If any alteration is required, has that to be made by the Government of India?—Any alteration that is required or demanded by a Local Government has to be sanctioned by the Government of India.

42868. Therefore, to some extent, through that code, the Government of India do exercise a detailed control, because they may refuse to alter any provision of the code?—The Finance Department might certainly do so at any time.

42869. The code goes into detail, therefore the Government of India sanctions details?—Yes; it is an unfortunate coincidence that the code is issued by them.

42870. Is it better that the provinces should have one joint code or separate codes?—It would save time and labour if they had only one code, because otherwise they would only have to repeat the orders of the Government of India. Of course, they are entitled under the Act to make rules, and they embody those rules which are adopted to local conditions in their manual, but that is a separate thing altogether.

42871. At any rate, would it be correct to say that it is desirable that the general policy in forest matters should be laid down by the Government of India, and that in so far as a code dealt with the general policy it should be of uniform application?—That is so.

42872. But in so far as it does not, would it not possibly be better that the Local Governments should have the discretion to do as they like and to make their own rules and regulations?—I suppose so. I am quite in favour of giving the Local Governments full power, within the two restrictions I have mentioned.

42873. I suppose one joint code would have a slight tendency to lead to centralization?—I do not see that it would; it was originally compiled as a matter of convenience. To save the trouble of going over a dozen volumes, all the orders were collated and issued in that way, and if the orders are the same for all the provinces it would be more convenient to have one code than to have half a dozen provincial codes. I am fully in favour of reducing the size of the code. About 50 per cent. of the restrictions in the code are financial.

42874. And those are somewhat rigid in their application?—Yes; very often they are extremely trivial.

42875. Can you give an instance of such triviality?—You can find very many indeed; for instance, the Local Government should have the power, without reference to the Government of India, to grant enhanced travelling allowance to an officer. There are things of that kind.

42876. Those are rules of general application, not applying to the Forest Department more than to any other department?—In the Forest Code you will find a list of travelling allowances granted to forest officers; that is only an example. If the Local Government wants to increase the travelling allowances, they have to apply to the Government of India; there are several cases of that sort. After all, they are not worse off than the Government of India itself is with the Secretary of State; it is exactly the same thing.

42877. Do you find in practice that the code rules which apply, say, in Burma are likely to apply in Bengal, for example?—No; very often we have to make exceptions owing to the different conditions in different provinces.

42878. Then you would have no objection to there being separate codes for the separate provinces?—I see no disadvantage, except that it would increase one's work.

42879. You do not see any positive advantage?—No, certainly not; it would be better to have one compilation for a large area instead of several parts of it. As it is, reference to different Acts applying to different countries is often very trying.

42880. (Mr. Meyer.) You say that apart from the Dehra Dun College you have no administrative power; but are you not practically the Secretariat Officer in forest matters; all cases which go to the Revenue and Agricultural Department must go to you?—Yes; I do not pass any orders, but I note; I note on every case that is sent to the Forest Branch.

42881. Therefore you have a great deal to do with the Forest Branch?—That depends upon the amount of influence I possess, of course.

42882. The Inspector-General puts forward his opinion on all these matters, whether they relate to technical forestry or not; they may be purely financial matters?—That is so.

42883. The Inspector-General is also concerned with the promotion of all Conservators and the posting of them?—He has to note upon that matter exactly as upon any other matter.

42884. He takes the initiative as to making suggestions for the promotion of a man to a vacant Conservatorship?—He takes the initiative in the same way as every subordinate officer takes the initiative; the custom is that the subordinate officer should note first and the senior last—that is the only reason why he takes the initiative.

42885. He also proposes the postings in different provinces?—He has to express an opinion on the matter, certainly.

42886. To that extent, is he not actually the administrative Head of the Department?—No; because an administrative Head of a Department can order, and the Inspector-General has merely to express an opinion, which may not be taken.

42887. As a matter of fact, do not the Inspector-General's opinions and suggestions in these matters go a very long way?—I do not think mine go very far in such cases.

42888. Is it not the fact that the forest officers throughout India, except in Madras and Bombay, look to you as the real Head of the Department, and as the fountain of promotions, if I might so call it?—It is a very difficult question to answer what the opinions of other officers are with regard to me and my office.

42889. What was your own opinion when you were a junior forest officer?—My opinion, when I was a junior forest officer and wanted things I could not get, was that the Inspector-General was perfectly powerless.

42890. I am speaking of promotions?—I mean with regard to promotions, and that the Local Government had very much more to do with the matter than the Inspector-General.

42891. Would you still hold that opinion—that the Local Government has more to do with promotions than the Inspector-General?—Yes; I firmly hold that opinion, because they are always consulted first, and their opinion is taken as the best available.

42892. When a Local Government desires X to be appointed Conservator, is he so appointed?—If the Local Government proposes a man who is next on the list for promotion, he is invariably appointed.

42893. Only provided he is next on the list?—Yes; but that refers to all; they go down the list and take the next man.

42894. You look upon the present system as a good one, and you would like to extend it to Madras and Bombay?—I do not look upon the present system as a good one; I think that by the system of selection you get the best men, and by the system of seniority you do not always get the best men.

42895. You go at present by a system of seniority?—The Government of India goes by a system of seniority.

42896. Would you not be more likely to get a system of selection if you allowed the Local Government to appoint its own officers?—I do not know; I should not think that the Local Government would be any better able to throw off the claims of their senior men than the Government of India is; in fact, they would be probably less so.

42897. Two provinces have already the power of appointing their Conservators, namely, Bombay and Madras; is there any valid reason why Burma and the Central Provinces should not have their own cadre and be able to appoint their own Conservators?—I think the wider the field of selection you have the better the man you get, and the more you restrict the field of selection the more you hamper yourself in getting the best officer.

42898. The best officer is in your opinion the best forest officer—such a matter as an acquaintance with the language of the people or with the laws and customs of the province does not matter much?—You will not get a forest officer of any value here unless he is acquainted with the people, because his whole work is entirely dependent upon his acquaintance with the people.

42899. For that reason, is it not better that a man should spend his service in one province?—To a certain extent, but I do not think it takes a life-time to learn the habits and customs of the people. It is not thought so in any other department. For instance, in the Indian Civil Service it is not thought so; you put in a man of three years' service as a Collector; he does not know much about the customs and habits of the people.

42900. Do Indian Civil Servants go about from province to province?—Selected men do.

42901. A man goes up to the Government of India of course, but does a man serve in Bombay at one time and in Bengal at another time?—Frequently; for instance, Sir James La Touche served in Burma, and then came back to the United Provinces.

42902. Is that the usual system?—I do not know.

42903. We have had statements from the Central Provinces that under the present system Conservators there are frequently changed; there have been five Conservators since 1900. Do you consider that satisfactory?—It is much the best to try a man before you appoint him permanently; if you have a temporary vacancy lasting for a few months, it is infinitely better to put in a man on trial before appointing him to a place from which you cannot turn him out afterwards.

42904. The statement is that they go to Burma or elsewhere where they get higher pay; is that so?—They are liable to be moved of course anywhere, but in point of fact, except officiating men, no man is ever moved from any Conservatorship until he takes furlough. Officiating men on trial are purposely moved, but as soon as a man is permanent, he does not move until he takes furlough.

42905. If a Conservatorship in the Central Provinces fell vacant and the next senior man happened to be in Burma, would he be moved to the Central Provinces?—That is to say, if he was officiating for the first time in the class of Conservators and we wished to try him, we should put him into the most convenient vacancy, to try his administrative abilities.

42906. Do you think he would himself do justice under new conditions, with a new language and so on?—Certainly; I went to Burma after 25 years' service, and I consider that I did myself justice there.

42907. You had had long experience; I am speaking of a man who gets his first appointment.—It is a very fair and reasonable trial.

42908. You say that the Local Government's proposals in regard to subordinate establishments are not the concern of the Government of India except in so far as they come under the Rs. 25,000 rule. When they come up have they not occasionally been held back in order to get uniformity with every province?—No; not to get uniformity with every province, but to improve the conditions of the Subordinate Service, so as to obviate their preying too much on the people. Take, for instance, the re-grading of the ranger class, so that promotion in that class may be more rapid; or take the giving of the forest guard a living wage—instead of giving him Rs. 5, giving him Rs. 8; to us it is immaterial whether there is uniformity or not.

42909. Suppose a particular province says that its forest staff does not get enough pay, and asks that its forest staff should have more pay, is the tendency of the department to grant the increase straight off, or to keep the province waiting in order to consider some

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general scheme of uniformity?—I should think the tendency in the Revenue and Agriculture Department would be to consider whether the proposals were suitable to the particular province applying without reference to other provinces, because they know perfectly well that the conditions of service must vary in the different provinces of India.

42910. Speaking generally, proposals by particular Local Governments are not held up in reference to some general scheme?—Not in the Revenue and Agriculture Department.

42911. Are they held up, I mean, because the Government of India desires uniformity in all the provinces?—I do not know that they put that forward as a basis of argument, but they do compare one province with another, and they do sometimes refuse proposals on account of their expense.

42912. In any case in which a province has said that it wants additional forest officers, have you held up that proposal in order to compare the conditions of that province with all the other provinces, or have you granted the permission at once?—If you are referring to the Imperial Service, the Secretary of State has laid down certain rules which regulate appointments and therefore it becomes purely mechanical. The Forest Service is divided into major and minor appointments; with regard to major appointments, 80 per cent. have to be filled by the imperial officers and 20 per cent. by provincial officers. That being laid down it is simply a question of arithmetic. In the Revenue and Agriculture Department the action of the Government of India is to enhance the claims of the Local Government as a rule, not to diminish them.

42913. Suppose a particular Local Government says, "We want four more district forest officers"—they being officers belonging to the Imperial Service—do you consider that claim on its merits and deal with it straight away, or do you hold it up for some general re-grading or enhancement of *cadre* in other provinces?—We only accept the re-organization for each province on its own merits. In the olden days they used to re-organize the whole department throughout India, and that was a lamentable failure.

42914. When did the olden days end?—I think the last re-organization they had was about 1891; I cannot be sure without reference.

42915. Was there not a re-organization in 1900 or 1901?—I do not remember that—there was one in 1906; that was with regard to pay solely, not with regard to numbers.

42916. With regard to working plans, you have now got a Chief Conservator of Forests in two provinces; might not the Chief Conservator of Forests be competent to deal with working plans in his province?—He does not deal with them entirely, except that he has to send them up to me for my criticism. He can evade that by not having a regular plan—by having a plan of operations, as they do in Bengal. However, the rule contemplates that he should send me the working plans for criticism.

42917. You return them to the Local Government?—Yes.

42918. Is the Local Government's decision then final, or do you come in again through the Revenue and Agriculture Department?—I do not think I can come in again. They recommend the Local Government and I do not hear any more of it till they issue their orders; no case has occurred in which there has been any dispute of that kind.

42919. You see the proceedings of the Local Government in forest matters?—Yes.

42920. And when they do anything that you consider wrong, do you bring it to the notice of the Secretary in the Revenue and Agriculture Department?—Yes; I bring anything of importance to the notice of the Secretary.

42921. Might not a Chief Conservator of Forests be left to deal with working plans without sending them up to you?—Yes; if there was any advantage in it he might. I think when it is available, it is preferable to have the best advice you can get; it is only a question of posting a plan; it takes no time.

42922. (Chairman.) May I ask what has been your training as an expert in silviculture?—I was trained three years in Germany. I am an officer of the Forest Department.

42923. (Mr. Meyer.) On the principle that it is an advantage for the most experienced person to see to things, everything in forestry might be referred to the Inspector-General of Forests?—One might say so, but it would not be advisable.

42924. If you are going in for decentralization at all, you must give control in the management to the local authorities unless there is some strong reason for further control by the Central Government?—I do not know how to express an opinion on that; I think there is a line which can be very conveniently drawn in decentralization, as in most things.

42925. Working plans stand on the right side of the line?—I think I possess more knowledge of silviculture than any man in India at this moment; if advantage is not taken of this knowledge of mine, it is a matter of opinion whether that is advisable or not; that is the only way I can answer the question.

42926. You have spoken about difference of opinion between the Conservators in the matter of working plans. Might it not sometimes be a positive advantage to have two or three different systems going on so as to judge between them? I do not say necessarily in the same forests.—We have different systems of working going on; that is unavoidable; that depends on the sort of crop that you want to raise.

42927. Might it not be possible to have different experiments on the same crop?—Yes; experiments over a small area; we have got hundreds of experiments going on at the present moment, but that is very different from the treatment of an important area.

42928. You emphasise the fleeting character of the Heads of provincial Governments as opposed to the more continuous character of the Government of India. Does that apply to the Governments of Madras and Bombay?—I have never served in the Government of Madras or the Government of Bombay; I do not see why it should not apply to them just as well as to Bengal.

42929. Are you aware that the Government of Madras and the Government of Bombay have Councils?—Yes.

42930. Therefore what you say as to a single Lieutenant-Governor who is replaced every few years does not apply with so much force to a Corporation of three persons?—It may, if each of the three persons has separate work which he does throughout the whole of his tenure of office.

42931. Might not that apply similarly to the Government of India?—I do not think it would apply in the same way.

42932. At the same time, you desire the Government of India to have as much control over forest matters in Madras and Bombay as there is in the Lieutenant-Governor provinces?—I do not think I brought up the question of the Government of India having so much control; do you mean with regard to working plans?

42933. I take it that you are discontented with the system of administration in Madras and Bombay, and that you advocate, among other things, that the Conservators in Madras and Bombay shall be appointed, as they are in other provinces, by the Government of India and not by the Local Government?—I do not think I have said that.

42934. You say in your memorandum: "Personally I am far from considering that the creation of a general list for the administrative officers of the Department is an evil; indeed, I look upon it as one of the most important measures to ensure the progress of Indian forestry."—That is under the head of Bengal.

42935. But I understand that, while you claim for the northern India system a brilliant success, you say that the Bombay and Madras system is a lamentable failure?—I can hardly accept those terms "lamentable failure" and "brilliant success"; I do not go so far as that at all.

42936. Are you, or are you not, in favour of the continuance of the present system of the appointment of Conservators in Madras and Bombay?—I should prefer to see them all on one list, decidedly.

42937. You say that the Government of India of late years have receded very much from forest control. Was not the original intention of the Secretary of State, when your appointment was created, that the

Government of India should exercise very little detailed control? I have an extract from a Circular of the Government of India of 1864 saying that "the forest administration in Bombay and Madras will be conducted entirely under the orders of the Local Governments"?—That is the stage at which we have now arrived.

42938. That was the stage at which you had arrived in 1864?—I do not know what the stage was in 1864, but we have arrived now at what the Secretary of State wanted; that is, that the entire control is in the hands of the Local Governments.

42939. In the first few years after the Revenue and Agriculture Department was created in 1881, was there not very considerable centralization in forest matters?—I am afraid I cannot give you any opinion about that unless you let me study the subject; I was not here in 1881.

42940. Do you consider that the present forest concessions to the people are liberal?—In Bengal, yes.

42941. You state that the Forest Code, as to part of it, deals with financial restrictions, and that these financial restrictions are laid down by the Finance Department. Did not your department help to draw up the code?—Certainly: I compiled it and sent the whole thing to the Finance Department for revision before it was printed.

42942. Were all these restrictions with regard to the powers of Conservators insisted on by the Finance Department?—They were accepted.

42943. Did the Finance Department initiate them?—I do not know how they were initiated. To find the initiation of these articles in the code, you would have to go back 30 or 40 years.

42944. The Forest Department was originally under the Public Works Department of the Government of India?—It was at one time.

42945. Was not the Forest Code originally rather a copy of the Public Works Code?—I have never compared them.

42946. I put it to you that the Finance Department is not concerned with the particular sanctioning powers of a Conservator or a Deputy Conservator?—Still we have to ask them before we can alter the powers.

42947. You revised the Code, you say, in 1907?—In 1906.

42948. But in 1907 you did away with a certain number of restrictions, or you enlarged the powers?—The powers of forest officers have been very much enlarged and increased in the last two years.

42949. Has the Finance Department generally objected to the delegations you propose?—Not as a rule. On some occasions when the proposals were first sent up they objected, and later on they accepted them.

42950. You said that a number of restrictions which still remain might be relaxed; have you proposed any relaxations?—I explained that those restrictions were mostly concerned with the appointment and promotion of officers of the Subordinate Service; that as long as we had centralized education it would be difficult to get rid of them, and that the Local Governments were now preparing to undertake the education of their own subordinate establishments, when these restrictions might be removed.

42951. There are not such things as the grant of applications for leave, or applications for sanction to write off a dead elephant, that might with advantage be relaxed?—I dare say there may be; we are always ready to relax anything of that kind. I think full powers ought to be given to the Local Governments in those matters.

42952. With regard to the Bombay and Madras Codes, are they not separate from the Imperial Code, but largely based on it?—Yes; they contain a good many articles that are in the Imperial Code, especially with regard to things that rest on education and finance.

42953. If they differed materially from the Imperial Code would the Local Government be addressed on the subject?—I do not think so; they have just revised the code in Madras, and we do not know anything about it at all; I suppose they will send us a copy for information when it is decided.

42954. You say that it is desirable to have a single Forest Code for India; are there separate Land Revenue Codes for these provinces?—I do not think I ever said that it was desirable to have a single Forest Code for all India; if I did say so I retract it.

42955. You prefer a single code for all provinces outside Madras and Bombay?—Yes, that is what I said.

42956. Are there single Revenue Codes for the provinces of India outside Madras and Bombay?—I do not know.

42957. To what extent do the Dehra Dun College grades go down; what is the lowest grade?—We have got rid of the forest guards; the Local Governments train them; we are now training rangers.

42958. You want to get rid of the rangers?—Yes; I think the Local Governments will do that in the next year or so.

42959. You have told us what the position of the district forest officer ought to be in relation to the Collector. Ought the Conservator to stand in the same relation to the Commissioner?—He does in Bengal.

42960. By Bengal you mean outside Madras and Bombay?—Yes.

42961. In Burma there are eight Commissioners and four Conservators, and the Conservators instead of being at the headquarters of divisions, are two at Maymyo and two at Rangoon; is that a sound distribution?—I think the soundest distribution is that which the Local Government considers the best; I would not criticize them in any way.

42962. If the Conservator is to stand to the Commissioner in the same way as the district forest officer stands to the Commissioner, ought not the Conservator to be at his headquarters?—I do not think there is any inconvenience when there are two officers; they need not be both at headquarters.

42963. It was suggested to us by a forest officer in Bengal that, where there were not quite enough Conservators for Commissioners' divisions, the Commissioners might have what he called sub-circle officers?—We have proposed sub-circle officers; the whole thing has been sent up to the Local Government, and they refuse to have anything to do with it. I think the circle officer is preferable.

42964. By the circle officer you mean the Conservator?—Yes.

42965. You say you have no local knowledge of the Madras forests?—I have a little knowledge now; I have just been there for two months.

42966. In Madras, is not a great part of what is called forest really grazing land?—It has been reduced to that by improper treatment and now they are trying to restore it; it will be a very lengthy business.

42967. Anyhow, the so-called forests are much more mixed up with the ordinary cultivation of land?—Not more so than in other places; not more so, for instance, than in Berar, or than in the Central Provinces. I do not see much difference in the local conditions.

42968. You tell us that the Conservator has no power to communicate with the district forest officer except through the Collector; is that so in regard to technical matters?—I believe so; I believe the Conservator sends in an office slip to the forest officer, which has to pass through the Collector.

42969. You have never heard of unofficial correspondence between the Conservator and the district forest officer?—There might be on abstract questions of professional interest perhaps. The Conservator writes: "In the Madras system of forest administration the Conservator is little more than a support to the unprofessional Head of the Department; the district officer is entirely under the authority of the Collector; direct correspondence between the Conservator and the forest officer is prohibited except in account matters and the preparation of weekly balances. The Conservator is supposed to be in charge of finance, but he cannot issue orders to people except through the Collector."

42970. Do you say that the Conservator ought to be Head of the Forest Department?—The Conservator ought to be the chief Administrative Officer in his own circle with regard to forest matters.

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42971. With the Collector subordinate to him?—The Collector is never subordinate to the Conservator; he cannot be.

42972. Then how would the Conservator be the chief officer in forest matters?—In the matter of executive works, in the matter of finance and in the matter of silviculture he would be the real chief, but he could not issue a single executive order to his divisional officer.

42973. He might issue orders affecting the people?—That is arranged for elsewhere; there is a schedule of subjects upon which he has direct jurisdiction and of subjects in which he has not direct jurisdiction; that schedule has been in force for 40 years.

42974. You have told us that you are subordinate to the Department of Revenue and Agriculture. On the same analogy, is there any objection to the Conservator being an advising officer to the Board of Revenue in Madras?—I think there would be if the member of the Board of Revenue knows nothing about the Conservator; as the member of the Board of Revenue has no claim to professional knowledge in regard to forests his position is very often unpleasant.

42975. On the same reasoning would you give authority to the Secretary of the Revenue and Agriculture Department?—If he differed with me in silviculture matters, certainly I should hold that I knew more about them than he does.

42976. You talked of schedules showing what are technical, and what non-technical, forest matters; suppose a question arises as to whether a matter comes under one head or the other, who is to decide it?—The Local Government, who made the schedule.

42977. You would remove from the Board of Revenue in Madras all control over forest matters?—Certainly not; the Board of Revenue has its own control over forest matters in the United Provinces and in every other province in India. I say that the Board of Revenue in Madras is not capable of settling silviculture questions in Madras.

42978. Are you aware that a great part of the forest revenue in Madras is not silvicultural at all, but purely the result of the grazing land which is let out by the tahsildar?—That may be so.

42979. In Bombay you have no Board; the Conservators are under the Local Government; is not that system exactly the same as the system in the United Provinces?—The position in Bombay is much more like the system in Madras; the Bombay Code begins by saying that "the Collector is the Executive Forest Officer in his own district," and that gives you the idea of the thing. In Bengal the Executive Forest Officer is an officer of the Forest Department, acting under the Collector's instructions. In Madras and Bombay a Conservator goes round and he inspects a forest tramway; he finds it all out of order; he does not criticize or order at all; if he wants to do that he has to go round through the Collector; the Collector has not got time to go into his forest and look after all the details. That is simply an example. I should like the district forest officer to be under the control of the Collector too, but I should like the orders issued to him through his superior officer, so that the inspecting officer could be of use and not a mere figurehead.

42980. Do you mean that the Collector should never issue an order to the district forest officer?—No, he can issue orders; if there is any hurry. Ordinarily, if you have a Conservator, he should be the administrative officer, subject, as I have said all along, to the control of the Commissioner and of the Board of Revenue.

42981. You correct the impression that you gave me that the district forest officer should be the assistant of the Collector in non-technical matters; you say that he is only to be subordinate to the Conservator?—At the present moment in Madras the executive forest officer cannot fell, extract or dispose of any forest produce without the order of the Collector; the felling and extraction of forest produce is a silvicultural operation; the method of felling and the method of extraction may be of very great importance to the future crop. The Collector is not a forest expert, and the man who ought to issue orders on those technical subjects after consultation with the Collector is the Conservator. The Conservator should be able to go round to the

forest officer and say: "I told you to do this, why have you not done it." At present he is a nonentity, and the forest officer does what he likes.

42982. Let us assume that some distinction has been drawn between what you call silviculture and matters affecting the people. With regard to the latter point, is the forest officer the direct assistant of the Collector, or not?—I say that in all matters affecting the welfare of the people he should be under the orders of the Collector.

42983. Who should direct him through the Conservator?—That would be far preferable, so that he should get his orders carried out, which he cannot do at the present moment.

42984. Why cannot that be done now?—Because he has not time, any more than the Forest Member of the Board of Revenue has time, to look after 45,000 square miles of forest; it is not a one man job at all.

42985. And the Conservator will have the time if he has the orders of the Collector issued to the district forest officer?—If the three present Conservators have not got the time, it is very easy to make a Chief Conservator, or to appoint a fourth or fifth Conservator; a Conservator is a cheap thing, whereas a member of the Board of Revenue is not.

42986. You spoke of amending the present restrictions on disforestation in the Government of India Forest Act; you said it was proposed to take out plots under 200 acres; in what stage is that proposal at the present moment?—I think it is awaiting the opinion of this Commission. I think the correspondence was between you and me; if you wanted action to be taken immediately, it could be done, I daresay.

42987. The Forest Act also requires the previous sanction of the Government of India for rules for the management of village forests, under section 27?—Yes.

42988. And rules for protected forests, including hunting, shooting and fishing under section 31?—Yes.

42989. Do you consider the previous sanction of the Government of India necessary for such rules?—Not for village forests; I do not think they exist.

42990. Not under section 31 as to protected forests? I should not think so.

42991. Then in your opinion, the previous sanction of the Government of India so far as those things are concerned might be dispensed with?—I say the whole thing might be taken out, except disforestation.

42992. And, I understand, the levy of a duty on timber?—That does not affect the Forest Department in the least; it affects the Foreign Department and the Home Department.

42993. Do the forest budgets of the Local Governments come up through you?—No.

42994. They go straight to the Finance Department?—Yes; they send a copy to the Revenue and Agriculture Department, but as they only send figures under the main heads and subheads it is not of much use.

42995. (Sir Steyning Edgerley.) You say that there is no possibility in Bombay of controlling forest operations; are you acquainted with the Bombay system at all?—No; I have never been to Bombay.

42996. Do you know where the senior Conservator is generally posted?—I think he is generally at Poona; that is the central circle.

42997. Are you aware that every question of importance in silviculture goes to him, for consultation with other Conservators and to get reports from them?—I knew that the working plans went through him; I did not know of anything else.

42998. You have given a table of comparative information regarding the different provinces; you say that in Bombay there is no Head of the Department, is that accurate?—Unless you gave the senior Conservator the powers of a Chief Conservator, and made him the Head of his Department.

42999. Is not the Commissioner the Head of his Department?—But I was talking about the professional head—the technical head.

43000. Then in Madras is the member of the Board of Revenue a technical head?—No; but he has got to do the work of a technical officer.

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43001. I am comparing what you say as to Madras and Bombay; under Madras you put a member of the Board of Revenue; under Bombay you put "none"; in Bombay is not the Commissioner the Head of the Department under the rules of 1892 which are still in force?—My meaning is that there is no administrative Head of the Department in Bombay in the sense in which I was then writing. If the four Commissioners are counted as Heads of the Department, I do not regard that as a satisfactory arrangement.

43002. Is it entirely accurate to say that there is no technical Head in Bombay?—No; if you take your senior Conservator to be the technical Head of the Department.

43003. As to Bengal proper your entry is, "Chief provincial forest officer where areas are large." There is only a Conservator in Bengal; therefore if that is accurate in Bengal, why do you put "none" under Bombay?—By the technical head of the Department, I meant the Inspector-General of Forests in Bengal, above the Conservators.

43004. You do not say so; you say the "Chief provincial forest officer"?—The local Head of the Department would be the chief provincial forest officer.

43005. In view of the information we have had about the Poona arrangement, do you still say that your entry here is accurate?—I do not understand how there can be four Commissioners and four Heads of Departments and three Conservators.

43006. I am not speaking about the Commissioner, I am speaking of the chief provincial forest officer. Under Bengal you put "the chief provincial forest officer where areas are large"?—That is my description of the Chief Conservator.

43007. It says in the Bombay rules that, subject to the other provisions of these rules, each Conservator is invested with the direction of all professional operations of technical forestry. Is that "an advisory" sphere of duty?—It is "subject to" something.

43008. It is "subject to the other provisions of these rules"—that is all?—Do not "the other provisions of these rules" restrict his power very considerably?

43009. Not as to the direction of all professional operations. Similarly, in matters relating to departmental finance, or appointments or leave; the Conservator may go to the Government direct; therefore, in technical forestry and in finance in Bombay the direction and administration as regards those subjects are in the hands of the Conservator?—Yes.

43010. Is it then right to call him purely an advisory officer?—No; if the restrictions otherwise imposed do not prevent his acting, he is an Executive Officer.

43011. Then that entry is wrong?—It is wrong in those circumstances.

43012. In Bombay you say there is no control of technical management except that exercised by the senior Conservator in addition to his other duties; what more is there in any other province?—Where there is a Chief Conservator, there is the Chief Conservator, and beyond him there is the Inspector-General.

43013. Is it the case that, when the technical officers disagree, the Bombay Government can refer to the Inspector-General for his decision?—I have not had any references from Bombay; I have from Madras.

43014. That simply means that there has been no occasion for such reference during your tenure of office?—It may mean that.

43015. Was there not an important case where the Government of Bombay took the course of referring to the Inspector-General?—I believe they did invite one of my predecessors down to Bombay once.

43016. They are at perfect liberty to do it when circumstances demand it?—They can always issue an invitation.

43017. Then it is hardly correct to say that "there is no control of technical management save that exercised by the senior Conservator?—If I had said that there was no control of technical management available except that exercised by the Conservator, I should have been wrong.

43018. How many controlling authorities do you wish for? Is not the Executive Officer the divisional forest officer?—That is so.

43019. And he has his Conservator above him?—Yes.

43020. And the Conservator may refer to the senior Conservator?—Yes.

43021. How many more are necessary?—The senior Conservator and the other Conservators do not always agree.

43022. Then the Government can refer to the Inspector-General?—I think the senior Conservator reports to the Government his opinion of a case.

43023. You say: "There is in either province no outside criticism of professional work, and no exchange of experience is officially possible." Do you consider that accurate?—Yes; as far as I am aware I think it is accurate.

43024. Do you think that the Conservators never meet?—I meant from outside the province.

43025. There is no exchange of experience?—I meant outside the province.

43026. Have you ever seen a paper called the "Indian Forester"?—Yes; I have seen it.

43027. Does that not allow of the exchange of experiences?—I do not think you will find much exchange of experiences in that paper.

43028. Where else could you get experience?—By service or conferences outside the province.

43029. Did you go back to the United Province after you went to Burma?—No; I came here after leaving Burma.

43030. How does the experience you gained in Burma benefit the United Provinces?—The experience is utilised; if not in the province where you gain it, it is utilised elsewhere.

43031. You say: "As regards administration, the Conservator's abilities remain to a great extent unutilized, because his proposals may be vetoed by the local Collector." As regards technical forestry, would you like to modify that remark?—Yes, I might modify that a little.

43032. It is not correct?—It is not quite correct.

43033. You say: "As regards executive work the Conservator is powerless to order or to control, this being also the duty of the Collector." Is that again correct as regards technical forestry?—I was not thinking so much of technical forestry, but of matters like road-making and so on.

43034. You have not guarded the sentence in that way?—I will guard it.

43035. Then you say: "It is obvious, therefore, that the Revenue and not the Forest Department must be held responsible in the provinces of Madras and Bombay"?—That I think is correct.

43036. Correct as to Bombay?—I think so; if a Revenue Officer is the Head of the Department I think you must hold the Head of the Department responsible.

43037. You have immediately before said: "As an example, it is ordered that the Collector must control the felling, extraction, removal and disposal of forest produce"?—That is the case in Madras which I have just quoted.

43038. You go on to say: "It is obvious, therefore, that the Revenue and not the Forest Department must be held responsible in the provinces of Madras and Bombay for the success or otherwise of forest management there"?—Yes; I still think that. As long as the Head of the Department is the Revenue Officer, and as you say that there are more than one of them, I think they certainly ought to be held responsible.

43039. For technical forestry?—For the success or otherwise of forest management.

43040. Do you say for technical forestry?—That is an example given from Madras.

43041. But you extend its application to Bombay?—I apply this principle to Bombay, that the Revenue and not the Forest Department must be held responsible for the success or otherwise of forest management, but the example above is one given which has actually happened in Madras at this present time.

43042. Is not the inference from the language used that it applies to both provinces?—I did not mean it to be so.

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43043. You would wish to tell us then that in Bombay the Forest Department cannot be held responsible for the success of forest management?—I consider that if the Head of the Department is a Revenue Officer he ought to be held responsible for the success of forest management; otherwise, what is the good of having a Head of a Department?

43044. In technical forestry?—Forest management; I include everything—technical and all the rest of it.

43045. But I wish you to divide it?—On both—both technical and otherwise.

43046. Have you actually made the comparisons of statistics that you refer to?—I have not made them altogether; I have made them from time to time when looking over the various reports of various provinces.

43047. You have not made them for the present purpose?—No; I can give you the statistics.

43048. The first reason for your hypothetical conclusion is that the Forest Department is undermanned, and you say (quite correctly I believe), that the Government of Bombay have been trying to get a re-organization through since 1888? You said that they were "struggling with a scheme"; is it not more correct to say that they are struggling with the Government of India over a scheme?—I should not like to say that.

43049. Is it not a fact that the scheme has been returned over and over again with alternative suggestions by the Government of India?—I do not think so—not over and over again; there was one returned in March, 1906.

43050. But long before then?—The first was submitted in May, 1890; it was discussed in 1891; there were certain recommendations made, and the Government of Bombay refused to accept them.

43051. Quite so; and the Government of India then sent down another scheme in place of the local scheme, which they considered was not suitable, and the same thing happened; then, after the famine, the Bombay Government sent up a scheme in 1905, and the Government of India has sent it back again, asking among other things to be informed of every forest guard's beat throughout the Presidency. Is that a detail that the Government of India particularly need to know?—I think it is impossible to judge of the number of forest guards you require unless you know how many beats there are.

43052. If you distrust the Local Government?—Not on that account, but if there are two or three times the number of forest guards in one province that there are in another province, I think it merits enquiry.

43053. You think the Government of India should deal with such details on the advice of the Inspector-General?—Not on the advice of the Inspector-General.

43054. But it comes through him—he would note on the case?—Yes.

43055. As a matter of fact, this re-organization desired by the Local Government has been delayed for different reasons for some 20 years?—I met Mr. Talbot as Chief Conservator immediately after that scheme had been sent back by the Government of India, and he assured me that he was heartily glad that it had been sent back, because it was totally unsuitable.

43056. Your second reason is that, "The administrative and controlling staff is not permitted to put its professional abilities to the best possible use, because of their subordination to the Revenue Officer in professional matters"; is that quite accurate?—It certainly is in Madras; I can check it again as to Bombay; I have been told so.

43057. What do you mean by saying there is "insufficient final control of silvicultural proposals"?—I meant to say that where there are three Conservators, and one of them has the control of silvicultural proposals, you presuppose that his own proposals are absolutely correct; they may not be.

43058. Do you consider that the modern forest officer comes out well grounded in forestry?—Yes; I think he has a fair theoretical knowledge of forestry.

43059. What he has to learn are the local conditions?—He has to apply theoretical knowledge to Indian conditions.

43060. Is there not a considerable variety in the forests from Sind to Canara?—Yes.

43061. And an officer who serves in different divisions through that range has probably got a fairly wide experience for a Conservatorship in Bombay?—Certainly; he ought to have.

43062. Is not your third reason also somewhat inconsistent with the answers you have just given to me?—I say: "There is no professional Head of Department, and the higher administrative officers have no chance of extending their experience and silvicultural knowledge outside the limits of their Presidencies, which, moreover, do not afford in the variety of their forest vegetation nearly so much scope for doing so as do the forests of the Bengal Presidency." I adhere to that. I think, for instance, that if the forest officers in Bombay wish to work the teak forests of Canara better than they do at present, they will gain vastly by going to the teak forests of Burma.

43063. You know that the Bombay Government did ask to be allowed to send officers there, and the Government of India did not consent?—I do not think it was the Government of India, but they anticipated objections from the Government of Burma perhaps.

43064. Had they asked whether the Government of Burma objected to exchanging officers temporarily?—I forget the correspondence.

43065. With regard to objections to centralization in the matter of forest education, which you state, was not that centralization the action of the Government of India?—The Government of India started forest education at Dehra Dun.

43066. And asked the Bombay Government to discontinue it at Poona. They have changed their policy?—I do not think the Government of India have changed their policy. I do not put it down to the Government of India in any way.

43067. You say: "If revenue and expenditure were entirely imperial Local Governments would cease to take an interest in forests"; what grounds have you for saying that?—Chiefly human nature.

43068. Would you say the same in regard to salt or customs?—I think so, so far as my experience has gone with Local Governments. In the answers received from Local Governments for instance about the amalgamation of the Conservators' list, that was one of the reasons put forward for refusing, because, they said they wished to have their own departments absolutely separate.

43069. That view is not entirely shared by the Government of India?—I have not asked them; I would not think of asking them.

43070. What do you mean when you say that the proposals of the Local Government have been "undoubtedly retarded"?—I was alluding to want of foresight. Local Governments write up for an increase of the Imperial staff; they say it is absolutely necessary, and they cannot do without it for a day, the fact of the matter being that it takes three and a-half years to produce a forest officer, so that after their proposal is sanctioned they have to wait three and a-half years before they can get them; if they had thought that they would not have got them for three and a-half years, they would have written up for the increase before. That is the trouble that we are suffering from all over India.

43071. They lay stress upon the immediate necessity in order to get sanction?—They go further; they ask that men shall be transferred from other provinces to meet their wishes.

43072. You have had cases like that?—Several.

43073. You think they ought to have looked ahead and taken it up earlier?—Most certainly; if they control their own Forest Department, they ought to have used foresight.

43074. (Chairman.) In Madras did you look at the accounts which the forest officer has to keep?—No; I have nothing to do with that; I cannot inspect offices.

43075. Are the accounts that the forest officer is required to keep very complicated?—No; I should

not have called them complicated; it entirely depends on the method of work which the Local Government prescribes.

43076. That is entirely in the hands of the Local Government?—Yes; if they prescribe departmental work to a large extent, the accounts are extremely heavy, and if they issue orders that the work shall be carried out on contract, the accounts become comparatively light.

43077. Are you allowed to go on leave during your tenure of appointment?—Yes.

43078. Who acts for you?—The Government of India have to go into the whole question and select another man.

43079. Where does he come from?—He is probably a Conservator, from some other province.

43080. He has no power of sanctioning these working plans as a Conservator, but when he comes and acts

for you for six months he can sanction any working plans of any size all over India?—Yes; he very seldom does.

43081. Are the working plans held up till you come back?—When I have been on short leave I have generally found them held back.

43082. And when you have been on long leave?—If I was officiating as Inspector-General I should do them myself.

43083. The result is that a man who is called upon to act for the Inspector-General who is on long leave has at once to decide upon the working of forest plans, and again to advise finally, when he has had no previous training in the matter of final responsibility?—Yes; but he is the next best man, or even a better man.

43084. As a better man he has no power of even the smallest sanction?—No.

(The witness withdrew.)

Surgeon-General G. BOMFORD, M.D., C.I.E., was called and examined.

43085. (Chairman.) You are an officer of the Indian Medical Service?—Yes.

43086. Will you state briefly the organization of the Department?—The personnel of the Indian Medical Department, superior and subordinate, consists of members of five distinct establishments, viz.:—

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| (i) The Indian Medical Service; | Both of the "Indian Subordinate Medical Department," |
| (ii) Military Assistant Surgeons and | |
| (iii) Military Hospital Assistants. | |
| (iv) Civil Assistant Surgeons; and | |
| (v) Civil Hospital Assistants. | |

The Indian Medical Service is a Military Service and its members are commissioned officers of the Army. Candidates for the Service, who must be natural-born subjects of His Majesty the King and of European or East Indian descent, are selected by competitive examination in England. Members of the Service are eligible for employment in superior civil medical appointments under Local Governments and Administrations as well as with native troops, a single Service for military and civil duties being an economical arrangement to provide a reserve of Commissioned Medical Officers competent to perform military duties in time of war.

Military Assistant Surgeons are mostly Europeans and Eurasians, who are recruited in India by a competitive educational examination in the first instance and subsequently undergo a four years' course of professional medical training at one of the medical colleges. The majority of Military Assistant Surgeons are employed on subordinate military duties at station hospitals for British troops; but there are a number of appointments, subordinate as well as independent civil surgeoncies, open to them in the Civil Department under Local Governments and Administrations, from which they are liable to recall to military duty in time of war.

Military Hospital Assistants are natives of India with lower professional qualifications than Military Assistant Surgeons, who are trained at the several medical schools, primarily for employment on subordinate military medical duties at regimental hospitals for native troops, but a limited number are also employed in subordinate medical appointments in the Civil Department, from which they are liable to recall to military duty in time of war.

Civil Assistant Surgeons.—Each Local Government and Administration has its own provincial establishment of Civil Assistant Surgeons, who are trained in the medical colleges and must possess a University degree or diploma. They hold charge of minor hospitals and dispensaries; are employed in subordinate posts in the larger civil hospitals and fill several other miscellaneous subordinate medical appointments. The services of a considerable number of Civil Assistant Surgeons are also lent to Municipal and Local Boards for employment at their medical institutions. A certain number of independent civil surgeoncies are also reserved in each province for medical subordinates of this class.

Civil Hospital Assistants.—As in the case of Civil Assistant Surgeons, each Local Government and

Administration maintains its own establishment of Civil Hospital Assistants for subordinate medical duties, who are usually trained at medical schools and possess lower educational and professional qualifications than Civil Assistant Surgeons. They are employed in charge of minor dispensaries and in a variety of other subordinate medical posts.

The medical administration of each province is under the control of the Local Government, whose adviser in such matters is an officer of the Indian Medical Service of the rank of Colonel and designated Inspector-General of Civil Hospitals. In Madras and Bombay, however, the Administrative Medical Officer is of the rank of Surgeon-General. Except in Bombay, the district medical and sanitary arrangements are in charge of a Medical Officer designated "Civil Surgeon," or in Madras "District Medical and Sanitary Officer." He superintends medical institutions and, subject to the general authority of the Collector or Deputy Commissioner, all matters connected with the health of the population. It is his duty to attend in his professional capacity the superior officers of Government who are entitled to the privilege of free medical treatment, and he also performs the major portion of the medico-legal work of the district and is responsible for vaccination. If there is a district jail located at the head-quarters station of his district, he holds executive and medical charge of the jail. In the Bombay Presidency the Civil Surgeon is occupied principally with the duties of the head-quarters station of his district, though he also does inspection work. The rural hospitals and dispensaries in that Presidency are under the direct control of the Surgeon-General, and sanitary work is supervised by the provincial Deputy Sanitary Commissioners acting under the orders of the Sanitary Commissioner, Bombay.

The Director-General is the Head of the Indian Medical Service and, as such, is responsible that the Service is maintained at the sanctioned strength, which at present consists of 754 officers, and that the authorized number of officers of that Service are at the disposal of the Commander-in-Chief for military duty, and at the disposal of the several Local Governments and Administrations for the appointments reserved under them for officers of the Indian Medical Service as Professors in the Medical Colleges, as Civil Surgeons, as Superintendents of Central Jails, etc. He maintains the record of services and confidential reports of the members of the Service; proposes to the Government of India the transfer of officers from the Military to the Civil Department, and vice versa, according to necessity, and the selection of officers for promotion to the administrative grade and their promotion thereto. He is the Administrative Head of the "Indian Subordinate Medical Department," which at present consists of 470 Military Assistant Surgeons and 800 Military Hospital Assistants. He is responsible that the department is kept up to strength and for the professional training at the medical colleges and schools of the men recruited from time to time to that end. He is responsible that the necessary number of the medical subordinates in question are at the disposal of the Commander-in-Chief and of the several Local

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Governments and Administrations who have appointments reserved under them for Government servants of this class. He also maintains the personal files of members belonging to the department, namely, a record of services and confidential reports as in the case of officers of the Indian Medical Service. He is directly subordinate to the Government of India in the Home Department and is required to assist that department with advice in regard to all questions referred to it by Local Governments and Administrations in connection with the Service, promotion, pay, pension, conduct, etc., etc., of the officers of the Indian Medical Service and the Indian Subordinate Medical Department employed under them, and in regard to similar questions relating to the members of their own provincial establishments of Civil Assistant Surgeons and Hospital Assistants. Also with reference to questions relating to the organization, maintenance or control of medical institutions belonging to Local Governments and Administrations. He is also required to render similar assistance to all the other departments of the Government of India whenever necessary. He is required to perform tours in order to confer with, and offer advice to, Local Administrative Medical Officers and to visit provincial medical institutions. He controls the Medical Store Depôts, which are primarily military institutions, but which also supply civil hospitals and dispensaries with medical and surgical stores. He also controls the X-ray Institute which has been established at Dehra Dun.

With reference to the relations of the Government of India to the Local Governments in matters which concern the *personnel* of their Medical Departments, it is important to note that this *personnel* is composed partly of officers selected from the Indian Medical Service and the Indian Subordinate Medical Department, which are military and imperial Services, and partly of Civil Assistant Surgeons and Hospital Assistants who are recruited by the Local Governments themselves for service in the particular province. There is also a very small and diminishing number of superior officers who belong to no Service, but have been engaged provincially and are known as "Uncovenanted Medical Officers." The number of superior medical officers employed by each Local Government is fixed from time to time by the Government of India (with the concurrence of the Secretary of State), but it is in the power of Local Governments to employ as many Civil Assistant Surgeons and Hospital Assistants as they can find work for.

The pay of the different classes is regulated by general rules which have been laid down at various times by the Government of India (with the concurrence of the Secretary of State), and allowances for special appointments or duties are similarly regulated by the Supreme Government. This is necessary so as to maintain a general uniformity of emoluments, though local or personal allowances may be sanctioned when it has been proved to the satisfaction of the Government of India (and generally of the Secretary of State also) that the local circumstances, or the nature of the particular service rendered, justify exceptional treatment. Opinions are apt to differ as regards either the interpretation of the rules or the justification for giving a special allowance for some particular duty, and allowances are a source of numerous references to the Government of India when either the Local Government or its Accountant-General finds it necessary to ask for a ruling, or the officer concerned feels himself aggrieved.

The promotion of officers in the Indian Medical Service and the Indian Subordinate Medical Department is regulated by the Government of India in the Department of Military Supply, as these are military services, and it is generally a matter of length of service, but in the higher ranks where selection comes in, the confidential reports received from the Local Governments are in all cases carefully considered before the promotion is made, and in cases of doubt a special report is always called for. The promotion of Civil Assistant Surgeons and Hospital Assistants on the provincial lists depends upon length of service except in the higher grades, and is entirely in the hands of the Local Government concerned, though governed by rules which have been laid down by the Government of India and which are applicable to all provinces. Civil Assistant Surgeons and Hospital Assistants, before promotion to the different grades of their

services, have to pass septennial examinations to prove that they have maintained their knowledge of professional subjects. In the case of Assistant Surgeons these examinations are conducted in Madras and Bombay by the local Surgeon-General, but for all the other provinces there is a common examination under the direction of the Director-General, Indian Medical Service. This arrangement saves the Local Governments a good deal of trouble and has never been the subject of any objection. The corresponding examinations for the Hospital Assistants are entirely provincial, and are at present unsatisfactory in many ways. A proposal to recast them on an improved plan is now under consideration, and is likely to be accepted by most, if not by all, the provinces.

In the case of the Indian Medical Service and the Indian Subordinate Medical Department the Government of India selects the officers who are to be placed at the disposal of the several Local Governments for civil employment, the Local Government merely reporting that there is a vacancy in its establishment, and the Government of India selecting the man to fill it. In a large proportion of cases the officer of the Indian Medical Service is selected for ordinary civil employment, which means employment as a Civil Surgeon of a district or town, but in some cases an officer is required for a special department in which special qualifications are needed, and in that case he is placed at the disposal of the Local Government for employment in that particular line, it may be, for instance, as a Chemical Examiner, or an Alienist, or in the Jail Department, etc. In former days when there were Madras and Bombay armies distinct from the army of Bengal, those Governments used to select officers for civil employment from the establishment of Indian Medical Service officers maintained for their own armies, but now that there is only one army for the whole of India with a single establishment of Indian Medical Service officers, the selection is necessarily made by the Government of India. For the purpose of advising the Government of India in the Home Department in making this selection, the Director-General, Indian Medical Service, keeps lists of applicants for civil employment in the different provinces, and for some years past this selection has been based very strictly upon priority of application in the case of the Indian Medical Service, provided of course there is no positive unfitness; and upon special fitness and seniority in the case of the Indian Subordinate Medical Department. The eligibility of an Indian Medical Service officer for civil employment is restricted in ordinary circumstances to some particular province or group of provinces, which is determined in London at the time he enters the Service.

Each Local Government is entitled in ordinary circumstances to have a definite number of officers at its disposal which is determined by the number of *cadre* appointments in the province, plus an addition of 20 per cent. for leave vacancies, this 20 per cent. being taken from the general leave reserve of the whole Service. The officers filling *cadre* appointments are placed *permanently*, and those who are filling leave vacancies, *temporarily*, at the disposal of the Local Government. The transfer of an officer from the temporary to the permanent list requires the concurrence of the Government of India in order to prevent the confirmation of an officer out of his turn.

The Director-General, Indian Medical Service, also keeps lists of men who are desirous of serving in special departments and have the necessary qualifications, and if there are no men so qualified for any particular department, he takes steps to put one or more in training according as vacancies are known to be likely to occur. An officer who has been placed temporarily at the disposal of a Local Government for a special department is as a rule only confirmed in that department, when a permanent vacancy occurs, and is not allowed to be wasted by being transferred to ordinary employment where his special knowledge is not required. He is liable to serve in his particular line in any province which may be in need of his special services.

In addition to the *cadre* appointments and the leave reserve, the Local Governments often have special needs for the services of additional Medical Officers on account of famine, plague or other emergency, and every endeavour is made to meet these requirements, though it may entail a temporary shortage of officers

in other provinces, or on the military side, where no such emergency exists. On the other hand the Local Governments are bound to surrender a proportion of their men in time of war for the extra requirements of the army, the officers in civil employment thus forming a reserve for the army. This give-and-take system between the different provinces and the army is of the greatest importance, but is only possible because the Government of India regulates the distribution. From the figures showing the number of officers of the Indian Medical Service at the disposal of the different Local Governments on the 1st November 1907, it is evident that they have little to complain of as regards not getting their full complement of men in ordinary circumstances.

It has been proposed in some quarters at different times that the proportion of officers due to Local Governments for leave vacancies should be always permanently at their disposal, even when there is no vacancy at the moment in which they can be employed. This arrangement would break the Service up into a number of local Medical Departments in which there would sometimes be several officers unemployed and, therefore, discontented, while at other times there would be a deficiency. It would of course destroy the general reserve by parcelling it out, and so make it impossible to meet special needs either for special departments or in case of a local emergency. It would be uneconomical because the strength of the Service would have to be based upon the greatest requirements of each province taken separately, instead of as now upon the greatest need of India as a whole. Each province would also expect to round off the fraction of an officer that might be due to it, instead of the rounding off being applied once to the total of the whole Service, and every Local Government would be obliged to have extra men in training as understudies for special appointments. Eventually the Local Government would still have to come to the Government of India to supply their deficiencies as casualties occurred, because the recruitment in London is made for military purposes only and not for civil, and no Indian Medical Service officer is obliged to go into civil employment, and in consequence of this fact it is very difficult to see what would be gained. The disadvantages of such a system can be seen at the present time in the case of the Civil Assistant Surgeons and Hospital Assistants who are localized already. If it were not that there is an establishment of Military Assistant Surgeons and Military Hospital Assistants, from which men can generally be borrowed to some extent in time of emergency, it would be difficult for any Local Government to receive assistance when it requires extra medical subordinates for famine or plague duty, and owing to the fact that the Military Service of Hospital Assistants is shorthanded this difficulty is very apparent in one province at the present moment.

Once a medical officer has been placed at the disposal of a Local Government for ordinary civil employment, which means generally as a Civil Surgeon, the Local Government has a free hand in posting him to any station it thinks fit, except that in every province the civil stations have been classified for this purpose under one of two categories, viz.: List I, stations which are reserved for Indian Medical Service officers, and List II, stations which may be filled by either an Indian Medical Service officer or an Assistant Surgeon, civil or military, the number of Indian Medical Service officers in these List II stations being limited. This classification of civil stations is regulated by the Government of India.

In the case of departments for which officers are required with special qualifications, such as Chemical Examiners, Alienists in charge of central Lunatic Asylums, Superintendents of Central Jails, Sanitary Officers and Bacteriologists, the appointment to an office is generally made by the Government of India, though Local Governments can suggest filling it with an officer at their disposal, if they happen to have such an officer who is at once qualified and a candidate for such special employment.

A similar rule applies to professorships at medical colleges in the north of India, though Madras and Bombay are still allowed to fill the professorships at their colleges from the list of men at their disposal without reference to the Government of India. It is obvious that it may be an advantage to a college to have its professors selected from the whole Service instead of being dependent on a comparatively small

local list, and that there must be a greater danger in Bombay and Madras of men being appointed to these chairs without being properly fitted to fill them. In a recent case the Bombay Government was allowed to borrow a particular officer from the Government of India to fill a chair at its medical college for which he was fitted, and this is of course better than putting in a man from their own list with no particular qualification in the subject; but it is still an unsatisfactory arrangement because the Government of India, if the selection had been left in their hands, might have been able to supply an officer even more competent than the one the Bombay Government fancied. The importance of filling these special appointments, such as chemical examinerships and professorial chairs, with the best men available cannot be over-estimated, and until this is secured the Government must necessarily be open to the charge, which has been levelled at it at different times from various quarters, of making these important offices mere conveniences of its Medical Service. The time has passed when every Medical Officer can be considered fit to fill any office that may be vacant and into which it may be a convenience to himself or the Local Government to put him.

The same may be said in the case of jail appointments, though in their case perhaps less obvious. The improvement which has resulted in the health of the prisoners since the jails in northern India have been placed under the management of selected Medical Officers has been enormous, and with the improvement in health there has been an improvement in discipline, because it is impossible to enforce discipline amongst a lot of moribund men such as used to fill the jails. Last year when the appointment of Inspector-General of Prisons was vacant in Madras, the Local Government asked the Government of India to submit three names of officers outside the Madras Presidency fitted to fill the office so that they might be considered, together with their own men, when they were selecting an incumbent. As it happened the Madras Government selected the very best man available, the very man the Government of India would have sent them if they had simply asked for an officer to fill the appointment, but this fortunate ending of the case should not, in my opinion, have been left so much to chance.

It is often suggested that in the case of special departments the Local Government should have power to appoint an officer to a vacancy from its own list when it has an officer considered fit to fill it, and still be allowed to come up to the Government of India to supply its needs when it has not. The objection to this is that the Government of India cannot be expected to train officers for special departments if there is to be no certainty of their ever being wanted, and officers cannot be expected to undergo training for a particular line, and to give up their prospects in other directions, merely on the off-chance of a Local Government wanting a stop-gap. Let us suppose, for instance, that an officer is anxious to enter the Chemical Department and undergoes the necessary training for a year in India, and also passes the examination of the Chemical Institute while on leave in England, thus qualifying for such employment. He naturally looks on being appointed in his turn as a vacancy occurs, but under this proposal might see another officer, junior to himself, with inferior qualifications, and who has perhaps refused to undergo any special training, appointed by the Local Government to fill the vacancy. It is not likely that we shall find qualified officers willing to be candidates for special departments on such terms. If a Local Government has on its list an officer who is a candidate for a special department and is well qualified for it, every endeavour would always be made to appoint him in the province of his choice, but in the case of such small departments as the Chemical Department this may be often difficult, and officers belonging to such departments must be prepared to serve on occasion in any province where their special knowledge is required.

There are three appointments which are filled by the Government of India without necessarily any reference to the wishes of the Local Government under whom the incumbents of the appointments serve, viz., the two Civil Surgeons of Simla and the Superintendent of the Presidency General Hospital at Calcutta. This small amount of direct patronage is of long standing, and can be justified by the fact that the Supreme Government has its seat in Calcutta and Simla and has

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contributed largely to the needs of the medical institutions at both places. It is also beneficial to the Service, because it enables the Government of India to sometimes reward an officer of conspicuous talent or merit, for whom there may be no sufficient opening in his local sphere, in a way which is very much appreciated. The Simla appointments are also justified by the fact that some Local Governments have fewer hill stations at their disposal, for the benefit of the officers serving under them, than others, and that the Punjab is particularly well off in this respect even after the Simla appointments are taken from it.

When an officer at the disposal of a Local Government applies for leave, the application has to be countersigned by the Director-General, Indian Medical Service, and this procedure has often been the subject of discussion. There seems to be an impression that the Director-General dictates to the Local Governments in the matter of granting leave, and this is resented. This, however, is an error, as there is nothing in the rules which prevents a Local Government withholding or giving leave whether the Director-General, Indian Medical Service, countersigns the application or not. The object of the procedure in such cases is to give the Director-General an opportunity of warning a Local Government against giving leave too freely at times when there is a great demand for officers in other directions, and particularly when it is known to him that Medical Officers are likely to be required for war service in the near future. In practice the application is countersigned in ordinary times almost without exception, but in many cases the Local Government is informed that it has only been so on the understanding that no demand will be made for a substitute, the Director-General, Indian Medical Service, being aware that the Government of India for some reason is not able to supply one at the moment. This is of course an indirect check upon Local Governments, and prevents them in many cases giving leave in excess of their 20 per cent. of strength. I can only remember one case in the last three years in which the Director-General, Indian Medical Service, has refused to countersign an application for leave. In this case the Local Government had just before asked for eight extra officers to meet its requirements in combating plague. The Principal Medical Officer, His Majesty's Forces in India, had been pressed to give up officers for this purpose, and it seemed unreasonable that the Inspector-General of Civil Hospitals should almost at the same moment be proposing to give leave to an officer, in whose case there was no particular urgency, and when the full permissible number of officers was already absent from duty. The functions of the Director-General, Indian Medical Service, in this matter are purely advisory and often salutary.

The selection of the Administrative Medical Officers who advise the Local Governments and direct their medical affairs (Surgeon-General in the case of Bombay and Madras; Inspector-General of Civil Hospitals in the other provinces) is a matter which presents difficulties and sometimes causes friction. Promotion of Indian Medical Service officers to the administrative grade is made by the Government of India in the Department of Military Supply, in consultation with the Home Department so far as officers in civil employment are concerned, and with the advice of the Director-General, Indian Medical Service, the list of officers so promoted or declared eligible for promotion, is a small one, and it is from this list that the administrative officer of a province has to be chosen. The fact that the field of selection is limited must sometimes clash with the natural desire of a Local Government to have as its adviser some particular man with whom they are acquainted, and who has a knowledge of what are believed to be the needs of the province. By skilful management and some small amount of manipulation of the order of promotion the desires of Local Governments can often be met, but there must be a limit to such arrangement if the claims of individual officers to promotion in due course are not to be flagrantly disregarded. It is admitted also that in some cases the provinces have benefited by the introduction of an Administrative Officer whose experience had been gained in another sphere. It may be noted that at the present moment the whole of the civil Administrative Medical Officers are men whose appointment was freely accepted, and in many cases desired, by the

Local Governments concerned. In making promotions to Administrative ranks much attention is paid to the confidential reports received from Local Governments on the officers serving under them, but it is to be regretted that these reports are often very meagre and colourless, and one Local Government in particular contents itself with saying every year that it has no remarks to offer.

The Director-General, Indian Medical Service, is not an inspecting officer in the proper sense of that term so far as Civil Departments are concerned, and he only visits civil institutions with a view to informing himself about them, so that he may be in a position to better advise the Government of India in cases where these institutions are concerned. He only advises when he is asked to do so, but from his knowledge of all provinces he is often able to indicate possible improvements and to suggest a reference to another province where a better system is to be found. That his advice is sometimes acceptable to Local Governments is shown by the following instances in my own case.

In 1904 the Bombay Government obtained permission to place me on a Committee to consider the improvement of the Grant Medical College. In 1906 the Bengal Government asked me to attend at a conference on the subject of the Lunatic Asylum at Ranchi. In 1907 I was attached by the Government of the United Provinces to a Committee which was considering the plans of a new Medical College at Lucknow. Great care is exercised not to undermine in any way the authority of Local Governments over their own medical advisers, and I know of no instance in which offence has been given to a Local Government in this matter, except in the case of the Madras Government which is peculiarly sensitive on the point.

I am in agreement with the views of the Lieutenant-Governor of Bengal on the advantage to the local Administrative Medical Officer of free access to the Local Government. In the Punjab the Inspector-General of Civil Hospitals is expected to visit the Lieutenant-Governor regularly once a week at an appointed hour, and I have personal experience of the advantages of this custom. It not only enables the Inspector-General of Civil Hospitals to ascertain how far his plans and ideas are likely to be acceptable to the Government and feasible, but compels him to frame plans and to think out ideas in a way which he is otherwise very apt to neglect to do.

43087. Your functions cover not only the Military but the Civil Departments?—They are mainly civil.

43088. To what extent are you responsible for military matters?—I am responsible for the promotion of the officers in the Indian Medical Service. I am not at all responsible for the administration of military hospitals.

43089. You tell us that the Indian Medical Service is a military Service, but for its administration you are not responsible?—I am only responsible for the promotion of officers and general rules and general questions affecting the service—their pay, and that sort of thing.

43090. Does the arrangement of a single Service for civil and military duties work well administratively?—It is administered on the military side by another officer.

43091. On the civil side by you?—Only in a general way.

43092. Except for the purposes of promotion, do you interfere in any way?—No, not at all.

43093. Having no administrative responsibilities either on the military or the civil side, what are your principal duties?—Advising the Government of India in all departments upon any matter that has any sort of connection with Medicine or the Medical Department; anything which affects the Medical Service, or anything upon which they think my advice will be useful.

43094. Do you advise with regard to lunatic asylums?—Yes.

43095. Or with regard to bacteriological research?—The Sanitary Commissioner is now their primary adviser upon that; they may ask my advice, and do so occasionally.

43096. What other points?—They take my advice about pay and allowances for Medical Officers or

medical subordinates, building hospitals, and expenditure in the Medical Department which has to come to the Government of India.

43097. Do you look upon yourself principally, then, as the Director of this Medical Service and not as an expert adviser to the Government of India?—I am Director of the Indian Medical Service, certainly, but I am also the adviser of the Government of India in all medical matters. I administer the Medical Stores Department directly, and I have some little administration over military students in the colleges and medical schools; that is the only direct administration that I have; the X-rays Institute is also directly under me. For the rest, I am an adviser of the Government of India in all matters affecting the Service or in any medical matter which the Government of India think they want advice about.

43098. You tell us that the services of a number of Assistant Surgeons are lent to Municipal and Local Boards; have you any control over them during the period that they are so lent?—No; the Local Government is entirely responsible.

43099. Then with regard to these independent Civil Surgeons, are they under your control in any way?—A certain number of the Civil Surgeoncies in a province are given to Assistant Surgeons, not to officers in the Indian Medical Service at all, but to Assistant Surgeons, who are either natives or local Europeans.

43100. They are either Civil Assistant Surgeons or Civil Hospital Assistants?—Civil Hospital Assistants are not made Civil Surgeons; there are a certain number of appointments reserved for the Civil Assistant Surgeons.

43101. Have you any relations with the provincial Governments in respect to these people?—Practically none.

43102. Is there any caveat when you say "practically"?—I examine them, that is all; I do sometimes help them to go from one province to another.

43103. We had some evidence in Madras to the effect that the Surgeon-General there was practically excluded from selection to the Director-Generalship; is that so?—Yes; because he is on the Madras list.

43104. Are there separate Madras and Bombay lists?—Yes; it is an old separation, but the remnant of it still remains. The Director-General used to be the Surgeon-General in Bengal; he is now called the Director-General.

43105. Is the Director-General chosen from the Chief Medical Officer in one of the other Governments?—Not necessarily; they may go down below them.

43106. Upon the selected list?—Yes; he generally is on that list.

43107. Is there any proposal to abolish this distinction?—It will abolish itself when all the old Madras list men have died out.

43108. You are responsible for the Service being maintained at the sanctioned strength. Do the Local Governments make representations to you as to their own requirements?—No; because we do not recruit for civil duties; it is recruited merely as a military Service.

43109. Are you responsible for the selection of officers in the administrative grades?—I advise the Military Supply Department who appoints them.

43110. Have the officers been all their time in the employ of the provincial Government?—Nobody is over all his time; he may have been for some years; the Military Supply Department has to promote him.

43111. Is that merely a formal Gazette notice, or is it a real selection?—A real selection, certainly.

43112. Do you consult the Home Department?—I consult the Home Department if he is in civil employ, and they consult the Local Government.

43113. As a matter of course, do they consult the provincial Government?—No; I think only when there is some doubt; if the Local Government has expressed favourable views, and consider that the men ought to be promoted, there is no necessity to consult them; but if the man is going to be objected to, they are always consulted.

43114. When an officer is promoted to the administrative list, does he withdraw from promotion in the

province in which he has been serving?—He is selected and remains where he is; when he is promoted he may go anywhere.

43115. And does, as a matter of fact, go in that way?—He very often goes somewhere else; say a man has served in Madras, when he is promoted he may become an Administrative Medical Officer and go to Rawalpindi or anywhere. He may revert to military, or he may get a civil appointment.

43116. Is the provincial Government hampered in its senior civil appointments by the fact that the selection to the administrative list is in the hands of the Military Supply Department?—I do not think that they are, practically, because we take care that they should not be. They are so far hampered that the Madras Government cannot take any man who is in Madras; it must be a man who is senior in the Service and has been selected for promotion to the higher grade.

43117. But subject to that it can choose?—It can always ask; it makes the proposal.

43118. Are those proposals generally accepted?—Almost always; I only know one instance where a proposal was not accepted.

43119. Are officers often rejected for the administrative list?—Very frequently.

43120. What happens to them?—They retire when they are 55.

43121. At what sort of age are they generally selected or rejected?—Very nearly 55; many have to retire at 55 before they go up for promotion at all.

43122. Has it ever been suggested to you by the provincial Governments that there are men in their employ with whose services they would administratively like to dispense?—Yes, certainly.

43123. Do you manage to get rid of them before they reach the age of 55?—Sometimes they are made to retire; that is very seldom done; there are regular rules about it; what the Local Government generally does when they do not like a man is to suggest that he should be sent back to military employment. That is an easy way from their point of view of getting rid of a man. The Military Department naturally says: "We do not want this man; you have had him for twenty years, and now he has deteriorated, we do not want him."

43124. Then what happens?—The Provincial Government has to keep him until he has earned a pension.

43125. Would it be desirable to retire such a man?—It might be unfair in many cases.

43126. Would it be desirable from the point of view of the Service?—From the point of view of the Service it would be very detrimental, because we should all feel that the man had been treated unjustly.

43127. Why?—A man has done good service for twenty years; then he begins to get somewhat stupid; it is only fair to let him go on till he can get a pension.

43128. That is your view of the case?—It would be the view of the whole Service, I am sure.

43129. You would disregard the necessities of the Service?—There has never been a case where there was urgent necessity for getting rid of a man; if there were such a case there is no doubt we should get rid of him at once.

43130. Have you in practice been able to get rid of a man at once?—The other day a Local Government came up and said they wanted to get rid of a man; we did not want to give any leave in that province because they had already more than their number of officers on leave. We said: "All right, you can give him leave on the understanding that he will retire at the end of it." It was done the very next day.

43131. How long was the leave for?—Perhaps six months. That probably enabled him to qualify for his pension; it was some sort of moral delinquency that was alleged against him.

43132. You say you assist the Home Department in regard to the members of the provincial establishments of Civil Assistant Surgeons and Hospital Assistants; what does the Director-General know about them?—

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Questions about their pay and pension are settled by the Government of India and the Secretary of State.

43133. You are talking of the provincial establishment?—Yes. The rate at which they are promoted and their pay and pensions are certainly settled by the Government of India, and, I think, by the Secretary of State.

43134. If they are settled by the Government of India and the Secretary of State, why should they be referred to the Director-General?—Because the Local Government may come up (as it has come up only the other day) and say: "These men are not getting enough pay; we cannot get Hospital Assistants unless we pay them more"; that is referred to me, and I advise the Home Department.

43135. What you mean is that you advise not on small cases but on general principles?—On general principles, certainly, sometimes on small cases in the matter of allowances.

43136. You say that you also assist "with reference to questions relating to the organisation, maintenance or control of medical institutions belonging to Local Governments and Administrations." Are these questions referred to you?—If the Local Government has to go to the Government of India the questions are referred to me.

43137. Do these references often occur?—Any large expenditure on a medical college or hospital, or a lunatic asylum, would be always referred to me.

43138. As to whether the structure and so forth is suitable for medical purposes?—Quite so, and whether the expenditure is justified.

43139. When you go on tour do you tell the Local Governments that you are coming?—No.

43140. Having noticed certain failings in these medical institutions, how do you draw attention to them?—I do not necessarily draw attention to them. I am not allowed to make any remark. I can make a remark to the Government of India, but, for instance, if I go into a hospital I may not write in their book.

43141. You may not correspond with the provincial Government?—I have never corresponded with a provincial Government; I understand that they do not like it; unless they write to me I do not write to them.

43142. When you draw the attention of the Government of India to any matter, do they correspond with the Local Government?—They may or may not; it very rarely occurs, but it might be that I saw something that I thought ought to be altered; in that case I should report the matter to the Home Department; whether they took action or not would depend upon them.

43143. It would pass then beyond your province?—Yes; practically I might say something privately to the local Administrative Medical Officer.

43144. Or you would probably write to him?—Certainly; but as a rule I speak to him at the time.

43145. Why are you consulted as to the personnel?—That is the only thing I am responsible for as regards the civil line. I give advice about everything, but I am mainly responsible for the personnel, that is to say that the proper man gets promoted, and that the rules applying to individuals are carried out. That is really my chief function.

43146. There are a great number of references made to the Government of India about giving special allowances: could a great many of those rules be relaxed from your point of view?—No, I think not, because in all these Medical Services it is important that all officers should get allowances on the same principles. Local conditions have to be considered, but I think it is very important that all the officers should be treated, as it were, on the same principle, and feel that they are being treated on the same principle.

43147. Could that not be laid down generally?—There are general rules to a certain extent.

43148. Could not the Local Government be trusted to use with integrity these general rules?—That may be somewhat a matter of opinion. For instance, the other day in Burma they proposed to give a Hospital

Assistant some allowance for teaching the police first aid to the wounded; the local Administrative Medical Officer considered that it was no part of the Hospital Assistant's duty, and that therefore he ought to have an allowance for it. Everywhere else in India it has always been considered that it is his duty, if he is attached to the police, to give them that sort of instruction. That is a trifling matter, but if you relax provisions in one province you would have all the Hospital Assistants in the other provinces howling. They have a common organization for the whole of India so that they know everything that goes on.

43149. You say that while references are made to you about promotion, pay, pension, conduct and so forth of the Civil Surgeons; on the other hand, the promotion of Civil Assistant Surgeons is entirely in the hands of the Local Government concerned?—Yes, that is under definite rules; promotion is entirely in their hands, but it is governed by certain rules. Reference is made to the Government of India only when they want a change of rules.

43150. Does the system by which the Government of India selects officers who are placed at the disposal of the provincial Governments work well?—It works very well.

43151. Do you have complaints about it from the provincial Governments about the quality of the officers they get?—Very rarely.

43152. Or as to their fitness to undertake the duties?—You are speaking now of Civil Surgeons; very seldom we have complaints; of course there may be cases where a man does not commend himself to the Local Government as a suitable man.

43153. You have two branches of the Indian Medical Service, one civil and the other military; does the system work equally well in both branches?—I only select men from the military and put them into civil employment.

43154. As a rule, do they say that the officer you send is the class of man they want?—There are very rarely complaints; I have occasionally had a complaint.

43155. When a complaint reaches you what action can you take?—It depends how it reaches me; if they come up to the Government of India and say, "This man is absolutely unsuitable," it would have to be considered.

43156. You mean a private communication?—A private communication is generally made through the local Administrative Medical Officer.

43157. The Provincial Governments have no reason to complain in your judgment as to the working of the present system?—No; it is remarkably seldom that we do get complaints, when you consider that we have natives and other people in the Medical Service.

43158. You select and train men for the different departments?—Yes.

43159. Do you take them from the provincial Government?—No, from the military as a rule; I might take them from a provincial Government.

43160. Then with regard to the special appointments—appointments to professorial chairs—you say, "The Government of India must necessarily be open to the charge which has been levelled at it at different times from different quarters of making these important offices mere conveniences of its Medical Service"?—The charge is often made.

43161. Then it would appear that the Government of India are not always impeccable. Do you get complaints from the provincial Governments that they do not always get the best kind of men?—No, it is the other way; it is the Local Government that complains that we select men.

43162. And that having selected men you do not always give them the best men?—Never; they cannot say that we do not give them the best men.

43163. Then it is outside people who complain?—That is it.

43164. The Director-General has to sanction every application for leave?—He has to countersign it.

43165. You say that that is very often a pure formality?—I will not say that; I do not refuse to countersign unless I know that giving them up another officer is objectionable.

43166. Is there a reserve of officers at your disposal?—No.

43167. The reserve of 20 per cent. belongs entirely to the provincial Governments?—They have a certain proportion, of course.

43168. Each has a certain proportion of the 20 per cent.?—If it has got men on leave.

43169. You have no reserve staff at your disposal?—I have only those people in military employment; those are my reserves.

43170. Have you any reserve available out of them?—The Military Department can generally spare the men.

43171. Then you have a reserve at your disposal?—If the military people will give them up; they do so practically always—not always.

43172. Except in case of war, you have practically that reserve at your disposal?—Yes; there are not people sitting outside the door waiting doing nothing; they are not a reserve in that sense.

43173. You tell us that you only give advice when you are asked for it, but on the other hand you often indicate possible improvements; is that not rather a contradiction in terms?—I do not give advice to the Local Government. I give it to the particular Medical Officer unofficially as I go round his wards; I might see that he has a certain operating table or something of that kind, and I would say: "There is a very much better pattern that you could get;" he says: "Where can I see it," and I tell him.

43174. (Sir Steyning Edgerley.) You say: "The object of the Indian Medical Service is to provide a reserve of Commissioned Medical Officers competent to perform military duties in time of war;" is the reserve at all sufficient for that purpose?—Yes; We may not meet the numbers that the Principal Medical Officer thinks he would like to have; as a matter of fact, he wants more men than there are in the whole Service; I mean in any great emergency.

43175. You get a great many requests from the Local Government for more men; can you supply all the wants of the Local Governments for civil employ?—We supply all the wants they ought to have, I mean for their cadre appointments.

43176. But would they not be very glad to increase their cadre if permitted?—I am not at all sure about that.

43177. Assuming that they would?—Assuming that they would and the Secretary of State would agree, we could always increase the number; as a matter of fact, we are increasing it.

43178. It would make your reserve for war purposes much larger than it is at present?—It would increase the war reserve, certainly.

43179. You say you are responsible for the training of military officers at the medical colleges and schools, so that you are responsible for Military Assistant Surgeons at the Grant Medical College, and for the Military Hospital Assistants in Poona?—Yes.

43180. Have you ever had any sort of question whether you could not secure enough men with the M.B. degree as Military Assistant Surgeons?—There is no such thing; there is no possibility of it.

43181. You could not train them up to that standard?—Not in the time; the Military Department only allows them four years; it used to be three, now it is four.

43182. Would it be a good thing to allow them to be taught up to that standard?—You mean men with University degrees; no, they would be too big for their boots; their primary duty is a very subordinate one.

43183. You say that "it is in the power of Local Governments to employ as many Civil Assistant Surgeons and Hospital Assistants as they can find work for"; that is, of course, subject to financial restriction?—Yes; I do not know exactly what the restriction is.

43184. Do not Assistant Surgeons run up to Rs. 300 a month?—Yes, eventually.

43185. So that a Local Government cannot employ a new Assistant Surgeon without the sanction of the

Government of India?—If there is that financial rule of course they cannot; practically I am certain that they do determine the number.

43186. You say: "The promotion of Civil Assistant Surgeons and Hospital Assistants on the provincial lists depends on length of service, except in the higher grades, and is entirely in the hands of the Local Government concerned, though governed by rules which have been laid down by the Government of India and which are applicable to all provinces." Occasionally you get cases where an exception to the rule is necessary. Have the Local Governments any sort of discretion to make an exception?—Certainly they have discretion; I do not think anybody would interfere with them.

43187. The officers have to complete seven years' service and they have to pass the grade examination?—Yes.

43188. If either condition is not fulfilled, the Local Government would have to go up to the Government of India?—Yes, in the case of an Assistant Surgeon.

43189. Might that not be left to the Local Government without any particular danger?—Yes, I am not sure that it could not; if you promote a man too soon you make him more expensive.

43190. But is that too great a discretion to be entrusted to the Local Governments?—So far as I am concerned, I should have no objection to their being trusted with that discretion.

43191. As to Assistant Surgeons and Hospital Assistants, could not that also be left with the Local Government?—Possibly, yes.

43192. You say that the examinations for Hospital Assistants are entirely provincial; does that mean that the provincial Government can alter them as they like?—Yes, they are regulated entirely by provincial Governments.

43193. They are not confined in any way by the military requirements?—Not as regards Civil Hospital Assistants.

43194. Are Civil Hospital Assistants under the control of the military people at all?—No; we might ask for the loan of them.

43195. There is nothing of that kind which limits either their qualifications or their pay?—The military people have nothing to do with Civil Assistants. If we were very hard up we might ask Local Governments for assistance, but I do not remember such a thing; it is the other way, the Military Hospital Assistants are lent to the civil side.

43196. Do you think the present system of selection of Imperial officers for civil employ is satisfactory?—It seems to me to be the only one unless you go in for jobbery—the Surgeon-General or some one putting his friends in. All men coming into the Service are told beforehand that they will be eligible for civil employ; that is held out to them as a bait.

43197. They do not go into civil employ under five or six years?—They must be of two years' standing; we do not register their applications under two years.

43198. Within that time is it possible to form an opinion with regard to their merits?—Yes, some opinion, certainly.

43199. Do you register every application you receive?—Yes.

43200. Are you not rather apt to let the Local Governments get the best men?—They are all quite young men, and I do not see how the work could be done in any other way with justice to the Service and the men.

43201. Is not the whole of the younger reserve in the Military Department?—Yes, unless it may happen that some Local Government has more than its number; then some of the reserve is there.

43202. Could not some arrangement be made by which young officers could be lent to civil hospitals for a term?—They must do two years' military duty; that is considered essential by the military people.

43203. Must it of necessity be the first two years?—We do occasionally let a man go, but he is liable to be recalled; he must finish his two years, and it is much better that he should do it at first.

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43204. Taking a season when every one is worked hard, could they not be attached to a civil hospital?—That is a matter for purely local arrangement.

43205. But is it not impossible to get it done at present?—I do not see why it should be; the local civil people should ask the local military people; whether it is possible or not depends on the military.

43206. What proportion of men in civil employment must be surrendered for war service?—There is no fixed proportion; in a great emergency we should surrender the whole. The question is under discussion now.

43207. Is it from time to time laid down how many you want from one province and how many from another?—Yes, we have asked each province how many they are prepared to give up.

43208. Assuming the number is fixed, and each province knows what number it has to surrender, what further reason is there for central control? Why should they not have their own Medical Department?—They have their own Medical Department.

43209. Some of them do not think so?—I know that, but they all have more men than they ought to have.

43210. Is not every province rather short-handed?—No, every province has more men than it ought to have; a province may be short-handed from the fact that too many men are on leave, but that is their own look-out.

43211. But what would you say in the case of epidemics?—We have provided for every case of plague. For instance, Bombay has 14 men on leave, and they only ought to have 10; it is just because each province does not have separate departments that we are able to let them have a few men occasionally.

43212. With regard to Bombay, is not the local equipment quite easy?—The local equipment of Hospital Assistants, I daresay, may be. Bombay has just expressed its willingness to give us 25 assistants for other hospitals, and it is probably very well off.

43213. With regard to leave, that can be given whether you countersign or not?—Yes.

43214. If you refuse to countersign can the Local Government give leave?—Certainly, but they might have to recall a man the next day.

43215. Would that be in case of emergency?—Yes. No doubt if I did not countersign I should give the reason.

43216. But in spite of that they could give leave?—Certainly.

43217. Do you know if it has ever been done?—I cannot say.

43218. In that case, what is the actual value of the countersignature?—In the first place it tells me that they are going to give a man leave, and it is necessary that I should know how many men there are on leave. It also enables me to tell anyone that we are hard up owing to the requirements elsewhere and that we shall not be able to give them another officer, but that we might be able to do so in six months if they can get on with local arrangements.

43219. You say that you never send remarks to the Local Government as to the result of your tours, but do you not think they would be extremely glad to have them?—Some would not, I know.

43220. Do you think research work would be better performed locally than imperially?—No, I think it would be better to make it imperial.

43221. It is easier to record results?—Yes, because you would get two men doing the same thing, which would lead to squabbling.

43222. Would you be in favour of the centralization of research work?—Yes, certainly.

43223. You say great care is exercised not to undermine in any way the authority of Local Governments over their advisers, but are not the present arrangements with regard to fees charged to Native Chiefs and others calculated to undermine the authority of Local Governments?—Not at all; I think the situation has been entirely misunderstood, and there is an explanation going out from the Home Department which will put the matter right.

43224. Up to the year 1888 there was no rule on the subject at all?—Yes; I am not defending the rule as a rule. The general idea of having any restriction I have nothing to do with—it is an accomplished thing now, and we cannot get out of it.

43225. Do you see any reason why it could not be exercised perfectly well by the Medical Officer of the Local Government?—No; I was very nearly suggesting the other day that it should be left to him, but for the present at any rate, if he referred to me so that we might get a general idea of how it should be done, it would be better. As a matter of fact, if you did leave it to him he would probably write to me in a great many cases.

43226. As far as it goes, does it not take the control of the Medical Officers of the province away from the provincial Government?—But the Government of India has relinquished its control.

43227. But is that not so, as a matter of fact?—The wish of the Government of India is to put the determination of the professional value of the Service into the hands of its professional advisers and not control them, and the Government of India has left it entirely in the hands of the Director-General of the Indian Medical Service.

43228. Have the Local Governments been consulted?—The idea is that the Local Governments shall be consulted as to whether there is any general reason for not giving a fee, but not as to the amount.

43229. Before it was taken out of their hands altogether were they asked about it, or was the matter explained?—No, I think not; it was taken away because the whole principle of the thing was changed.

43230. Without consultation?—Yes, without consultation; perhaps it would have been better if there had been consultation, but I have nothing to do with that.

43231. (Mr. Meyer.) It is stated in a memorandum of the Government of Bombay that with regard to sanitation and so on the utility of the general expert, assuming him to exist, is not apparent, and that the Bombay Government is not aware of any special assistance received from Directors and Inspectors under this branch of general administration. Has not the Bombay Government consulted you as Director-General of the Medical Service in a variety of matters?—They consulted me in 1904. I was not actually Director-General at that moment, but I had been officiating for some time.

43232. Have you been consulted with regard to other matters?—Not that I remember.

43233. Then there is a statement that the Bombay Government are conscious of an attempt to undermine the authority of its own officers—do you plead guilty to that?—They have never complained, and so far as I know, that statement is without foundation.

43234. It is further said that medical administration is a matter actually and entirely for the control of the Local Government—do you agree with that?—I should say no, not as far as Service interests are concerned; apart from that they have absolute control.

43235. To take the question of plague, might plague become a matter that the Government of India should deal with as a political question?—Yes.

43236. So that there are matters in which the Government of India might, conceivably, expediently intervene in ordinary administration?—Yes.

43237. What is the relative proportion in number between the Indian Medical Service Officers in active military employ and the number lent to the civil branch?—It is about a third, I think, or perhaps more—about 40 per cent.

43238. Besides that, there are a few other officers in other departments?—Yes.

43239. Speaking generally, would you say that as regards the military and civil medical employ the proportion would be as one to two?—I should say there would be rather more than one-third in military employ.

43240. In the event of a big war, would you have to recall most of the men now in civil employ?—In a great emergency I think we could calculate on restoring 75 per cent. of them.

43241. Would that not very seriously dislocate the whole of the civil administration?—Certainly, but that would be only in very great emergency.

43242. Whether recruited in this country or in England, is it not an advantage that your Civil Medical Service should be a real Service, and that the military element should be only a portion of it which could be returned in the event of a war without dislocating the whole of the civil administration?—But you would still dislocate a portion of it. They are not all returned now; it is only in the case of a great emergency; and seeing that under your arrangement you would not have sufficient reserve, I have no doubt in a case of great emergency you would take the Uncovenanted Officers too. It would be the same thing in the end, but the Uncovenanted man would not be so useful as the Indian Medical Service Officers, nor would he be so useful to the civil people.

43243. Would you therefore prefer your present system under which a Military Department provides in normal times for the military work and the Civil Department?—Yes, we have tried the system of Uncovenanted Officers, but we have given it up. We used to have a large number of Uncovenanted Officers, but in 1888 we ceased to recruit them.

43244. Do you object to the suggestion that the reserve should be distributed amongst the Local Governments, and do you say it would be uneconomical because the provincial fractions would actually work up to more than the imperial whole?—Yes.

43245. Would it not be rather an advantage to increase your numbers somewhat?—But we could increase them at once if the Financial Department or the Secretary of State would let us. I do not think it is necessary.

43246. Would it not give the Local Government more freedom?—Freedom for what? They would only have men they did not want, and nothing causes more discontent in the Service than men hanging about doing nothing with no appointment and on unemployed pay.

43247. Would they be doing nothing?—Certain of them; they would be getting unemployed pay—that is the point.

43248. You also attach great importance to your selecting the officer who has to serve on civil duty in a particular province?—I only attach importance to it in the way that we do it fairly.

43249. What do you mean by your remarks with regard to the eligibility of an officer for civil employment?—That is to give a man who passes highest in London something of an advantage.

43250. Then if you go by the list and a man is wanted in Bombay, do you take a man who has put Bombay down in the examination list?—Yes.

43251. So that you do not go strictly by seniority or priority of application?—Yes, we do, because a man applies for a particular province, and we go strictly according to the seniority of the applicant for a particular province. I meant as regards that particular list, not in any other way.

43252. You have a few officers serving in the Political Department and a few in the Finance Department; do you select them?—I select the man who goes home to be trained; not that there is much selection, because few people ever apply.

43253. You merely select a possible candidate, but the final selection rests with the Finance Department?—Yes.

43254. Similarly with regard to the Political employees, you would say that the particular gentlemen who applied were, in your opinion, qualified for employment as doctors in Native States, but the actual selection rests with the Political Department?—Yes, they undoubtedly exercise more selection than a Local Government does.

43255. Why should not the provincial Governments select from the candidates, subject to your certificate that they were fit for employment in the Civil Department; do you see any grave objection to that?—No, except that it might be unfair very often. Every man before he comes into the Service, has it held out to him that he can go into civil employment, and it is only fair that a man should have an opportunity in

his turn unless he is obviously unfit; and if you let the Local Government reject Hindus, and so on, you will not increase the popularity of the Service—the thing is looked at very closely as it is. I think it is done with absolute fairness by us, because it is a matter which does not affect us in any way at all.

43256. With regard to reversion to military employ, might not a man who is found unfit for civil employ for some reason be reverted to military employ within a specific period?—There is no specific period; he may be reverted if the Commander-in-Chief will accept him.

43257. In the case of an ordinary military officer lent to some other department, can he be sent back within a period of from three to five years?—There is no term with us in the case of an officer of the Indian Medical Service.

43258. Might it not be advisable to have a term within which a man can be sent back without question?—East Indians and Eurasians would then always be in military employ, as it takes them more than two years to be accepted, however good they may be.

43259. Taking the case of a European officer, might it not be to the advantage of the Service if the Local Government could send him back?—I do not think so without giving reasons; it would be a sort of slur on the man which would never be explained. It would be put on record that such and such a Government had sent him back as unfit, and he would never have a chance of defending or explaining himself.

43260. There is nothing to prevent the Local Government sending in a statement of the case?—No, they have to send in a statement of the case if they want to get rid of the man.

43261. Then at present the Local Government has not the selection of the man and cannot get rid of him; they have to put up with a man whom an outside authority selects?—They have; but do you find a great many of them say they have a lot of men they want to get rid of? Not one of us is recruited for civil service to begin with, so I do not see how a Civil Government can expect to select the men.

43262. Does that not bring us back to the inconvenience of having a Civil Department recruited by military officers?—I do not know what the inconvenience is except that of having to give them up in time of war; I know of no other.

43263. You said that it was very important that Civil Hospital Assistants and Assistant Surgeons should be on uniform rates of pay?—I mean on a uniform principle.

43264. Because they are in constant communication with each other, and what was done in one province might be pressed upon another. On the other hand, does not that constant communication possibly arise from the fact that uniform rates of pay have been prescribed?—At the present moment there happens to be some discontent.

43265. A Local Government at present can appoint an officer up to Rs. 250?—Yes.

43266. Ordinarily it cannot introduce a new pay for Hospital Assistants who may be receiving much below Rs. 250, without the sanction of the Government of India?—Yes.

43267. Supposing that a Local Government could pay its Hospital Assistants as it thought fit, would the interests of the men not be split up?—Not in the least; as soon as Bengal raised the pay of Hospital Assistants, the other provinces would raise it too.

43268. So that one province could practically force another?—Yes, certainly.

43269. As regards special appointments, such as Chemical Examiners and so on, do you think it necessary that the Government of India should have a say?—I think so; it is very difficult to get such men, and if it is to be done it should be done by the Imperial Government.

43270. Is there not another possible alternative, that they should be removed from the field of the Indian Medical Service; does the Indian Medical Service necessarily produce highly trained specialists of this sort?—It certainly has succeeded in producing the best.

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43271. Would you not get such good men outside the Indian Medical Service?—You would have to pay them more; I do not say you could not get them.

43272. And if there is specialization, you think it should be carried out under the auspices of the Government?—A man must be a medical man; if he were a pure chemist you would not have so much difficulty in recruiting him from outside, but it is better that you should take an officer of the Indian Medical Service and train him.

43273. In Madras and Bombay the Government can select their own Inspectors-General of Jails; is that the case in other provinces?—Yes; they would probably ask us, for instance, in Assam, for someone, but they can appoint their own men.

43274. In such a case as the Jail Department, besides a knowledge of jail work is there not another qualification necessary, namely, a knowledge of the personnel? Is the best man who is available as a Jail Officer necessarily the best man for the Headship of a provincial Department of which he does not know anything?—I think so, if he knows about jails, which is the primary thing.

43275. And he will acquire a knowledge of his personnel and the administrative conditions subsequently?—Yes.

43276. Would you apply that in the case of the Inspector-General of Civil Hospitals?—Yes, generally speaking; I admit it is more difficult in his case.

43277. The question has been raised as to whether the provincial Sanitary Commissioners should be independent as they are now, or under the Inspector-General of Civil Hospitals or the Surgeon-General; are you prepared to give any opinion upon that?—My opinion is very strongly that they should be independent. I have seen the other system fail.

43278. You say that the Medical Officers in Madras and Bombay are excluded from the Director-Generalship and will be for a long time; the Director-General is Head of all the Medical Officers in India?—Yes, in a sort of way.

43279. He is the Director of the whole Service?—Yes, and he has a good deal to do with promotions. The Madras man thinks that the Surgeon-General of Madras is just as good as the Surgeon-General of Bengal, and he is just as proud of himself as I am of myself and a bit more; it is no cause of soreness.

43280. As regards the fees question, is that not really a matter with which the Local Government should deal administratively?—I think the Local Government should have nothing to do with the settling of fees, which are a purely private and professional matter.

43281. Is there not a danger that the Medical Officer may charge what the Government regards as exorbitant fees?—Yes.

43282. The ground for interference being that he is an officer of the Government and might not have been called in to a case unless he had been, is it not rather an administrative question as to whether or not a particular man may have abused his position as an officer of the Government?—But who is to settle what is abuse?

43283. Each Local Government would have its principal Medical Officer to advise it.—But the objection to that course is, or was, that that necessitated the whole question of what was the matter with the patient and so on going through the Secretariat. To avoid that now, the Government of India have left it entirely in the hands of its medical adviser.

43284. The medical adviser has the final say in the matter?—Yes, but it is recognised, of course, that there may be some political or general reason for not letting the Medical Officer have a free hand; therefore a medical adviser, having settled what the proper professional fee is, will have to ask the Local Government whether there is any objection to it.

43285. You say that for his attendance in such and such a case he should receive a certain amount; but suppose you find in an exactly similar case he has taken double that amount, would you consider that to be an administrative matter or a professional matter?

—It would be a professional matter. In the first instance, he would be told not to take the larger amount.

43286. (Mr. Hitchens.) With regard to the question of uniformity of pay, is the Indian Medical Service recruited by the Secretary of State, the men being liable to be transferred from one province to another, and, generally speaking, forming one Service?—Yes.

43287. And for that reason it is desirable that there should be a uniform scale of pay laid down?—Yes.

43288. Does the same thing apply to Assistant Surgeons and Hospital Assistants; do they form one Service in the same sense?—No.

43289. Are they in practice transferred from one province to another?—Very little; in fact, never. I do not know the reason, but they are certainly not transferred.

43290. Therefore the same conditions do not apply in their case?—No.

43291. Is it equally necessary to have uniformity in that case?—No, I will not say it is equally necessary, but it is desirable. If you pay more in one province you would have trouble in a neighbouring province.

43292. I suppose there is no reason why the conditions in Baluchistan and Burma, say, should be similar?—No, and the pay is not either.

43293. Is the difference based on local conditions?—I suppose so.

43294. It depends on the cost of living and a variety of other matters?—Yes, and on the possibility, or impossibility, of getting men to go.

43295. Is the alteration and increase of pay in certain parts of India owing to the difficulty of getting men to go there in consequence of the extra cost of living?—Yes.

43296. Therefore your aim is to get a uniform class of men throughout India for Civil Assistant Surgeons and Hospital Assistants?—I suppose it is so; with all doctors you would like them to be pretty much the same.

43297. Supposing one Local Government thought it had a certain amount of extra money at its disposal under the provincial settlement and it attached importance to medical work, is there any particular reason why they should not get a better class of man?—No, none at all.

43298. Why should they not therefore, without consulting any other province, say, we want a higher class of man, and we will offer higher pay?—That is not the way to get a higher class man.

43299. But if you got a higher class man you would have to pay him more?—Yes.

43300. To do that, would you not admit of a certain amount of elasticity on the part of a Local Government if it chose to alter the status and qualifications of its officers; would it not enable them to develop more on their own lines?—I do not feel that at all. A Hospital Assistant is a man trained in a certain way for a certain work, and merely offering him more pay would not make him different.

43301. I suppose in the long run, if you improved the pay, you would improve the status?—No, you would not improve the quality of the men at all; it depends on the schools they go through.

43302. Is it your view that it is desirable to maintain the present uniformity in regard to the quality of officers as between one province and another?—Yes, on the whole it is very desirable to keep the pay the same, allowing, of course, for local conditions.

43303. (Mr. Dutt.) If you had a certain amount of difference in various parts of India, might not one province learn from another, and experiments tried in one province be of advantage in another?—I am sure if you raised the pay in one province you would have to raise it in the others.

43304. Do Civil Assistant Surgeons and Hospital Assistants belong entirely to one province, being recruited in that province and not liable to be transferred outside it?—I do not think they are ever liable.

43305. They are always recruited by the Local Government?—Yes.

43306. Are Military Assistant Surgeons recruited by examination; is there an annual competition open to all, or only to nominated candidates?—It is open to all Europeans or Eurasians of a certain age.

43307. Who have certain educational qualifications?—Not necessarily.

43308. Are the men employed mostly on military duties?—Their primary duties are military, but sometimes they are lent for civil work.

43309. How are Military Hospital Assistants recruited?—In the same way.

43310. Is that done by the Government of India or by the provincial Governments?—It is done under my orders by the local schools. Say the Agra School has so many vacancies, it refers to me as to how many they are to take in, and it admits them by examination.

43311. But the actual work of recruitment is done from your office?—Yes.

43312. You say that if a provincial Government wanted to send back a Civil Surgeon to military duty it would have to get the consent of the Government of India?—Of the Commander-in-Chief.

43313. In some cases are such requests refused?—Certainly.

43314. Supposing a Civil Surgeon failed to give satisfaction and was considered unfit for promotion, what would be your opinion as to his compulsory retirement on a proportionate pension?—That might be done; it depends on the case entirely.

43315. Supposing neither the civil authorities nor the military authorities wanted him, would you be in favour of retiring him on such pension as he has earned by his term of service?—Certainly; that is what we do as a rule.

43316. But if he has not completed a sufficient term for earning a superannuation pension, and he is not medically unfit, you cannot retire him?—It can be done, certainly.

43317. But not under the rules of pension?—Not necessarily on pension.

43318. Would you be in favour of retiring him compulsorily on a proportionate allowance if he had not served the necessary term?—It would depend on the particular case.

Mr. C. J. STEVENSON-MOORE was called and examined.

43329. You are Officiating Director of Criminal Intelligence?—Yes, I am a Civil Servant, and I was previously Inspector-General of Police in Bengal for about three years.

In 1904 the Secretary of State's sanction was obtained to the abolition of the Department for the Suppression of Thagi and Dakaiti, some of the functions of which had grown obsolete, and to the establishment of a Central Criminal Intelligence Department in its stead. The whole question was carefully gone into by the Indian Police Commission which, as a result, recommended the formation of provincial Criminal Investigation Departments and a central department on similar lines for the whole of India. Accepting generally their recommendations, the Government of India submitted the following proposals to the Secretary of State:—

- (1) That there should be constituted in each province a Criminal Investigation Department for the purpose of collating and circulating information regarding organized crime and of assisting the district police in the investigation of crimes which are of such a special character as to render assistance necessary.
- (2) That in all the larger provinces the Head of this Department should be an officer of the rank of Deputy Inspector-General, who should also have the administrative charge of the railway police of the province.
- (3) That he should have a personal assistant of the rank of District Superintendent, and that the work now done by the provincial Special Branch should be transferred to the

43319. Has the creation of the new appointment of Sanitary Commissioner lightened your work to some extent?—Certainly.

43320. Is there sufficient work for the Head of the Sanitary Department to occupy the whole of his time?—Yes, and more than enough.

43321. Is he practically the adviser on sanitary matters to all the provincial Governments?—Yes, he is an adviser of the Government of India, and he goes on tour and advises Local Governments.

43322. Were you in charge of this office before the separation took place?—Yes, for a time.

43323. Therefore can you say, from experience, that a great deal of work has been taken off your hands since the creation of the appointment?—Yes, a great deal; and a great deal, which was previously neglected because we had not time to do it, is now being done by the Sanitary Commissioner.

43324. (Sir Frederic Lely.) You say that the system of management of rural hospitals and dispensaries differs in Bombay from the rest of India?—Yes; it is not so much under the Civil Surgeon.

43325. What is your view as to the system under which medical relief should be applied and the management and supervision of rural hospitals and dispensaries; would you place the whole of the medical staff under the complete control of the Surgeon-General, as I understand is the case in Bombay, or would you give the District Board any voice in the matter of promotion, discipline or appointments and inspection generally?—The Civil Surgeon of the district certainly ought to have some control over the local hospitals.

43326. But would you give the District Board power to appoint the doctor, for instance?—I am afraid I do not know enough about it to form an opinion.

43327. In some parts of India, the District Board has full control of the hospitals; they appoint the doctors, they can dismiss them, and the Collector is the only person who has any general control, the management being in the hands of the District Board?—I do not think a District Board can dismiss Medical Officers.

43328. You do not think they should, at any rate?—I do not think they can either, but those are matters as to which I am not prepared to offer any opinion.

(The witness withdrew.)

Criminal Investigation Department, which should also administer the provincial Finger Print Bureau.

- (4) That there should be a central Criminal Intelligence Department for the whole of India, presided over by an officer of the standing and experience of an Inspector-General of Police.
- (5) That the functions of this Central Department should be to collect and communicate information obtained from the provincial Criminal Investigation Departments or otherwise. They should include—
 - (a) Dealing with special forms of crime, some of which have been rendered more difficult of suppression by the recent extensions of railways and the increased use of the post office and telegraph by natives. Under this head the department would organize and supervise operations directed against criminal tribes, organized dakaitis working over large areas, wandering gangs of criminals, note forgers, coiners, professional poisoners, &c.
 - (b) Collecting and testing intelligence upon political matters, including social, religious, and political movements not necessarily of a criminal character
- (6) That its intervention in the investigation of offences should ordinarily be confined to such special and technical crimes as currency note forgeries, but that it should also assist local authorities by obtaining for them the

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services of officers acquainted with the personnel or methods of criminals who come from outside the province.

- (7) That the Central Department should be brought into connection with the police of Native States for the purpose of obtaining full information regarding the commission of organized crimes in their territories.
- (8) That the Central Department should arrange for the compilation of manuals of information regarding criminal tribes in regard to whom the existing sources of intelligence are admittedly defective.
- (9) That the Central Department should maintain a Central Finger Print Bureau, to which the provincial Finger Print Bureaux would send finger impressions of all convicts who were foreigners to the province or whose criminal operations were known to extend beyond the province to which they belong.

This scheme was accepted in substance by Local Governments and Administrations, received the sanction of the Secretary of State, and is the basis on which the work of the department is now being conducted. The Secretary of State also agreed to the proposal that the Director, Criminal Intelligence, should be referred to by the Home Department as an expert adviser in connection with the police re-organization schemes which emanated from the Police Commission's recommendations.

For the Criminal Intelligence Department the following superior staff has been sanctioned :—

- (1) Director of Criminal Intelligence on a salary of Rs. 3,000 per mensem.
- (2) Deputy Director of Criminal Intelligence on Rs. 1,500–2,000 per mensem.
- (3) Personal Assistant to the Director on a salary of Rs. 1,300 per mensem.
- (4) Assistant Director on a salary of Rs. 800 to Rs. 1,200 per mensem.

The Director, Criminal Intelligence, has no direct concern with the administration of the provincial police forces, which are in entire charge of the provincial Inspectors-General under the Local Governments. As regards crime, his functions are restricted to collecting and communicating information, to supervising and organizing operations directed against certain specified classes of criminals and to intervening in the investigation of certain special and technical offences such as note-forgery. These functions are exercised very sparingly. He does not interfere at all unless an important gang of criminals has been operating in many parts of India, and intervention is necessary in order to secure a complete history of their antecedents and the crimes for which they are responsible. His action is ordinarily confined to furnishing advice and information and procuring the services of police officers belonging to other provinces whose special knowledge can be advantageously utilised. He is not concerned with the detection of isolated crimes, but with tracing out extensive criminal operations, and where these are spread over several provinces it is impossible to secure systematic action without a measure of central supervision over the provincial Criminal Investigation Departments. Every year forms of crime more widespread in their effects, more scientifically conceived and more cleverly executed come to notice. Every year India seems to attract a large number of dangerous criminals from over the seas, whose operations extend over the whole Peninsula, who are often not reported to us from the ports where they embark, and who by change of name and other devices succeed in evading surveillance for some months. It is generally recognized that such conditions as these cannot be successfully combated without the aid of a central authority.

The investigations which have been initiated or taken charge of by the Director, Criminal Intelligence, are very few. He has taken up enquiries into counterfeit coining, forgery of currency notes, and, with the full approval of the Local Government mainly concerned, with the operations of a suspicious foreign gang. A provincial Criminal Investigation Department has recently suggested the necessity for a similar investigation into certain widespread smuggling operations, the centres of which appear to exist in Delhi and

other towns in northern India, Karachi, Bombay, Calcutta, Rangoon and Colombo. In such cases, the local officers value an arrangement which enables well organized and widespread criminal operations to be investigated thoroughly and as a whole under central control by those local officers best qualified for the purpose. Where provincial Criminal Investigation Departments are in full working order, Superintendents of Police similarly value their assistance and freely ask for it.

I regard the functions of the Director as the lowest minimum which can be assigned to him with due regard to efficiency. He can advantageously be consulted by provincial Governments as well as by the Government of India. He is so consulted. The Police Commission rightly emphasized the value of personal conference. There is no objection to his communicating his views to Local Governments on any proposed scheme, provided he satisfies himself first that he will not thereby compromise the attitude of the Government of India.

The Director, Criminal Intelligence, corresponds direct, occasionally with the Chief Secretary and Inspector-General of Police, more frequently with the Deputy Inspector-General, Crime and Railways, and the assistant in charge of the Special Branch, who, in Special Branch matters, is the Chief Secretary's assistant. Most of the correspondence with the Deputy Inspector-General is of a technical nature relating to crime. Nearly all the correspondence of the Director, Criminal Intelligence, is demi-official. There is no reason why the control over the provincial officers by their own Government should thereby be weakened. The free interchange of information between police officers is a practice to be encouraged.

Periodical conferences of provincial Heads of Departments would not touch the more important functions of the Director, Criminal Intelligence. The Central Special Branch and the Central Finger Print Bureau would have to remain. The provincial Deputy Inspectors-General, Crime and Railways, freely correspond direct and interchange information with each other already, but it is not the business of any particular provincial department to bring together criminal information which has no direct bearing on the immediate problems of its own province or to take general action required in regard to foreign criminals who may enter India by any littoral province. The responsibility for initiating a set of systematic enquiries all over India, and perhaps outside India, cannot be left to be fixed by conference. The conferences of Inspectors-General would for the most part prove infructuous. The anomalies of detail, found to exist on a comparison of the Police Codes of the several provinces, are very numerous. Former Police Commissions have enunciated general principles which have nevertheless been evaded, and the last Commission's proposals aim at removing many fundamental differences which still survive. The opinion of an Inspector-General of Police on any matter admitting of controversy would stand small chance of being generally accepted by his colleagues, still less by the various Local Governments concerned. Such conferences no doubt would result in the removal of some minor anomalies and the adoption of some improved methods, but the Government of India, reinforced from time to time by the opinions of Special Commissions, is the only authority that can take action when a tendency exists to sacrifice general principles to local considerations. In the absence of a touring officer under the Government of India such cases are apt to escape notice, and where differences of opinion arise, the Director, Criminal Intelligence, can be usefully employed in smoothing away difficulties by personal conference.

The creation of the appointment of Director, Criminal Intelligence, has in no way centralized control over the provincial police. The Director, Criminal Intelligence, has no concern with the control of the provincial force. All that he does is to advise and supervise when there is an exceptional outbreak of crime of a kind which cannot be adequately dealt with by the provincial police, and if he takes over the investigation, the agency used is mainly the provincial agency temporarily deputed for the purpose. Any officer of his own employed on investigation works in closest touch with the Criminal Investigation Department of the province concerned.

The Director, Criminal Intelligence, is in no sense an Imperial Inspector-General. He does not inspect and has no control over the provincial police force.

43330. Are you brought into direct relationship with the Inspectors-General of Police of provincial Governments?—Yes, mainly in connection with any proposed general rules or inter-provincial procedure.

43331. Do they communicate direct with you?—Yes; nearly all my communications are made demi-officially.

43332. How do you, as Director of Criminal Intelligence, have to deal with the rules of Inspectors-General?—It arises very largely from the recommendations of the Police Commission; for instance, one of their recommendations was that police officers should be given general warrants for travelling to enable them to travel without paying their fares, and in a case of that sort it is advisable to have rules common to the whole of India, because a railway which passes through several provinces, naturally wants one set of rules.

43333. What other general questions would there be arising between you and them?—The Finger Print Bureau is another matter where again one wants a certain amount of uniformity. Another point which has arisen recently is with regard to probationary Assistant Superintendents. It was directed by the Secretary of State that they should have a course of 18 months' training in India, but there are no rules on that subject, and those orders of the Secretary of State have not been altogether introduced yet. In a case like that when I go round I inquire, and if the rules have been overlooked I remind the local officers, and leave them to take action.

43334. Do you go on tour?—Yes, during the whole of the cold weather.

43335. Does the local Inspector-General of Police write to you and say: "Such and such rules are under consideration, will you give me your advice?" or do you write to him and say generally that orders have been issued by the Government of India, and that you want to know what he is doing in the matter?—I generally wait till I go to his province, and then I ask what he is doing. Sometimes the Local Governments write to the Government of India, saying they want rules on certain subjects, and asking whether we will introduce them, or whether we would like them to do so.

43336. When a local Inspector-General asks for advice do you give it, and do you consider that that begins and ends your functions *qua* Local Government?—Yes.

43337. With regard to the Criminal Investigation Department, is that generally conducted through the Deputy Inspector-General?—Yes.

43338. Do you observe the same attitude towards him, or do you look upon yourself, as Director of Criminal Intelligence, as dealing more frequently with its workings?—I require more information in his case. If it was a case of dealing with a big criminal organization I would ordinarily go to him and ask him to let me see his papers and discuss the matter with him.

43339. Would you go to see him or write to him?—I would see him if possible, because it is much more satisfactory.

43340. How do you organize, with so small a staff, operations in regard to criminal tribes and the other matters you have detailed?—That staff is merely for collecting information; when it comes to organization one has to go to the local officers. In a case of criminal operations extending through several provinces one would discuss with them and find out whether they would like the matter taken up generally, and so on.

43341. Do you go to the Local Governments and ask them whether they would like you to begin operations?—I mean the local police officer.

43342. Then, as far as the larger criminal operations are concerned, you take action on your own initiative?—Yes, very largely.

43343. And then you employ their officers?—Yes.

43344. Have you any authority to employ their officers against their wish?—No, it is arranged between them and the Government of India.

43345. When you speak of procuring the services of police officers belonging to other provinces, I suppose

that you would only do so if the Local Government was willing?—Yes.

43346. Have any occasions occurred when they have been unwilling?—No; they have been only too glad.

43347. When you speak of a measure of provincial work, what form would it take?—Merely in connection with enquiries into cases of a special or technical nature.

43348. Do you write and ask what is being done in such matters?—I should see the diaries of my own officers.

43349. Then the central supervision is only with regard to special cases?—Yes.

43350. You say that the functions of the Director of Criminal Intelligence are the minimum which can be assigned to him with due regard to efficiency; are there other functions which you think he ought to have?—No; I do not at present advocate any change.

43351. What do you mean by the lowest minimum?—There are certain cases specified in which he can interfere, but in which, as a rule, he does not. Circumstances might arise which would render his interference desirable. What I had in mind was a case of dakaiti which might have been committed by a tribe of Afghans, in which case it would be necessary for one to intervene, though in cases of ordinary dakaiti one would not interfere.

43352. In the course of your official correspondence, do you write direct to the Inspector-General or do you address the Local Government?—I write direct; I think orders have been passed to that effect with the consent of the Local Government.

43353. With regard to conferences, do you represent that Local Governments would not adopt certain police methods if only suggested by the Inspector-General, without any backing from the Director of Criminal Intelligence?—I think there are certain traditional local prejudices in many police matters; and people prefer their own methods. An Inspector-General of ripe experience and force of character might gain the support of the other Inspectors-General, but the other Local Governments would remain to be convinced.

43354. Do you not think that the same advantages which have resulted from conferences between other high officials would result in the case of Inspectors-General?—They would have some effect.

43355. But only in minor matters?—I do not think in any matter of controversy you could get much further.

43356. (Mr. Dutt.) One of your duties is to supervise operations against certain criminal tribes and wandering gangs of criminals. I suppose that is a duty you have in common with provincial Governments?—Yes; it is only when it becomes a big matter that I should interfere.

43357. When the police of one Local Government find a gang wandering out of their jurisdiction into that of another Local Government, can they follow them and co-operate with the police of that Government?—Yes, they are supposed to, but they do not always do it very well; that is not a matter in which I should interfere at all.

43358. Is another part of your duty the collecting of intelligence on political, social, and religious matters?—Yes.

43359. Your general duty is to collect information for the use either of Local Governments or the Government of India?—Yes.

43360. Have the provinces their own Finger Print Bureaux?—Yes.

43361. And what you keep is a duplicate of the same finger prints?—Yes, but not a duplicate of every finger print slip in all the provinces; the provinces have far more than I have; I have merely those of criminals who commit crime outside the province wherein they reside.

43362. Do the provinces keep those prints also?—Yes. That is to say, those provinces in which such criminals reside, not those in which they are convicted.

43363. You say you have no direct concern with the administration of police affairs in the different provinces; was your department not intended to have

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any control over the administration of the police in provinces, and is it not a part of the duty of your department to keep up to date information with regard to the administration in the different provinces?—No.

43364. So that, if information were suddenly asked for, you would have to refer to the particular province for it?—Not necessarily; it depends on what it is. If it was an extraordinary crime I might have a file about it; ordinary crime I should have no information about.

43365. Supposing you became aware of a serious conspiracy or an organized offence against the State, would you send a man to make enquiries, and would he have orders to communicate with the Superintendent of the district?—He probably would if he went to a district, but he would go in the first instance to the Deputy Inspector-General Criminal Investigation Department.

43366. The Superintendent is the man who is responsible for the whole administration of criminal matters within his district?—Not necessarily; a specially technical case, such as a case of note forgery, may have been taken out of his hands by the Criminal Investigation Department.

43367. Do you take away his authority?—He is always kept informed of the progress of the case, but the men who are actually enquiring into the case may be men of the Criminal Investigation Department.

43368. And the Superintendent is not responsible in the least?—Not in a case of that sort, he is merely responsible for looking after the men entrusted with the investigation.

43369. And he is not even entitled to be informed?—Yes, all communications go through the Superintendent to the Deputy Inspector-General.

43370. But your man might be working in the district?—No, my man would not be working in the district.

43371. In a case sufficiently serious are you prepared to send a man to any particular place?—Only for certain technical crimes.

43372. And might a man go and work in that district, without even informing the District Superintendent of his presence?—His orders are to put himself in touch with the Deputy Inspector-General.

43373. Then would your man ignore the Superintendent?—Probably he would not, but that is the Deputy Inspector-General's affair.

43374. If he did ignore him would he be called to account?—Certainly, by me, if I heard of it.

43375. Then is he bound to report himself?—I do not think there are any rules or orders on the subject.

43376. Would he have power to give orders to the police subordinates?—No.

43377. Then who would he work with?—With the Deputy Inspector-General.

43378. But he would have to work with the police of the district?—The Deputy Inspector-General would probably put one of his men to work with him.

43379. Would the procedure be that he would report himself to the Deputy Inspector-General of Police and everything would then be left to him and he might, or might not, communicate with the Superintendent?—Yes.

43380. (Sir Steynning Edgerley.) Where is your Bureau?—In Simla.

43381. Is that a convenient centre?—I do not think it matters very much where the centre is; I have heard of no case in which inconvenience has arisen from its being at Simla.

43382. But in cases where material has to be posted it would take longer to get at you than if your office were at Delhi, for instance?—As a place Delhi is, of course, more central.

43383. You say that you are in no way concerned with the administration of the provincial police, but do not all cases of police re-organization pass through your office?—I believe most of them have done so, but personally I have not seen many of them. I have seen some.

43384. What is the process; do they pass through the office in the usual course of business on their way up to the Secretary?—Those that I have seen have done so.

43385. Will you describe your procedure in the Home Department?—I have only had experience of two cases. One was a case of some objection as to the percentage of head constables to be promoted to sub-inspectors, which was sent to me for my opinion, and I kept the matter over till I happened to go to the place, when I discussed it, together with some other minor matters, and made proposals likely to be acceptable to both Governments.

43386. Was that sent to you as an un-official reference?—Yes.

43387. What was the other case?—A case in which a Local Government wanted to keep separate Finger Print Bureaux in the Presidency town and in the districts.

43388. You say that the Government of India is the only authority which can take action when a tendency exists to sacrifice general principles to local considerations; what do you exactly mean by general principles?—There are several cases in which general principles have been laid down by the Government of India but in which no action is taken by the Local Governments. For instance, in 1860, it was decided that the police of all Local Governments should be under an Inspector-General, but in one province that recommendation was not given effect to until 1887, and even then, only partially. Full effect has been given only recently, as a result of the Police Commission's recommendations. There are many such cases; a recent one is connected with the period of training probationary Superintendents.

43389. But supposing one Local Government wished to make the period of training two years, and another only one year, would that contravene the principle, and would there be any virtue in fixing it at 18 months?—I think anything short of that would be insufficient. The question of training probationers in England was considered. It was decided by the Secretary of State to increase the period of training out here instead, but I have noticed that in two provinces the period has not been increased.

43390. Is it part of your duty to bring such matters to the notice of the Government of India?—I should bring them to the notice of the local officers in the first instance.

43391. What do you mean by saying that "in no sense" are you an Inspector-General?—I have no disciplinary powers; I do not inspect, I merely call for information; I do not suggest punishments or promotions.

43392. But when you say you are in no sense an Inspector-General, that is rather a strong phrase. As a matter of fact you try to find out what is going on, and you take action to try to alter it?—In particular instances, where innovations are taking place owing to the recommendations of the Police Commission.

43393. Then you are in some sense an Inspector-General, and you are not merely a Director of Criminal Intelligence?—That, I take it, is an appendage to the extra temporary duties which were put on the Director of Criminal Intelligence by the Secretary of State as expert adviser in connection with the reorganization schemes.

43394. That was purely temporary. It is not part of the duties of the appointment as sanctioned by the Government of India which are to be maintained?—There is nothing very clear in the orders on the subject.

43395. That kind of action must necessarily centralize control?—I think not.

43396. Not if you go from province to province, where Local Governments nominally have authority to make their own arrangements?—I think not.

43397. As a matter of fact, have you had practically nothing to do with the reorganization of the police as adviser to the Government of India?—Nothing.

43398. (Mr. Meyer.) When you said that the Director of Criminal Intelligence was in no sense an Inspector-General, had you in your mind the fact that the administrative police officer in a province is an

Inspector-General and that you do not stand in the same relation to the whole of India as he does to the province?—That is what I meant.

43399. You are not, that is, an administrative officer?—No.

43400. The permanent Director of Criminal Intelligence is Sir Harold Stuart who was Secretary of the late Police Commission?—Yes.

43401. Was it not specially agreed by the Secretary of State that he should assist the Government of India with his advice on all matters arising out of the report of that Commission?—Yes; I cannot be sure whether he was specified by name.

43402. The Secretary of State at any rate agreed that the Director of Criminal Intelligence should assist with his advice?—Yes.

43403. And Sir Harold Stuart, as a matter of fact, went to some of the provinces, to discuss matters?—Yes.

43404. Is it not the fact that the Government of India suggested that within certain defined scales Local Governments should be allowed to dispose of these matters?—Yes.

43405. And that the Secretary of State insisted on detailed proposition statements?—Yes.

43406. Has there been any complaint that there was a good deal of petty alteration on the part of the Government of India in regard to these things?—Speaking for Bengal, of which I was Inspector-General at the time, there was no ground for complaint against the Government of India for undue interference in detail. Their hands were tied of course by the Secretary of State, but we got special sanction to introduce some of the reforms in anticipation of his sanction.

43407. Do you know whether the Bombay Government put forward a scale of establishment which was of larger strength than the general scale laid down by the Police Commission?—Yes.

43408. And that the Bombay Government expected the Government of India to pay for it?—I believe so.

43409. If the Government of India is asked to pay for establishments might it not reasonably be allowed to cut them down?—Certainly. The imperial police grant was limited to 150 lakhs, and it had to be equitably distributed between the different provinces.

43410. Generally speaking, what is the state of affairs now with regard to the police re-organization scheme: is it almost completed?—I think so, except in Bombay.

43411. We have been told that in Eastern Bengal certain new rules which have been issued by the Local Government have taken away the power of punishment and of dealing with appeals from the District Magistrate and Commissioner, and have seriously weakened the position of the District Magistrate with regard to police matters; what do you say as to that?—That is in connection with the dual appeal; there was one appeal from the Magistrate to the Commissioner and another from the Deputy Inspector-General to the Inspector-General.

43412. Has that not been done away with?—Yes.

43413. In your opinion, is there any foundation for the statement that the alteration of procedure really affects the position of the District Magistrate?—I should not think so in the least.

43414. Did not the Government of India intend that in any matter which affected the peace of the district, the District Magistrate should be able to ask for the removal of any incompetent officer?—Yes.

43415. In the Indian Police Act there is a section providing that no increase in a police force can take place without the approval of the Government of India, and there have been a number of references under that Act; do you regard that restriction as of any value?—No.

43416. It has been alleged by some of the witnesses that the travelling allowances of police officers in Eastern Bengal are inadequate; is that so?—There used to be a great many complaints in the old days, but I am not prepared to give an opinion now.

43417. It was also alleged that there were unnecessary reports required from Local Governments and local bodies with regard to riots, &c.; have you any knowledge as to that?—I do not think that is the case. When the unrest was at its height special orders were passed, but they are not now in force. Ordinarily it is left to the discretion of the Local Government. They are supposed to telegraph any incident of importance.

43418. Has not the District Magistrate in some cases to wire, in duplicate, to his own Government and to the Government of India?—No, I think that has been done away with.

43419. Speaking generally, the information which local officers have to supply is entirely a matter for the Local Government, and what the Government of India want to know is only as to any serious trouble which might raise questions in the Press or in Parliament?—Yes.

(The witness withdrew.)

Dr. T. H. HOLLAND was called and examined.

43420. (Chairman.) You are Director of the Geological Survey in India?—Yes; I am an Associate of the College of Science, London; a Fellow of Owen's College, Manchester; and a Fellow of the Royal Society.

In the matter of giving advice on mineral questions, the Director of the Geological Survey bears exactly the same relation to the Government of India as he does to all Local Governments. All Governments and all officials in India may freely ask his advice on any question connected with the grant of mineral concessions, and may obtain any information at his disposal regarding mineral occurrences in the country. The Local Governments may, like the Government of India, accept such advice or reject it as they please, for the Director of the Geological Survey has no executive control in mineral matters over any Government official outside his own department. To extra-departmental officials he is an adviser pure and simple, and his advice is freely given to anyone who requires it. When the Director is on tour, Local Governments are informed of his visit to their provinces, in order that opportunity may be taken for officers to consult him on mineral questions.

The transfer of Geological Survey officers, single or in small parties, to the permanent control of provincial Governments, would remove one of the most valuable means for education that they now possess. The

scientific officer may be perfectly equipped with information in one year but rapidly falls behind the times, and his advice becomes dangerous to Government if his knowledge does not progress with the development of his science. In purely executive matters in which prompt action on the spot, no matter how imperfect, is better than no action at all, I have no objection to decentralization; but among a body of scientific officers with whom progress in knowledge is essential, and out-of-dateness is worse than useless, decentralization is possible only when each unit split off is large enough to deal adequately with every phase of the science. Seeing that in India we have to maintain a staff that includes all essentials of efficiency in view of leave vacancies and casualties that can only be repaired by recruitment from Europe, it is impracticable to split off a self-contained party for the geological work of any province without multiplying many times our present cost to the taxpayer.

If the mineral industries of any province warrant the financial outlay necessary to maintain a department equipped with sufficient men and machinery to deal with all essential aspects of geology, I would readily consent to shed off a section of the Imperial Department for the purpose, but it is impossible at present to establish for any one province in India a reasonable claim for the maintenance of a separate Geological Survey Department. To hand over to a provincial

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Government a single expert as its adviser on all geological questions would be a prelude to absolutely certain failure.

All Government officers in a province should be under the direct control of the Local Government; but our geological work is purely advisory, and our officers can always be consulted by the Local Government or district officials. The arrangement under which the Geological Survey officers are engaged on oil questions in Burma sufficiently illustrates our general policy. One officer was deputed in 1905, on my own suggestion, to assist the Local Government in questions connected with the disposal of concessions on the oil-fields. He was instructed to attend to any requests for advice from all local officers concerned with his work—the Local Government itself, the Financial Commissioner, the Commissioner of the division and the Deputy Commissioner of each district concerned. He was instructed to carry out the wishes of the Local Government in every way possible, and, instead of sending his reports through me, he was empowered to submit them direct to the local authorities, merely sending duplicates with his diaries to me for information. In effect he served every purpose required of an officer directly under the Local Government; but the fact that his reports would come to me in duplicate increased his value to the Local Government by reason of my position as critic, with power to remove him if there were the slightest sign of slackness or danger of collusion with the oil companies. The value of his work also was enhanced by his training at headquarters during the monsoon recess.

In 1906, in order that the continuity of policy should be unbroken, a second officer was deputed to assist the first, with the intention of taking his place when the time came for the senior officer to take up a wider field of work, or to guard against a possible casualty. In addition to advising on oil questions, these officers are engaged in a geological survey of the oilfields, and their work, both scientific and practical, will be the more efficient on account of their continued connection with the central office, with its library, laboratory, and expert control. That this arrangement has been satisfactory is generally conceded, and the excellent work done in Burma by the first officer has already been recognised by a special increment of his pay sanctioned by the Secretary of State.

The provincial Governments are guided by the general rules prescribed by the Government of India regulating the grant of licenses to explore and prospect for minerals and the grant of mining leases in British India. These rules were drafted and sanctioned by the Secretary of State, and consequently cannot be modified or exceeded without his previous approval, except in certain defined particulars and to a limited degree by the Government of India. It was recommended by the Government of India in 1899 that these limited powers also should be delegated to Local Governments, but the Secretary of State objected to the proposal.

The question of the possibility of our rules being discouraging to mining enterprise has been raised at different times since 1899, but most of the objections made have not been maintained on examination. I have myself taken every opportunity of consulting the numerous prospectors and investors that I have met in the course of my official work since taking over the office of the Director of the Geological Survey, and have found, as a general opinion, that the rules as a whole are most generous. A certain number of minor complaints have been found to be due to misunderstanding the exact terms of the rules and the system of procedure in obtaining prospecting and mining concessions.

The complaints of a general kind made against the rules are due largely to a survival of the justifiable objections against those that were in existence before the revision took place in 1899. It is only recently that the real nature of the concessions made during the last revision has been fully appreciated by the public in India, while there is still a large amount of ignorance prevalent about these among people at home.

A review of the mineral concessions granted for minerals in Government lands during the past ten years forms a partial demonstration of the beneficial effects of the revised rules. The mineral concessions granted in Government lands—in 1898, 86, in 1899, 60, in

1900, 72, in 1901, 104, in 1902, 105, in 1903, 100, in 1904, 151, in 1905, 189, in 1906, 252, and three-quarters of 1907, 254.

The statement made in Burma that the mining rules are framed so as to give an unnecessary amount of trouble and to discourage the development of the mining industry, is utterly at variance, as a general conclusion, with the opinions I have collected from professional mining men. The statements I have received more often suggest increased restrictions and greater precision for the protection of the real investor as opposed to the speculator. Increased stringency is required in defining boundaries of concessions applied for to prevent unscrupulous pirates from "jumping" the claims of real prospectors; the clause requiring vigorous and continuous work might be enforced with effect against those who do not blush to ask for concessions larger than they ever hope to work themselves; the holders of mining leases should be forced to commence operations within one year at most, instead of within two years as now allowed.

These are a few of the increased restrictions that have been suggested by qualified men. But, at the same time, there are objectionable features in the rules that might be removed, and necessary privileges, like the protection of water rights and right of road access, which though now included in leases, should be defined in the rules also, for the encouragement of those who contemplate real work. Possibly, also, the covenant for renewal might be granted by the Local, instead of being reserved to the Imperial, Government; the system of sanctioning transfers might be made more simple; and the rule requiring a certificate of approval with each application for a prospecting license might be modified as suggested below. But the one objection above all others made by prospectors is *delay*; the cause and cure for this is mainly in the hands of the Local Government officials; it is not due to the Government of India, or due entirely to the nature of the rules, but is due mainly to the way in which they are worked.

The principal complaint of a serious kind that has been maintained is that of delay in obtaining replies from the district officials and Local Governments delays due to the necessity of obtaining a certificate of approval from the Local Government before the grant of a prospecting license; and delays due to the necessity of obtaining sanction for the transfer of licenses and leases. Some of these delays have been due unquestionably to the imperfect way in which the applicants have themselves supplied the necessary information and maps regarding concessions applied for. Other delays have been due to want of readiness on the part of district officials who may have had no previous experience of such cases; for instance, a Collector who has spent most of his services in one of the districts on the alluvial tracts of Lower Bengal might find it difficult readily to deal with applications for mineral concessions on his transfer to a district like Hazaribagh or Singhbhum in Chota Nagpur, where the questions connected with the grant of mineral concessions are complicated by the various rights and peculiar financial conditions of the numerous smaller Native States and zemindaries, some of which possess mineral rights, while others have only a claim to the surface.

Some of the delays complained of are, however, certainly due to the nature of the standing rules, and a certain amount of revision is practicable. According to rule 11 (3) "every application [for a prospecting license] shall be accompanied by a certificate that the applicant has been approved by the Local Government, under the signature of one of its Secretaries." It has been pointed out in evidence offered in Madras that the working of this rule involves delay without commensurate addition to the precautions desired, and the Madras Government accordingly recommends that the certificate of approval may be dispensed with. The Local Government, however, should have some means for rejecting the prospector who takes up land under the easy terms allowed in India merely to float companies on a bare rumour of the occurrence of valuable minerals; but a check of this kind can be maintained without requiring a certificate of approval with each application. Instead of the present system I would propose the grant of a general certificate or license to a prospector, the certificate being valid for a calendar or financial year, and the Local Government retaining

the power, at any time within the recognized year, to cancel such certificate by general or special order. The names of those to whom such prospector's certificates are granted should be published in the Local Government Gazette, and the prospector, when applying to a Collector for a concession, should be required merely to quote the number and date of the Gazette notification of his certificate. All certificates should expire on the 31st March or 31st December according to the year adopted, and should be granted only on payment of a fee of, say, Rs. 15.

The system I propose is similar to the Free Miners' Certificate in British Columbia, where an individual may obtain a Free Miners' Certificate for one year on payment of a fee of £5, while a Joint Stock Company having a capital of £20,000 or less, pays a fee of £10 per annum, and Joint Stock Companies, capitalized beyond this amount, pay a fee of £20 for their certificate. All these certificates expire at midnight on the 31st of May, but they can be obtained for any part of the year terminating on the 31st of May for a proportionately smaller fee. If we charge a nominal fee (and I consider Rs. 15 nominal in the matter of prospecting), the latter provision will not be necessary; but it is advisable to stick to some definite year, either fiscal or calendar, which will enable the Collector to determine exactly whether a prospector has renewed his certificate or not. The certificate naturally will not be granted unless the Local Government is satisfied as to the suitable character of the applicant.

The existing rule requiring a certificate of approval to accompany every application for a prospecting license has been even emphasized by the Government of Burma by the following two special notes issued for the guidance of District Officers:—(1) "The certificate of approval shall be used to cover a single prospecting license only, and it shall be attached to the application." (2) "Applications for prospecting licenses which are not supported by a certificate of approval under rule 10 should be rejected by the Collector and need not be submitted for the orders of the Local Government" [as required by rule 13 (1) for ordinary refusals of licences].

Whatever may be the justification for the extent of the delays complained of, the Government of India in a general order issued in October 1905 required all Local Governments to submit to them and to my office direct, once in every quarter, a detailed list of the applications made for mineral concessions, with a second list showing those granted during the quarter. In all cases where six months have elapsed between the date of the application and the date of granting the concession applied for, Local Governments are requested to make a special explanation of the delay. Local Governments are also required, in order that any cases of delay may be brought prominently before their own Secretariats and that of the Government of India, to give the list of applications, not by districts, as was formerly done, but in order of seniority. This regulation has probably already begun to have its effect in removing the causes of complaint.

As the system of submitting quarterly statements of the concessions applied for and granted tends to remove one of the sources of delay so much complained

of, I am not in favour of the proposal made by Bengal to submit such returns half-yearly or yearly. Apart from the moral effect of the order on the District Officer, it is important that the Geological Survey should have information as promptly as practicable regarding concessions granted, in order to avoid the chance of our officers prospecting on lands already granted to private companies, who would have a reasonable grievance if we published unfavourable conclusions, and would use our reports, or as much of them as appeared to be convenient, if in any way they were favourable. The quarterly returns have been of the very greatest practical value in enabling me to keep in touch with what prospectors are doing and what they are after when they come to me for information.

The Madras Government wishes to cancel that part of rule 13 which requires a special report by the Collector who finds it necessary to refuse an application for a prospecting license. I do not think that the rule should be abolished altogether, but the Local Government might be granted power to exempt the Collector of a district like Nellore or Hazaribagh, where large numbers of applications for prospecting and mining in mica-bearing lands are dealt with each year. Generally, the rule provides a very reasonable precaution. The staff of the Collector in a district where large numbers of licenses and leases are dealt with will usually act as a safeguard against mistakes that might be made by a Collector who is without previous experience of mineral questions; but serious blunders would probably occur in districts where licenses and leases are rare, unless the Collector were forced so to understand the reasons for his action as to explain the rejection of an application to the satisfaction of the Local Government.

The Government of Burma wishes to abolish the restrictions contained in rule 19 regarding maximum areas of blocks and total areas held under mining leases. No relaxation of the proviso to this rule can be granted with safety. Although it is true that Local Governments have the power to consult the Director of the Geological Survey whenever they feel inclined, there is nothing to force them to act on his advice; and, when one recollects the fact that Lieutenant-Governors vary greatly in the views they entertain regarding what is enterprising, what is generous and what is judiciously conservative in the grant of mineral concessions, it is essential that any lease covering an area greater than 10 square miles should be submitted to the judgment of a higher authority. The powers granted to Local Governments in the matters of areas for mining leases are greater than those granted in most self-governing Colonies, and when the minerals of the country are more fully developed there will be a tendency here, as in some of the colonies, to curtail rather than to increase these maximum areas.

An examination of the latest laws in force elsewhere shows that our mining rules in India give the Local Governments wider powers than those granted to the Executive Governments of the self-governing Colonies. The conditions being widely different, it is difficult to reduce all the laws limiting areas and lengths of term to a common standard for comparison. But the following examples from Australia will show that the power to grant 10 square miles for 30 years is an unusual liberty:—

	GOLD.		COAL.		OTHER MINERALS.	
	Maximum area of lease.	Term.	Maximum area of lease.	Term.	Maximum area of lease.	Term.
New South Wales (Acts 1874-1902) ...	Acres. 25	Years. 15	Acres. 640	Years. 20	Acres. 80	Years. 20
Victoria (Acts 1890-1897) ...	100	15	640	30	640	30
Queensland (1898) ...	50	21	320*	21	160	21
South Australia (1903) ...	20†	42	640†	21	40†	42
Tasmania (1900) ...	20	21	320	21	160	21
Western Australia (1904) ...	48	21	320*	21	96	21

* In the case of new discoveries the area leased may be 2 × 320 acres.

† Any number of leases may be held by one person.

The Government of Burma is the only one so far that has asked for an extension of powers beyond the ten-square-mile maximum for mining leases, and it is

in Burma that conspicuously large concessions have been granted. In 1901 a prospecting license was granted for five years over 12 miles of the bed of the

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Irrawaddy river in the Myitkyina district; this was relinquished in 1904 for a mining lease for 30 years over 88 miles of the river-bed. The nearest approach to a concession of this size that would be granted elsewhere is the five-mile maximum fixed in British Columbia for dredging leases that may be held for 20 years. In June 1903 a prospecting licence for five years was granted in Burma over the bed of the Sittang river in the Toungoo district, and later for its continuation through the Pegu district, giving a total length of about 200 miles. In September, 1903, a stretch of 35 miles of the Shweli river was granted for five years on a yearly rent of Rs. 500. In March, 1904, a prospecting license for 177 miles of the bed of the Chindwin between Masein and Homalin was conceded for five years on a yearly rent of Rs. 500.

The first of such large concessions referred to the Geological Survey for an opinion was an application, recommended by the Government of Burma in June, 1905, for a prospecting license over 143 miles of the Uyu river. In view of the extraordinary concessions already given, I advised the grant of exploring licenses only until it was possible for the Geological Survey to inquire into the conditions under which these large dredging licenses were being worked. This survey

was conducted during the years 1902, 105, in 1903, 100, as a result, the officer in 1906, 252, and three— was a specialist in this c that the limits of two-year Burma that the mining 1,600 acres in area, and one an unnecessary amount miles along the course of the development of the to terms of 30 years he variance, as a general areas not exceeding one square mile. I have collected from longer than two miles, spec. statements I have four miles in length being gased restrictions and The contrast between the policy of the real ment and that recommended by later. Increased is sufficiently striking to warrant boundaries of restrictions as regards area of concess. impulous disposal of Local Governments.

It is a significant fact that in Burma, where conspicuously large concessions have been granted, proportion of mining leases to prospecting licenses is lower than in the other provinces that are compared to it in the number of concessions granted. The following table compares the number of mining leases to prospecting licenses in Burma, Central Provinces, and Madras during the years since the records have been kept by the Geological Survey:—

	Total numbers of concessions granted.			Proportion of mining leases to the total number of concessions.		
	Burma.	Central Provinces.	Madras.	Burma.	Central Provinces.	Madras.
				Per cent. Mining Leases.	Per cent. Mining Leases.	Per cent. Mining Leases.
1904	28	24	28	3.6	12.5	46
1905	43	53	51	4.6	9.5	33
1906	50	75	100	2.0	8.0	47
Three quarters of 1907	41	69	74	7.3	5.8	34
Grand Total of concessions granted	162	221	253	—	—	—
Average per cent. of mining leases	—	—	—	4.8	8.1	40

The Burma Government urges that the fixing of rents provided for in schedule B of the mining rules might be left to the discretion of the Local Government. The schedule is already about as lax as it can safely be: only a maximum is fixed for the surface rent claimed under prospecting licenses and mining leases, while the minimum laid down for dead-rent under mining leases is insufficient to compel a company to limit its demands, or to force it to select land with intelligence, which should be the leading feature in such controlling regulations.

In 1906 the Burma Government granted a prospecting license over 350 square miles of the Tavoy district to a Syndicate, founded, I understand, by Colonel Foss, and known as the Golden Stream Syndicate. For this concession the Syndicate pays a rent of Rs. 1,000 a year, that is, Re. 1 for 224 acres. If a Government regards Re. 1 for 224 acres a fair interpretation of schedule B, it is desirable to impose a minimum as well as a maximum rate for surface rents. Such a concession obviously cannot be tested adequately within the period permitted by the license, while its large size and indeterminate character merely give an opportunity for gambling rather than prospecting. I regard the policy that encourages such concessions as inimical to the best interests of the country, and calculated to delay, not to encourage, the development of its mineral resources.

I have referred to the maximum areas obtainable under licenses and leases in the Colonies as being more limited than those permitted in India; and a comparison of the terms generally charged will show that our rents also are far too low to compel a company to select land with discriminating care. In New South Wales (1874 and amendments to 1902) the yearly rent charged for gold-mining leases is 20s. per acre, while for ordinary metalliferous minerals the charge is 5s. per acre. No royalty or tax is, however, charged on metalliferous minerals, while for coal a royalty of 6d. to 1s. per ton is charged. In Victoria gold-mining

leases are charged a rental of 2s. 6d. per acre, while leases for other minerals are charged an annual rent of 5s. per acre. The royalty in Victoria varies from 2 to 5 per cent. *ad valorem* on all minerals except coal, which is taxed at the rate of 3d. to 6d. per ton. Gold-mining leases in Queensland (1898) are rented at 20s. per acre, and for other mining leases, except those for coal, at 10s. per acre; for coal the rent is 6d. per acre with 3d. to 6d. per ton royalty. In South Australia gold-mining leases are rented at 10s. per acre; leases for other minerals bear a minimum charge of 10s. an acre with a royalty of 2½ per cent. on the net profits. In Tasmania (1900) ordinary gold-mining leases are charged a yearly rent 20s., and leases for other metalliferous minerals from 5s. to 10s. an acre, while coal-lands are leased at 2s. 6d. an acre with 6d. a ton royalty on the coal raised. In Western Australia (1904) the annual rent charged for gold-mining leases after the first year is 20s. an acre, for other metalliferous minerals 5s., and for coal 6d., with a royalty of 3d. to 6d. per ton.

The one feature most prominent about the Indian Mining Rules is, not their exacting character, but their simplicity and the great latitude they permit in area of concession and terms regarding royalty and rent. Whilst I should be prepared to recommend the removal of some unnecessary features they now present, there is no doubt that the rules require stiffening in some respects, in the interests of the mining community as much as out of consideration of revenue requirements; the royalty obtained from the manganese ore recently raised in such large quantities in the Central Provinces has been insufficient to pay for the damage done by the additional heavy road-traffic.

The Government of India are now contemplating the revision of the rules for granting mining and prospecting concessions, and I have been empowered to obtain the opinions of as many as possible of those who have experience of the rules now in operation. In addition to the direct invitations already given, it

the power, at any time within annual report that the cancel such certificate by genemunity interested in this names of those to whom such to this department any are granted should be publishink should be considered ment Gazette, and the prosdertaken. Every reasonable Collector for a concession, is given to the mining com- to quote the number and mplaints if any exist. So far, tion of his certificate. Aava received from professional on the 31st March or 31d restrictions as frequently as year adopted, and shoulonditions now observed. This of a fee of, say, Rs. 1500 was undertaken before any

The system I pre-kind were made by a Local Govern- Certificate in P-usual plan will be followed of inviting may obtain, ns of Local Governments before submitting payme-ules to the Secretary of State for sanction.

havingo summarize the above conclusions :— per the Geological Survey is purely an advisory depart- beyent, and can be utilized by Local Governments as well certi by the Government of India. Private individuals on ty also obtain all information (not confidential) that any at the disposal of the Geological Survey.

The department is organized at present (a) for the preparation of a general geological map of India, (b) for the collection and dissemination of information about the mineral resources of the country, (c) for the preparation of statistics of mineral production, (d) for the control of a Geological Museum, (e) for the teaching of geology in the Presidency College, Calcutta, and (f) for the training of a limited number of prospectors and post-graduate students.

It is considered that the mineral questions before Local Governments are insufficient at present to warrant the formation for any one province of a Geological Survey Department that will provide efficiently for all varieties of mineral questions, while the appointment of one or two specialists under the control of a Local Government would result in a serious loss of efficiency. Direct assistance to the Burma Government is, however, provided for by the perpetual maintenance of officers to advise on questions connected with oil and tin, beside the general geological work in the province. These officers, although under the orders of the Director of the Geological Survey of India, are instructed to report direct to the Local Government, and their work is checked by the Director, who examines duplicates of their reports and controls their recess work at headquarters during the monsoon season.

I have already proposed to increase the independence of the geological party in Burma by the appointment, as soon as practicable, of a local superintendent, who will be able to superintend the other officers' field-work and to advise the Local Government in questions connected with the grant of mineral concessions. Similar assistance will be given to other Local Governments as their mineral problems increase.

I dissent absolutely from the conclusion of the Burma Government that the existing rules for granting mineral licenses and leases are framed so as to give an unnecessary amount of trouble and to discourage the development of the mining industry. The general opinion of professional mining engineers is in favour of the conclusion that the rules, as a whole, are generous and simple; that they need revision in certain features only, some of which would make them more precise and restrictive, while others would tend to remove the causes of delay, which is now the chief grievance on the part of those who apply for mineral concessions.

I propose to deal with the proposals made by the Local Governments as follows:—

(a) The certificate of approval required to accompany each application for a prospecting license might be replaced by a general certificate of approval for each person or company; it should be valid for one year only, and should be notified in the Local Government Gazette for the information of Collectors. The number and date of the certificates should be quoted by the applicant when applying to a Collector for a license.

(b) The standing order requiring submission to the Government of India of a quarterly list of concessions applied for and granted should be maintained, partly to prevent delays in district offices, and partly to enable the Geological Survey to keep in close touch with the work of prospectors.

(c) Local Governments might be empowered to exempt certain Collectors only from the operation of rule 13 (1), which requires a special report of each license refused, by the Collector.

(d) The present powers of the Local Governments to grant mining leases over a maximum of 10 square miles for 30 years should not be increased, but Local Governments might be empowered to insert a clause for the renewal of a lease without prior reference to the Government of India.

(e) Power to fix rents more favourable to lessees than those now limited by schedule B should not be permitted, and, if anything, the scale of rents should be made more severe in order to enforce the judicious selection of land for mining purposes, thus favouring the real miner as opposed to the speculator who attempts to secure large concessions of an indeterminate character for the purpose of company promotion.

I am of opinion that the low rents and large size of concessions granted most conspicuously in Burma have tended to retard rather than to accelerate true development, and more efficient control of mineral exploitation is necessary in view of the fact that rapid developments are taking place in connection with those minerals which are either exported in their raw state or are consumed without contributing to those subsidiary industries that add so much to the wealth of a country.

During the revision of rules, that has been under consideration during the past two years, it is necessary to introduce precise clauses to discourage the speculator and to protect those minerals which will be essential to the progress of India when the industries approach a higher degree of complexity and are able more fully to absorb the natural products of the country.

43421. You say that you bear the same relation to the Government of India as you do to Local Governments?—Yes. My position is purely advisory. The Government of India refer cases to me for opinion in questions of granting unusual concessions for mining and I give what advice I think best; they act on or reject my advice as they please.

43422. With regard to Local Governments does the same thing apply?—Yes, but they do not consult me to the same extent. Many Local Governments do consult me; in fact all have consulted me at some time or other.

43423. Do you stand on the same footing with regard to the Government of India as you do with regard to Local Governments?—Absolutely. I am paid by the Government of India, and I merely give an opinion when it is asked; I have no power to press my opinion either on the Government of India or on the Local Governments.

43424. Who do you correspond with in the Government of India Secretariat?—The Commerce and Industry Department.

43425. In writing to the Local Government whom do you communicate with?—With whatever department is concerned with the work.

43426. Has there not been some little difference made in the policy as to survey of late years?—Our policy now is rather an extension of the policy followed in the old days. We push our work a little more than was done in the past, when my predecessors devoted their attention mainly to the making of a geological map and the recording of scientific results. The minerals of economic value were recorded, but the figures were not worked out in the same way, and the information regarding them was not put before the public in the same way as we attempt to do now. Whenever there are discoveries of minerals of economic value we attempt to find out in what way they bear on the industries of the country, and we distribute the information to the public as much as possible.

43427. Then your increased activity is *quid* the public rather than *quis* the Government?—Yes; we distribute our records, in which we publish everything of value to the public, to all the Local Governments and principal officials of the Governments, and send copies as well to the public libraries, to the newspapers of the country, and exchange with a large number of scientific and technical Societies throughout the world.

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43428. *Quid* the mere survey, is it very much better that the whole of the operations of the Geological Survey should be conducted by one central authority rather than by local authorities?—At present I think so, because a certain variety of specialists would be required to deal with all phases of our work, and it would mean an enormous increase in cost if we developed Geological Surveys for the provinces on a standard which we think essential for efficiency.

43429. Will that centralization, in your judgment, have to continue for some time?—I see no hope at present of obtaining a separate Geological Survey staff for each of the provinces; the only plan I can think of is the one I have suggested for Burma, namely, that a portion of the Geological Survey should have headquarters in Burma, the officers composing that party to be in constant touch with me, and that, say, once in two years they should come to Calcutta in order to obtain the benefit of the opinions of other officers and the advantages of the library and laboratory which is well organized for the work. I do not think it would be well, even in the case of a small party, to allow men to remain too long in one province; they should return to Calcutta for a recess at least once in two or three years.

43430. During that time would you give them a free hand?—Whilst the party was at work in Burma, I would arrange that a senior officer should be in charge and he would have a free hand with regard to the men under him, and also be available to the Local Government to give advice concerning mineral concessions, or decide, in consultation with the Government, on reported discoveries of mineral deposits. A District Officer thinks he has discovered a mineral of value, and requests me to send an officer to inspect the supposed discovery; I have to judge from the evidence whether it is a reasonable request or not, and if a man is available spare him for the investigation. Sometimes it turns out that it is quite obvious the discovery is one which has been made many times before, and that it is not worth while upsetting the systematic work of the survey for the investigation suggested.

43431. With regard to Burma, to which your attention has been particularly directed with regard to three different subjects, have you sent officers to that province?—Yes. In the case of oil I sent first of all one officer, who made a preliminary survey of the oil-fields; he made his reports in duplicate to me and to the Local Government, and in the following year I sent a second officer to assist the first and to replace him in case of accident. Those two officers have been in Burma ever since and have come here only for the monsoon.

43432. What are their relations with the Government of Burma?—The Government of Burma has been permitted to consult them freely.

43433. Did the Government of Burma ask for these officers, or did you send them yourself?—I suggested that on account of the difficulties connected with the granting of oil concessions it was necessary for us to put an officer on special duty to obtain further data regarding the oil-fields.

43434. What has an officer of the Geological Survey to do with the granting of mineral concessions by a Local Government?—He simply gives advice; he reports on the way in which the concessions are being worked and gives the Local Government advice as to how they should deal with further concessions.

43435. Does he report to the Government of India or to the Local Government?—He reports to both; I always get a duplicate report.

43436. Supposing a provincial Government wanted to grant a mineral concession would they have to go to the Government of India?—It depends on the concession; they can grant prospecting licences or mining leases within the limits prescribed by the rules.

43437. And the proposals that go to the Government of India are criticised in the light of the information given to you by the officer sent, in this particular case, to Burma?—Yes. I keep in touch with each officer's investigations in Burma so that when I have to advise I have the necessary data.

43438. With regard to the tin, was the same method adopted and for the same reasons?—Yes, exactly the same.

43439. In order that the Government of India might know what sort of concessions the Burma Government were going to grant?—It was in order to assist the Local Government really. No tin concessions ever go to the Government of India; they are comparatively small, and are granted mainly to native workers.

43440. Therefore it was not for the purpose of dealing with the proposals of the Local Government, but for the purpose of assisting the Local Government in coming to a final decision?—Yes.

43441. Does the same thing apply with regard to alluvial dredging?—That arose in the same way; Burma sent up proposals for the grant of large concessions in excess of those they could grant according to the rules; and as several large concessions had been granted already, I recommended that we should send an officer on special duty to investigate in what way they had been worked. Meanwhile I recommended the Government of India to grant exploring licences covering the interval of time until the officer could report.

43442. It has been represented by the Government of Burma that their powers are too small; is that your view?—No; I think the Local Governments already have very much more power in granting concessions than any Parliament in the world would allow its Government to grant. Their powers ought not to be enlarged in the matter of area. The only other points would be as to rent and royalty. Royalties are already so low that I see no reason for making any change with regard to them, while for surface rent only a maximum is fixed.

43443. So that in no particular ought the restrictions laid upon provincial Governments to be removed?—I think the rules might be revised in certain particulars, but I see no reason for giving fuller powers to Local Governments. I would give them certain powers which might not be considered fuller, such for instance as power to insert clauses for the renewal of a lease; I think that should be left to the Local Government. The Government that gives the lease ought to have the power to renew. There are small matters of that sort in which additional powers might be given to Local Governments, but with regard to the great question raised by Burma, the question of area for mining leases, there is not the slightest necessity to increase that power or to give power to grant more than 10 square miles for 30 years.

43444. Do you also dread a possible exhaustion of mineral products?—With regard to the grant of large areas I fear more gambling with the concessions granted. The question of exhaustion is a matter which affects the subsequent working of the leases. Unfortunately the granting of a big concession does not lead always to the working of the deposit.

43445. With regard to what you say as to the lesser powers of the Australian Governments, would that apply to the provincial Governments of India?—The Australian Governments are more independent of the Commonwealth than our Local Governments are of the Government of India. In the matter of mining legislation Australia is utterly different; each State legislates for itself.

43446. And in Canada too?—The rules vary very considerably.

43447. Have not the provincial Governments in Canada complete freedom of action?—I am not quite certain whether they have with regard to minerals, but they have in Australia.

43448. Do you think that the responsibility in the matter of mining and mining concessions and possibly gambling transactions on the Stock Exchange which ought to rule the action of the Government of India must continue without diminution?—I think so, and I would restrict the powers even of the Government of India in the matter of granting concessions.

43449. You represent that the power exercised by the Government of Burma has led to a greater proportion of prospecting licences being granted to subsequent working concessions than in any other province in India?—Yes; I have given the figures on that point, and I think that the fact is significant. I am not prepared to say absolutely that it is due to that only; there may be other causes giving rise to the smaller proportion of mining leases in Burma than elsewhere, but Burma is the only Government which

is giving such large concessions, and, by chance it may be, it happens to be the one in which mining leases are fewer in proportion than elsewhere. On the contrary Madras takes the lead in the proportion of mining leases, and there the areas granted are extremely small.

43450. You lead us to believe that there is some unnecessary delay in the granting of prospecting licences which is removable?—Yes, I think so.

43451. Would you give the Local Government, and possibly the District Officer even, power to act more frequently than they do at the present moment?—I would abolish the certificate of approval which is attached to each application, and instead I would give what corresponds to a miner's right in Australia, or a free miner's certificate in British Columbia, that is to say, a license granted and tenable for one year, expiring automatically in the same way that a dog license or a gun license expires on the 31st December or 31st March, so that the local officers would know exactly whether a license was current or not; it should be necessary only for the applicant for a license to attach the number and date of his certificate of approval as notified in the Gazette. That would simplify matters a great deal and would remove probably one of the most fruitful sources of delay. There is a possible scheme which I have not quite worked out in detail, but I would suggest that instead of the Collectors of districts dealing with mineral concessions as they now deal with every other form of work in the district, there should be several districts constituted into a so-called mineral field, and that there should be one Collector for the whole to deal with mineral cases; he might be an expert or an ordinary Civilian, but that is not important so long as one knows that he is dealing with that class of case only, and he might be called, as they would call him in Australia, a Warden. He would grant prospecting licences in the same way, for instance, as Collectors do now, and he would see that the concessions were worked honestly and efficiently, which, after all, is far more important than the details of the original grant. He would grant the so-called miner's right, that is, the prospector's certificate of approval, instead of allowing it to be granted by Government, because he would be the one man who would be a competent judge of the suitability of a prospector.

43452. Would you have the borders of the mining areas depend on the Government, or upon the provincial Government?—I would group the Wardens under a Mineral Commissioner. Then the question arises as to whether there should be one Commissioner for a province, or whether he should be a Mineral Commissioner for the Government of India, and it seems to be unimportant. I do not care whether he is Commissioner for the provincial Government or for the Government of India as long as he has power to decide mineral cases only. If the Warden of a mineral field were an expert, he would give advice when forwarding applications for mining leases to the Mineral Commissioner of the Local Government or of the Government of India.

43453. (Mr. Meyer.) Do you intend to make the adviser you propose to give to the Government of Burma a permanent official there?—Not at once; I do not see, however, if he became important enough and mining work in Burma progressed, why one should not constitute the post into a permanent one, but I doubt whether for a long time it would be practicable.

43454. Are there not certain objections to localizing officers who are concerned with mines; might they not get out of touch with scientific work and progress?—My reason for saying that ultimately local parties would be permanent was that if the work grew sufficiently in any one province it would warrant the Government in developing the whole organization of a Geological Survey, and we should then probably have no reason to suppose that the officers would get rusty, but at present it would be impossible to establish the organization of a Geological Survey in any one province, one of the reasons being that a suitable reference library could not be equipped like that at Calcutta.

43455. Is not an officer who has to deal with mining concessions in any part of the world subject to great temptation?—Yes; if I transferred an officer, say to Burma, or to any province beyond my control, and he was the officer who governed the granting of mining

concessions, I have not the slightest doubt that within a year, if he had ordinary intelligence, he would discover that his salary need be only a fraction of his income.

43456. Is there not possible danger, if you provincialize the Mining Department, in having an officer kept in one province?—Yes; and his work would deteriorate accordingly.

43457. For the present the control exercised by the Government of India is absolutely necessary?—Absolutely necessary.

43458. And the Geological Department must be Imperial?—Most certainly.

43459. As regards general mining rules, are they very difficult to understand?—I think not.

43460. There are three kinds of licenses—the exploring license, the prospecting license and the mining lease?—Yes.

43461. The exploring and prospecting licenses rest entirely with the Local Government?—Everything rests with the Local Government.

43462. Has nothing to go to the Government of India with regard to exploring licenses?—Nothing whatever.

43463. As to prospecting licenses, are they granted by Collectors subject to certain rules laid down?—Yes; ordinary prospecting licenses do not go to the Government of India.

43464. And prospecting licenses last for one or two years?—One year, renewable for a second or third year.

43465. The only case in which a prospecting license would have to go to the Government of India would be when it lasted more than three years?—Yes.

43466. In which case there is a reasonable presumption that it has not been made proper use of?—Yes.

43467. In regard to a mining lease, has that to go up to the Government of India when the concession is more than a certain size?—Yes, or of a particular shape.

43468. With regard to the relation between length and breadth—that has been objected to. Can you explain why the regulation is necessary?—I think it is necessary that we should have some control over the shape, because certain ore deposits are found in narrow bands and under rules so generous as those sanctioned by the Government of India, it would be possible to map out the whole of a very rich deposit and include it in a lease although it would only cover an acre or two of ground. Obviously, it would be unfair to allow one person to take up the whole of a narrow rich reef. In most countries limitations as to shape have been laid down not merely by regulation and Government order, but by Act. Our rules allow a length of four times the breadth, and in most countries only twice would be permitted.

43469. So that our rules are really more liberal?—Yes, and they are purposely made more liberal.

43470. Has the Government of India a certain amount of marginal power beyond that exercised by the provincial Government?—The Government of India can grant up to 20 square miles on lease, and they can reduce the royalty and the rent. Anything above 20 square miles would have to go to the Secretary of State.

43471. Could the Government of India enhance the royalty without the consent of the Secretary of State?—There is nothing in the rules about that.

43472. The rules having been drafted by the Secretary of State, may it not be assumed that anything in which the Government of India is not given power is reserved to the Secretary of State?—I presume so.

43473. As regards surface rents, is there any restriction on the Local Government except that they may not exceed a particular maximum?—As regards surface rents only a maximum is prescribed, but as regards dead rents there is a small premium provided in mining leases only.

43474. And the complaint you have against the rules is that the maximum is not higher?—My complaint is that there is no minimum; I think that a minimum

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should be fixed and a fairly high one; rent is fixed elsewhere by Act, and it is not a case of allowing the latitude permitted in India.

43475. As regards delays in dealing with mining applications, can you say whether there are any provinces in which they occur?—Yes, for instance in the case of Bengal at the end of last October there were 127 cases outstanding, of which 117 were more than six months old.

43476. Therefore do you think it desirable that the Government of India should continue to impose the check it does upon delay by requiring the present quarterly and half-yearly statements?—That is most important, partly because it enables me to keep in touch with what is going on in the country, and partly because having to make an explanation of cases more than six months old makes a difference in clearing off arrears.

43477. With regard to the question of giving Local Governments discretion as to the granting of mining areas—apart from the matters you have referred to, there is also the fact that a Local Government is sometimes subject to local influences?—I presume they must get local colour; it is quite impossible for an officer of a Government to be unaffected by his surroundings.

43478. With regard to Colonial Governments, have not restrictions been very rigidly laid down by Parliaments?—Yes, and the mining rules are all fixed by Act.

43479. Do they not lay down specific figures?—They fix the rents and areas. The areas are fixed in maximum, and the rents absolutely without any maximum or minimum.

43480. Then, as a matter of fact, a Colonial Government has really much less discretion than an Indian Local Government has?—Very much less.

43481. A question has been raised occasionally with regard to the control exercised by the Government of India over mining concessions in Native States; was not the genesis of that a very considerable scandal in Hyderabad?—I have seen that case often quoted, and there is no doubt that that scandal did lead to a more rigid control as to the granting of concessions in Native States.

43482. Which was approved, if not initiated, by the Secretary of State?—I have an idea that the Secretary of State confirmed the action of the Government of India in exercising that control.

43483. The object in view being to protect Native States against being exploited by monopolists and speculators?—Yes.

43484. And some of those monopolists and speculators might be Indians as well as Europeans?—No doubt.

43485. I ask the question because one particular Government considers that it would be sufficient if the sanction of the Government of India were required for the granting of concessions to Europeans in Native States?—The Hyderabad scandal was of native origin.

43486. If there was such a rule in force there would be nothing to prevent an Indian coming in under a European name?—No.

43487. Mining concessions are really very important economically, and therefore a matter of imperial concern which may legitimately extend to the Feudatory States as well as to British India proper?—Yes; minerals are essential to the economic life of the country as a whole, and I am personally of opinion that the mining in Native States should be under careful control.

43488. (Sir Steyning Edgerley.) Supposing your mining rules are reasonable and are adopted, is there any particular necessity for centralization in regard to granting concessions?—I think so, because there is a certain amount of expert knowledge required in the granting of a concession, and it would require a special organisation to keep in touch with the work. Take, for instance, the case of Bombay, where last quarter they had a sudden rush of 312 applications, whereas previously their average number was only about 22. The rush was principally with regard to manganese.

43489. At present Local Governments can give exploring and prospecting licences, but you think that

it is absolutely necessary that mining leases within the rules should go up to the Government of India?—No, certainly not, they do not go up at present; the leases are granted by the Local Government.

43490. Then there is no absolute reason that they should go up to the Government of India?—I see no reason why they should.

43491. Is there any provision that they should come to you before being granted?—There is no provision of any kind for their coming to me.

43492. Then so long as a local authority keeps within the rules, which you approve, there is no necessity for mining leases going up to the Government of India?—No.

43493. (Mr. Dutt.) You have given some figures as to the gradual increase of mineral concessions; were most of those concessions given by provincial Governments or by the Imperial Government?—They are practically all given by the provincial Governments. They include all forms of mineral concessions, and only a very small number of them are mining leases under exceptional terms requiring the sanction of the Government of India.

43494. Were there a large number of cases in which the provincial Governments had to go to the Imperial Government because the terms were beyond the rules?—No, such cases are comparatively rare, but I cannot give a figure.

43495. So that you would suggest that the rules, as they stand, now enable provincial Governments to deal with these cases as they come up?—Yes; take, for instance, Bombay—there has been only one application in five years from Bombay for sanction to depart from the authorized kind of concessions. That had to go to the Government of India according to rule.

43496. At present the Collector grants licences?—Yes, except where the Local Government retains the power by its own rule.

43497. Does the grant of a prospecting licence require any expert knowledge?—It ought to require expert knowledge if it is granted with discretion; it should be granted by someone who has either expert advice or is an expert himself.

43498. Does the granting of a mining lease require expert knowledge?—Certainly.

43499. When the provincial Governments grant these licences and leases, do they consult you?—Very seldom indeed.

43500. Whom do they consult?—I am afraid they consult no one as a rule.

43501. Is it desirable that some expert advice should be taken before these licences are granted?—It is desirable to get advice, but it is still more desirable that they should be granted by an expert in charge of a particular area—a Warden of a particular field.

43502. Does it not come to the same thing?—Not exactly; the Warden would only have power over a limited area, and he would only be appointed for a field where mining concessions were frequently granted; but in other parts where there are few applications the ordinary Collector would have the powers.

43503. What is the number of officers in the Geological Department?—Twenty, including myself.

43504. Are they all trained in England?—Yes, they are all graduates of some University.

43505. So that obviously it would be impossible to distribute them amongst all the different provinces; and unless their number was added to very largely you would not have enough men to go round?—Obviously not, by arithmetic.

43506. (Mr. Hichens.) Is there any latitude with regard to the mining royalty which can be imposed by provinces?—No; the royalties are fixed according to rule; but there is a latitude in the interpretation of the rule: for instance, a percentage is charged of 2½ on the spot value of manganese ore, but the Local Government has the power in settling a prospecting or mining lease of determining whether it should be charged in the form of so many annas per ton as an equivalent of the authorised percentage on its local value. Generally they accept so many annas a ton on the estimated local value.

43507. Ordinarily speaking, the royalty which can be charged in respect of each mineral is the same?—No, the royalties differ.

43508. Is there a uniform rate for India?—There is a uniform rate for India, but it is not uniformly applied.

43509. Is the variation of importance?—Yes. A case has occurred in Bombay where they had been charging 1½ annas per ton royalty on manganese ore, when they ought to have been charging at least 10 annas at a time when manganese was as high as sixteen-pence per unit. They have wasted a large amount of revenue there owing to the fact that they did not appreciate the high rise in the price of the ore.

43510. Does that emphasise your opinion for the necessity of an expert on the spot?—That strengthens my argument. It has been more than 12 months since the same question was raised in the Central Provinces, and, so far as I know, orders have not been passed yet; meanwhile the price of manganese has gone down, and there is no present occasion for any further discussion on the subject.

43511. Would the Local Government be more ready to consult an expert if he was their own officer than they are now because he is an officer of the

Government of India?—The Local Government in that case consulted me promptly; the then Chief Commissioner of the Central Provinces wrote to me himself about it in 1906.

43512. Then where did the delay arise?—In the Central Provinces. After receiving my recommendations the Chief Commissioner consulted the District Officers, the Commissioner, and the Deputy Commissioner, who had to send their reports backwards and forwards. Finally, a conference was held; the result of that conference went to the Commissioner, from him to the Chief Commissioner, who consulted about it in August 1907; what the result has been I do not know yet, but all the delay was due to the fact that they had not an expert officer who could take action on the spot.

43513. Is the mining revenue shared between the Government of India and the provinces?—I understand that the whole of the revenue is absorbed by the province within which it is collected; of course, the contribution due to imperial revenues is determined by the provincial financial settlement.

(The witness withdrew.)

Adjourned.

THIRTY-EIGHTH DAY.

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., I.C.S.

W. L. HICHENS, Esq.

Mr. E. GILES was called and examined.

43514. (Chairman.) You are acting as Director-General of Education?—Yes.

In addressing the Secretary of State in their letter No. 313 of 3rd October 1901, the Government of India explained the position and duties of the Director-General in the following terms:—

"We do not fear that the creation of such an office will involve any sacrifice of the elasticity necessary to provide for the peculiar features of each province, since if its incumbent be a man of the type whom we desire, he cannot fail to realise that centralization would be the most certain means of thwarting his own efforts and of preventing improvement. We think that by means of visits to the different Local Governments and by occasional conferences with the Directors of Public Instruction in the different provinces, it will be in his power to establish a better understanding on educational matters between ourselves and the Local Governments and Administrations, whose views we have sometimes failed to appreciate because of our insufficient acquaintance with local needs."

The first incumbent of the post, Mr. H. W. Orange, C.I.E., was appointed in January 1902. I have officiated in the appointment since March 1907.

Among the direct results of the creation of the office of Director-General have been:—the organization of a Bureau of Education; the publication of occasional educational reports; the appointment of an English correspondent; and a conference of Directors of Public Instruction held in Simla in September 1905.

In March 1903 the Secretary of State sanctioned the creation of a Bureau of Education attached to the office of the Director-General. The object of the Bureau, it was stated, "would be to collect information as to the organization of schools in India, their curricula and the methods of teaching practised

in them; and to collect and classify similar information regarding schools in other countries with reference to those points which, due allowance being made for the difference of conditions, are likely to throw light upon the problems of Indian educational administration. Such information would be intended primarily for the assistance of the Government of India in deciding practical questions of policy upon which they desire to be advised, and an endeavour would also be made to render it useful to the Local Governments and their officers." Besides collecting and supplying information for the Director-General, the Bureau has been made use of to some extent by the Local Governments and other authorities.

In 1903 the Director-General proposed, and the Government of India approved, a scheme for the publication of occasional volumes of special reports dealing with educational problems as they affect India.

In 1903 the Secretary of State approved the suggestion of an education correspondent in England, and appointed Dr. Heath the Director of Special Inquiries and Reports, Board of Education. The following extract is taken from the Board of Education report for the year 1904-05:—

"The Government of India in connection with the reorganization of their system of education requested the Board, through the India Office, to nominate one of their officers to whom they would be willing to entrust the duty of acting as education correspondent to the Indian Government. Their wish was that the officer in question should supply them with periodical reports upon various aspects of educational activity in this country and abroad or in the Colonies, which might be of service in dealing with the problems that are presenting themselves for solution in India. The Board were very glad to accede to the proposal of

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Mr. E. Giles, the India Office, and their Director of Special Inquiries and Reports was appointed to the new office. This officer has, during the past year, been able to assist the Director-General of Education in India by the collection and arrangement of information on a number of important matters, and by giving advice and suggestions to the Educational Officers of the several Presidencies and provinces who have visited Europe and America with the object of studying different types of educational institutions, or of making specific inquiries into particular aspects of education here or abroad."

The Directors of Public Instruction present at the Simla Conference of 1901 passed the following resolution :—

"That the Directors of Public Instruction have found such advantage from the present conference, in being able to ascertain the position of education in all the provinces of India and the results of the different methods of work, that they wish to record their opinion that it is desirable to have periodical conferences of Directors. Conferences every second or third year would appear to be sufficient, the place of meeting being varied from time to time."

The first conference was held at Simla from 14th September to 23rd September, 1905. The following points were discussed :—

Universities.—Recent reforms and proposals for the inspection of colleges. *Secondary Education.*—Plans for a school final examination. Recognition of schools. Qualifications of teachers, their pay and pension. *Primary Education.*—Recent expansions. Rural curricula. Modes of Control. *Inspection.*—Methods of inspection. Grants-in-aid. *Training Schools and Colleges.* *Female Education.*—Inspectresses. Co-education. Muhammadan girls' schools. *Technical Education.*—The selection of technical scholars. Industrial schools. Schools of Art, &c. *Educational Exhibitions.* *Text-books.*—Work of Committees. *Bureau of Education.*—How it may be best made useful. *Furlough Studies.*—How they may be best turned to advantage.

The position of the Director-General is generally summarised in the quotation from the letter of the Government of India to the Secretary of State of October 1901. That position has, so far as I am able to judge, been studiously maintained since the appointment was created. Mr. Orange has on several occasions visited the Bombay Presidency, and his visits have always been welcomed. He has confined himself to the work of observation of the Bombay system and to friendly consultations with the educational authorities. I have endeavoured in my tours to follow the same course.

The actual duties of the Director are—

- (1) To advise the Government of India on all educational questions which come before them, whether from the Secretary of State or from Local Governments or from societies or individuals. That constitutes his main and most important duty.
- (2) To acquaint himself, as far as possible, with the educational systems prevailing in Local Governments and Administrations. This he has to do mainly by visits to various provinces and by occasional demi-official (not official) references to Directors.
- (3) To consult with local educational authorities on the various phases of their system. It is thus possible for him to occasionally make suggestions or to bring to their notice what is being done in another province, but this is not done officially. The main object of such consultations is that the Government of India and the Local Governments may understand each other as far as possible.

In educational matters, the influence of the Government of India does not tend to excessive rigidity or uniformity. On the contrary, it appears to me that there is every desire to comprehend local conditions and to facilitate local developments. The Government of India properly lays down general principles to be observed, and so far guides general educational administration, but it does not insist on uniformity for all provinces and fully recognises the desirability

and necessity of development in accordance with local needs and conditions. It is not always possible to prevent misunderstandings nor can the Government of India claim infallibility. Thus delay in dealing with questions and occasional disappointment are inevitable. But the tendency is towards elasticity, and the position will be improved as the Director-General gradually gains a more intimate acquaintance with local objects and necessities, and as the Local Administrations realise more clearly the views and principles which guide the Imperial Government. I give an example to illustrate my meaning. The Government of India differed lately from the Government of Madras on a question of the agency of inspection. My recent visit to Madras and consultation with the local educational authorities have led me to somewhat modify my former view and have, I believe, led the Madras Government to understand more clearly the view of the Government of India. The result will, possibly, be a solution of the question which both sides can accept. The appointment of a Director-General will in that case have been fully justified. In the past there was a tendency on the part of the Government of India towards rigidity. Such tendency was often due to misapprehension of local aims and conditions. The post of Director-General was created to supply the Imperial Government with an expert adviser in touch with the provinces; and the tendency to rigidity on the part of the Government of India will relax in proportion as the Director-General adequately performs his functions. I can bear testimony to the fact that it is at present the desire of the Home Department to hamper Local Administrations as little as possible and to give them a free hand so long as they do not depart from standard principles.

I am confident that the position must not be altered in the direction of authority to be given to the Director-General of Education. The proper sphere of work for that officer is to advise the Government of India, to inform himself of local conditions by tours and friendly consultation with local authorities, to inform local authorities of the general views held by the Imperial Government, and to endeavour to create a mutual understanding between the Governments. He can, of course, indirectly assist local Directors by knowledge gained in other provinces, but he should have no power of initiative and should exercise no authority.

In some cases, no doubt, the Government of India can claim the credit of initiating reforms in administration. Thus the educational conference of 1901 led to large and general educational changes. The credit may be claimed by the Government which convened the conference and which backed the conclusions arrived at by liberal subsidies. But on the other hand, the deficiencies in the existing system were indicated by the evidence supplied by the representatives of Local Governments. Thus to some extent the credit for improvement may be shared between the Local and Imperial Governments. But I admit that, under the Government of Lord Curzon, the initiative may be said to have proceeded generally from the Imperial Government.

It is most desirable to allow provincial Governments to develop their educational administration on lines which are specially suitable to their own local conditions. Broad principles must be decided by the Government of India and the Secretary of State and must generally be adhered to, but, subject to this limitation, the provincial Governments should be allowed as free a hand as possible. I can see no possible objection to their adopting at discretion suggestions of reform which may come to their notice from other provinces. I am not quite sure how it is intended that such suggestions should be communicated, but, in the case of education, there is the agency of the Director-General, who may be able to suggest to the authorities in one province what has been done in another. Personally also, and speaking as an ex-Director of Public Instruction, I am of opinion that it would be of great benefit if Directors were occasionally allowed to go to other provinces and see for themselves the methods there followed. The Director of Public Instruction, Madras, agrees with me in this opinion and, while I do not wish to minimise the utility of occasional conferences of all the Directors, I am strongly of opinion that this might be well supplemented by direct intercourse between Directors. It is not possible always to understand an

educational scheme without seeing its working, and the intercourse suggested might go far to produce that general assimilation of methods which is in itself desirable. Local conditions must always guide administration, but, subject to this limitation, it is obviously advantageous that what is good in one province should be known to, and considered by, other provinces.

43515. Are there any regulations or codes which govern education, generally speaking, all over India?—There is no code which governs the whole of India; the utmost you could say would be that there was a Resolution laying down educational policy in 1904, which is generally followed by the Local Governments; the Government of India has never attempted to do more than that. In the matter of the European Schools Code there is an article in the code which states that the code itself may be modified to suit local conditions with the consent of the Government of India, and in the Bombay Presidency the code has been modified considerably. In all other respects the Local Governments have their own educational codes.

43516. Then the Government of India beyond issuing the general lines of policy have never attempted to make those hard and fast lines into regulations?—No, I do not think they have. I do not remember anything in which the Government of India have laid down an absolute rule on any particular point.

43517. The General Bureau of Education first of all collects information as to the organization of schools, and then disseminates it amongst the provincial Governments?—Yes, only when information is asked for.

43518. It is never sent round at the instigation of the Director General without being called for from the provinces?—Not in my experience.

43519. A witness expressed an opinion that it would be very desirable if the Director General of Education did send round circulars with information upon educational subjects; would that be within the province of the Director General?—If he meant upon educational subjects generally or upon any specific parts of the educational system, I think it would be most undesirable.

43520. That would not be of help or assistance to Local Governments?—I should be very sorry to do it myself.

43521. Would you, as a provincial officer, like to receive such information?—Suppose the Director General collected certain information from other countries which might be of use, and that he compiled something like a report, it might be of use to a Local Government to have it; but the Director General should certainly not have any power himself to send round a circular letter, or to despatch a compilation, giving his own experience to the Local Government with the view of guiding them as to what they were to do in their administration.

43522. But with regard to information on purely educational subjects?—It is very difficult to say. For instance, occasional reports are published at the expense of the Government of India; they are sent out for general information, and they are extremely useful.

43523. Have occasional conferences of Directors of Public Instruction taken place often since 1901?—Only once, in 1905, when Mr. Orange, the Director General, presided.

43524. Might conferences well be held at regular intervals?—The conference in 1905 was rather of a general description; we discussed a large number of things. A triennial conference would be useful, but the next time there is a conference I should prefer it to be confined to specific questions. I do not say that the conference of 1905 was without value; but we ranged over a very large field, perhaps larger than was necessary.

43525. Do you know at all what was the result as regards the provincial Governments who were represented there?—Speaking for myself, I do not think there was any great result to us in Bombay.

43526. The duties of the Director General being to advise the Government of India on educational subjects, what happens when proposals come up to the Government of India from a provincial Government?—They come to the Home Department, and they are noted upon in the usual way, and then they come from

the Deputy Secretary to me; I give my opinion on the papers, and they then go from me to the Secretary, who, if he thinks fit, can discuss them with me or return them back again for any further explanation that he thinks is necessary; they are then taken by him to the Honourable Member.

43527. Do you do much of the discussion upon such questions as reach you by notes, or is some considerable part of it by personal discussion?—Mostly by notes; it is only in difficult cases that sometimes the Deputy Secretary and Secretary and I discuss the matter together, but where there is a fair consensus of opinion it is all done by writing.

43528. Do those notes run to considerable length as a rule?—It depends a great deal on the subject; it may be a very difficult subject that one is noting upon, and then we have to note at very considerable length; it may be a quite simple subject and one is able to note very shortly. I do not think there is much waste of time in the Home Department.

43529. How do you acquaint yourself with the educational system in other Governments?—As far as possible by visiting the Governments—by visiting the different provinces—it would take some time to acquaint oneself entirely with the educational systems of all the provinces of India; I should say five years.

43530. By that time, I suppose, the appointment so far as the individual is concerned is finished?—No, the Director General is appointed as a permanent officer. He was appointed originally on a three years' term; he was then confirmed by the Government of India and, as far as I am aware, he will remain until he retires from that position.

43531. Do you know whether the same thing applies to other Directors General?—The cases of other Directors General are quite different, in that they have always been selected from senior men of the department, and are therefore approaching the end of their service. In the case of the Director General of Education, he was brought out from home as a comparatively young man, and presumably will hold the office for 20 years.

43532. Have you no official correspondence with the provincial Governments?—No, that could only take place through the Government of India—through the Home Department.

43533. Do the provincial Governments refer frequently to the Director General for advice?—No, not frequently. References have been made in the ten months that I have held the appointment. In one case where the Member for Education in Bombay referred to me, he was perhaps referring to me more as an ex-Director of Public Instruction in Bombay than as Director General. As a rule, the Governments do not refer to me. The Directors of Public Instruction occasionally refer to me, and I have a certain amount of demi-official correspondence with them which is not very frequent, and which merely refers to questions of actual fact.

43534. Do provincial Governments ever write to the Home Department of the Government of India and say, "What does the Director General of Education think of this proposal of ours"?—They never do that in my experience.

43535. You consult with the local educational authorities upon the various phases of their systems; is that after you have made some reference to the provincial Government?—No. To take the case in which I went on tour this year. I stated to the Home Department that I proposed to make a certain tour and that it would take me to the headquarters of the Government of the Punjab, the Government of the United Provinces, the Government of Bombay, and the Government of Madras; I gave the approximate dates and the Home Department circulated a copy of my proposed tour to the Local Governments. I then started on the tour and placed myself in communication with the Directors of Public Instruction in each place. In each place I also saw the members of the Governments who were responsible for education. At Lahore I saw the Lieutenant-Governor and discussed two or three educational matters with him. At Allahabad I saw the Lieutenant-Governor and discussed education with him, as also with the Director of Public Instruction. In Madras I discussed educational matters with the Member in charge of education. In Bombay, as a

Mr. E. Giles. matter of fact, I did discuss two or three things with the Honourable Member in charge of education and with the Governor himself, but it was all distinctly informal; that is to say, if they wished to ask my opinion on any subject I was there to give it.

43536. Did they in practice consult you a good deal?—Certainly.

43537. Was the result of your tour that a certain amount of correspondence and writing and formal consultation and time has been saved?—Yes, certainly.

43538. And questions which might otherwise have entailed a lengthy argument on paper were able to be settled on the spot?—I have no power, of course, to settle anything on the spot myself.

43539. I am talking of it from the educational point of view only?—From the educational point of view I think the conferences were all of some use, and tended towards a clearer understanding between the Government of India and the provincial Government. I have instanced a special case in reference to my visit to Madras. In that special case I am certainly in a position to understand the views of the Local Government better than I was before, and I hope when this question comes up the views of the Local Government will be accepted by the Government of India; they will be modified to a certain extent by what I was able to say to them, but I have had my mind modified to a certain extent by what they were able to say to me.

43540. Do you think the appointment of Director General is of advantage to the provincial Governments, as well as to the Government of India?—I think the appointment is of use, distinctly.

43541. You think, however, there ought not to be any increase in the direction of authority being given to the Director General?—No, he is not an officer who should wield any authority; he should be an adviser, not in any way an officer with authority.

43542. Is there any danger of his acquiring administrative authority?—I do not think there is the least danger. Speaking personally, I should object altogether to attempting to exercise any authority.

43543. It is merely a warning, a *caveat*, which you put in?—Yes. It was suggested in the questions that there might be a tendency towards an officer in the position of an Inspector or Director General gradually assuming authority which he had no business to assume. I do not think there is the least danger of that.

43544. (*Sir Frederic Lely.*) Can you tell me whether in his visits and consultations the Director General has given attention to the co-operation of Revenue Officers with the department?—Certainly. In an interview I had with Sir John Hewett and also with Sir Denzil Ibbetson I stated my opinion that the only possible way in which education in the district could proceed on sound lines was when the Educational and the Revenue Departments were co-operating and working hand in hand.

43545. I am not referring so much to village schools as to places of higher education—normal schools, high schools, and colleges. As a matter of fact, does the department get any help from Collectors and Commissioners in watching their interests and maintaining a good tone and discipline?—As a rule, Commissioners and Collectors have not much time for looking after high schools and normal colleges, but if they wished to do so the department would be only too delighted to have their assistance.

43546. Are they invited to do so or expected to do so?—If I may go back to the time when I was an inspector, I should not have ventured to invite the Commissioner to take an interest in a high school or college, because I regarded him as the Head of the whole division, and if he wished to take an interest in them he would do so.

43547. But does Government ever expect or invite him to take an interest in high schools or colleges?—I think the orders of the Government (speaking for the Bombay Presidency) were more directed to the duties of Revenue Officers in connection with primary education than in connection with secondary education.

43548. Have you ever received communications suggesting defects or improvements in colleges or high schools from District Officers or from the Commissioner?—As regards colleges, the Collector of Ahmedabad is the President of the Board of the Gujarat

College and the Commissioner in Sind is the President of the Board of the College at Karachi.

43549. Those are rather special cases?—That covers colleges.

43550. Has the District Officer any responsibility in connection with the normal training college at Ahmedabad?—No, but should he wish to take an interest in it he can. I should think that every Revenue Officer in Ahmedabad was well acquainted with the normal college there. I do not think he is expected to take an interest in it by the department or by the Government.

43551. Would it not be advisable in regard to every educational institution to have a Board of Visitors who should be expected to keep an eye on the course of instruction and generally on the institution?—As regards our training colleges in the Bombay Presidency the products of those training colleges are scattered all over the district and the Revenue Officers have every possible opportunity of seeing what those products are like. I was 22 years an inspector of schools, and in the whole of the time I never had a complaint made by any Revenue Officer as to the condition of our training colleges.

43552. That was because perhaps they knew nothing about them?—It is not for me as a subordinate Educational Officer to direct a Revenue Officer as to what he should do; if he wished to see the work of a training college he would go and see it. Government could hardly lay down rules for Revenue Officers that they were to associate themselves with the management of training colleges, and if the department was managing them properly, it would be a pity to have two sets of managers. A Visiting Board I should not object to, but if you want the department to administer, you must trust it to administer.

43553. The only question is whether in a matter so closely connected with the people such as education, it is not advisable to enlist the help of the officers who are also in other matters most closely connected with the people?—I should have been delighted to have myself, say, the Collector, and possibly even the Commissioner—though I do not think the Commissioner would ever have found the time—as members of a Board of Visitors to the normal college.

43554. Is your opinion that you have no objection, but you do not see any particular need for it?—I lived eighteen years in Ahmedabad side by side with the Collector and Commissioner and they never expressed to me any view one way or the other; I knew them all personally very well.

43555. They practically ignored these institutions?—I would not say that. I have been all over the training college at Ahmedabad with one of the Collectors certainly; I cannot say at the moment whether I have been there with more than one.

43556. But they did not recognise any responsibility in connection with them?—No, they had no responsibility in the matter.

43557. You mention the desirability of the Government of India facilitating local developments and getting more into touch with local conditions. Has there been of late any corresponding effort on the part of Local Governments to consult local feeling and enlist local help in the matter of education? What would be your previous experience in Bombay?—As far as possible we consulted local opinion. For instance, before we devised our technical developments we got together a conference of all the people who we thought could give us any wise advice.

43558. During the last few years a scheme for introducing agricultural education has been introduced; that is as closely connected with the welfare of the people as almost any matter that could be mentioned. When that scheme was being framed were the District Boards approached for their opinion or advice?—I cannot tell you because the scheme of agricultural education was formulated by the Agricultural Department, not the Educational Department.

43559. I am speaking of the introduction of village gardens and the introduction of agriculture as a subject in the normal training school and so on?—I am afraid that that was a good deal dictated to us by the Government of India.

43560. But when it came down to you, did you take no steps to ascertain the opinion of the District

Boards, for instance?—We do not teach agriculture in Bombay. The establishment of village gardens has not been proceeded with in Bombay any further than it was 25 years ago. In Bombay we did not attempt, and have never attempted, to introduce the teaching of agriculture; all that we have attempted to do is to endeavour that such simple agricultural lessons as the Department of Agriculture might supply us with should be rendered by the village schoolmaster in an intelligible way to the children; we did not consult the District Boards in the way you suggest.

43561. Did you consult the Commissioners?—I do not think the Educational Department consulted them.

43562. Were the Commissioners even informed that the subject was under consideration?—I think the orders of the Government of India went to the Commissioners.

43563. Do you not think it would have been well to have consulted the Commissioner on a question like that before incurring expense and making a new departure in village education?—Anything that was done was done with the full consent of Government; it would have been rather for Government to have consulted the Commissioners than for the Educational Department to consult them.

43564. I am only asking as to the action of Government in the matter?—I cannot say whether Government consulted the Commissioners; I think not.

43565. Suppose they made no reference to the people who could speak for the raiyat, do you think that that would be likely to promote a mutual understanding between the Government and the people, such as the Government of India wishes to establish between itself and the Local Governments?—I have only dealt with what happened in Bombay. There we were hand in hand with the Agricultural Department in all we did; we did not move a step without consulting them.

43566. (*Mr. Dutt.*) It is no part of your duty to control or guide the educational systems of the different provinces?—Most certainly not.

43567. You say that the broad principles of education are settled from time to time, either by the Government of India or by the Secretary of State; are these broad principles generally settled after educational conferences held at Simla, or elsewhere?—The Government Resolution of 1904 may be said to have practically settled for the time being the broad principles on which education should be followed.

43568. Do these broad principles generally emanate from the Government of India themselves or are they generally the outcome of conferences of officers of the different provinces?—In that particular case it might be said that the Resolution of 1904 was the result of the conference of 1901.

43569. Would the Director General feel it part of his duty to lay down such broad principles either for the consideration of the Government of India or for the guidance of the provincial Governments?—If he saw that there was a necessity of certain broad principles throughout India, he might suggest to the Government of India that this was a thing in which there was a deficiency at present, but he could only suggest to his own Government; he serves the Government of India—he could not suggest to the Local Governments.

43570. For instance, greater attention is now paid to technical education and to manual training in our schools and colleges; has that been under instruction or direction of the Government of India?—I could hardly say that it was the result of the action of the Government of India. Technical education has grown up very irregularly in different provinces; in Bombay we have to a certain extent developed almost a scheme of technical education; it does not go very far; it goes as far as our means permit. Some other provinces have done hardly anything in that matter.

43571. (*Mr. Hitchens.*) Do the provincial codes, after they have been prepared by the provincial Governments, have to go to the Government of India for sanction?—No. They are submitted for information.

43572. In practice have the provincial Government got the freedom that they have in theory?—There are certain things which under existing regulations have to be referred to the Government of India.

43573. Which are not matters of principle?—*Mr. E. Giles.* Exactly. There might be relief in those matters certainly.

43574. As a matter of educational policy is it desirable that the consent of the Government of India should be obtained before a new college is built in a province?—It is not necessary at all. For instance, if the Government of Bombay chose a new building for the Elphinstone College, which is at present in not a very satisfactory building, and if they had the means at their disposal, I should let them build a new college; but of course we touch upon financial subjects there: it might be in excess of 10 lakhs and in that case the Government of India might interfere.

43575. Have the Local Governments got the power to convert grant-in-aid schools into Board Schools without the consent of the Government of India?—Certainly, if the people who are managing the schools agree.

43576. Apart from the financial restrictions are there any striking points that have to go to the Government of India?—Nothing except financial; there are a large number of things which are financially necessary now in regard to which I should like to see relief given.

43577. I mean from the educational point of view?—From the educational point of view, I think not.

43578. (*Mr. Meyer.*) Having regard to what you have told us as to your functions, your title is perhaps rather a misnomer?—Personally I object to the title; I think the title suggested by the Secretary of State, when the question of appointment was under discussion, namely, "Educational Adviser to the Government of India," was, though rather cumbersome, better than that of "Director General of Education."

43579. It might dispel possible misconceptions on the part of the provincial Governments, if you were called either "Adviser" or "Inspector General"?—I do not think "Inspector General" would be any improvement; it is not good to call a man "Inspector" if his inspection is to end in nothing.

43580. I gathered from what you said just now that your inspections were very fructifying?—If I went down to a Local Government and said "I have come to inspect your system," that would suggest the idea of some authority.

43581. Are the provincial educational codes generally on uniform lines?—Certainly not.

43582. The only bond of union is as to the general principles that have been laid down in the Government of India Resolution that you have spoken of?—Yes.

43583. The European Schools Code is an exception?—An attempt has been made to have a uniform code for European schools; it has not been a very successful one.

43584. The Government of India having laid down general principles, might not the Local Government be allowed to frame and alter their European Schools Code as they chose?—Certainly, as provided for in the code in which it is stated that any modifications that appear suitable may be made with the consent of the Government of India: I would strike out the words "with the consent of the Government of India."

43585. Are all educational matters that come up to the Home Department referred to you, or only such matters as are of a technical character which it is thought you could advise upon with advantage?—It is a difficult question to answer because if certain subjects were not referred to me I should not be aware of their existence; but my impression is that every single thing is referred to me; drafts are sent to me to see before they are issued very often.

43586. Is that advisable?—Certainly, if I am to have any position at all, for it would be intolerable that the Government of India should have an expert adviser and should keep back from him certain things and only let him see certain things; what would be his position then?

43587. On the other hand it may be alleged that you thus become a *quasi-administrative* officer with the Government of India and are able to enforce your views on Local Governments?—I do not think so—I just express my opinion; it is for the Hon'ble Member to accept my opinion or not as he likes; he is responsible.

3 Feb., 1908.

Mr. E. Giles.

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43588. You express the opinion that the appointment of Director General has been of distinct utility to Local Governments. You were speaking I suppose very largely from your own impression as Director of Public Instruction in Bombay?—No, I do not think I was.

43589. Do you speak as Director General or as an educational expert?—The position is a very peculiar one. The Director General when he came out from home necessarily had to spend some time before he could obtain any information as to what the actual system, we will say in Bombay, was. Personally, I myself have derived assistance from the discussions with the Director General; I should have derived much more had he had five years' longer experience, and been able to tell me more of what was going on in the other provinces.

43590. Then in future is the Director of Public Instruction in Bombay likely to reap increasing advantage from the assistance of the Director General?—I think so, if both men are reasonable.

43591. And therefore we may say that the Local Government would also, through its own Director, obtain advantage?—I think so, it depends very much upon the men.

43592. It has been suggested to us that it might be of advantage if, when a provincial Government had got some educational scheme on the anvil, it should be at liberty to consult you about it; you would give your ideas to them without, of course, committing the Government of India; would that be a useful method?—It would be very difficult to carry out; it is done to a certain extent. I am attending a conference of the Bengal educational authorities to-morrow; this is about the fifth conference that I have attended since I have been here in Calcutta, with the view, if I can, to make any suggestions or to help them in any way by my experience. That is in the case of schemes that have not come up to the Government of India. That is, I think, the ideal position; but as the Director General cannot go to all the Governments exactly when they are considering certain proposals, it would be impossible for that to be carried out always.

43593. They might write to you?—I do not think it would be a good thing for a Local Government to write to the Director General separately apart from the Government of India and say to them, "This is our scheme; what do you think about it?" I think there would be objections to that. It might be rather putting the Director General into a position in which he was more or less independent of the Government of India. Suppose that the Director General saw considerable reason to differ from the Local Government in the scheme that they sent up, and he wrote and said, "I do not think this scheme is complete or sufficient in this or that respect," and they wrote back and said, "But you do not understand the scheme; we want so-and-so and so-and-so," and he wrote back and said, "Still I do not think so," you would have a correspondence growing up that I do not think would be desirable. Whereas should he meet the Local Government they can talk as much as they like and listen to what he has to say, but it would be a very different thing to having a long correspondence springing up, both sides differing.

43594. It has also been suggested that in cases where you advise the Government of India against some scheme sent up by the Local Government, the Local Government should have an opportunity of knowing your views and possibly replying to them before final orders are passed; would that be practicable?—Speaking as Director General, if my views are accepted by the Home Department, those views are included in the letter which they address to the Local Government.

43595. But the proposal was that you having recorded your view, there should be a stay in the proceedings until your view was communicated to the Local Government and the Government of India had learnt what the Local Government had to say in reply?—That is assuming that the Government of India accept my views. If the Government of India do not accept my views then it would only add to the confusion if my views were sent off to the Local Government as the views of the Director General.

43596. There would be nothing to be gained by it?—I think not.

43597. It has also been suggested in Bengal that the Government of India, in educational matters, interfered too much with questions of detail; the matter of a play-ground attached to the College at Sibpur was instanced?—I cannot understand the evidence. The Government of Bengal had a very large scheme to create an Arts' College at Ranchi and at the same time to remove the Sibpur College to Ranchi. The cost of this scheme will be very great. The area of land taken up at Ranchi is very considerable. When the whole question came up before the Government of India it appeared that there might be a saving if scientific laboratories for instance were made common to the two institutions. Also it was suggested (the suggestion did not come from me) that possibly it might be a good thing to have common play-grounds, and the Government of India suggested to the Government of Bengal that that might be discussed conveniently when the Director General came to Calcutta. I think the Government of India's suggestion was made in October, and it was known that I should be in Calcutta in December. We held a discussion and we decided upon a certain course which was most desirable in regard to these play-grounds and laboratories. As a matter of fact, when one saw the whole site of the two colleges one decided that each should have its own play-ground and its own laboratories. I do not call that a matter of detail. It seems to me that they ought to consult in a large scheme of that sort. If the Government of India had said "You shall only have one play-ground," it would have been interference.

43598. In any case the scheme could not have been carried out for some time to come?—No, the scheme will not be carried out for some years.

43599. So that there was no blocking of the scheme?—No blocking whatever.

43600. Do District Boards and municipalities in Bombay, maintain schools of their own?—There is this slight difference. In the case of the District Boards they have an income of their own from which they maintain schools; it is made up of their own cess-income, the provincial grant and fee receipts from which they maintain Board schools throughout each district. There is a sum of money, not very large—I think it is Rs. 60,000 a year—which is paid from provincial funds to aid primary schools in the same area; so that the District Boards do not actually aid any schools in their area; they spend all their money in maintaining Board schools. In the municipalities it is very nearly the same, except that there is nothing to prevent a municipality from giving a small grant-in-aid to a school.

43601. We have been told, in Eastern Bengal and Assam for instance, that where a Local Board does maintain a school, it has to maintain it under the rigid rules of the provincial code which regulate the number of masters to be employed, and their salaries, and so on; is that the case in Bombay?—In Bombay the Education Department administers the District Board schools direct, not the municipal schools.

43602. And the District Board has the privilege of paying for them?—The Board makes its budget; it has a free hand in deciding where the school shall be opened and what fees shall be charged. I am including in District Boards, *taluka* Boards, and so on. The actual administration—that is to say, the appointments and removal and punishment of teachers—is left to the Educational Department.

43603. Is it the same in regard to municipalities?—Municipalities manage their own schools. The department only inspects the schools of municipalities, except in the case of one or two very minor municipalities, which give over the administration to the department; all the larger municipalities manage their own schools entirely.

43604. Speaking generally, might the local bodies in Bombay, including both Local Boards and municipalities, have a freer hand in education?—I think it would be fatal if the District Boards in Bombay attempted to actually administer the schools; people do not often realise what actual administration means; my own experience tells me that if the District Boards had to decide on the appointment of a master to a school on Rs. 12 a month, it would take them perhaps five months to get the order out.

43605. (Sir, *Steyning Edgerley*.) The ground of the objection in the matter of the playground to which you referred was that the Bengal Government thought that they were expected to report on the suggestion and to defend their position; was that so?—They must have known that in any case they had to come up again, because the whole question of the removal of Sibpur has not yet come up in a detailed form.

43606. The idea was that that might very well have come to them as a suggestion, but that as an enquiry it led to great and unnecessary correspondence?—I do not understand how it led to any correspondence whatever.

43607. The idea was that they were expected to take up that particular suggestion and argue it all out at length in order to convince the Government of India about it?—But it was the Government of India that suggested that it should all be done in conference here.

43608. The Bengal witnesses complained that the European School Code went into very great detail in regard to the curricula of study; is there any reason why the Government of India should concern itself with the curricula in European schools?—Personally I think there is no reason whatever why the Government of India should have written those particular paragraphs.

43609. Apparently they also went into great detail as to the method of inspection of institutions applying for recognition. Did such matters require to be settled with the approval of the Government of India or might they have been left to the Local Government?—The Bengal Government thought it was necessary that in any case where a European school applied to be placed on the registered list for a grant-in-aid there should be a Board of three to decide what sort of school it was. The Government of India replied that they did not see that there was any necessity for that; that if they had an efficient school inspector, the Director ought to be able to decide without the help of other people.

43610. If the Bengal Government chose to have a Board, was there any objection?—I think it would be most mischievous myself; I see no reason for it.

43611. As far as the curriculum goes there ought to be freedom?—Entire freedom. All the European schools of the same class should aim at the same final standard. There should be some kind of standard at which a boy will leave the European school, because European boys are being constantly moved from all parts of India, and it is very useful that each boy should carry with him a certificate that he has passed the final standard in a European school, and that certificate should be available throughout India. Below that I would give all the authorities absolute freedom, and practically there is freedom in Bombay.

43612. You have had experience now of the Government of India system by which you note on all educational matters. Do you think that that system would work at all for the Director of Public Instruction in the provincial administration?—I do not think so, speaking from my experience in Bombay.

43613. You do not think it is a good system?—No, it would only make the Director another Secretary.

43614. You do not think it would save reporting and a good deal of official correspondence?—No, I do not think it would save anything. In Bombay I have always (as I saw that Dr. Bourne said in his evidence he always had) the power of going to see the officer in charge of education, and discussing matters with him; I think that that is a most important thing.

43615. Does not credit for the initiation of modern technical education rest almost entirely with Lord Reay?—I think Lord Reay deserves a great deal of credit, but we are now coming to a stage when it has gone much further.

43616. (Chairman.) We have had some evidence as to the management of primary, middle, and secondary schools; do you think that you could entrust a body, such as a village community, with the conduct of the primary schools?—Certainly not. We do have a local committee in each of our villages in Bombay. Personally, when I went round, I always used to collect them together and ask them what they thought of the condition of the school, and I would listen to any complaints they had to make. But to hand over the administration to them would be impossible,

because they might be dismissing the master at any moment, and they have not got the necessary qualifications to enable them to administer a school.

43617. Who do you think ought to have the administration of the primary schools; do you think the District Board should have it?—I think the Bombay system in the present conditions of India is the best. In Bombay the District Board votes the supplies, passes its budget which is prepared by the Educational Department, and there is in each district an inspecting staff with a head who is called a deputy inspector, and one, two, three, or four, as the case may be, assistants under him; they are responsible to the Educational Department and also to the Revenue Department for the proper administration of those schools. The District Board is connected with them in this way; that any member who thought that the management of the schools or the inspection of the schools was not being conducted on the proper lines could bring it to the notice of the President of the Board, or at the meeting of the whole Board, but the actual issuing of orders is done by the inspector in the district, and that issuing of orders means an immense amount of petty detail which it would be impossible for a Board, which only meets occasionally, to carry out.

43618. Could the enormous amount of petty detail of which you have just spoken be best managed by a single officer in a large district?—The single officer has under him three or four assistants who are equally well qualified with himself. Our men in Bombay are all graduates; most of them trained men, and above them there is, for each division, (a division consists of six districts roughly speaking) an inspector, who is either a member of the Indian Educational Service or a member of the Provincial Service, and who is selected on account of his qualifications. He keeps his districts in order. If he does his work properly he goes from district to district in the cold weather and he sees that his staff are working on proper lines, and he has, to help him, all the Revenue Officers and all the members of the District Boards.

43619. You think that the administration of the primary schools should be in the hands of one officer with the assistance of other officers of equal experience with himself, instead of being in the hands of the members of the District Board?—The only possible way the District Board could manage the schools would be if they delegated their powers to a School Board which might consist of three or four members; they would probably all live in different places, and could only meet very occasionally. It is not possible that they could carry on the administration of the schools in a proper and efficient manner.

43620. Has the Board any officers of its own in educational matters?—It has in some parts; in Bengal the Board has its own educational officers, but in Bengal the Boards do not maintain schools; they only aid them; that is quite a different matter.

43621. In places where the Boards maintain their schools, might not the Boards control their own Educational Officers?—Even in Madras the number of schools that the Boards maintain are very small compared with those that they aid. It would be a waste of money to allow them their own Educational Officers, because the Government must maintain the system of inspection; just as in England the County Council maintains Educational Officers, but the Board of Education maintains the power and right of inspection, and has to maintain the staff to do it. In a poor country like this, you must either give up the right of inspection, which I think Government should always maintain, and leave it entirely to the Board to manage its own affairs, or you must double the number of officers and waste money.

43622. You advocate a system under which the Board of Education both administers and inspects?—Yes. This educational and inspecting officer—what we call in Bombay a district deputy inspector—is not only supposed to be under the orders of the inspector of the division, but he is also supposed to be the assistant to the Collector of the district; that is to say, the Collector can always write to him, and the Collector represents to a certain extent the District Board; the Collector can write and ask him to do this or that, and in fact order him to do it; he is the servant at once of the Education Department and of the Revenue Department.

Mr. E. Giles. 43623. Then you would lead us to believe that, from the educational point of view, it would be undesirable to entrust the administration of schools to municipalities and District Boards?—Not to municipalities; the municipalities manage their own schools.

43624. But with regard to the primary schools?—The municipalities manage their own schools, because they have a limited area, and they have educated men in that area and they can easily visit all the schools; the cases are entirely different.

43625. Then in the case of the *mufassal* municipalities?—The *mufassal* municipalities can all—except the very small ones indeed—if they like, efficiently manage their primary schools, and they do manage their primary schools on the whole, in Bombay, very well.

43626. Then the middle schools?—By middle schools, I understand you mean the Anglo-vernacular schools; as a rule very few municipalities maintain middle schools in the Bombay Presidency; in other parts of

India they do maintain them; I see no reason why they should not manage them efficiently.

43627. Are Educational Officers when they come from England, required to have any knowledge of the Indian dialects?—No.

43628. Would it not be advantageous that there should be a rule requiring that?—I do not think it is possible; suppose a man was selected for service in Bengal, he would pick up the dialect more quickly here than he would in England.

43629. Does an inspector on arriving here have to issue the orders you have referred to?—No man ought to be sent out from home and be at once appointed an inspector. He would, if he was appointed to do so, but he ought not to be.

43630. Is he so appointed?—It is the case in some provinces; I think it is quite wrong.

(*The witness withdrew.*)

Mr. O. T. BARROW was called and examined.

Mr. O. T. Barrow. 43631. You are the Comptroller and Auditor General?—Yes. I am the general auditor and also financial adviser of the Government of India, as regards technical rules governing audit and account matters.

43632. One of the witnesses told us that the rulings of the Accountant General had built up, as it were, a wall round the freedom of the provincial Governments in respect of Courts of Wards; is there any justification for that statement?—I do not understand how the rulings of the Accountant General could have an effect of that sort; unless I can understand exactly what matters were under discussion at the time, it is impossible for me to deal with any observation of that kind.

43633. The reference was to the Accounts Code in Public Works matters?—No one would have any authority to make any code, which would bind any provincial Government, except the Government of India.

43634. Your attention has never been called to anything either by the Accountants General or by the provincial Governments?—Never.

43635. (*Mr. Hitchens.*) Do you find that you get a large number of references from Accountants General in regard to infractions of the Civil Service Regulations?—I do not personally get many such, because it is generally understood that the Accountants General refer to the Government of India in connection with the Civil Service Regulations; it is upon questions connected with technical accounts that I get references—matters which are provided for in the Account Code; sometimes Accountants General do refer to me as to the interpretation of the regulation, but as a rule they go to the Government of India if there is any doubt about the interpretation of the leave and allowance rules and so forth.

43636. Have you been an Accountant General?—Yes, for many years.

43637. Was it your experience then that these regulations caused a great deal of reference to the Government of India?—Yes; they do cause a certain amount of reference; they cause more trouble in the way of references between the Local Governments and the Accountant General. The rules are rather long and complicated, and officers are constantly contesting the decisions of the Accountant General, in which case the matter has to go up to the Local Government.

43638. There are a substantial number of points that are argued out and settled between the Accountant General and the Local Government?—Yes. The cases which go to the Government of India are comparatively rare, but there are a certain number of them. A case only goes to the Government of India if the Accountant General is himself in doubt as to the interpretation of the rule, or the Local Government differs from the opinion of the Accountant General; otherwise it does not go to the Government of India at all.

43639. (*Mr. Dutt.*) Can you suggest any way in which the necessity for these references to the Government of India could be decreased?—The only way is

by delegating greater powers to the Local Governments.

43640. A suggestion has been made that the Local Government should have more liberal powers of interpreting rules than it has at present; what is your opinion as to that?—I think that would be impossible; you may make your rules as wide as you like, but you cannot relax the audit, once it is established.

43641. The rule being there, the Accountant-General is bound to act as strictly as possible?—Absolutely.

43642. (*Sir Steyning Edgerley.*) Take a case in which under a rule a reference has to go up to the Government of India, would it be possible to give the Local Government, in cases where the result is pretty fairly clear, power to decide, subject to monthly or quarterly returns of cases so treated?—Yes; you might do something more than is done at present. You would have to restrict it. At present the Local Government has two authorities; one is contained in one article of the code, and the other in another article; one is for exceptional expenditure, the other is as to the time-limit. If you extended the rule as to the time-limit by abolishing the Accountant-General in certain cases you might do something in the line you suggest. For instance, the Accountant-General at present is allowed to write off expenditure up to a limit of Rs. 25, if he is satisfied that the Government of India would sanction such a course if the matter was referred to them. You might increase the money limit, and allow the Local Government some power of that sort without much danger, provided you confined it to cases where the money had been drawn under a reasonable belief that the money was due. The Accountant-General's powers could be somewhat extended without the necessity of going up to the Government of India. That might be done, but it would have to be carefully restricted by a money limit and report; it must be confined to cases where the money has been drawn under a reasonable belief or apprehension that the officer was entitled to it. I should doubt whether you could do much more than that without doing away with the good of audit altogether.

43643. If these sanctions were given and reported in a return, the Government of India would still be able to say, "We object to this tendency, and you must stop it"?—That is on receipt of a statement, but statements have got into a way of being not scrutinised too carefully, especially as the Government of India would not be aware of the circumstances of every case; such a rule would be likely to be abused without much attention being drawn to it.

43644. Do you consider that the auditors you have got are absolutely independent of the Local Government?—Absolutely.

43645. Are you responsible for the Public Works audit too?—No, except in the way of a test audit; the Public Works audit is not under my immediate control.

43646. Is it under your ultimate control?—In the way of periodical inspections it is; it only comes under our notice during the inspections, which are very infrequent.

43647. The Local Governments have some voice in the matter of the promotion of officers?—I cannot tell you.

43648. If that be so, is that quite consonant with sound independent audit?—It is not of very serious importance; you can of course look at it in that light, but, after all, the audit of the Accountant General is supposed to be to that extent independent of the Government of India that he is supposed to check anything that the Government of India does beyond the powers which have been delegated to it by the Secretary of State, and yet the Civil Accounts Department are entirely dependent on the Government of India for promotion and reward.

43649. A complaint made to us very frequently is that selection in the Indian Civil Service ought to begin rather lower down and be more complete than it is at present, and it is generally suggested that, with that must go the power to require officers to retire on proportionate pensions? Have you ever thought how the question of proportionate pensions could be worked? There is of course the medical certificate pension; has any scheme ever come under your notice?—No, not exactly for proportionate pensions. No doubt it is contrary to good policy to pension an officer who is still able to serve the state, and I should think the tendency would be too much in that direction, if you gave too much discretion. As to the stoppage of promotion, it is a difficult thing to say whether it ought to go very low; I myself should have thought it should not.

43650. That would be a question of policy?—Yes. I have never thought of any scheme of pensions proportionate to the length of service of an officer who is not obliged to go on medical grounds. I do not think the principle is a good one. Anything which tends to increase the non-effective charges of the State must be to some extent unsound; because if you cannot put the officer into high employment, he is surely capable of filling some lower one.

43651. Assuming that the Government came to the conclusion that on the whole a particular officer, A.B., had better go instead of stay, you have never thought out any scheme of pensions for such cases?—No.

43652. Would it be a necessary corollary of that to improve pensions at the other end?—Yes; if you did the one you would have to do the other. As it is, the system of Indian Civilian's pensions is entirely, to my mind, on an unsound basis. The pensions of Indian Civilian's are not framed upon ordinary pensionary principles at all, but upon the idea of promotion during the officer's service, which is not a right principle. It now consists of a fund.

43653. If anything like proportionate pensions were given, it might so far prejudicially affect recruitment, and that might need counterbalancing?—Yes, I quite agree with that view.

43654. We have had a suggestion made that one way of diminishing transfers would be to allow officers to accumulate their privilege leave for a little longer time than at present, so that officers in outside Services, where the pay is less, would probably be able to go on leave for, say, a year, where they now go for six months, and would not be so frequently absent. Is there any objection to allowing accumulation of privilege leave for more than three months?—I have never thought of any.

43655. There was another suggestion made by some witnesses, that every officer should have a sort of ledger account with Government—an open leave account—and that he might take whatever leave happened to be to his credit in the ledger, whenever there was no objection on the part of Government to letting him go. Do you see any objection to that?—None at all. I am strongly in favour of it. Of course there are objections, in that it will increase the difficulties of the Local Governments; the objections would probably come from that point of view; that is to say, owing to the fact that the leave was not restricted, as at present, by intervals; still, it would increase the number of officers who could ask for leave. If you have a large number of officers asking for leave at the same time, it will be difficult for the Local Government to decide between their particular claims. At present you diminish all that by not letting an officer go on furlough until he has had three years' service after returning from his last leave, and he cannot take combined leave until he has had eighteen months' service from his last privilege leave. All these matters require consideration.

43656. There are rules as to the percentage of officers who may be on leave, and there is the rule giving the principle how to decide between competing claims; would that not be a sufficient safeguard; you think the Local Government might be too soft-hearted?—It strikes me that there would be a great deal of difficulty; one man might have more urgent business than another, although the other man might stand higher on the roster; there might be difficulties in deciding between the two. That would be the danger of the scheme.

43657. A suggestion talked about is that it might help to stop changes in the charge of districts, if you had a certain number of supernumerary Collectors or Deputy Commissioners, and filled your leave vacancies from them, instead of by promotions from below; is there anything in that idea?—It would be rather an expensive scheme; I have never thought of such an idea.

43658. Certain witnesses in Burma and elsewhere suggested that it would be a very good thing to relieve the Collector of the charge and responsibility of the treasury, the idea being that relief should be given to the Collector wherever his duties do not bring him into actual contact with the people, in order that he may have more time for getting into actual contact with the people. Would there be any difficulty, from your point of view, in relieving the Collector from charge of the treasury?—I do not think it would be a good thing. You must have some local authority responsible for the management of the treasury, even though he may not take an active part in it. The Collector at present takes very little part in it, but the Head of the district must be responsible; you could hardly exercise efficient control from a distance, which is the only way the Accountant-General could do it, or merely by periodical audits. The whole of this question was threshed out years ago several times. In 1873 the Accountant-General was generally understood to be responsible for the efficient work of treasuries; he was supposed to inspect them once in three years, from 1861 to 1873. Then the whole question was raised because the Accountant-General found that he had so much other work to do that he could not efficiently perform that work, and the Government of India decided, after considerable argument, that the District Officer must be entirely responsible for the management of the treasury, and that any inspection by the Accountant-General only weakened responsibility and ought to be avoided. It was also decided at the same time that Commissioners must exercise a supervisory authority by periodical visits to the treasury, which came down practically to once a year. Against that order the Government of Bombay appealed, and the matter was brought up before the Government of India again. The Government of Bombay represented that the Commissioners had not time to do the work; a great many opinions were taken and a large number of officers were consulted: the large weight of opinion was in favour of the Collector still being held responsible. Personally, I think there is nothing between making the Collector responsible and transferring the whole charge of the treasury to the Accounts Department. I think myself that the latter course is the only practicable one; otherwise you have divided responsibility. If you allow the Collector to be responsible, and yet to cast off his responsibility as regards inspection and so on to the Accountant-General, he will take no interest in the matter whatever himself. The other plan of transferring the whole of the work to the Accountant General is stopped by many considerations. It would mean a prohibitive expense; you could not have anyone except an officer of pretty high standing whom you could trust; you would have to have a Gazetted Officer of considerable standing. There are other objections. The management of the treasury in a district depends on the Collector's own authority; there would be disputes between our Accounts Officers and the officers of other departments. At present, although the Collector does no part of the work, the Treasury Officer is well recognised as the direct subordinate of the Collector; the friction that would exist there if you had an independent officer would be great. The police and Public Works people all work cordially with the Collector; whether they would with an alien outsider, I am not sure; it might be tried, but it would be expensive, and I doubt whether it would be satisfactory. My fear is that if you once made the Accountant General responsible for

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the inspections, the sense of responsibility with the District Officer and Commissioner would be much weakened; that is the objection to it, otherwise it might be done. It would be quite easy, at a slight expense, for the Accountant General to inspect the treasury through his local staff.

43659. It might create friction in the case of *taluk* treasuries?—I do not see why.

43660. In the matter of establishments, and so on?—No.

43661. (Mr. Meyer.) The *taluk* treasury is in charge of the tahsildar as a rule, and, *quid* Treasury Officer, he is under the orders of the Deputy Collector?—Yes.

43662. They are both under the Collector?—Yes.

43663. Suppose the district treasury was under one of the Accountant General's officers, would the tahsildar be likely to render such loyal obedience to his treasury instructions?—I think that would be a difficulty. A great many bills are passed by the district treasury on the Collector's instructions; it is, practically, a sort of post-audit, while there is a pre audit in the Accountant General's office.

43664. Suppose you had a trained auditor, would he not be likely to introduce a system of pre-audit at the beginning, which might lead to delay and possible friction?—It might possibly lead to more frauds. If the treasury establishment were well acquainted with the Accountant General's office methods, there would be more likely to be frauds than at present; if you had trained officers from our department doing the two things there would be that risk, because they would be well able to avoid those pitfalls which an ordinary man would not know how to avoid; that is to say, they would know the methods of the audit staff at headquarters. That would not be quite so safe as the present system, where our Treasury Officers have no means of knowing exactly how we carry out our check. There would not necessarily be fraud, but there would be some danger of it.

43665. All that the Collector is required to do at present is the counting of the treasury balances and stamps when he takes over charge, and occasionally monthly verifications of them?—He is supposed to verify every month, but, as a matter of fact, he is out a good deal and does not do it. He has to verify every two months; that is the minimum.

43666. Would it be sufficient if he had to verify once a quarter, and otherwise let the verification be done by another officer altogether?—It would be sufficient, probably, but I have rather an objection to anything that tends in the direction of not enforcing the Collector's responsibility; the more he knows he has to deal with the treasury the better; at present he does very little.

43667. You say he should verify once in every two months?—I believe that is the present rule. When he is out on tour another Gazetted Officer, one of his assistants, may verify once; I have forgotten the exact rules; I think myself that once in two months is sufficiently seldom.

43668. You would not like to make it wider still?—I do not know that there is any very strong objection, except the one I have mentioned, but I would prefer to keep it as it is.

43669. The Accountant-General has to go up to the Government of India in any case of overdrawings; do you see any objection to giving the Accountant-General power to wipe off such overdrawings, always assuming that he is satisfied that the payments were originally made in good faith?—I am not sure that he does in practice go up; my memory is that he does not go up to the Government of India *suo motu*; the officer himself raises the case; I do not think the Accountant-General is bound to refer to the Government any recovery effected more than six months old.

43670. Suppose you find that A. B. has been drawing Rs. 560 a month instead of Rs. 550, the proper calculation, for the last three years, and you think it is rather hard to recover it from him when it was due perhaps to the negligence of your own office, you would have to go up to the Government for sanction. Might the Accountant-General be granted any powers there?—I think it would be a pity. I do not think that anything of that sort ought to be placed upon the Audit Officer. It might lead to negligence on the part of the Audit Officers.

43671. Would you be in favour of extending the discretionary power of the Local Governments under section 278A of the Civil Account Code?—There would be danger in abolishing the rule that they may not sanction recurring expenditure.

43672. The present rule is that the expenditure must not be recurrent, that it must not exceed Rs. 1,000, and that it must not be contrary to the general principles of the code?—I have thought that, with certain safeguards, it might be abolished, but it could not be done without some danger; it would probably necessitate the introduction of other provisions. You could not prevent the Government giving an officer more than he was entitled to. I do not see any objection to a Local Government, for instance, saying, "This officer is entitled to only Rs. 50 acting allowance; we do not think that is enough for the job, and therefore we will allow him Rs. 80." There does not seem any great objection to that, as long as you have a money limit.

43673. That would be recurring?—That would be recurring, and therefore contrary to the present rules; I do not see why the rule should not be widened, but it is difficult to do it without getting into some danger.

43674. If you widened it in that way, you would considerably whittle away your code?—That is so, but you have your money limit, and you have also the second rule, that it must not be in abrogation of any rule of the Government of India, but must be justified by exceptional circumstances. Of course, the danger is that the cases would become too numerous.

43675. Could it be met in this other way—by keeping the restrictions as to recurring expenditure, but increasing the money limit, and saying that the Government must not act in absolute contradiction to any existing restrictions?—That is, provided it is not worked so as to increase acting allowances beyond the amount allowed in the regulations, or something of that sort.

43676. Yes, that it shall not be used to drive a coach and four through the existing restrictions?—Something might be done, but it is very difficult to say how it could be worked; I have not been able to think out any plan.

43677. In regard to references that come up on audit questions, salaries, and so on, are the great majority of them finally disposed of by the Local Government, so that the number that have to be referred to the Government of India is a mere fraction?—Yes; only a small minority go to the Government of India.

43678. In regard to Courts of Wards and municipalities, and District Boards and local bodies generally, the Government of India have laid down no general code?—No.

43679. It is entirely a matter for the Local Government, in regard to the particulars as to vouchers that shall be brought up, and so forth—details of audit, in fact?—Quite so; that rests with the Local Government.

43680. Consequently, if in any province it is the fact that these bodies are unduly worried about petty vouchers, and so forth, the Local Government could relieve the pressure at once by telling the Examiner of Accounts that he was not to insist?—So far as I know, the rules are provided for in the Acts, and the power to make rules is reserved to the Local Government.

43681. They may be drafted by the Accountant General, but they are sanctioned by the Local Government?—Yes.

43682. Suppose that the Accountant-General thinks that in some particular case audit stringency ought to be enforced, say in the matter of vouchers, and the Local Government disagrees with him (I am now speaking of a municipality or a Court of Wards), has the Accountant-General to submit?—He has to submit entirely, unless it is contrary to some regulation of the Government of India. For instance, if a Local Government suggested that they should not pay all their receipts into the Government treasury, and wished to pass a rule permitting them not to do so, the Accountant-General would be bound to go to the Government of India then.

43683. Of course there are a few general instructions laid down by the Government of India, but they are really of a general nature?—Quite so.

43684. Apart from those, the Accountant-General could have to accept the decision of the Local Government whether he thought it a wise one or not?—Absolutely.

43685. You have been Accountant-General in Bombay, and what other places?—The United Provinces and Bengal.

43686. Was there any difference in your position in Bombay compared with your position in the other provinces?—Perhaps a little. The Bombay Government make more use of their Accountant-General than the Bengal Government does. They refer to him more for financial advice.

43687. They let him take, in fact, part of the work of the local Financial Secretary?—There is no doubt that the Accountant-General in Bombay bears the same relation to the Bombay Government as the Comptroller-General does to the Government of India. All technical questions are referred to him, and he is made great use of as an assistant to the Financial Secretary; whereas in Bengal he is very rarely referred to.

43688. Does the Bombay system tend to sap the independence of the Accountant-General?—I should not think so.

43689. As regards the question raised about a self-contained *cadre*, might that not also bring difficulties with it? You require 30 Deputy Commissioners; the Local Government is provided with (say) 36 to meet leave vacancies and so forth, this would also logically involve the principle that they would have to do with the 36; that they could not appoint more?—At present, out of the 30 they might have 10 away, and they could put in 10 senior Assistants to fill their places; under the proposed system, they could not have more than six away at one time?—I do not know

how far the proposed system is to be restricted. I do not understand the proposal very clearly. If that is so, it would cause considerable inconvenience. There are certain times when you cannot help allowing your officers leave. At present you have got your Civil Service recruitment based upon principles which you are aware of, and those principles in themselves are rather doubtful; that is to say, you limit the number of your officers, and perhaps in a direction which is not quite justifiable.

43690. We have it from one witness that he dislikes the present recruitment system under which everything is based on the number of superior appointments; every superior appointment practically carries another inferior appointment with it?—I was referring to that. You limit the number of appointments which you can make in the Civil Service by the number of your superior appointments. It is done with the purpose of allowing every officer to get sufficient promotion; but it must have a bad effect if it starves your administration in the lower ranks. I do not know that it does it; some provinces complain that it does.

43691. Personally, would you be in favour of doing away with that regular rule, and allowing, as in former times, recruitment to be based upon the number of actual appointments made?—The rule is a perfectly sound and a very scientific one, and it prevents blocks of promotion. There is no other way of preventing them; you would have the old difficulties if you once departed from the rule.

43692. The new rule has its inconveniences, but it was brought in to obviate still more serious inconveniences?—I quite agree.

(The witness withdrew.)

Adjourned.

SIXTY-THIRD DAY.

SIMLA, Friday, the 3rd April, 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. B. ROBERTSON, C.I.E., I.C.S., was called and examined.

43693. (Chairman.) You are Secretary in the Commerce and Industry Department?—Yes, I have just joined the appointment; I was acting last year. I file a memorandum* showing the constitution of the department.

43694. Your appointment has now been confirmed?—I have been temporarily appointed again; I am still acting.

43695. You say that the department is under the charge of the Hon'ble Member; is there any difference between the constitution of the Department of Commerce and Industry and that of the Home Department?—There is not, so far as I know; I think there is none.

43696. The Secretary in the Home Department describes that department as under the special care of an ordinary Member of Council, but states that the Secretary is at the Head of the Department; you rather seem to say that the Commerce and Industry Department is under the charge of the Hon'ble Member of Council; there is no real distinction?—There is no real distinction.

43697. The Member of Council is responsible for all that is done in the department?—Responsible to the Government of India.

* *Vide* Appendix Ia.

43698. The Secretary is merely the Head of the office, as it were?—Yes.

43699. You do business with regard to the various matters mentioned throughout British India and in all Native States too?—We advise the Foreign Department of the Government of India on matters which arise under these heads in Native States. We are merely the advisers of the Foreign Department on matters falling within these heads about which we are consulted.

43700. Do you correspond direct with these Native States?—No, we have no direct correspondence.

43701. It all goes to the Foreign Department?—Yes.

43702. Are port dues and pilotage charges uniform throughout India?—No, they are not uniform.

43703. Are they left to the discretion of the port authorities?—The port authorities fix them. There are special Acts applying to each port, and according to the powers given by the Acts the port authorities fix the dues, which vary throughout India.

43704. Does your department leave the various authorities free to fix their own charges, or do

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they suggest a general scale?—There has been nothing of that kind to my knowledge.

43705. As to the light dues, you think there should be uniformity?—Yes, they affect the shipping all round India.

43706. The office establishment consists of 58 clerks; is that an increase of late years?—The department is a new department; it was formed in 1905.

43707. Did it not shed certain subjects to the Revenue Department?—I do not think so; there has been nothing shed since the department was created. There has been a question of increasing the subjects taken over by the Commerce and Industry Department; one is electricity, which is at present dealt with by the Public Works Department, but there has been nothing shed to my knowledge.

43708. Then you say there is a certain amount of routine work which is disposed of by the two Under-Secretaries. What exactly do you mean by routine work?—Questions more or less of office procedure that come up, and perhaps answering a question from another department, or sending a reference which another department asks for; that would be disposed of by the Under-Secretary—not a matter upon which any opinion of this department is required, but merely forwarding information or supplying papers, and matters of that description.

43709. Do the two Under-Secretaries dispose of any references made by Local Governments or Local Administrations?—No, none whatever.

43710. They all come to the Secretary?—Yes.

43711. Does he dispose of any of those cases himself?—No, all references from Local Governments go to the Member.

43712. In the office itself do the two Under-Secretaries note on all cases?—These 22 subjects are divided into two sections; there is an Under-Secretary in charge of one section, and another Under-Secretary in charge of the second section; each notes on individual cases coming up in his own section.

43713. What is the lowest official whose comments or notes appear on a file of papers after a subject is raised in the department?—There is the Assistant Superintendent, the noter.

43714. What does he note about?—He notes about previous references that may have been made on the same subject, and he also generally gives his opinion on these previous references as affecting the subject under consideration; then it passes through the head of the sub-section—the Superintendent. He is not allowed to put up a fresh note; he merely alters in any respect that may be necessary any statement made in the noter's note; there is one note only. Then it goes to the Under-Secretary in charge of the section, and he makes his note. So that there are one note by the office and one note by the Under-Secretary, and then it goes to the Secretary, and he makes a note.

43715. It then goes to the Member?—Yes. He passes orders.

43716. Do a great number of these papers go on to the Governor-General?—Not a great number.

43717. A considerable number?—A considerable number. He passes further orders.

43718. Are all these five distinct notes, of a more or less lengthy character, necessary upon each paper?—I hardly think they are necessary. Probably a single note from the department, drawn up by the Under-Secretary, might be sufficient as a foundation. The only question is whether that would be a more expeditious manner of disposing of the case than the present. If there were only one note that came up to the Secretary, it would certainly be much more easy when you had to dispose of a case, to read the single note than it is at present to read the office note as well. It would be very advantageous in looking over past files to have one note only, but I question whether that would not lead to actual delay in the disposal of cases. The office note would come up first of all; the Under-Secretary would have to work it up to represent his own views; the note would

probably have to be re-written, which of course would mean delay, and the matter might not come up for disposal until another day or two; so that possibly the present system leads to actual expedition in the immediate disposal of work. It certainly does not lead to expedition, when you get a large number of previous files put up and you have to read through the lengthy notes of each individual. You might dispose of some of those notes by making the Under-Secretary's note the only note appearing on the file.

43719. Of what standing is an Under-Secretary?—About 7 or 8 or 9 years' service.

43720. Speaking generally, are his opinions upon a question that has necessitated a reference from a Local Government, and from experienced officers in the Local Government, really of very much value?—They are of value in this way; the precedents and the previous experience which has been gathered, and which we can collate with the Local Government's present suggestion, are of undoubted value, and his note is of value in making that collation.

43721. How long is an Under-Secretary permitted to be in a department?—Three years is the ordinary rule.

43722. Until he has had at least a year's service in the department, even upon the question of precedents, can he do little more than collate facts?—He collates facts; but you get a clever young man with ideas of his own.

43723. Do the ideas sometimes spread into length?—They do.

43724. You not only write your opinions, but you subsequently print them?—The notes are printed.

43725. What is the reason of that?—That is to afford facility in reading up the back references.

43726. Have you any knowledge of the working of the Civil Departments at home?—No, I have no knowledge.

43727. You have no knowledge whether any of them find it necessary to print these notes?—I have heard that at home it is not considered necessary.

43728. That system is never used?—I understand it is not used at home; I have been told so.

43729. What happens to the original opinions or notes; are they filed for reference?—They disappear; they are all thumb-marked and messed about in the press, and they disappear.

43730. After what period?—I am not sure; I imagine they are destroyed straight away, once they are printed. It is only the important cases that are printed, what we call the A proceedings—cases that will require to be referred to.

43731. Is it necessary to have all these notes printed?—It is most convenient when you come to refer back to previous cases. Take this case about customs, instead of searching back through previous files, you have this note which collates the facts and the previous suggestions and ideas on the subject; it is most useful to be able to refer to that note, which is a *précis* of what has gone before, instead of every time hunting up the files afresh.

43732. Does the formation of this *précis* in itself involve a very considerable amount of clerical work?—Yes.

43733. And it might be possible that the extra amount of work so involved would more than compensate for the trouble of looking up the original files?—It might do so, as clerical work.

43734. The mere putting together of files is a purely mechanical matter?—That is so.

43735. The Government of India moves twice a year from Simla to Calcutta. Have these double sets of notes to be carried about from place to place?—We keep Calcutta records and Simla records; some of these printed compilations are left in Calcutta and some in Simla.

43736. There are duplicate sets?—Yes.

43737. What happens to the original manuscript proceedings?—They are destroyed. When the notes are finally printed off and the complete proceedings are put up for the perusal of the Secretary, the manuscript is destroyed.

43738. Does not the examination and proof-reading of all these notes entail extra labour?—Undoubtedly.

43739. Has this system been long in vogue?—I have seen it on back files, I should think, for certainly 20 years at least; it has gone on for a very long time.

43740. What happens in the case of the B proceedings?—They are kept in a similar way, but they are not printed; the notes are still there.

43741. Are they kept in duplicate?—No, they are kept in original.

43742. Then have they to be transported backwards and forwards?—Yes.

43743. Does that entail a great deal of clerical labour, or any clerical labour, apart from the manual labour of packing?—We only take the B proceedings of what might be called current subjects—about some appointment or something of that sort—which is likely to come up again within the year; otherwise, we leave them behind—we do not transport them.

43744. Where are they all stored?—I imagine they are stored partly at Calcutta and partly at Simla; I think they eventually go to headquarters at Calcutta.

43745*. Has the demand in the Commerce and Industry Department for returns and information from Local Governments increased of recent years? If so, is this due to the requirements of the Secretary of State or to those of the Government of India?—The only new periodical returns which have been called for from Local Governments of recent years are the following:—(1) Annual confidential report on Collectors and Assistant Collectors of Customs. (2) Reports of accidents in the storing and in the transport of explosives. (3) Statement showing the quantity of dangerous and non-dangerous petroleum produced in and imported into British India. (4) Statement showing the wages of different classes of skilled and unskilled labour in factories. These returns were called for at the instance of the Government of India and not of the Secretary of State. It is in contemplation to abolish (4). In matters of administration affecting Merchant Shipping, Merchandise Marks Acts and Customs, the Government of India have frequently had to call for reports on specific points to which attention has been drawn by the Board of Trade, the Secretary of State on representations made in England by parties affected, and by Chambers of Commerce or individual merchants in this country. In this respect the references to Local Governments have probably been more frequent than in the past, but this increase can only be attributed to normal causes. The demand for information from Local Governments in connection with the annual return of expenditure on stores purchased in India has increased in recent years. The increase is due to the requirements of the Secretary of State for India. Similarly, under instructions issued by the Secretary of State in 1901, the Government of India and Local Governments are required to report to him any cases in which a departure from the rules for the purchase of stores from England has been made, clear evidence being furnished that "such a step is unavoidable and will not entail any large increase of expenditure."

43746*. Will you kindly give the Commission a list of the periodical returns which your department (a) calls for from provincial Governments, or (b) furnishes to the Secretary of State, with a column showing which of these (if any) are in your judgment unnecessary?—I hand in a statement.

43747*. What is the extent of the recent centralization of the Customs Administration, and is it intended to carry it further in regard to administrative appeals or in other matters?—The recent centralization of the Customs Administration apparently refers to the formation of the Imperial Customs Service in the beginning of

1906. The reasons which led to the imperialization of the superior grades of the Customs Service are stated in full in paragraphs 1 to 3 of this Department's Resolution No. 154—161-57, dated the 9th January, 1906. The effect of the measure has been to bring the *personnel* of the higher appointments of the Customs Department under the direct control of the Central Government. The officers of the Imperial Customs Service are liable to be transferred at the discretion of the Government of India from port to port, such transfers being made generally with a view to securing the services of the best men for the most important posts, and also in order to assimilate, as far as possible, the Customs Administration throughout India. Questions affecting the appointment, promotion, leave, transfer and punishment of these officers are dealt with by the Government of India, but their control does not go beyond this, and it is not intended to restrict or interfere with the administrative powers conferred on the Local Governments by the Sea Customs Act. The orders of the Secretary of State preclude the Government of India from any such interference and there is at present no intention of carrying out any further centralization in regard to the administration of the Customs Department. The Government of India will continue as heretofore to exercise the general control which is essential in order to secure a reasonable amount of uniformity of practice at the various ports; but it has been decided that appellants against Customs decisions should always be referred to the proper local authority.

43748*. What are the general restrictions on the power of the provincial Governments in the grant of mining concessions? How far are these due to the Secretary of State? Could they be relaxed in any material respect?—The provincial Governments are guided by the general rules laid down in the Notification in the "Gazette of India," dated the 20th May, 1899, reproducing a Resolution of the Government of India, No. 18—17-2, dated the 20th May, 1899. The main restrictions laid down by this Resolution on the powers of the Local Governments may be summarised as follows:—They are not empowered to sanction leases for precious stones: the term of any lease is limited to 30 years and no covenant for renewal may be inserted in the lease without the sanction of the Government of India: the area of a mining lease which a Local Government can sanction is limited to 10 square miles, and they have no power to reduce rents or royalties. These restrictions, save that regarding the limitation of the powers of the Local Governments in the grant of leases for precious stones, have been maintained by the express orders of the Secretary of State, who declined to agree to a proposal of the Government of India in favour of delegation to Local Governments. The revision of the mining rules is now under consideration, and a report was called for from the Director, Geological Survey. He has proposed, as a preliminary step, that an informal committee should be convened whose conclusions will be circulated to Local Governments, commercial associations and other public bodies. It would be premature to state whether any relaxation is either possible or desirable. The sanction of the Secretary of State will be required to any modification.

43749*. What is the position of the Director of the Geological Survey as an adviser of the Government of India in regard to mining matters? Is it open to provincial Governments to consult him?—In the matter of giving advice on mineral questions the Director of the Geological Survey bears the same relation to the Government of India as to all Local Governments. The Government of India ask his advice when they think it necessary; the Local Governments can do exactly the same. No Government is bound to act in accordance with such advice. The Local Governments have frequently consulted the Director, Geological Survey; no request for assistance of this kind from a Local Government has ever been refused or treated lightly.

43750*. You have been furnished with schedules or memoranda showing the proposals made by

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certain provincial Governments in regard to the relaxation of specific instructions now imposed upon them by law, by rules having the force of law, by imperial codes (such as the Civil Service Regulations), or by executive instructions which they desire to have relaxed. Would you object, so far as your department is affected, to any of such proposals and, if so, on what grounds? Can you suggest similar relaxation in any other matters?—It is understood that the question only refers to proposals affecting delegations of powers to Local Governments which are now vested in the Government of India or exercised by the Government of India. Generally speaking, the proposals to this effect contained in the memoranda and schedules received from Local Governments do not appear to be open to objection except such as are referred to in the accompanying schedule.† In regard to the proposals so excepted reasons have been given for the retention of control by the Government of India. The Bombay Government's memorandum contains a general suggestion providing for the assignment to Local Governments of functions not specifically reserved to the Government of India. Among these functions is included the control of Scientific and Minor Departments. To the latter class belong such Departments as Explosives, Mines, the Geological Survey and that of the Reporter on Economic Products. The assignment to the Local Governments of the control of these Departments is open to objection. There must be uniformity in the operations of the Mines and Explosives Department. The Geological Survey Department is engaged in a survey of the Geology of India. These are all technical departments, and there would be loss of economy and of power in allowing the functions of these departments which are now centralized to be distributed over a number of minor agencies. Administratively difficulty must be experienced with the small establishments which the Local Governments could afford to maintain. A relaxation of the rules regarding the supply of typewriters, books, and the purchase of petty articles of stationery has recently been sanctioned, and the Local Governments have now authority to delegate their powers in this respect to selected officers. A proposal has also been sanctioned by the Secretary of State giving heads of Scientific Departments power to purchase stores direct from manufacturers outside India.

43751*. How far will the recommendations of the recent Stores Committee, if accepted, do away with the necessity of reference by provincial Governments and Heads of Departments in minor matters brought to notice in the memoranda and appendices submitted by provincial Governments?—The recommendations of the Stores Committee, if accepted, will have only an indirect effect in the direction indicated. The conditions to which local purchases of European stores are now subject will be materially relaxed, and it will be possible to remove some of the restrictions now imposed and to relax others. It may also be possible to do away with the present statement of expenditure on stores purchased in India which is prescribed by the Secretary of State.

43752. (Sir Frederic Lely.) Have you not a great deal of experience of mining leases, in connection with one of the Local Governments? Yes, in the Central Provinces.

43753. Generally do you think that any is to be advised in the way of encouraging mining enterprise?—I personally do not consider the mining rules are capable of much change in direction. They are very liberal at present most respects, and I do not think there is amendment that can be made in the way of encouraging mining enterprise. The chief complaint about in the working of the rule is the delay which frequently takes place before applicant obtains a prospecting license or a lease.

43754. Have you read Mr. Holland's suggestion?—I have read his written statement laid before the Royal Commission.

43755. Do you agree with that?—I generally agree with what he says. For instance, I note that he says "The statement that the rules are framed so as to give an unnecessary amount of trouble and to discourage the development of the mining industry is utterly at variance, as a general conclusion, with the opinions I have collected from professional mining men." I agree with that opinion.

43756. He says, "I consider, however, that the Local Government should have some means of rejecting the prospector who takes up land under the easy terms allowed in India, merely to float companies on a bare rumour of the occurrence of valuable minerals; but a check of this kind can be maintained without requiring a certificate of approval with each application. Instead of the present system I would propose the grant of a general certificate or license to a prospector, the certificate being valid for a calendar or financial year, and the Local Government retaining the power, at any time within the recognised year, to cancel such certificate by general or special order. The names of those to whom such prospector's certificates are granted should be published in the Local Government Gazette." Do you think that a general certificate could be given?—Rule 11 of the Prospecting License Rules says that "Every such application" (that is, for a prospecting license) "shall contain the following particulars..... and shall be accompanied by a certificate that the applicant has been approved by the Local Government under the signature of one of the Secretaries."

43757. That is to say, each application should be accompanied by a certificate?—Yes. Mr. Holland has told me that in Burma this is interpreted as meaning that if a man applies for a prospecting license in district A, he has to file with his application the original certificate signed by the Secretary of the Local Government; he then wants to apply in district B, and he has to go to the Local Government and go through the formality of getting a second certificate. In the Central Provinces we never thought of such a thing; all that is done is that a man puts in his application for a prospecting license with the certificate in original as required by the rule; the Deputy Commissioner merely notes "Certificate seen," and returns it; we never thought of interpreting the rule in the way the Government of Burma has done.

43758. If that plan is followed elsewhere Mr. Holland's proposal about publishing the certificate in the Local Government Gazette is scarcely necessary?—It is hardly necessary; it is merely another way of getting at the same end.

43759. Mr. Holland's general opinion is that on the whole the rules require stiffening rather than relaxing; do you agree with that?—In some cases they undoubtedly do require stiffening. For instance the terms upon which a prospector can take up a very large area of land for the purpose of prospecting, or perhaps for the purpose of keeping other people out, are extremely lenient at present. In the Central Provinces all that he has to do is make a deposit of a certain sum not being less than Rs. 100, and he can take up under a prospecting license as much land as he pleases. Another rule says that a moderate rate rent, not exceeding one rupee per acre, shall be paid for the land covered by the license, but that rule has been held to apply only to land which is the property of Government. As in the Central Provinces the land is not the property of Government but the property of private owners, a man can go in gaily and ask for thousands of acres, paying nothing but the Rs. 100 deposit. Another matter in which the rules require stiffening is this: the holder of a prospecting license obtains his license for one year; the license is renewable for a period not exceeding two years, whenever the Collector is satisfied that the licensee has been prevented from completing his search by any cause other than his own fault. In practice that rule of renewal has been loosely worked, and it has enabled prospectors in some cases, especially in the case of manganese, to work out a very large deposit on mining lines without any of the conditions which are imposed upon mining.

43760. As a matter of prospecting?—Exactly; he walks in, gets a number of coolies, and digs for manganese; prices are good, and he works the thing out during the one year; or, if he finds a lenient Collector, two years; in that period he may have mined the whole thing out. All this time he is paying no rent; there is only his Rs. 100 deposit. In matters of that kind undoubtedly the rules want to be stiffened; those are two instances of matters in which they require tightening up.

43761. (Mr. Hichens.) Does he not have to pay a royalty?—He has to pay a royalty, but it may be very small. Last year when manganese was at the height of the boom, the royalty in the Central Provinces was only 4 annas a ton.

43762. The dead rent comes to more?—It might be more; we want to put on a high rent in the case of a man who is likely to do this kind of thing; the royalty is very light.

43763. (Mr. Dutt.) I suppose a prospecting license is only granted with respect to land in which the minerals are the property of Government?—That is so.

43764. Is not most of the land in the Central Provinces private property?—The surface rights are private, the mineral rights are the property of the Government.

43765. When licenses are granted are any arrangements made with the people who own the surface about not disturbing their cultivation and so forth?—When mining or prospecting first started in the Central Provinces such an arrangement was not generally made; the prospector walked on to the land with his prospecting licence and dug up the surface. The *malguzar* or proprietor, to begin with, thought that the new-comer was a sort of Government emissary, and said nothing. Later on, when he saw this man coming money out of a bare hill-side, he of course said "Why should not I have some of this"; but all that he was entitled to was the surface compensation for the bare hill-side, which of course was practically nothing. When the landowners woke up to this, the Land Revenue Code of the Central Provinces was put into force. Section 151 says that the Government can, under the Land Acquisition Act, give access to the minerals under the surface; what had to be done was to acquire the piece of land on which the prospecting or mining took place, and put the licence or lease holder in possession. So that the landowner received compensation for disturbance of his property.

43766. Under the Land Acquisition Act?—Yes, and that is now generally done.

43767. The present practice is that a man gets a prospecting licence, but he cannot go all over the surface of the land without the permission of the owner?—Quite so, and if the owner objects, we apply the Land Acquisition Act.

43768. You tell us that the area of a mining lease is limited to 10 square miles; I suppose that means that all the areas covered by all the leases given to one particular man shall not exceed 10 square miles?—The rule has been interpreted to mean, under one Local Government.

43769. But one lease will allow him only two square miles for coal and one square mile for oil?—Those are blocks, but when he combines those blocks into one lease the total area of all the blocks must not exceed 10 square miles.

43770. Is that for all minerals?—Yes; the 10 square miles limit applies to all minerals; he can take any number of blocks up to the 10 square miles.

43771. We had some evidence to the effect that difficulty is sometimes felt by a Collector or by a Commissioner in giving these mining leases for want of an expert adviser; we were told that probably the help of an expert adviser would be useful to the Collector or Commissioner in granting mining leases?—Yes, the expert adviser is of use principally when something out of the ordinary arises. As to the ordinary minerals which are covered by these rules, as a matter of fact expert advice is hardly required; for instance,

in the case of a lease for coal or for iron ore the royalty is fixed, and the maximum and minimum surface rent is fixed so that the expert adviser scarcely comes in; but in matters like gold and silver and precious stones and river dredging, some very difficult questions have arisen, and an expert adviser in these matters would undoubtedly be of use.

43772. When expert advice is desirable can a Local Government always refer to the Director of the Geological Survey?—That is what we wish.

43773. Has that been the usual practice?—It has not been the usual practice hitherto to consult the Director of Geological Survey, but it is now coming into vogue.

43774. But you think it is desirable?—I think it is desirable in matters in which very large interests are concerned.

43775. (Mr. Hichens.) The branches under the Commerce and Industry Department, I understand, deal with matters which are of common interest to the whole Empire?—Yes, except in certain minor cases such as fisheries.

43776. And matters where what is done in one province might materially affect what is done in another province?—It is very important that commercial men, say, living in Calcutta should have the same set of rules applying to a particular subject in Bengal and the United Provinces and the Central Provinces; it would be very inconvenient for them if slight variations in the rules were made in different provinces dealing with the same subject.

43777. And is it likely to be inconvenient to the Local Government that there should be uniformity in those matters?—I cannot see that there is likely to be much inconvenience; it requires perhaps a certain amount of reference; if one Local Government discovers a weak point in certain rules, they are not able to correct it themselves, but have to refer it to the Government of India, and the correction is considered desirable, say, in the United Provinces is probably one which would be desirable in other provinces; it is most desirable that as far as possible the rules should be similar for all.

43778. The local conditions are not likely to differ so much as to render uniformity undesirable from that point of view?—That is so.

43779. For example, take a matter such as the rules governing explosives; that is a subject where local conditions would hardly be likely to affect the matter at all?—Just so.

43780. Recently, in regard to customs has not a departure been made by imperializing the department?—The department has been imperialized.

43781. Was not one of the principal reasons for doing that, that under the old régime Collectors of Customs did not remain long enough either in the department or at one place to know their work thoroughly?—That was one reason.

43782. Was that the most important reason?—That was one important reason; another important reason was to a certain extent to standardise the administration of customs.

43783. And that uniformity could be secured by transferring Customs Officers from one port to another port at the discretion of the Government of India?—Yes.

43784. How far has that object of retaining officers for a longer period as Collectors of Customs been achieved?—The trouble arises in this, as in all other departments of Government, of men wanting leave and falling sick, and other reasons also come in, but we have tried to keep the men who have been trained up in customs work, and we have to a great extent succeeded.

43785. How long has the experiment been going on?—Since 1906—two years. Take as an example Mr. Cadell, who was Collector of Customs at Bombay; he did very good work as Collector of Customs in Bombay, but last August or September he was called upon urgently to take up the Private Secretaryship to the Governor of Bombay. That of course was breaking the continuity of his customs work, but in the present month Sir George

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Clarke has been able to relieve him of his duties as Private Secretary, and we have now appointed him Collector of Customs at Calcutta, where his previous Bombay experience will be of the greatest value. He has just joined his appointment as Collector of Customs at Calcutta.

43786. You think that the customs staff is sufficiently large as a whole to enable appointments to be filled from within it, that is to say, you will not continually require to be getting outside assistance?—We shall not continually require to be getting outside assistance. The idea of course is that a Collector is not bound to stay on in the Customs Service, nor is an Assistant Collector, all his time; an Assistant Collector who has been appointed to the Customs Service can revert at the end of four years.

43787. He must stay four years?—Yes; then, if he wishes to do so, he can revert and get experience in other matters of administration for some time. When a Collectorship of Customs falls vacant, instead of having to put in a man who knows nothing about the work, we call up a man who has done his four years as an Assistant Collector and put him in. But it is not an absolutely closed Service.

43788. How long must a man remain as Collector of Customs?—There is no rule about that so far as I remember. The rule is that "Collectors of Customs appointed from the Indian Civil Service will be permitted, subject to the approval of the Government of India, to revert to their own provinces at any time, but such permission will be withheld in cases where it would cause too rapid a change in the customs personnel."

43789. (Mr. Meyer.) Did you observe that principle recently in Calcutta; was not Mr. M. allowed to go off to be Inspector-General of Police for his own advantage?—We had Mr. Cadell to provide for, and it suited us; Mr. M. had for the last year been told he would be relieved about April, 1908, when he intended taking leave, I think.

43790. It was to the convenience of the department as well as to the convenience of Mr. M?—It was to the convenience of the department to let Mr. M. go on the 1st April, as that had been arranged about a year past, and it fitted in exactly with Mr. Cadell's reversion.

43791. (Mr. Hichens.) There are certain posts in regard to which a condition precedent is that a man must undertake to stay there five years or a given period; would it be desirable to have any condition of that sort attached here, or do you think that you are sufficiently safeguarded?—We have hitherto been sufficiently safeguarded by the present rule; we withhold permission to return unless we see our way to filling the place satisfactorily.

43792. As I understand, you attach considerable importance to retaining people for as long as possible in the Customs Service?—Yes.

43793. Otherwise you fear that the inexperience of Collectors will prove detrimental?—Yes.

43794. Therefore you want to secure that you will have a continuous Service?—Yes.

43795. In most other countries, as I suppose you are aware, the Customs Service is one in which you remain all your life; a man begins at the bottom and gets up to the top, and has a thorough knowledge of customs matters, though possibly not of other matters; would you think it desirable to have that system here?—Not altogether; I think the present mode of allowing members of the Civil Service to come into the customs, with the arrangements made for gaining experience (namely, four years' service certain as an Assistant Collector, then working as Collector for as many years as the Government of India consider necessary), is a useful arrangement in this way. The man who has been Collector of Customs with this training, eventually becomes a Commissioner of Customs, say, in Bombay, where he has to do other duties as well as customs; he is Commissioner of Excise; in Bengal he would become a member of the Board of Revenue which deals with customs; to have men trained up with this previous customs

experience, who can be made Commissioners of Customs or members of the Board of Revenue, is a very useful arrangement in the circumstances of India.

43796. Will not a man always try to get out of the Customs Department when it is to his advantage to go to another post?—He probably might; but there are certain limitations to that. A customs appointment means residence in Calcutta or Bombay, which is very much pleasanter than living in a small and obscure place up-country; most men, I think, would prefer the former.

43797. How long would a man be likely to remain a Collector of Customs before it was to his advantage to revert to his province?—The view I hold is that a Collector of Customs when appointed would certainly remain for a term of four years without wishing for a transfer to another post. The pay he receives compares favourably with the pay of a Collector in ordinary work, and to most men the choice of life in Bombay and Calcutta, with all its amenities, is an incentive to stay on as long as they possibly can. I should put four years as the minimum we might expect.

43798. As regards customs, the Local Governments have still administrative powers?—They have administrative powers under the Sea Customs Act.

43799. (Mr. Meyer.) How far are those administrative powers independent of the Government of India?—They are entirely independent. Take an appeal from a Collector of Customs; it goes in the first instance to the Commissioner of Customs in Bombay, or to the Board of Revenue in Bengal; a second appeal would lie to the Local Government, not to the Government of India. During the past year I find that 16 appeals were made to the Government of India, all of them in small matters; all these were referred back to the Local Government who had the power to deal with them. So that the Government of India, last year disposed of no single matter of interference with the discretion of the Local Government in the administration of the Act.

43800. Is there not a third appeal to anybody who feels aggrieved, from the Local Government to the Government of India?—That is so, but none was made in these cases.

43801. But they could be made?—Yes, there is a final appeal on matters of principle.

43802. (Chairman.) Were these appeals made in trumpery cases to the Government of India?—Yes.

43803. By whom?—By mercantile people; they had not gone at all to the Local Government, they came straight up to the Government of India; that was last year's record.

43804. Did the previous year differ from it very much?—It was probably very much the same. Mercantile firms think that the Department of Commerce and Industry is there to guard their rights and they send in their appeals straight to the department, and we say, "You must go to the Local Government."

43805. (Mr. Hichens.) Are there not certain rules made by the Local Government?—Yes.

43806. Are they subject to the control of the Government of India?—No, they are entirely in the hands of the Local Government, as far as I remember. I think we have no control over the customs rules.

43807. What kind of matters do they deal with?—The Act is a very long one; questions about the manner of import, the declarations to be made, warehousing, and matters of that kind.

43808. They have a free hand?—They have a perfectly free hand; they have got their own manuals.

43809. Would any appeal go up through the Local Government to the Government of India?—Suppose you are the Collector of Customs and you have seized certain merchandise as being contraband; the merchant wants to get it out at once, and he goes straight to the Commissioner or the Board of Revenue on the spot; they uphold the

Collector's order; he can then appeal to the Local Government, and if he is still dissatisfied, he comes up to the Government of India.

43810. But strictly speaking, no appeal lies from the Collector of Customs to the Government of India?—No, not to the Government of India.

43811. (Mr. Meyer.) Upon this matter of customs, are there not a great many things in the Act that require the approval of the Government of India?—There are some things.

43812. There is a list of them given in a memorandum which has been put before us by last year's Committee on Decentralization; may we accept that as correct?—Yes.

43813. Then all alterations in tariff have to be made by the Government of India?—Yes, that is of course a different matter; it was details of procedure that I referred to specially.

43814. Is not customs really an imperial matter as the post office?—I should say it was.

43815. Might it not be imperialized in the same way; might you not have the Customs Officers treated as imperial officers, appeals from outposts lying to the Chief Customs Officer of the province, and appeals and references from the Chief Customs Officer lying to the Commerce and Industry Department?—You might have that, but one of the reasons why we support the present arrangement is to enable appeals to be made promptly to the people on the spot, that is to the Commissioner of Customs or to the Board of Revenue, and from them to the Local Government.

43816. You think the trade prefers that?—I think the trade would prefer the expedition of the present procedure.

43817. If they are dissatisfied with the local Postmaster-General they can go to the Director-General of Post Offices with the Government of India?—Yes.

43818. Would you say it is really a matter for the trade to determine; if the trade should desire the complete imperialization of the department, it might be expedient from the administrative point of view also?—It might be.

43819. Now as regards the Headship of your Department; whatever the old constitutional standing was, may it not be said now that the Hon'ble Member in charge of a department of the Government of India is Head of the Department?—Yes.

43820. And that, to use a military analogy, the Secretary is his Chief of the Staff?—Yes.

43821. Any orders the Secretary issues are issued in the name of the Governments; although the Secretary takes the responsibility he cannot issue orders *quâ* Secretary—he issues orders on behalf of the Government?—Yes.

43822. The Secretary is responsible to his departmental Chief for any order that he issues in the name of the Government?—Exactly.

43823. You said that no references from Local Governments or other authorities (you have certain Imperial Departments under you) requiring orders are dealt with by the Under-Secretaries. Are there not a certain number of routine cases, formal sanctions under the Civil Service Regulations and others?—I do not think so in the case of the Commerce and Industry Department; cases always come up to the Secretary as far as I remember; there may be some small details under the old rules that were formerly in force, about the purchase of books and things of that kind, that may have been disposed of by the Under-Secretary.

43824. Subject to a few possible exceptions, everything goes to the Secretary?—Yes.

43825. You spoke in answer to the Chairman about five notes in a case; is that not the ordinary maximum?—That is the limit, it cannot be exceeded.

43826. When His Excellency the Viceroy has to approve of a case, generally speaking the Secretary takes it up to him personally?—Yes.

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43827. And usually there is no note at all, except your own; that the Viceroy has approved or disapproved?—Yes, and that is the order of the Viceroy.

43828. Similarly, in a great many cases the Hon'ble Member does not trouble to make a note if he is entirely in agreement with what you propose, but merely puts his initials below?—That is so.

43829. And similarly in a great many cases you find that the Under-Secretary's note expresses your view, and you put your name below?—Yes.

43830. Then as to the question of *précis*; you get cases perhaps with reports from all the Local Governments?—Yes.

43831. And in addition to that, the Local Governments may send you up contributions, occasionally quite valuable, from their Board of Revenue, or other subordinate authorities?—Yes.

43832. Those may make a great mass of material?—A very great mass in important cases.

43833. Is it not better that one man, if he can do it intelligently, should take a few hours in making a *précis* rather than that everybody who has to deal with the matter should have to go through all the details minutely?—It does save time. You must have this *précis* for purposes of future reference, and in any case of such a description for present purposes also.

43834. With regard to the recording and keeping of notes and the printing of notes we differ from the practice at home in this respect, that in the case of the English Civil Service the men stay in their office practically for their lives?—Yes.

43835. Here five years is practically the maximum tenure of office of officers from the Under-Secretary upwards?—Yes.

43836. Consequently every superior officer in the Commerce and Industry Department will be entirely changed 10 years hence?—That will be so.

43837. These notes are particularly valuable in such a case very often to show what were the specific reasons that led the Government of India to adopt course A instead of course B?—That is what I say is the importance of the note.

43838. And with our constantly changing staff do you think it is necessary to have these notes?—I think it is; I have said that it would be difficult to get on without them.

43839. As regards the printing of them, you have shown that the printing is only done in the case of important proceedings?—That is so.

43840. Some of these proceedings may be wanted for reference in half a dozen files that are circulating at the same time?—There are such cases.

43841. Therefore, if you only had the single manuscript set of notes, you would have to delay five files while the sixth file was requiring the use of the notes?—Yes.

43842. Consequently the printing of, say, 60 copies of the *précis* is really a saving of time to everybody concerned, except possibly to the press at the outset?—It is an economy in such cases undoubtedly.

43843. With regard to prospecting, do I understand that you are prepared to give a Local Government full power to grant a concession in respect of gold, say, up to 10 square miles?—I believe that is what the present rules justify.

43844. The present rules say one-quarter of a mile in a particular block?—But any number of blocks can be combined I understand; I have never had to deal with gold and silver.

43845. But each block is a quarter of a mile, and the total number of blocks held by a man may not exceed 10 square miles?—That is it; you can take any number of blocks, provided that the total area of all the blocks together does not exceed 10 square miles.

43846. (Mr. Dutt.) The wording here is that the mining lease shall cover only two square miles for

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coal and one square mile for oil; that is schedule A?—The rule says: "No mining lease shall be granted by a Local Government under these rules so as to cause the total area held under mining leases by the lessee to exceed 10 square miles." If he has five leases in a particular province, those five leases must not cover more than 10 square miles. That means that you would make him take out 5 leases where one would do.

43847. Each lease cannot cover more than two square miles?—Yes, and you make him take 5 leases for 10 square miles. The practice hitherto has been, however, to allow one mining lease to cover the whole 10 square miles; that is how it has been worked; the strict wording of the rule might read as you put it.

43848. (Mr. Meyer.) Take the case of gold; you may get quite a small gold area; 10 square miles might cover all the good part in a find?—That is so.

43849. The idea is that the prospector gets the first claim?—He gets the first claim.

43850. Take the case of a small gold area which did not extend much beyond 10 square miles; would you desire that the Local Government should give 10 square miles in a ring fence to the man who had prospected?—That is certainly inadvisable.

43851. Then is it not desirable to maintain the present idea, which is that in that particular block he should not get more than a quarter of a mile, though in another block in the next *tahsil*, say, he might get another quarter of a mile?—The difficulty arises then, how do you distinguish your blocks; you can leave a yard of land between each block, and you defeat the object of the rules; that has arisen in actual practice.

43852. But the spirit of the rule is that he should not get more than a quarter of a mile in one particular spot; is it not desirable to maintain the spirit of the rule in regard to such a valuable matter as gold?—It is; at present the object is apt to be defeated by leaving a small piece of land between two blocks.

43853. In raiyatwari land the Government recognizes no right of private ownership in minerals?—In the Central Provinces, of which I know, no right of private ownership is recognized in raiyatwari or zamindari land, except in very exceptional cases where certain villages were given out under waste land rules about 40 years ago.

43854. Does it differ in each province?—It differs in each province.

43855. But, generally speaking, the people who hold from Government on temporary settlements are not entitled to mineral rights?—That is so.

43856. Can you give us any idea when the Secretary of State is likely to pass orders on the report of the Stores Committee?—I cannot say; a despatch went home the mail before last answering certain queries.

43857. You say that if the Secretary of State accepts your recommendations it will only give an indirect relief; surely it will be a very direct relief? If in any number of cases where now a reference has to be made to the Government of India through the Local Government to purchase stores and so forth, the Local Government can do it off its own bat, that will be a very direct relief?—At present a Local Government or a Local Administration, as long as it keeps within the rules, has full powers to sanction a local purchase, and its indenting officers apply to the Local Government.

43858. If a Commissioner or a Superintending Engineer had the right to do it himself, would it not save a certain number of references?—No doubt it would. Here is a statement showing the sort of thing that at present has to go up justifying the departure from the present rules in matters of urgency. This of course will practically disappear. It is a return which goes at present to the Secretary of State; it contains examples of cases in which purchases have been made outside the rules, with explanations of the reasons for the local purchase. Last year the Secretary of State added columns 7 and 8 in order to further test the real urgency.

43859. This return goes to a portentous length?—Yes, this is the return of one railway only.

43860. We have heard a good deal in the provinces about the necessity for giving Collectors and other officers greater latitude in sanctioning the purchase of typewriters and books of reference for themselves; you say that orders have recently been issued which have given latitude in that matter?—Yes; the order as to typewriters and rubber stamps is dated the 6th February, 1908; the order about books is dated the 28th May, 1907.

43861. Would you be prepared to go a step further and allow the delegation of these powers to Collectors within certain limits?—I should. The orders allow such delegation as regards books, if the Local Government chooses to grant it.

43862. Now as regards ports, may we assume that your opinion is that the Local Governments should have the power to deal with port and pilotage and shipping dues, within the maximum prescribed by the Port Acts or other Acts which deal with these matters?—Yes, I should allow Local Governments a free hand; they have a Port Trust which advises them in all these matters, and the Act limits the rates of duty; within those limits I should allow them a free hand.

43863. At present they have to refer to the Government of India often?—I do not think very often; there is a different Act for each port.

43864. I was speaking more of the general Indian Ports Act under which the coasting port dues are levied; of course there are Acts for the big Port Trusts?—Yes, they all have their different Acts; we seldom get references from the big ports.

43865. Generally speaking, you think that within the limits laid down by the law, Local Governments might have discretion?—Yes.

43866. Then there is another question about which references have to come up, namely, about extending powers to the Local Government in the matter of some small out-ports; would you allow discretion to the Local Government there?—I should.

43867. It was suggested to us that the Calcutta Port Trust might well take over the Hooghly Pilotage Service which is now under the Government of Bengal; have you any opinion upon that?—No.

43868. Is it necessary to maintain the sanction of the Government of India which is required by the Rangoon and Karachi Port Trust Acts for the dissolution and suspension of Port Trusts?—I would not make any differentiation between Rangoon, Karachi, and other places.

43869. Of course there would always be an appeal to the Government of India, but is there any necessity that the formal sanction of the Governor-General in Council should be obtained under the Act?—I think not.

43870. As regards the ports of Karachi and Chittagong, they are rather tied up by their Acts in the matter of passing works and establishments; they are both growing places; would you be prepared to give them larger powers?—I should.

43871. Putting them on a level with, say, Madras?—Certainly.

43872. The Calcutta Port Trust ask for the same powers as the Bombay Trust enjoy with regard to the passing of works; it is one lakh in the case of Calcutta and two lakhs in the case of Bombay?—Yes, I should be prepared to see the Bombay limit extended to Calcutta.

43873. (Sir Steynning Edgerley.) In your statement of returns you include "Annual reports on Colonial emigration." You receive one from the port of Calcutta, which you send to the Secretary of State; you receive one from Madras, which you keep yourself and do not send to the Secretary of State. Bombay formally, and Karachi informally, are also emigration ports, and yet you receive no reports at all from them. If you do not require a report from Bombay, why do you

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need reports from Madras and Calcutta; or if they are essential in the case of Madras and Calcutta, do you not give an incomplete review by not having a report from Bombay?—The emigration from the ports of Calcutta and Madras is colonial emigration under Act XXI. of 1893—emigration to Natal, Mauritius, Fiji, and the West Indies. As to the coolies who emigrate under that Act and the rules thereunder, we require these annual returns. From Bombay and Karachi there is no coolie emigration of that description; I never heard of coolies being taken from the Bombay Presidency, say, for Mauritius, under all the numerous precautions that are taken at the port of Calcutta with regard to emigrant ships.

43874. Why do you treat Madras and Calcutta differently; if the Secretary of State does not want a report in the one case, why does he need a report in the other case?—I do not quite know; we are always getting numerous questions from him about emigrant ships; this is emigration in emigrant ships under this Act to the Colonies.

43875. But the information is either unnecessary or, if necessary, defective?—The two places from which emigrant ships go are Calcutta and Madras, those are the only two; Madras probably sends reports home direct. From Bombay and Karachi emigration by special emigrant ships to my knowledge does not take place.

43876. Are the inland emigration reports entirely necessary?—They deal with a matter about which I know a good deal. Inland emigration means emigration to the tea-gardens of Assam. In the past there has been a great deal of excitement over this emigration, and the Government of India called for these returns in consequence of that. If the reasons which led to this excitement die away, as I hope they will under certain arrangements which have recently been made, the reports might be dispensed with; at present I think we ought to have them.

43877. What have you to say about these two annual reports about stationery statistics and the Indian law reports?—I do not quite know why those are called for.

43878. What use are they put to? The Governments of Madras and Bombay have their own Stationery Offices. Why do you want them?—I do not know why exactly. The reason, I understand, is that the Controller of Stationery with the Government of India wishes to have these reports to keep him *au fait* with what is being done in the separate offices of Bombay and Madras, not for the purposes of control, but for the purposes of comparison. He inspects the stationery offices of Madras and Bombay, and the reports are of use for his information and to enable him to carry out his inspections in a satisfactory manner.

43879. You think he ought to be informed on these points?—I presume so; it is probably as well that he should have this information as he is an inspecting officer.

43880. Is he an inspecting officer?—I understand he inspects and advises.

43881. Can he be called an inspecting officer?—Perhaps he might not be called an inspecting officer, but he is certainly an advising officer.

43882. Is there anything of that sort in connection with the Indian law reports?—In the case of the Indian law reports, the report, I understand, is for audit purposes; the law reports are supposed to pay their own way; the report is called for to see whether the sales meet the cost.

43883. Is it not entirely a provincial head of account?—It probably is a provincial head of account. I understand that the reasons for the report being called for it to see whether the publication is paying its way.

43884. Do you think it is necessary?—I should say it is probably unnecessary.

43885. Then the report about the Lucknow Museum; may we understand that that is going to be knocked off?—I understand so.

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43886. Has it been knocked off?—I do not think so yet.

43887. You say "Any relaxation in favour of the Local Governments that may be considered desirable or possible would doubtless be agreed to." I suppose you mean by the Government of India?—By the Government of India.

43888. (Chairman.) What is your own opinion; do you think that they ought to agree to it?—My opinion is that the Local Governments should have such relaxations.

43889. (Sir Steynning Edgerley.) Then you deal with telephones?—That comes under the heading of telegraphs and telephones.

43890. Does that mean that all questions of sanction for new telephone lines come up to you?—Yes, under the monopoly of the Telegraph Act.

43891. I have seen several cases in which the Bombay Government have had to go to the Government of India to get sanction to allow, for instance, a Ruling Chief to put a telephone in his stables; would those cases come to you?—I believe so.

43892. Are those rules under reconsideration?—I do not think so.

43893. What is the object of requiring anybody to come up for sanction for a telephone communication which does not connect with the general system?—It is because of the State monopoly in telegraphs, and to ensure that no concession is given which may at some future date prove inconvenient.

43894. Even if a gentleman put up a telephone between his house and stables?—There may be some orders which allow the disposal of cases in which a telephone is required for purely private purposes; I think the matter would still have to come to the Director-General of Telegraphs.

43895. Is it not entirely unnecessary; could not the Local Government be allowed to discriminate?—Yes, you might allow the Local Government to come in there. It is difficult of course to exactly schedule the cases in which the State monopoly has to be safeguarded.

43896. I suppose any line which is under the control of the Director-General is periodically inspected by some officer of the department?—Yes, the lines that are under his control.

43897. Would you not have a sufficient voice to protect your monopoly if it was his duty to complain of any infringement in his circle?—I think on the whole you have to be very careful about not allowing any installation to be set up which might in the future prove inconvenient.

43898. Does not the present system look solely to your monopoly and not at all to the convenience of the Chiefs?—It looks to the monopoly entirely; the first point that is considered is the keeping of the monopoly, and allowing no possible chance of the monopoly being infringed, or the thin end of the wedge to come in.

43899. How it affects the Chiefs is a small matter?—That is a small matter.

43900. From the point of view of the Chiefs?—That is rather another question.

43901. In other words it is departmentalism?—It is departmentalism intended to secure the absolute monopoly to the Government of India, and to see that that monopoly is not in any way infringed.

43902. (Chairman.) Are you aware that the Telegraph Department in England does not attempt to interfere in the case of telephones on private property?—I do not know what the rule is in England.

43903. Would it alter your opinion if that were the fact, telegraphs and telephones being quite as great a monopoly there as in India?—I should not like to answer that at once without further consideration. The view I hold is that in India we require to be very careful about an infringement of a monopoly, from the cases that I have actually seen come up; I have seen cases in which views were put forward which, when one fully

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weighed them, were not found tenable. I am not sure that the private telephone question has not been recently considered, but at present the rules are very rigid and very stringent.

43904. (Sir Steyning Edgerley.) You have recently allowed the use of ordinary postage stamps for telegraph purposes; will that effect a considerable saving in expense and trouble?—It will not save much in the way of expense; it will be a saving in trouble.

43905. A saving in the work of the department and in the district offices?—Yes, and that to a certain extent also will save expense.

43906. And a certain amount of saving in the cost of stamps?—That will be small.

43907. Has it ever been considered whether the ordinary stamps could not be used for service postage purposes?—I mean the ordinary postage stamps coupled with envelopes stamped O. H. M. S.?—I am not aware of that.

43908. The safeguard in the matter of stamps lies in the O. H. M. S. on the envelope and the frank—the signature of the officer who uses it?—Yes.

43909. Is not the Post Office rule which requires, besides the signature, the official designation of the person sending it really useless in fixing responsibility in the case of a suspected cover?—I could not really say.

43910. With your name once on the cover it does not matter whether your designation is there or not for the purpose of tracing responsibility?—Not perhaps if my name could be read, but it is not always legible.

43911. The person who receives the letter from you could probably say whose the signature was?—Yes.

43912. Have you ever made enquiry from Government printing presses as to the expenditure caused by the rule which requires the official designation to be stated?—No. I do not think the matter has been discussed.

43913. Does not the maintenance of a supply of service stamps in all the public treasuries and other offices cause a big separate register to be kept?—There is a separate register kept.

43914. Do you know of any reason why the ordinary stamps could not cover the ground?—The only reason is that, if it is stolen, the O. H. M. S. stamp cannot be used for private correspondence without arousing suspicion, whereas the ordinary stamp can.

43915. With regard to the question of customs, the Chairman of the Chamber of Commerce at Madras pressed for further imperialization, especially in the matter of appeals; an officer of great experience in Bombay has sent us a memorandum in which he presses strongly for further co-ordination. He says "No effective steps have been taken, so far as I am aware, to secure uniformity of practice at the principal ports of India, and some sort of co-ordination is urgently needed, and also more direct control in matters of principle and law." Is it the case that the decision not to have an Imperial Officer for the hearing of appeals is the result of the decision of the Secretary of State, or is it the result of the decision of the Government of India?—As far as I understand there has been no absolute decision about that yet.

43916. If you had appeals from out-ports coming to the Chief Customs Officer of the main port, and appeals from the Chief Customs Officer at the main port coming to one central appellate authority, would that not co-ordinate practice?—It would help to co-ordinate practice.

43917. And there is some little evidence that that is very necessary?—So far as my knowledge goes of the present and past year, we have had no actual complaints or suggestions to that effect from commercial bodies.

43918. So that the suggestion of the Madras Chamber of Commerce practically stands alone?—Yes, so far as I am aware.

43919. Are there not two ways of securing uniformity; one is to take up a proposition and examine it, and another is to say "You are the

only Local Government that has mooted this matter and we do not think it is necessary to examine it at all." Which course does your department usually follow?—We usually consider every suggestion, and if it is a good one we ask the other Local Governments whether they agree to adopt it.

43920. You do examine the suggestion?—We examine it and send it round.

43921. (Chairman.) What has been your experience before you were appointed Secretary of this department?—Before I was appointed here I was a Deputy Commissioner in the Central Provinces; I was then Chief Secretary in the Central Provinces Administration for four years, and I was on special duty under the Government of India on two occasions.

43922. For what purpose?—One was in connection with famine relief and the other was in connection with emigration to the Assam tea-gardens.

43923. Do you consider the Department of Commerce and Industry rather a special department?—I would call it a special department.

43924. You tell us that you ought not to put at the head of the Customs Department a member of the Indian Civil Service, however able, who has had no previous training in that kind of work, but as I understand at the head of the Department of Commerce and Industry, both in the case of the Member and the Secretary, they have had no special training in either commerce or industry?—It may be correct to say so. I have personally had special experience in several of the particular subjects which arise in this department; with regard to the mining rules, for instance, I have had special experience, and also with regard to certain other subjects.

43925. In connection with mining you have had experience as what?—As Chief Secretary in the Central Provinces for four years, I dealt with all the mining cases that came up in that province, which was at that time perhaps the most go-ahead province in India in the matter of mining.

43926. Then you tell us that there has not been very much increase in the matter of returns, but one of the Local Governments told us the other day that there had been a great demand for opinions. Has there been an increased output of these enquiries for opinions as against the demand for returns?—I should not say that there has been an increase in such enquiries for opinions; you must always have such enquiries. An important point, say, with reference to the administration of a particular Act, is raised by a Local Government who desire to introduce some important reform; in such a case it is absolutely necessary for the Government of India, who are consulted and asked to decide, to take the opinions of the other Local Governments. So long as important matters of reform are raised by Local Governments and sent up to the Government of India, so long it will be necessary for the Government of India to send the suggestions round for the opinions of other Local Governments. These do not in all cases originate with the Government of India; it would be very difficult to say to what extent the proposals originate with the Government of India or with some Local Government.

43927. With regard to these opinions, has the enquiry about them increased in number in late years?—I should not say that it has; in the last two years the number of these opinions has undoubtedly been less than they were in the previous five years.

43928. When you send round for these opinions, does your department send round a general circular, or does it discriminate between the Local Governments and the Local Administrations which are in a position to have an opinion?—Ordinarily the opinion is asked for by a general circular; the suggestion, which has been made by another Local Government or perhaps is originated by the Government of India itself, is put in a circular and the reasons for it are set forth as clearly as possible, and the other Local Governments and

other Local Administrations are asked whether they agree to accept the suggestion or not. It is generally put in one circular, with a mere verbal alteration in the matter of address.

43929. With regard to cases which concern your department—take the case of petroleum; I understand there is no petroleum produced in the United Provinces; would you think it necessary, knowing there was no petroleum produced in the United Provinces, to send a circular to the United Provinces Government for their opinion?—In that case a differentiation would be made.

43930. We have been told by one or two Local Governments that no differentiation is made?—Undoubtedly in that case a differentiation would be made.

43931. May we take it that care is taken in your department to see that that differentiation is made?—Yes; it very seldom arises, but care is taken.

43932. When did the Secretary of State decline to agree to the proposal of the Government of India in favour of delegation to Local Governments of power to grant leases in respect of precious stones?—It was when the present mining rules were issued in 1899.

43933. With regard to the purchase of stores you say "A proposal has been sanctioned by the Secretary of State giving the Heads of scientific Departments power to purchase stores direct from manufacturers outside India"; does that cover the Education Department?—It would, in regard to apparatus for use in institutions such as technical institutes and the like.

43934. And Medical Departments?—Yes; all scientific departments which require to purchase instruments are allowed to purchase direct from home.

43935. With regard to reports from maritime provinces on trade and customs administration and so on, you say they are "furnished by the Local Government concerned," I suppose you mean, furnished to the Secretary of State?—They go to the Secretary of State; the Local Governments send them home.

43936. Do you think that they are necessary?—I do.

43937. For instance, the annual return of the working of the Merchandise Marks Act?—Yes; it is very important to know how the Act is being worked, and to see that things are done correctly.

43938. Has the uniform set of rules which you intend to issue to Local Governments under the Indian Petroleum Act been determined upon after consultation with the Local Governments?—Yes.

43939. And in the same way with regard to the Indian Mines Act, have the Local Governments been taken into consultation as to the rules issued?—Yes; the Local Governments were taken into consultation; and the actual section of the Mines Act, which enables Government to frame rules, prescribes that the rules shall be published for general objection by private persons as well; so that Local Governments and the mining industry are both consulted before such rules are framed.

43940. Has the creation of the Railway Board increased or decreased the work of your department?—The Railway Board was created *pari passu* with the creation of my department, so that it is impossible to answer that question, as we were brought into existence together.

43941. I know that a committee has just reported on the Railway Board, but do you think that, speaking generally, the Commerce and Industry Department has delegated to the Railway Board as much freedom of action as is necessary?—It is a very wide question to answer. When the Railway Board was constituted, a committee met to consider the powers which should be exercised by the Board. These powers have in some matters been extended, and any further modification of the powers would depend a good deal upon the actual working of the Railway Board. We do not interfere, of course, in technical matters; I am talking about administrative matters.

43942. In answer to Mr. Meyer you said that five years was the maximum period of tenure of office by any officer in the Secretariat?—Ordinarily. Three years is the present prescribed rule.

43943. That I understand refers to the tenure of office in the Secretariat of the Government of India?—That is what I referred to in my answer.

43944. What has been your own length of tenure of office here?—I officiated last year for nine months, and I have now just joined, a fortnight ago.

43945. What is the tenure of office of the Honourable Member in your department?—The Member is appointed for five years.

43946. You think that five years is the average tenure of office of any one individual member?—Of the particular office; that would be the maximum.

43947. Not the retention of the particular office, but the tenure of service in the Secretariat of the Government of India?—That of course I should have to modify. You might get a man who had been Under-Secretary for three years; after five or 10 or 15 years' service he might go back as Secretary, and might be Secretary for four or five years, and he might again revert to work in the provinces and come in as Honourable Member.

43948. Without dealing with probabilities or possibilities, what is the general practice; would you say that the general life of a member of the Secretariat of the Government of India is limited to five years' experience?—I could not say that.

43949. What would you put as the general length of his experience in the Secretariat of the Government of India?—That would be a very difficult question to answer.

43950. Nearer ten than five?—Nearer five than ten, I should think. Taking it all round, I should say probably five would cover the average. You might have men with very much more prolonged spells of office, but I should say that, taking everybody all round, five years would cover the average.

43951. (Sir Frederic Lely.) With reference to the qualifications of the Honourable Member at the head of the department in the Secretariat, would you not say that the headship of a department requires not so much expert knowledge as general administrative experience?—General administrative experience, of course.

43952. The expert knowledge is possessed by specialists under the department?—Yes.

43953. That is in fact the chief safeguard against a narrow departmentalism?—Yes; but at the same time it is desirable that the man appointed should have some experience in dealing with the more important matters; the main requirement is administrative experience and knowledge.

43954. (Mr. Dutt.) In some provinces officers have been appointed to make enquiries with regard to existing industries and also to see in what way they could be helped. Is your department in any way concerned in collating that information?—It will eventually be employed in collating the information. The view I personally have taken whilst in the department has been that we should leave the Local Governments as far as possible to their own devices; the practice in the past has too often been to call for reports on this particular matter; voluminous reports were called for about 1888-89, and the industries and everything connected with them got buried in those papers. What I hold is that we should give Local Governments a free hand in pushing these industries; do not overwhelm them by making them submit reports and telling us everything they do; a certain amount of collation will undoubtedly take place later on.

43955. Have you been in correspondence with the Local Governments with regard to the enquiries they have been making?—We have not been in correspondence to any great extent, merely ascertaining the fact that they are taking the matter up; we have not laid down any particular

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lines on which they should proceed; we have not up to the present given them any general orders, nor have we called upon them for reports.

43956. But the results of these enquiries will eventually be communicated to the Government of India?—Yes, and the Government of India undoubtedly will do what is needful in the way of making suggestions.

43957. (Mr. Hitchens.) With regard to railways again, it was represented to us in Bombay by a certain witness that it would be advisable if the Local Government had the power to sanction and control the building of light feeder lines. What would your view be about that?—The view I hold is that there is really no objection to their sanctioning and controlling the construction and management of light feeder lines, provided you are absolutely certain that it is a light feeder line. The difficulty that has arisen on some occasions is this; a line is thrown out as a light feeder line, perhaps on rather loose conditions; 10 years elapse, and it is found to be on a track which is a very probable main line; then you are tied up with all manner of troubles and difficulties. I think that with a Railway Board controlling the direction of railways throughout India, it would be very advisable that, before any such light feeder lines are constructed under the authority of the Local Government, a reference should be made to the Railway Board to guard against complications such as I have indicated. The Railway Board have access to previous proposals which may have been made several years ago for a through line, and a light feeder line along what may be eventually a main line is a very inconvenient thing.

43958. But in any case this light feeder line might so develop traffic that it would ultimately justify the construction of a main line?—That is a matter that could not be foreseen, but you have other cases which can be foreseen.

43959. Would it suffice in your opinion, supposing the Railway Board laid down the terms and conditions under which they might resort to compulsory expropriation?—That might perhaps be sufficient.

43960. Would it be possible for them to do that?—The term of years would certainly be a very long one, and I question whether that would be sufficient to do away with the necessity of some sort of outside control.

43961. Would it suffice, for example, if they said, "You may sanction any light line you like, provided that Government has the power to expropriate at the end of x number of years"?—The difficulty is to fix the x number. It would have to be a long period, and, that being so, it is better to retain the power of sanction. The reference would be a very slight one; all that need be done is to ask "Have you any objection to this light feeder line being built?"; if there was no objection, it would go on; in most cases the light feeder lines would be *bona fide* light feeders.

43962. Suppose that was done, would the Department of Commerce and Industry still think it necessary to inspect the line to see that it was safe for passenger traffic, and supervise the construction of the line?—It would be necessary to have Government inspection in the interests of the public.

43963. To take it one step further, would you say the same thing would be necessary in a Native State; suppose a line was being built there, would it be necessary for the Government of India to supervise it?—Yes, we do so, and I think it is necessary.

43964. On what ground?—On the ground that our general responsibility for the administration of Native States extends to a matter of such importance as the inspection of railways. All that is necessary is that there should be efficient inspection.

43965. Would you apply the same to coal mines or factories?—We do not interfere with coal mines or factories.

43966. On what grounds?—We leave them to their own devices.

43967. Although safety of life and limb is involved?—It is, but in railways we have adopted this policy in the wider interests of the public.

43968. (Mr. Meyer.) About this question of light railways, has there not been discussion with the Local Governments and the Secretary of State, on the question of allowing the Local Governments power to finance or guarantee light railways?—Yes.

43969. And you have been considering a set of simple rules that would give you the necessary control in respect of the connection with main lines and the possibility of future conversion into main lines?—Yes, they are simple rules.

43970. Can you tell us how the matter stands at present?—The matter has been unfortunately rather hung up because of the question as to the best method of attracting capital for such lines. For instance, one proposal is a firm guarantee by the Local Government; another which is considered the more likely to induce capital to come forward is the offer of a rebate by the main line. Between these two conflicting ideas as to which is likely to induce capital to come forward, the rules have been in suspense.

43971. It is necessary in such matters to have absolute uniformity; might you not try the firm guarantee at one place and the rebate in another?—That is how it now stands; the original idea when I was here last year was that the best and most likely manner of attracting capital was to pin your faith to the rebate. Since then I find we have gone back to the idea of having an alternative firm guarantee.

43972. Your idea would be an alternative—whichever the local people preferred?—Yes.

43973. It has been put before us in some provinces that District Boards might be enabled to levy a supplementary cess for railways, or have the power of levying it, and to use the proceeds or the potential asset it gave them, for the purpose of guaranteeing small lines within their districts. The matter has not been looked on, I think, with favour by the Government of India as a whole, but may I ask your personal opinion about it?—I personally am in favour of the suggestion that the District Boards should have this power.

43974. It was made a matter of complaint by the Chief Commissioner of the North West Frontier Province that he was obstructed by the Telegraph Department. He wanted new telegraph stations opened for State purposes, and the Telegraph Department declined to comply unless they were supplied with a guarantee against loss. Does that system meet with the approval of the Commerce and Industry Department?—The ordinary rule is that the Telegraph Department is a commercial department which must primarily pay its own way; in the case of out-lying stations such as there are in the North West Frontier Province, the general rule is to ask the Local Government to back up their belief in the necessity of the new telegraph station by a guarantee for five years; at the end of the five years the telegraph will continue, it is not to be pulled up again. The guarantee for five years is more or less equivalent to saying "You must back your opinion by being prepared to pay any loss for five years." So long as the Chief Commissioner of the North West Frontier Province will do that, there will be no difficulty.

43975. Are not all the Government funds in the North West Frontier Province imperial?—Yes.

43976. So that the guarantee is not material?—No, in the North West Frontier Province there is that distinction; it is imperial.

43977. My impression is that some years ago this matter was discussed, and the conclusion that was come to was that these guarantees were undesirable, and that if a telegraph office was necessary for public purposes, the Telegraph Department ought to construct it?—As far as I remember

the final issue of the discussion was that the guarantee should still be asked for. The point was, at the end of the five years what should happen; at the end of the five years should the line be closed if it could not pay. The decision came to was that it should not, the line must be worked and must not be pulled up, but for five years you have to back your opinion by undertaking to cover loss if any.

43978. In the same province, or it may be in Baluchistan, there were complaints as to the rules under the Explosives Act, prepared by the Chief Inspector of Explosives; it was said that they were such that the District Magistrate could not possibly understand them in some cases?—I thoroughly agree in that.

43979. Does your department propose to do anything towards simplifying these difficult rules?—I am afraid we would not attempt it. The Chief Inspector of Explosives follows the rules of the Board of Trade issued in England, and when the home rules are modified in any important point he follows suit, and there is no one here to say him nay. It is a very technical matter.

43980. After all, a rule is intended to be worked, and if the District Officers do not understand it they cannot work it?—It is no doubt difficult to work some of the more special rules. I may add that these special rules apply as a rule in large centres where the Inspectors of Explosives (of whom there are two under the Chief Inspector) take care to see that the rules are worked. The District Magistrate as a rule, in connection with these difficult and intricate matters, has very little to do.

43981. Except to try and understand the rule and see whether it applies to his district or not?—I do not imagine he would ever try to understand the rule.

43982. We had complaints in Bombay as to information and returns called for by the Director of Commercial Intelligence. Does the Director of Commercial Intelligence give trouble to Local Governments in regard to calls for information?—There was a certain case last year on which presumably that complaint was based, in which the Director of Commercial Intelligence had called for certain returns from the Government of Bombay; the Government of Bombay brought the matter to the notice of the Government of India; we considered that the attitude which the Director of Commercial Intelligence had adopted was incorrect, and we told him so. It was a misinterpretation on his part of his position.

43983. Speaking generally, do you think there is a tendency on the part of that officer to call for unnecessary returns?—I do not think there is; in the case mentioned he acted with the best of intentions, but the view we took of it was that the Director to some extent misunderstood the conditions of his office.

43984. And that if he had wanted this information or thought it essential, he should have come up to you?—It was a matter with which we were not really concerned; it was a matter in which a private inquirer wished for certain information; the private inquirer referred to the Director of Commercial Intelligence; we said on the case that

the Director should simply have referred the private inquirer to the Government of Bombay, instead of which he called on the Government of Bombay to supply himself with the information and added certain remarks; it was to that, I think, that the Government of Bombay objected.

43985. I take it that you intimated to him your disapproval, politely but in such terms that he is not likely to repeat it?—Yes.

43986. (Chairman.) I asked you a question about the sending of circulars indiscriminately to Local administrations. A case was quoted to us (I think in Baluchistan) where the Director of Commercial Intelligence issued a circular asking as to the operations of Insurance Companies in Baluchistan; would that not appear at first sight to be a somewhat superfluous inquiry?—I should certainly have said so.

43987. Have you no check, then, upon this officer as to what he sends out and what he does not send out?—The office is a new one, and we have got to more or less settle the procedure. Orders exist laying down what the Director-General should do and what he should not do. He can ask for information which is called for in the interest of commerce from Local Governments.

43988. But can he do that independently of the Government of India?—He can.

43989. Is that a wise discretion to place in the hands of an officer?—It is a somewhat difficult matter; such information may be very necessary, and it would be troublesome for the Government of India to be continually asking for details of this commercial information.

43990. But can the Director of Commercial Intelligence ask in the name of the Government?—No; he asks purely for his own purposes of commercial intelligence.

43991. And is the Local Government at liberty to refuse that information?—It would be at liberty to say that it had not got the information, or that it could not supply it.

43992. Would not a Local Government understand a request issuing from the Department of Commerce and Industry at the hands of the Director of Commercial Intelligence as practically an order to furnish the Government of India with the information?—I think not. He is the officer of the Government of India in charge of trade statistics and commercial information, and his office is subordinate to the Department of Commerce and Industry; but he runs his own show, to use a common expression.

43993. Is he a member of the Indian Civil Service?—No; he is a mercantile man.

43994. He publishes a *quasi-Trade Journal*?—Yes.

43995. And he is at liberty there to air his views?—He is at liberty to air his views.

43996. Has not that *Journal* been under recent criticism?—It has been under criticism since the time it began.

(The witness withdrew.)

Adjourned.

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3 Apr., 1908.

SIXTY-FOURTH DAY.

SIMLA, Saturday, the 4th April 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. R. W. CARLYLE was called and examined.

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43997. (Chairman.) You are the Secretary in the Revenue and Agricultural Department?—Yes, since four months. I have not been in the Government of India before that, except for two months as Under-Secretary, 19 years ago. I hand in a memorandum dealing with the constitution of the department.

43998. Have you seen Sir Herbert Risley's description of the work in the Secretariat, and may I take it that the description which he gives accurately describes the condition of things so far as your office is concerned?—Yes.

43999. I understand from your statement that all important cases are submitted to the Governor-General; do you mean the Governor-General in Council or personally?—Personally, and it is for him to decide whether a case shall go before the Council or not, unless under the Rules of Business it is a Council case.

44000. Has he the absolute disposal as to the ultimate destination of all questions?—If there is no dispute, and the rules of business do not require that it should go before the Council. Of course, if a Member of Council disagrees with the Governor-General, the Member may require it to go before the Council.

44001. What proportion of the important cases go up for the orders of the Governor-General without going on to the Council?—I could not say. There has been only one case which has gone to Council since I have been here, and that was because under the Rules of Business it was a Council case.

44002. Are the orders of the Governor-General limited to saying "I agree," or does he write a memorandum or note of some length?—It depends entirely on the case. Very often he merely says "I agree," but if he has any views of his own to express, he puts them in the form of a memorandum.

44003. Does that very frequently take place?—I should not say very frequently, but it does take place occasionally. I am of course speaking entirely of my own department.

44004. You state that the Under-Secretary and Deputy-Secretary are employed in noting on cases; do both of them note on the same case?—No; the rule is that every case goes through two officers, it may be the Under-Secretary and the Deputy-Secretary, it may be the Under-Secretary and the Secretary, and it may be the Deputy-Secretary and the Secretary. The work is divided. We do not all three note except in very special cases.

44005. But two out of the three Gazetted Officers always note on every paper before it reaches the member?—Yes.

44006. Are there any previous notes made by the superintendents of the department?—There is an office note always, but that is merely to put up references and, if necessary, to give a brief history of the case.

44007. What sort of length does it extend to?—That of course must depend; in a very long and

complicated case spreading over many years, it might be several pages, but as an ordinary rule it is quite a short note.

44008. The Inspector-General of Forests expresses his opinion on business relating to forest administration before the papers are submitted to the Secretary; what exactly is done by other Heads of Departments?—They come up officially; sometimes a file is sent unofficially for a note, but as a rule they write officially.

44009. After seeing the papers?—Not necessarily; very often a file is sent to some Director that he may see the papers, but it is not always done. In a big case which affects the department materially, he would probably see them, but in each case there would be a special order that the file should be sent to him unofficially.

44010. We have been told that Directors-General are the expert advisers of the Government of India in their respective departments; but I gather that it is only the Inspector-General of Forests who habitually sees papers and notes on them before their submission to the Secretary?—He is the only one who invariably sees them; in any big case of course we should always consult the Head of the Department.

44011. What is the reason for the difference of practice in submitting papers to the Inspector-General of Forests and other Directors and Inspectors-General?—I think the reason is mainly historical. The Resolution of 1864, creating the office, appointed him "to assist the Government of India in dealing with the forest business that comes before it," and he was "attached" to the Secretariat for this purpose.

44012. Taking the various Inspectors-General, is the Inspector-General of Forests an expert officer of the Forest Department?—Yes.

44013. What is the Inspector-General of Agriculture?—He has taken an agricultural degree, I think.

44014. Is he a special officer sent to the department?—He was in Bombay first of all; we took him from Bombay; it was a newly-created appointment.

44015. Is he an expert officer and not a member of the Civil Service?—Yes.

44016. Is it the same with regard to the Civil Veterinary Department?—Yes.

44017. And the Director-General of Observatories?—Yes.

44018. And the Director of the Botanical Survey of India?—He has always been an officer belonging to the Indian Medical Service in the past.

44019. Has this particular officer any special qualifications for his post?—Yes. The permanent officer is Captain Gage, who is at present on leave; he went into the Indian Medical Service in order to get the appointment; his natural bent has always been botany.

44020. But what are his general qualifications?—He had a training at home in botany; I cannot tell you what his qualifications are.

44021. How is the Board of Scientific Advice composed?—It comprises the following *ex-officio* Members:—The Surveyor-General; the Director-General of Observatories; the Director of the Geological Survey; the Director of the Botanical Survey; the Inspectors-General of Forests, Agriculture and the Civil Veterinary Departments, the Reporter on Economic Products and the Superintendent of the Natural History Section of the Indian Museum. Also Dr. Morris Travers, Director of the Indian Institute of Science, Bangalore.

44022. What are the particular qualifications of the Director-General of Commercial Intelligence for the post?—The present permanent officer is a gentleman who, I believe, came out to India as Secretary to the Chamber of Commerce in Bombay. He is only connected with this department for the one purpose of agricultural statistics.

44023. Do you regard these statistics as accurate and valuable?—It depends very much on the provinces; they are much more accurate in some provinces than they are in others; I believe in some provinces they are very fairly accurate, and they are valuable in all.

44024. In the case of land surveys you do not in the case of the Imperial Service depart from the order of seniority in the selection of officers?—The Surveyor-General cannot make appointments in the Imperial Service without reference to the Government of India if he departs from that rule; if he wants to depart from the order he must make reference to the Government of India. The words I used were "all other promotions and appointments (provided that in the case of the Imperial Service they do not depart from the order of seniority) rest with the Surveyor-General."

44025. In the case of land surveys is much departure made from the order of seniority?—At present the officiating Surveyor-General is not the senior member of the department. I think the Surveyor-General is always appointed by selection, but that has been the only case which has come up since I have been here in which the order of seniority has been departed from.

44026. Taking the Agricultural Department, need cases occur such as were mentioned in Eastern Bengal and Burma of a staff having been sent to a province a long time before the buildings were ready for them?—That was done at the request of the Government of Burma which said it wanted the men sent in order that they might get a knowledge of the local conditions of the province, and I think they were very wise in doing so.

44027. The fact that the staff was sent down before the buildings were ready was due to the direct demand of the Burma Government?—Yes.

44028. When was that?—I think it was in 1906.

44029. You say that under the Agricultural Department the experts have been constituted an Indian Agricultural Service, which is being brought under a uniform set of rules as regards pay and conditions of service; is that necessary?—The Secretary of State laid great stress on the desirability of their being available for service in all parts of India, and on the whole I think it is desirable with the present strength of the force. A province might be unable to replace a particular officer from its own *cadre*. It might be different if there was a larger agricultural staff, but it is too small at present for each province to attempt to meet its own requirements.

44030. Are these officers interchangeable from province to province?—Yes; by the Government of India.

44031. I see that in the provinces there are what are called Civilian Directors; does that mean that they are recruited from the Civil Service?—Yes.

44032. Is that on the whole a good method?—I think so, because at present the functions of a provincial Director are very largely administrative.

44033. So that these experts who are sent out are not eligible to become the Heads of their Departments in their respective provinces?—I

would not say that; at present they are not, but of course that question will be considered later on.

44034. It is a mere temporary arrangement?—Yes.

44035. You say the Board of Agriculture consists of provincial Heads and senior officers of Departments; does that mean of departments of the Local Government?—The Agricultural Department generally in each province, and experts serving directly under the Government of India.

44036. It really is a conference of the various officers in the different provinces?—Yes.

44037. Who presides over it?—It is presided over by the Inspector-General of Agriculture; their deliberations are sent to the Government of India.

44038. Is there any reason why they should not be sent direct to the Local Governments?—I do not think there is any special reason; I have not considered it.

44039*. Has the demand for returns and information from Local Governments increased of recent years? If so, is this due to the requirements of the Secretary of State or to those of the Government of India? Will you kindly give the Commission a list of the periodical returns which your department (a) calls for from provincial Governments, or (b) furnishes to the Secretary of State with a column showing which (if any) are in your judgment unnecessary?—I hand in a list of periodical reports and returns prescribed for submission (a) by Local Governments and Administrations to the Government of India in the Department of Revenue and Agriculture, and (b) by the Department of Revenue and Agriculture to His Majesty's Secretary of State for India. Occasional reports and reports and returns submitted only in times of famine have been included. In the last column of the list I have added some explanatory remarks and I have expressed the opinion that one return, the statistics of cinchona now supplied by the Governments of Madras and Bengal, might be abolished. There has been no increase in recent years in the demand for reports and returns from Local Governments. The whole question was considered with great care in 1901 and again in 1903, and some reports and returns of minor importance were dispensed with. Others however were added either at the time or subsequently, and the total number of reports and returns now received in the department is almost exactly the same as it was in 1901. This statement, however, requires explanation. Strictly speaking only four new reports have been prescribed since 1901. Three of these are due to recent legislation of an experimental character, the results of which needed careful watching both on the part of the Government of India and of the Local Governments concerned. The fourth, the report on the Poona Observatory, which is a provincial institution, is required for the Observatories Committee of the Royal Society which kindly advises the Government of India on meteorological matters. The other reports shown in column 3 of the list are not new reports, and so far as I am aware they do not throw additional work upon Local Governments and District Officers. They were introduced in the interests of simplicity, and generally speaking they present, in a more convenient form, information which was formerly embodied in other reports which appeared to the Government of India to be overloaded. A single instance will explain my meaning. It will be understood that the facts which I mention were in no way peculiar to the Local Government referred to. The Land Revenue Administration Report of the Punjab for the year 1898-99 consisted of 142 pages of letterpress and diagrams and 195 pages of statistics. It included in full the Progress Report of the Survey Department (written by the

* Vide Appendix IIb.

† The Report on the working of the Bundelkhand Alienation of Land Act.

‡ The Report on the working of the Punjab Alienation of Land Act.

§ The report on the working of the Co-operative Credit Societies Act.

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Superintendent of Surveys), the Final Report of the Director of Land Records on the more important crops (written by the Director), and the Report of the Colonization Officer of the Chenab Colony (written by that officer). It also dealt *inter alia* with such matters as Land Records and Settlements. The inconvenience of a voluminous report of this kind both to the Local Government, which had to review it, and to the Government of India which had to read it, will be obvious, and in 1901 it was arranged in consultation with the Local Government that the working of the departments of Land Records and of Settlement and the Administration of the Canal Colonies should be dealt with in separate reports. A special season and crop report was also prescribed, as information

regarding the harvest of the year is wanted before the date at which the Administration Report can be submitted to the Government of India. Similar reforms were introduced as far as possible into the reports and returns of other provinces. Opportunity was taken at the same time to apply the pruning knife where practicable to unnecessary statistical tables and to redundant matter generally, and in this direction very real relief was afforded to Local Governments and their officers. By 1903 the bulk of the various reports received in this Department had been reduced from 5,442 to 3,675 pages; and the following table, which exhibits in figures the effect of the reforms of 1901 on the Punjab reports referred to above, will illustrate my point even more clearly:—

Before 1901.				After 1901.			
Report.	Number of pages of letterpress.	Number of pages of statistics.	Total.	Reports.	No. of pages of letterpress (including Financial Commissioner's review).	Number of pages of statistics.	Total.
Land Revenue Administration Report.	142	195	337	Land Revenue Administration Report.	16	46	62
				Report on Settlement Operations.	6	3	9
				Report on Land Records Department.	12	4	16
				Season and Crop Report.	7	28	35
				Colonization Report	32	13	45
1	142	195	337	5	73	94	167

It will be seen therefore, I think, that so far from increasing their demands for reports and returns from Local Governments, the Government of India has done much in the last few years to improve the system of reporting, and to relieve Local Governments as much as possible of the duty of collecting useless statistical matter. Something no doubt remains to be done in this direction, and the question will continue to be examined periodically, but it seems doubtful whether many of the reports now received can be dispensed with, consistently with the maintenance of a complete annual review of administrative progress.

The only new report prescribed by the Secretary of State for India in recent years is the general review by the Government of India of the working of the Co-operative Credit Societies Act.

As regards the question whether there has been any increase in the calls by the Government of India for information from Local Governments and Administrations, the number of circular references for information issued in the last ten years (97) is smaller than the number issued in the previous ten years (119). These figures, however, do not include requests for information addressed to individual Governments, and the question is one which it is impossible to answer satisfactorily without a more detailed examination of the correspondence registers of my office than it has been possible to make in the time and with the staff at my disposal. The business of the Department, however, is increasing every year in volume. Ten years ago the average annual number of receipts and issues was 23,074; five years ago it was 24,054; now it is 28,405. But these figures again are misleading without explanation. The most striking increase of work occurred in the General Branch of the office which has little to do with correspondence with Local Governments, and where the increase in the last five years is mainly due to special and temporary causes, such as the disposal of an immense number of surplus books, the receipt of 1,300 applications for the new appointments recently added to the office establishment and the transfer of files to the Department of Commerce

and Industry when that Department was constituted. Even allowing however for temporary causes of increase, the conclusion may safely be drawn that the correspondence between the Government of India and Local Governments has shown a tendency to increase in the last five years. This tendency is most noticeable in the Forest Branch and the Inspector-General of Forests' office and in the Agricultural Branch. In the last-named it is the natural result of the re-organization of the Imperial and Provincial Agricultural Departments which has taken place since, in 1905, the Government of India decided to make a recurring grant of 20 lakhs (subsequently raised to 24 lakhs) for purposes of agricultural improvement in India. In the Forest Branch and the Inspector-General of Forests' office the increase is due mainly to the re-organization of the Department, the revision of the scale of pay, the establishment of the Forest Research Institute at Dehra Dun, and to correspondence connected with revision of the Forest Code. The Government of India, however, are disposed to think that some measure of decentralization in the Inspector-General of Forests' office is possible and desirable, and they requested him in October last to overhaul his office, and to consider whether some classes of references to Local Governments might not be discontinued. In the Forest Branch some increase of work has been caused by the correspondence which ensued on the reports of the Commissions of 1898 and 1901, but now that all Local Governments have newly revised Famine Codes this class of work is not likely to recur in the same volume, and the work of the branch will vary with the state of the season. The only other branch which calls for notice is the Revenue Branch. The slight increase observable in the work of this branch is due partly to the labours of the Irrigation Commission and the Survey Committee, but mainly to the fact that after the issue of the Land Revenue Resolution of 1902 each of the most important branches of Land Revenue Administration was taken up in turn and subjected to detailed examination. Speaking generally I would ascribe the growth in the business of the

Department which has taken place in the last ten years to the administrative activity which marked Lord Curzon's tenure of office.

Calls by the Secretary of State for information from this Department have shown recently a slight tendency to increase, but their number is still insignificant.

44040. You say that the Director of Commercial Intelligence is not empowered to call for new returns; is any other officer, or is your department, empowered to call for any new returns, agricultural statistics, and so forth?—It may be done by an order of the Government of India.

44041. You cannot do it without an order of the Government of India?—No; the Member in Charge, in practice, may do it.

44042. Do you find that although there may be no increase in the actual formal returns there is an increase in what is called the demand for opinions?—I am answering without having the exact figures before me, but I think there must have been an increase in calls for information from Local Governments during Lord Curzon's administration, as so many big questions came up.

44043. Has that thirst ceased or does it continue?—I cannot remember any special call except on one point, as regards forest matters, since I have come into the department.

44044. Do you expect this recent increase of work, as the overhauling of each department is finished, will fall again?—I should think so.

44045*. What is the general character of the restrictions on the alienation of land by Provincial Governments, and on the grant by them of land free of assessment or upon favourable terms?—The general orders regarding the alienation of land by Local Governments and Administrations are contained in a Resolution by the Government of India, dated 6th February, 1872. Briefly stated, these orders require that the previous sanction of the Government of India should be obtained to:—

- I. The sale of land—
 - (a) When sold for full value, if the estimated value exceeds ... Rs. 10,000
 - (b) When sold for a public purpose on favourable terms, if the price recovered is less than half the full value, and in any case in which the full value exceeds ... 1,000
 - (c) In all cases in which the land is sold for less than its full value to individuals for their private benefit.
- II. The gift or grant of land—
 - (a) When it is required for the construction, at the cost of recognized local funds, of a Government school, hospital, dispensary, or other public work, if the value exceeds ... 3,000
 - (b) When it is required for any other public purpose, or is granted to a private individual for services to be performed to the State, if the value exceeds ... 500
 - (c) When it is granted for services to be rendered to the community, if the value exceeds ... 100
 - (d) In all cases of grants to individuals for their private benefit irrespective of any services to be performed.

Alienations made under these rules are reported by each Local Government and Administration to the Government of India in an annual return. These rules do not apply to the allotment of lands belonging to Government for purposes of cultivation subject to assessment, which in raiyatwari provinces is a normal feature of the administration. In most provinces again special rules have been drawn up to regulate the disposal of waste lands. In Madras and Bombay these rules are issued

* This condition was added by a subsequent Resolution No. 1—645—655, dated 31st August, 1877.

without reference to the Government of India, but in other provinces the usual practice is to obtain the approval of the Government of India before issuing or altering them. Separate rules were also framed by the Secretary of State in 1894, in the exercise of the powers conferred upon him by section 1 of the Government of India Act of 1859. (22 and 23 Vic., c. 41), to limit the contractual powers of the Government of India and of Local Governments in respect of "concessions, grants, leases, and contracts" made or entered into with "any person, firm, company, syndicate, municipality, or other public body" for "mining, milling, or any other industrial purposes, or for the purpose of any railway, tramway, water works, or other undertaking of a like nature." Finally, concessions of mining rights are governed by separate rules issued with the sanction of the Secretary of State for India in 1899.

As regards the restrictions on the grant by Provincial Governments of land free of assessment or on favourable terms, it should be noted in the first place that the Resolution of the 6th February, 1872, cited above, refers solely to the alienation of proprietary rights in lands which belong to Government, and that separate orders have been passed regarding the alienation of land revenue.

Revenue-free grants may be divided into two main classes—(1) grants for public or quasi-public purposes, and (2) grants to private individuals.

In respect of the former class the following rules have been laid down:—

- (a) Lands such as roads and sites of hospitals, dispensaries, schools and the like which yield no return to private individuals or local bodies and are devoted to public purposes, should be exempt from assessment to land revenue subject to the conditions (1) that when the value of the land revenue proposed to be remitted capitalized at 4 per cent. exceeds the limits laid down in the Resolution of the 6th February, 1872, regarding alienations of land, the previous sanction of the Government of India shall be obtained, and (2) that the exemption shall continue only for such time as the purpose for which the land was granted is fulfilled.
- (b) Lands appropriated for markets, cart-stands and similar objects, from which an income is raised, should contribute their share of land revenue.

In regard to revenue-free grants to private persons for the support of quasi-public institutions, the general view of the Government of India, as expressed in a Punjab case, is, that where the object is to assist a charitable institution, a money grant is preferable to a gift of land. "The advantage of a donation in this form," it was remarked, "is that it manifestly and obviously comes from the Government exchequer, and that it can be withdrawn directly the ruling power considers that the institution is not so managed as to meet its ends. There is, however, much more practical difficulty in withdrawing Government support when the aid given takes the form of a grant of land. The connection of Government with the institution as a contributor is then lost sight of both by the donor and the donees, and it becomes a difficult and ungrateful task to transfer the land from the occupation of the grantees when they have been in possession of it for a considerable period."

Grants of land free of revenue to private persons for their personal benefit are rare, and, in almost all cases, require the sanction of the Government of India, the general policy being that "the greatest caution should be observed in parting with State property to private individuals otherwise than at its full value and that free grants of land should be permitted only under very exceptional circumstances of political expediency." Local Governments, however, may, without reference to the Government of India, "in recognition of special service rendered to the police or to the criminal administration by a

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private person, inclusive of a village headman or watchman, make a gift to that person or to his heir of a value not exceeding Rs. 500, or may grant him, or his heir, or widow, an assignment of land revenue not exceeding Rs. 15 a year for one life, or for a term of 25 years, whichever period may be the longer. The grant may be made partly in the form of a gift of land and partly in the form of an assignment either of the land revenue of that land or of other land; but the total estimated value of the grant should not exceed Rs. 500."

The Punjab Government has also been authorized to sanction, subject to confirmation by the Government of India, the grant at settlement of fresh *muafis* or revenue-free holdings, not exceeding in each case Rs. 100 per annum in value, for life or for the term of settlement. The Chief Commissioner of the North-West Frontier Province enjoys similar powers.

Grants of land on favourable terms are usually made to individuals under the rules regarding the disposal of waste lands. Such lands are usually exempted from assessment for a term of years while they are being reclaimed or while they are being planted up with special products, such as tea and coffee, which do not yield an immediate return to the planter. Such grants require the sanction of the Government of India only if it is the practice of the province concerned to submit its waste lands rules for the approval of the Government of India.

Alienations of land revenue are reported in an annual return to the Government of India.

44046*. To whom are these restrictions due?—The genesis of the existing restrictions on the alienation of land by Provincial Governments was a letter from the Secretary of State, dated the 9th July, 1862, in which he gave orders that "there should be no relinquishment of any portion of the Government revenue without previous communication with the Home Government, nor should grants (of land) which involve any loss of revenue, whether for a limited term or in perpetuity, be made, except with the consent of the Secretary of State in Council, to whose control the expenditure of the revenues of India both in India and elsewhere, has expressly been subject by enactments of the Imperial Legislature." These orders were communicated to the Governments of Madras, Bombay, Bengal and the North-Western Provinces for information and guidance, but no further action was taken till, in 1870, it came to the notice of the Government of India that a building site of high value (Rs. 1,30,000) had been granted by one of the Local Governments for an educational institution without any reference to themselves. Orders were accordingly issued impressing upon Local Governments and Administrations that the sanction of the Government of India should be obtained to the alienation of all Government land, whether actually paying revenue or not, except in the case of grants of waste land under approved rules.

Several Local Governments and Administrations having represented the inconveniences arising from a strict adherence to these orders, they were modified in 1872, and the rules cited above were prescribed.

The history of the restrictions on the alienation of land revenue in the form of grants of land, revenue free or on favourable terms, is more complicated. The letter of the Secretary of State for India referred to above applied to alienations of revenue as well as to the alienation of land, but the question was obscured by the discussion that was going on at this time in regard to the policy of allowing the land revenue demand to be redeemed in perpetuity by the payment of a lump sum, and the rules for the disposal of waste lands which were passed about this time provided for their acquisition, revenue free in perpetuity, on very easy terms. There was, however, gradually a change of policy, and in 1873 general instructions were issued that "no rules involving the permanent alienation of Government revenue or the grant of waste land free from pay-

ment of Government revenue for a longer period than 20 years may in future be made or promulgated without the previous sanction of the Government of India." These orders have since been modified in the manner explained above.

The answer, therefore, is that the restrictions have been imposed by the Government of India.

44047*. Could these restrictions be relaxed?—I think the limits of value imposed by the Resolution of 1872 might be enhanced. The Government of India have for some time past had this matter under consideration, but its decision has been delayed owing to the necessity of examining various matters of principle in connection with the transfer of lands from the Imperial to Local Governments, and *vice versa*. Though the matter is not yet finally settled, it is probable that the limits up to which Local Governments may transfer State lands without reference to the Government of India will be raised as follows:—

A Local Government may sell or otherwise dispose of lands or sanction their sale or disposal in the following cases:—

By sale for full value:—

If the market value of the land does not exceed Rs. 25,000.

By sale on favourable terms, not being for less than half the market value:—

If the market value of the land does not exceed Rs. 5,000.

By gift or grant:—

(1) when given as a site for the construction of schools, hospitals, dispensaries or other public works, at the cost of recognised local funds:—

If the market value of the land does not exceed Rs. 5,000.

(2) when given for any other public purpose or to a private individual for services to be performed to the State:—

If the market value of the land does not exceed Rs. 1,000.

(3) when given for services to be performed to the community:—

If the market value of the land does not exceed Rs. 500.

In all other cases the sanction of the Government of India will be required.

These limits or any others that may finally be decided on will presumably be substituted for the existing limits specified above, up to which Local Governments may at present alienate without reference to the Government of India, the revenue on lands held for public purposes and yielding no return to private individuals or local bodies. But I am not in favour of relaxing the restrictions on revenue-free grants to private persons for their personal benefit. Grants of this kind are undoubtedly popular, and they may be justified occasionally on grounds of political expediency. But they are opposed to a policy which has been deliberately adopted for obvious reasons, and special cases in which a departure from that policy may be advisable should continue, I think, to be reported for the orders of the Government of India, otherwise, as Mr. Craddock, Chief Commissioner of the Central Provinces, points out, the 'special' cases will tend to multiply and to become the rule rather than the exception.

44048*. In particular, is it desirable to give local authorities in Burma larger powers in regard to the grant of land for religious purposes and to remove such restrictions as now exist in respect to the grant of land to non-Burmans in Upper Burma?—I see no objection to the proposal of the Lieutenant-Governor of Burma that the Local Government should have power to grant lands for religious purposes up to a limit of value of Rs. 500, instead of Rs. 200 as at present.

The restrictions on the grant of land to non-Burmans in Upper Burma are contained in Rule 56a of the Upper Burma Land Revenue Manual which runs as follows:—"Leases of State

land which is waste may, for the purpose of cultivation only, be made to persons other than natives of Burma by the Collector and for other purposes by the Local Government. Provided that no lease shall be made to any one person, or set of persons, of an area exceeding 10 acres, and that no greater area shall be leased than will make up the total of the land held by the person, or set of persons, under lease, to ten acres." At the time the rule was framed it was considered undesirable to allow foreigners to acquire land in Upper Burma. The exception was introduced in 1895 to meet the case of Chinese and Indian market gardeners, and others in like circumstances. Apparently the Lieutenant-Governor now proposes to remove all restrictions on the acquisition by non-Burmans of land in Upper Burma. The Government of India have received no proposals on the subject from the Government of Burma, and without fuller information I am not prepared to express an opinion on the advisability of a change of policy, which if adopted must obviously produce far-reaching political effects.

44049*. What are the general restrictions on the powers of provincial Governments in respect of revenue settlements outside Madras and Bombay?—The general restrictions imposed on provincial Governments, outside Madras and Bombay, are as follows:—

(A) Inception of Settlements.

No settlement can be undertaken without the previous sanction of the Government of India before whom a carefully prepared estimate of financial results must first be placed. It was in Lord Ripon's time that orders to this effect were first issued; the intention being partly to obtain information of financial importance, but chiefly to prevent expenditure and harassment of the people in cases in which there was no substantial reason for a new settlement. These are executive orders which were last affirmed in 1896 (despatch to the Secretary of State, No. 254, dated the 3rd September 1895, which was forwarded to Local Governments with the Government of India's letter, dated the 6th of January 1896). The sanction of the Government of India to the inception of settlements is also required by statutory provision in the Punjab, Central Provinces, Assam, and Coorg.

(B) Confirmation of Settlements.

The practice regarding the confirmation of settlements is as follows:—

(1) The United Provinces and the Punjab.—The United Provinces and the Punjab are empowered by enactment to confirm settlements.† Under the assessment instructions, however, in force in the Punjab, if the re-assessment of a *tahsil* falls short of the forecast by more than 15 per cent. the sanction of the Government of India has to be obtained before the re-assessment is actually announced, unless the deficiency is covered by a surplus in other *tahsils* already assessed under the same sanction.

(2) Central Provinces.—Under sections 53 and 56 of Act XVIII of 1881, settlements have to be confirmed by the Government of India. A *tahsil* report has to be submitted to the Government of India containing a short account of the salient agrarian and economic features of the tract, the rates of rental enhancement of each class of tenant justifiable upon general considerations, standard rates of rental enhancements which it is proposed to adopt, the standard percentage of assets which it is proposed to take from proprietors, the estimated increase of the new over the old assessments of the tract, and the precise term for which the settlement is to be made. Should the Settlement Officer subsequently have reason to believe during the course of settlements that the percentage of the total rental enhancements will differ by more than 10 from the sanctioned standard, or that the amount of the proposed revenue demand will differ by more than 10 per cent. from the amount which would have resulted from the application of the sanctioned Government share to the assets as finally ascertained, the probability of the deviation occurring, and the reasons for it, must be reported to the Government of India. A modification of the orders which, if carried

out, will give the Chief Commissioner greater power to approve of assessment proposals, is under consideration.

(3) Burma.—Under the Burma Assessment Instructions, the Local Government's proposals as to the revenue rates proposed have to be submitted to the Government of India for sanction. The proposals are submitted in the form of a draft Resolution on the Settlement Officer's report.

(4) Assam.—In Assam under section 31 (a) of the Assam Land and Revenue Regulation, settlements require the sanction of the Government of India, but this section was withdrawn from the Assam Valley by a notification issued by the Chief Commissioner in 1886. The Local Government has, however, been requested to continue to submit the final reports of settlements in this area for approval, pending the consideration of the amendment of the Regulation.

(C) Duration of Settlements.

The Secretary of State in his Despatch No. 117, dated the 24th October 1895, decided that 30 years should ordinarily be the term for settlements in the North-West (now the United) Provinces, that 30 years in some districts, and 20 years in most districts, should be the ordinary term for settlements in the Punjab, and that 20 years should be the ordinary term in the Central Provinces. In backward tracts like Burma and Assam, and in exceptional circumstances such as exist in Sind, the term was to be shorter. The periods of settlements are fixed in accordance with these instructions, in the Punjab and United Provinces by the Local Government, and in other provinces by the Government of India, when confirming the settlement reports. In Assam the period has now been extended to 20 years for occupied lands, and the Government of Burma has recently been asked to consider whether the term of settlements in Burma should not also be extended.

44050*. Could any of these restrictions be relaxed? In particular, would it be possible to give Local Governments generally a free hand in regard to revenue settlements, or irrigation assessments, subject to general rules laid down by the Government of India?—An examination is now being made by the Revenue Department into the question of the possibility of laying down definite rules limiting the amount of enhancement which can be imposed at any settlement. Should this be practicable it would probably be possible to modify considerably the existing rules. For the present, however, it would seem desirable that the Local Governments which now submit settlement reports to the Government of India for confirmation should still announce the assessments as being subject to confirmation by the Government of India, though it seems unnecessary that they should submit as they now do a draft of their orders before issuing them.

Where settlements of land revenue are based on irrigational facilities the same rules apply to their confirmation as those applicable to ordinary land revenue settlements. For example, settlements in Sind are confirmed by the Government of Bombay, without reference to the Government of India. But in most provinces rates for the use of canal water are levied independently of the land revenue. In Madras, Bombay, Bengal, and Burma the Local Governments are empowered to fix such rates without reference to the Government of India. In Madras the irrigation receipts from major works are at present wholly Imperial, but half will be provincialized from 1st April 1908. In Bombay the irrigation receipts are half Imperial and half Provincial. In Bengal they are wholly Provincial. In Burma the irrigation receipts from major works are wholly Imperial, and those from minor works and navigation wholly Provincial. Under section 75 (4) of the Northern India Canals and Drainage Act, rules regulating the charges made under the Act require the previous sanction of the Governor General in Council. This Act applies to the United Provinces, the Punjab, and the Central Provinces. In the Central Provinces there are at present no irrigation canals. Various schemes are under consideration, but the principles on which the water rates will be levied have not yet been settled. In the Punjab five-eighths of the direct receipts from major irrigation works are Imperial, while the receipts from minor works and navigation are wholly Imperial except in the case of two systems. While this arrangement continues, I think the Government of India

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† Section 94 (1) of the United Provinces Act III of 1901, and Section 53 (1) of Punjab Act XVII of 1887.

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should retain its control in regard to the water rates to be charged. In the United Provinces under the recent settlement the irrigation revenues have been provincialised except in the case of one canal. I am not prepared at present to say whether this change of system would justify legislation for the purpose of removing the control of the Government of India in regard to the fixing of water rates in the United Provinces.

With regard to specific proposals of Local Governments, taking first the proposals of the Government of Burma, the question of confirmation of settlements has already been dealt with. It appears to be unnecessary that the Government of India should make itself responsible for the details which are given in the draft Resolutions which are now submitted by the Local Government before settlements can be sanctioned. With regard to the other proposals, they seem unobjectionable, except in so far as the Government of Burma desire to have a free hand in fixing the duration of settlements. The question of the term of settlements in Burma is under consideration, and if the Lieutenant-Governor is able to prescribe a minimum term it may be possible to give him a freer hand than he has hitherto enjoyed, but the Government of India must, until this has been done, retain the power to prevent settlements being made for too short periods.

As regards settlement appointments, I would welcome relaxation of the present rules in the direction of giving greater powers to Local Governments.

It is undesirable that the hands of the Settlement Officer and the Local Governments should be tied by too rigid an adherence to the forecast, or that it should be treated as a standard which must of necessity be worked up to, but it cannot be admitted that a forecast is never of any real value. A forecast of the increase of revenue anticipated is often necessary in order to decide whether a re-settlement should be undertaken or not, though it is not the only factor which should be taken into consideration.

With regard to the Local Government's recommendations, I am strongly opposed to the delegation to the Local Government of powers under section 112 of the Bengal Tenancy Act. The section was amended last year with the object of giving Government fuller powers to settle rents in cases where they have been improperly enhanced, and the opposition to the amendment would have been very much greater if it had not been understood that the control of the Government of India in the matter would not be relaxed. To withdraw that control so shortly after the amendment of the Act would, I believe, be regarded as a breach of faith by the Bengal zamindars.

44061*. What are the reasons which led to the supersession or restriction of the *thathameda* system in Upper Burma by the system of Indian land revenue assessments?—Under Burman rule the greater part of the revenue in Upper Burma was realized in the form of the *thathameda* or tithe tax, which was a sort of income-tax of comparatively recent origin and was levied on agriculture, trades, handicrafts and even menial labour, the total assessment of the village being fixed generally at the rate of Rs. 10 per household. Land was divided into two main classes, State land and private land. The cultivators or owners of land paid *thathameda* like other people. Cultivators of State land also paid rent to the Crown, but private land ordinarily paid nothing in the shape of rent or land revenue.

The first idea of our administrators after annexation appears to have been to continue these arrangements, and proposals to this effect were made in the first draft of the Upper Burma Land and Revenue Regulation which was submitted to the Government of India in 1886. The Government of India recognized that the *thathameda* tax was suited to the circumstances of Burma at that time, but they pointed out that eventually it would probably be replaced by a land revenue assessment, and they suggested that the Regulation should be so drafted as not to prejudice future action in this direction in the event of its being considered desirable. This suggestion was accepted by the authorities in Burma, and was given effect to in section 27 of the revised draft of the Regulation, which passed into law as Regulation III of 1889. The effect of this section was to declare private land liable to land revenue subject to such adjustment of, or exemption from, land revenue as might be authorized by rule.

The reasons which led the Chief Commissioner to frame section 27 of the Regulation are explained in the following extracts from his letter to the Government of India, No. 265-66R., dated the 9th May 1889, with which he forwarded the draft Regulation for approval.

"Another very important reason for recommending legislation is that at present no land revenue is assessed upon land other than State land, and unless the right of the State to levy land revenue from such land is at once declared, it is apprehended that the right may be called in question—more especially by the class of speculators alluded to already, who will claim to have purchased land on the understanding that it was free from land revenue."

"The *thathameda* is undoubtedly a rough method of taxation, which was rendered necessary by the absence of an accurate or even approximate estimate of the land under cultivation. All that can be said in favour of it is that it is tolerably fair, that it can be checked without extraordinary trouble and expense, and that the power of a thoroughly corrupt body of officials to defraud the State was less, perhaps, under this system of taxation than it would have been under a system of land assessment unaccompanied by an accurate survey. It is, however, an unsatisfactory tax from a financial point of view. A household, for example, may double the area of land cultivated by it without paying an anna more to the treasury. Men live in one district and own land in another, and only pay the share of the *thathameda* assessed on the village in which they reside. For example, there is a very well-to-do European residing in the Ye-u district who holds large areas of land in Shwebo and elsewhere, for which he pays absolutely nothing; and having induced the people of the village where he lives to make him a *thamadi* or assessor, he does not pay even the average *thathameda* rate. Instances of a similar kind are numerous. Again some of the wealthiest persons, ex-officials and others, living in Mandalay own lands in Kyaukse and elsewhere, and pay nothing at all to the State. Moreover, unless the land is assessed to revenue, the spread of cultivation which must shortly take place will escape adequate taxation, as the increase in the number of households liable to *thathameda* need not be commensurate with the increase of cultivation. In effect, the assessment of the land is the only way in which a fair and adequate revenue can be obtained from Upper Burma. It must be done gradually and with care. The adjustment of the *thathameda* will require much consideration. Until the facts are ascertained by survey it is difficult to propose a satisfactory scheme for the solution of the difficulty."

It will be seen from the following extract from the first draft of the Statement of Objects and Reasons of the Regulation that the object of the section was merely to take power to assess private land to land revenue.

"It is not intended to assess any land other than State land at present, but it is desirable to assert the right of Government to assess land in the occupation of private owners. . . . The Chief Commissioner desires to obtain power to do this, though it is not expedient to exercise the power at present. . . . No land revenue is payable on such land now; and when land revenue is assessed, it will be necessary to consider whether an entire or partial remission of *thathameda* should not be made in respect of persons assessed to land revenue."

In 1890 the Chief Commissioner obtained the approval of the Government of India to a tentative and experimental set of rules under the Regulation, but these rules merely declared that "private land might be assessed to the land revenue." The question came up again in 1892, in February of which year Sir A. Mackenzie (who had meanwhile succeeded Sir Charles Crosthwaite) represented that it was "advisable once and for all to settle the principles on which the future land revenue of Upper Burma shall be established." The Government of India replied that it was premature to lay down general rules till the facts were better ascertained, and they directed the Chief Commissioner to submit separate proposals for the assessment of each district as it came under settlement. Five districts, however, were at this time awaiting settlement, and as their conditions were believed to be similar, the Chief Commissioner submitted for approval a draft of directions which he proposed to issue for the guidance of Settlement Officers in Upper

Burma. In these instructions provision was made for the first time for the assessment of a land tax on all lands, and definite rules relating to the adjustment of *thathameda* were framed; and it was explained that the directions had been drafted in the hope that they would enable "Settlement Officers to prepare proposals for a system of taxation which will be far more equitable than the present system of *thathameda* and rent." After much discussion the directions were approved by the Government of India, and in 1894 they were issued under the title of *Directions to Settlement Officers in Upper Burma*.

The main principles laid down in these directions so far as the restriction of the *thathameda* tax is concerned may be summarised as follows:—

- (1) All private land was to be brought under assessment.
- (2) In fixing his rates the Settlement Officer was to consider, among other things, the amount previously paid by the holders on private land in the form of *thathameda*, and on State land in the form of *thathameda* plus rent.
- (3) All holders of land, whether private or State, who were assessed to revenue on account of it, were exempt from *thathameda* if they lived solely on the produce or income derived from that land.
- (4) If, however, they derived half or more of their total income from sources independent of the land, they were to pay *thathameda* in respect of those other sources at rates not exceeding half the average rates which non-agriculturists would pay on account of such sources.
- (5) All who held no land, and therefore paid no land revenue to the State, were to pay *thathameda* at full rates.
- (6) The existing system of assessing the total *thathameda* demand at a fixed all-round rate per household was to be abolished. In its place the Settlement Officer was to classify the households by occupation, and to propose a separate rate per household for each class, based upon the actual assessments of the past five years.

The reasons which led the Government of Burma to introduce a land revenue assessment into Upper Burma in partial supersession of the *thathameda* tax have now been explained, and it seems unnecessary to trace the subsequent history of the question. It may be noted, however, that the directions of 1894 proved unworkable, mainly for the reasons (1) that there were very few pure agriculturists, (2) that the amount of the subsidiary income of agricultural classes varies greatly from year to year, and (3) that the income of the non-landed classes having the same occupations varied from village to village and from year to year. In 1896 the Chief Commissioner went so far as to propose gradually to abolish *thathameda* altogether.

He wrote as follows:—

"Up to the present time the districts noted on the margin have been cadastrally surveyed, and we must, if we wish to utilize the survey, gradually abolish *thathameda* and assess private lands, as indeed Sir Frederic Fryer always intended to do. The Chief Commissioner proposes to abolish *thathameda* at once in Mandalay and Kyaukse, where rates are ready for assessment on private lands, and as soon as the settlements are completed in Sagaing, Minbu, and Meiktila. In Shwebo, Magwe, Myingyan, Pakokku (not yet surveyed), and Yamethin the Chief Commissioner considers it will be better to allow the present system to continue until the settlement operations in Sagaing, Minbu, and Meiktila have been concluded and their results carefully considered. In such districts as the Ruby Mines, Bhamo, Katha, Upper Chindwin, and Myitkyina it will be better to retain the *thathameda* till things are more settled and cultivation has increased, as the Chief Commissioner considers that the *thathameda* will bring in more revenue than any other system of taxation. Sir Frederic Fryer does not agree with the opinion that the *thathameda* is a harsh or oppressive tax; but thinks, on the contrary, that the *thamadis* assess it, on the whole, very fairly. It is, however, a non-expansive form of taxation and leads to endless disputes as to what are State and what are

private lands, in which public feeling is always against the Government. Private lands keep growing and raise many awkward questions which will only be settled when they are assessed."

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The Government of India were, however, doubtful whether the time was ripe for any decisive action which would bind them irrevocably for the future to a change so far-reaching as that proposed. They reviewed the history of the question and summed up their conclusions as follows:—

"(a) No tax of the nature of *thathameda* can ever be an effective means of securing to Government that share of the produce of land which it may claim as its due. An assessment of land revenue is based upon cultivated area, which is a measurable fact, capable of exact ascertainment. The assessment of *thathameda* is based upon an estimate of income, which must be mainly a matter of opinion. The former expands automatically with the extension of cultivation, and secures to Government its proper share of what is the principal form of wealth in this country; while, under a suitable system, such as obtains in Upper Burma, it fluctuates also with the variation of the seasons, and so adjusts the burden to the means of bearing it. The latter depends wholly upon population, which does not necessarily vary with the cultivated area; while the total demand, at any rate, does not change with the nature of the season, so that it must be so low that it can be paid in a bad year.

"(b) *Thathameda*, as at present levied, is exceedingly unequal in its incidence upon one town or village as compared with another; and this, because it is levied at one uniform rate per household throughout a district, so that a poor family living in a village which includes many rich families will pay only a small fraction of what it would have to pay if they were absent.

"(c) On the other hand, the distribution of the *thathameda* as among the component families of each individual village is exceedingly equitable, far more so than any assessment would be which Government itself could frame; and infinitely more so than an all-round capitation tax.

"(d) Considered from this last point of view, its main defect is that there is a tendency to tax unskilled labour too highly. Probably it is open to the same criticism to which all Government assessments are open; that the assessing officer is afraid to go high enough on the rich, or low enough on the poor, whether persons or lands."

Finally, as the result of protracted discussion lasting for over five years, it was decided in connection with the Minbu settlement to abandon any attempt to adjust *thathameda* in the manner prescribed in the directions of 1894 and to retain the old system (which had in practice never been abolished) of assessing the total revised demand at a fixed all-round rate for households, modifying it however by reducing the general rate of Rs. 10 per household to a rate considerably lower, and varying according to the circumstances of each district, and by distributing the total revised demand at varying rates among the different tracts of the district according to their circumstances. In all the Upper Burma settlements which have been sanctioned in the last six years these principles have been followed, and they have now been embodied in the *Instructions for Original Settlements in Upper Burma* published in 1907. The policy of the Burma Government in respect of *thathameda* is now (a) to throw on the land in the form of land revenue or rent practically the whole of the taxation imposed on agricultural profits; (b) to retain the existing total taxation upon non-agricultural incomes unaltered, but to re-adjust its distribution so as to relieve the poorer and especially the labouring classes. And the principles on which this policy is worked may be summarised briefly as follows:—

- (a) that the *thathameda* assessment has hitherto been made on agricultural and non-agricultural income indiscriminately;

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- (b) that if there are any pure non-agriculturists, the *thathameda* paid by them will be retained unaltered ;
- (c) that if there are any pure agriculturists, no *thathameda* will be assessed on their incomes ;
- (d) that the assesses of a mixed class, *i.e.*, men whose income is partly agricultural and partly not, are examined as to the proportion represented by each of those two sources in their income ; and
- (e) that the total *thathameda* hitherto paid by the assesses of a mixed class may be distributed in this proportion between two heads, agricultural and non-agricultural, the first to be discarded and the second retained.

44052*. Apart from settlement matters, do the Burma Land Revenue Acts and Regulations impose restrictions on the Provincial Governments which might be relaxed?—I think there are certain restrictions on the Local Government in the Burma Land Revenue Acts and Rules which might be abolished ; among them are the following :—

- (1) Section 60 of the Lower Burma Land and Revenue Act, 1876.

I think that it is unnecessary that rules made by the Local Government under the Act should be sanctioned by the Governor General in Council. It would suffice if the power to make rules were subject to the control of the Governor General in Council.

- (2) Rule 33 of the Lower Burma Land and Revenue Rules, and Rule 53 of the Upper Burma Land and Revenue Rules.

I think that the Local Government might have power to grant land free of land revenue for religious or public purposes up to a limit of Rs. 500 without reference to the Government of India.

- (3) Section 26 (2) of the Upper Burma Land and Revenue Regulations.

I think that rules framed under this section should be made by the Local Government, subject to the control of the Governor General in Council.

- (4) Section 27 (2) of the Upper Burma Land and Revenue Regulations.

I think rules framed under this section might be made by the Local Government, subject to the control of the Governor General in Council, instead of with the previous sanction of the Governor General in Council, as at present.

- (5) Section 49 of the Upper Burma Land and Revenue Regulations.

I think the previous sanction of the Governor General in Council might be dispensed with in regard to the framing of the rules for the establishment to be maintained for the service and execution of processes in Upper Burma.

44053*. You have been furnished with schedules or memoranda showing the proposals made by certain Provincial Governments in regard to the relaxation of specific restrictions now imposed upon them by law, by rules having the force of law, by Imperial Codes (such as the Civil Service Regulations), or by executive instructions which they desire to have relaxed. Would you object, so far as your department is affected, to any of such proposals (other than those which have been covered by answers to the previous questions), and, if so, on what grounds? Can you suggest similar relaxation in any other matters?—I have examined the schedules showing the proposals made by certain provincial Governments in regard to the relaxation of specific restrictions now imposed upon them by law, by rules having the force of law, by Imperial Codes or by executive instructions of the Government of India. So far as my Department is concerned, I object to the proposals detailed below. It must not be assumed that I approve of all the other proposals. I see no *prima facie* objection to the proposals to which I do not specifically refer, but I have been unable in the time at my disposal to go into them so fully as to be certain that no reasonable objections might be brought forward.

The Bombay Government desire to be allowed to determine the total limit up to which advances may be made to Co-operative Credit Societies. The question of the best methods of promoting Co-operative Credit Societies has scarcely got beyond the experimental stage and requires to be closely watched. With

Local Governments there is the danger of one strong officer getting the whole system on to wrong lines and doing harm which it would take many years to undo, and it seems to me desirable that the Government of India, which has the experience of all India to guide it, should be able, if necessary, to put on the brake. Co-operative Credit Societies will not be on a sound footing till they can attract local capital on business terms, and Government advances on too liberal a scale might prevent recourse being had to local capitalists.

The Bombay Government also desire to be empowered to grant agricultural scholarships from provincial revenues, without reference to the Government of India, to students proceeding to England. It would be inconsistent with the policy of this Government if students were encouraged to leave India for their agricultural training, and if in any particular case there are strong reasons for sending an Indian student out of the country a reference to the Government of India seems desirable.

Turning now to the more difficult question of the proposals contained in the memoranda, I will notice first the suggestion of the Bombay Government. That Government proposes that the functions of Government be brought under two heads, namely, "Imperial functions for the Central Government" and "functions pertaining entirely to the Local Government." The Local Government should as regards "functions pertaining entirely to the Local Government" be subject to control not exceeding that exercised by the Secretary of State over the Government of India. I am not sure of the exact meaning of this proposal as there are no precise and fixed limits to the interference of the Secretary of State with the Government of India, any more than there are definite and well understood principles by which the Government of India is limited when exercising its control over Local Governments.

My Department deals with the following matters, which the Bombay Government propose it should control :—

Forests,
Land Revenue,
Scientific and Minor Departments (excluding meteorology).

As regards Forests, the Bombay Government have complete administrative control except as regards deforestation. So far as Land Revenue is concerned, it does not appear that the Bombay Government's proposal would lead to any alteration in the present condition of things. If the effect of the proposal would be to prevent any control over the Government of Bombay by the Government of India, there appear to be strong objections to accepting it. Important changes have been made in the Bombay revenue system of late years, largely at the instance of the Government of India. Settlements of land revenue are no longer left to Survey Officers, the system of granting suspensions and remissions has been put on a better footing, and a record-of-rights is now prepared of which the advantages are, I understand, appreciated by the Bombay Government. These changes are all largely due to pressure from the Government of India. The head "Scientific and Minor Departments" includes the Survey and Agricultural Departments. Cadastral and local surveys are now everywhere carried out by Local Governments. The work of the Survey of India for the next 20 or 30 years will be confined to the revision of the topographical survey and the compilation of new up-to-date maps of the whole country. This is work which must be carried out on uniform lines, and it can be most efficiently and economically dealt with by an Imperial Department. I think, therefore, that in present conditions the Survey of India Department must remain directly under the control of the Government of India.

Each local Government should be allowed a very free hand as to the manner in which its local Agricultural Department should be employed, but the *cadre* is so small that the Government of India must have some voice in deciding where experts are to be employed belonging to the Imperial Service. I may note that the Secretary of State has laid great stress on the power of transfer being reserved to the Government of India. It is also necessary that the Government of India should continue to control the Pusa College, an Imperial College which is to train students from all parts of India for research.

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work, and where investigations are carried on of more than provincial importance.

Several Governments, touch in their memoranda on their relations with the Heads of Departments under the Government of India. The Government of Bombay have on this as on other questions taken up a more extreme position than any other Government and recommend that "Inspectors and Directors-General should be restricted to advising the Government of India and the Local Governments when their opinions are asked. They should therefore reside at headquarters and not be permitted either to visit the province of a Local Government unless invited, or to correspond with their officers unless approached by the Government concerned and authorised to correspond with such officers for any particular purpose." The Bombay Government also express strong views as to the uselessness of tours by Heads of Departments of the Government of India. I differ on both points. Whether regarded from the point of view of Local Governments, or from the point of view of the Government of India, I hold that, so far as my department is concerned, great value attaches to the tours of the Inspectors-General of Forests, the Veterinary Department and Agriculture. The Heads of those Departments possess the necessary technical knowledge to explain, to support, and if necessary to criticise the proposals submitted by Local Governments, and the information they derive from their tours often enables them to appreciate better the reasons for the proposals made by Local Governments. It is possible that, so far as the Government of India are concerned, the Inspector-General of Agriculture will not always be necessary, but he will be required, for the benefit of the provinces themselves, to co-ordinate their work and to enlighten them as to what is being done in other countries. Generally speaking, I hold that an Inspector-General should be just as useful to a Local Government as to the Government of India. Months of correspondence may contribute less to the clearing up of some doubtful question than personal intercourse or a day's inspection. There is the danger that in the case of the Head of a Department of the Government of India advice may insensibly pass into orders, but this is a minor difficulty which Local Governments should always be able to deal with. There is, perhaps, more danger that an Inspector-General may get the ear of the Government of India, and may induce that Government to press his views on the Local Government. On the other hand, the Government of India must have expert advice in dealing with experts, and though this may occasionally lead to schemes being blocked, it is very difficult to force any scheme on an unwilling Local Government. In practice the Government of India could not force on an unwilling Local Government any measure to which it strongly objected unless with the active support of the Secretary of State.

A minor point is the question of correspondence between Heads of Departments of the Government of India and officers belonging to Local Governments. Personally, I would allow them to correspond freely with Provincial Heads of Departments. This, however, is a matter which each Local Government must be allowed to decide for itself.

Sir Thirkell White suggests in his memorandum that powers conferred by statute upon a Local Government should not be limited by executive orders. The Government of India have not in the past contemplated the exclusion of their control in such cases, and, if this view were now accepted, it would be necessary to go through the Statute Book and see in what cases the existing law might need amendment so as to restore to the Government of India their present powers of control.

44054*. Is it necessary for the Government of India to intervene in such matters as the appointment and recruitment of tahsildars or other officers of like status?—I do not think that the Government of India should ordinarily interfere in such matters, and in practice they never do so unless they are directly brought to their notice by a Local Government or Administration. Even in such cases moreover, if they interfere at all it is by way of suggestion, and I consider it one of the most important functions of the Supreme Government to give Local Governments in this way the benefit of its wider knowledge and experience. As a case in point, I may mention that

the Government of Madras recently submitted proposals to increase the number of *tahsils* in the Presidency and to revise the grading of the tahsildars. Some remarks in Mr. Meyer's report upon which the proposals were based led to an examination of the existing system under which tahsildars are appointed in the Presidency. The practice of making the pay of these officers depend not only on personal grading but on the *tahsils* to which they are posted, appeared to the Government of India to be open to objection, and it was also thought that the system of grading officers of this class on a general provincial list which works satisfactorily in every other province might be equally successful in the Madras Presidency. These suggestions were accordingly made to the Local Government, but there is no intention of forcing them upon the Government of Madras, and as this appears to have been misunderstood, the Local Government has been informed demi-officially that the suggestions are merely for their consideration.

44055*. Would it be desirable to allow the larger provinces the same powers in respect to the appointment of Conservators of Forests as are possessed by the Governors of Madras and Bombay, and complete powers, outside general financial restrictions, in respect to the *cadres* of the Provincial and Subordinate Forest Services?—I do not think it is desirable to allow the larger provinces the same powers in respect to the appointment of Conservators of Forests as are possessed by the Governors of Madras and Bombay. In my opinion none of the provinces, with the exception of Burma, have a sufficiently large *cadre* to be completely self-sufficing for their highest appointments. It is also desirable that officers who have natural aptitude for appointments in the Imperial Research Institute and officers who are likely ultimately to become Inspectors-General of Forests should gain experience in more than one province. As regards the question whether complete powers, outside general financial restrictions, might be given to the larger provinces in respect of the *cadres* of the Provincial and Subordinate Forest Services, I see no objection to such powers being given. At present the Forest Code contains rules regarding such points as—

- (a) suspension and dismissal of members of the Provincial and Subordinate Services ;
- (b) the institution of prosecutions ;
- (c) the acceptance of resignations of officers of Provincial and Subordinate Services ;
- (d) postings and transfers of officers of such services ;
- (e) their leave ;
- (f) forest office establishments in provinces ;
- (g) examinations.

These restrictions are in the main due to the fact that there is one Forest Code for the whole of India outside Madras and Bombay. I think that each Local Government might be empowered to frame rules for itself regarding the appointment, dismissal, educational qualifications, etc., of its own Provincial and Subordinate Services.

44056*. Speaking generally, does the Forest Code tend to undue centralization? Might not the stringency of a number of its provisions be relaxed?—When the Forest Department was originally established there were very few trained officers, and it was necessary to lay down, in the form of a Code, provisions generally applicable outside the Madras and Bombay Presidencies. Moreover, for many years the whole of the education of the subordinate establishment was concentrated at Dehra Dun. This is gradually ceasing to be the case, but even now the forest education of all Indian officers of and above the rank of ranger is carried on at Dehra Dun, except that in Burma there is a subordinate Forest School for subordinates up to the rank of ranger. The conditions of recruitment and education were also originally uniform throughout India. Conditions are now altering, and a free hand has been given to Local Governments in matters relating to the recruitment of their subordinate establishments, and as their facilities for educating officers increase, they will no doubt get a free hand as regards training. Another reason for uniformity lay in the fact that the audit of forest accounts was in the hands of the Comptroller General, and Local Governments had not the same powers in forest matters as in other branches of the administration. The audit has now been provincialized, and in the last edition of the Forest Department Code the authority of Local Governments as

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regards expenditure on forest establishments has been raised to the full extent admissible under the Civil Account Code. As circumstances have so considerably altered of late years, it would probably suffice if the Indian Forest Code were to deal with general principles applicable to all parts of India (excepting Madras and Bombay), supplemented in the case of each Local Government by provisions in the form of a local manual applicable to local conditions.

Most of the specific proposals of Local Governments suggesting relaxation of the Code deal with matters which concern the Finance Department and on which I could not give an opinion without obtaining its views. The proposal of the Burma Government to amend Appendix II of the Forest Code by authorising Local Governments to sanction condonation of deficiencies in candidates for admission into the Forest College at Dehra Dun, is premature, as the Forest College is directly under the Inspector General of Forests, and the course of training has to be suited to candidates from all parts of India, who must be educationally qualified to profit by the course. The Burma Government proposes to amend Appendix VII of the Forest Code by delegating to the Chief Conservator the power to sanction the preparation of special maps and of two editions of forest survey maps. As these maps are prepared by the Survey Department, which is Imperial, it seems right that the control should remain, as at present, with the Inspector General of Forests, who is in a better position than a local authority to ascertain from the Survey Office what difficulties would be involved in the preparation of the maps. I have no objection to the proposal to delegate powers to Conservators under Article 66 of the Forest Department Code made by the Burma Government.

44057*. Are there any provisions of the existing Forest Acts that contain restrictions upon Provincial Governments which might now be relaxed?—I submit a statement† showing the restrictions imposed on Local Governments by Forest Acts. These might all, in my opinion, be entirely withdrawn excepting in two cases where some relaxation only appears advisable. These cases are the following :—

- (1) It is not necessary that the Government of India should sanction all rules regarding the levy of duty or regarding the transit of forest produce, but its sanction should, in my opinion, be obtained where the Native States, whether within or without British India, are likely to be affected, as otherwise political agreements might unwittingly be infringed by Local Governments.
- (2) In cases of disforestation, if a Local Government desires to disforest or to exclude any area however petty now included in a reserved forest, it has to apply to the Government of India for sanction. It appears to me unnecessary to insist on this in every case. It cannot, however, be dispensed with in all cases, as the preservation of forests is a matter of more than provincial importance, and I would therefore require the sanction of the Government of India when it is proposed to disforest large areas. It would be a matter for further consideration how large the area should be, and it might possibly vary in different provinces or even in different forests. Cases have actually occurred within the last five years in which the Government of India have received applications, which they have had to disallow, from Local Governments to disforest areas. In one case the application was made with a view to permit *jhuming*‡ by cultivators in an area of 339 square miles, and in the other case the application was to be allowed to give a grant of 721 acres in the middle of a reserved forest to a Native Military Officer.

44058*. Do you see any objection to a general delegation of the powers exercised, as Courts of Wards, by Boards of Revenue and Financial Commissioners, to Commissioners of divisions?—Personally I should deprecate a general delegation of the powers exercised as Courts of Wards by Boards of Revenue and

Financial Commissioners, to Commissioners of divisions, if I am right in supposing that the suggestion is that Commissioners of divisions may be appointed Courts of Wards for their own divisions. The highest revenue authority has been appointed Court of Wards in every province, and it is only where Commissioners of divisions are as a matter of fact the highest revenue authority of the province; namely, in Bombay and the Central Provinces, that they have been appointed Court of Wards. Even in these two provinces the power of assuming charge of the property of disqualified proprietors is subject to the sanction of the Local Government, while in Bengal, Eastern Bengal and Assam and the United Provinces the Board of Revenue, which is in those provinces the Court of Wards, has as a general rule the power to assume charge of the properties of disqualified proprietors at its discretion.

The general question as to the proper authority to be appointed Court of Wards was fully discussed by the Government of India in 1899 when the Punjab Government submitted the first draft of the Bill which afterwards passed into law as the Punjab Court of Wards Act, 1903. The Punjab Government in their first draft proposed to continue the system of appointing the Deputy Commissioner to be the Court of Wards for his district. The Member in charge of this Department was then Sir Charles Rivaz, a Punjab officer, and the Government of India were also fortunate in possessing the views of another distinguished Punjab officer, Sir Denzil Ibbetson, on the subject. Both were strongly of opinion that the Punjab system had not worked satisfactorily, and they attributed this result to the lack of effective control over the Deputy Commissioners. In accordance with the views of the above-named officers, the Government of India recommended, and the Punjab Government finally accepted, the view that the chief revenue authority should be appointed the Court of Wards. I entirely agree in this view. In taking over the management of estates belonging to an embarrassed proprietor or a proprietor disqualified on account of age or sex Government undertakes a heavy responsibility. Failure in Court of Wards administration, exposes it to more obloquy than failure in almost any other branch of administration, and experience has shown that if Government fails to save an embarrassed estate, it is often regarded as directly responsible for its ruin. In my judgment therefore there is no branch of the administration where strict supervision and efficiency is more necessary in the interests of Government itself, and I am strongly opposed to any change in the present system whereby the highest revenue authority in each province below the Local Government or Administration is entrusted with the functions of the Court of Wards; the more so because I do not find from the various memoranda presented to the Royal Commission that there is a general demand for any change of the nature indicated. At the same time I am in favour of delegation in matters of details to Commissioners and District Officers so long as the ultimate responsibility of the chief revenue authority is maintained, and his powers of control and supervision are not impaired. I may point out that in provinces where the Board of Revenue is the Court of Wards very free delegation of powers is already legally permissible with the sanction of the Local Government.

44059*. Are you in favour of any limitation of the present rights of appeal to the Government of India and the Secretary of State—(a) on administrative measures; (b) on questions personally affecting officers of the Public Service?—As regards appeals relating to administrative measures the existing orders are contained in the rules relating to the submission of memorials of the Government of India and the Secretary of State, respectively. The Government of India and the Secretary of State must, of course, retain their general powers of revision and control in all matters relating to the administration of India, but in these rules they have specified certain classes of cases in which they are as a rule prepared not to interfere. In my opinion it is not possible to alter the existing rules to any material extent, or to frame more definite rules to provide for all particular cases in which their interference may be unnecessary. On the whole, the rules appear to have worked well in the past. From time to time Local Governments have brought to notice particular cases, or classes of cases, in which it was

doubtful whether appeals were allowed by the rules, or if so, whether it was desirable that they should be allowed. Rulings have been given on these references either by the Secretary of State or the Government of India, and those of general importance have been circulated to all Local Governments and Administrations for information and guidance. In this way a body of precedents has been formed which are generally followed. Having regard to the different laws and different circumstances of each province, I am of opinion that this is the proper procedure to follow, and I do not think that any alteration in the rules is required. So far as my own department is concerned, appeals of this kind are not very numerous.

Appeals on personal matters are on a different footing, and from the nature of the case definite rules can more easily be framed. I understand the position to be as follows:—The right of petition has been judicially declared to be the birth-right of the subject, and neither the Government of India nor the Secretary of State can prevent any officer whatever his pay and status may be from appealing to them against punishments of any kind. In the Memorial Rules however they have laid down the procedure which must be followed before such appeals will be considered, and with the object of preventing their time from being wasted by matters of relatively small importance which have already been disposed of by competent authority as well as in the interests of discipline, they have empowered Local Governments and Administrations to withhold appeals in certain classes of cases. Their right however to admit and examine any appeal remains, and should continue to remain, undisturbed, and for this reason appeals against the order of a Local Government withholding a memorial to the Government of India are always examined in this Department, though it is very rarely that any action is taken on them.

My own feeling is that some curtailment of appeals to the Government of India and the Secretary of State is desirable, and I would be inclined to raise the limit in rule 11 (7) of the Government of India Memorial Rules at any rate to Rs. 150. In the Revenue Department this would be a more suitable limit than Rs. 100, for it would draw the dividing line roughly at tahsildars, and would debar appeals from officers of lower rank against the decision of the Local Government. I have no very strong convictions in the matter, however, and, speaking for my own department only, I do not think that the necessity for curtailment is so strong in the case of appeals to the Government of India and the Secretary of State as it is in that of appeals to lower authorities. Very many appeals are of course received annually in the Department of Revenue and Agriculture, but the great majority are disposed of by routine orders under the Memorial Rules, and if a number of appeals received from officers of the Indian Forest Service in connection with the recent revision of the pay of the department be excluded, the residue requiring examination is comparatively small, and the change I have suggested above would not cause any appreciable diminution of work. Another reason why I do not advocate any far-reaching change in the Memorial Rules in the direction of limiting appeals to the Government of India is that I do not find from the memoranda referred to in Question 44053* that there is any general demand for such a change among the Local Governments and Administrations.

There is one point however which deserves notice. In almost all branches of the public service the higher administrative appointments are filled not by seniority but by selection, but it is a common practice for senior officers superseded for such appointments in favour of their juniors to appeal to the Government of India and even in some cases to the Secretary of State. Rule 11 (10) of the Memorial Rules, if liberally interpreted, seems to cover such cases, but in practice appeals of this kind are admitted. The Government of India and the Secretary of State almost invariably decline to interfere with the orders of the Local Government, which alone is in a position to decide as to the relative merits of its officers, and it seems to me a point for consideration whether Local Governments should not be empowered to withhold such memorials under the rule referred to above. If the principle of selection is extended to appointments of Collectors, it will be very necessary, I think, to confer this power on Local Governments.

I would vest the Government of India with discretionary powers to withhold memorials addressed to the Home Government when they are appeals against orders or decisions of a Local Government which have been confirmed by the Government of India and are made more than six months after the communication of the order of confirmation to the memorialist, unless the delay has been satisfactorily explained.

The Governments of Madras and Bombay are empowered to send memorials addressed to the Secretary of State direct to the Home Government except in the cases specified in paragraph 4 of the Rules relating to Memorials addressed to the Secretary of State. Recently a *mamlatdar* in Bombay who had been dismissed in 1904 by the Commissioner and who had appealed unsuccessfully to the Local Government addressed a memorial to the Secretary of State. He did not appeal to the Government of India, but the Local Government apparently had no authority under the rules as they stand at present to withhold the memorial. No one should be allowed in my opinion to pass over one of the recognized gradations of authority in this fashion, and the rules ought to be amended so as to make anomalies of this kind impossible in future.

44060. (Sir Steyning Edgerley.) We have had placed at our disposal some despatches between the Government of India and the Secretary of State in which the Government of India in another department seem to consider that the effect of a Commission, in the direction of the increase of actual correspondence, is to some extent at least permanent. Do you consider that that ought to be so, or that things ought gradually to fall back to the normal position?—It takes a long time in India before anything gets put on a new footing, and it will take some years before the effect of these Commissions dies away. I cannot say that there will be any permanent increase.

44061. Would you, from your own experience, say that the effect of the numerous Commissions and the numerous appointments of Inspectors-General is rather to absorb control in the Government of India?—No; I cannot say that I found that in the Bengal Government, as Chief Secretary.

44062. You do not agree with that view personally?—No.

44063. You think there is no necessity for it?—No; I think not.

44064. You expect that this increase, which has risen in the last ten years by some 5,000 papers in the Agricultural Department, will fall back again?—I think in that department it will fall back; of course there is a constant tendency for work to increase in India—there is a tendency to an automatic increase in administrative work; I think in that department it will probably fall.

44065. Take one particular example as regards forests; you show a considerable increase, and amongst the recent changes made has been the appointment of a Chief Conservator in the Central Provinces and a Chief Conservator in Burma; is there any reason why those two provinces should not now have just the same freedom as Madras and Bombay with the extra skilled advice that is available to them within the province?—There are certain points in forest policy which are of more than provincial importance in which the Government of India should have some voice.

44066. But in the ordinary administration?—There are a great many points in the ordinary administration in which control could be relaxed.

44067. But may not those two provinces be given practically the same position as that of Madras and Bombay?—You mean that the Inspector-General should not be allowed to tour there without reference to the Local Government?

44068. I was not thinking so much of touring. They have their Chief Conservator who is a high officer; I was not thinking of a particular power to tour, but have they not still to submit many matters for orders which they could, with their enhanced technical power, quite well dispose of?—They have to submit working-plans, and so forth. Personally, I think the amount of control exercised could be

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† Vide Appendix IV.

‡ Clearance of forest by fire for temporary cultivation.

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diminished, but I have not been long enough in the department to say definitely that it could be reduced to the same extent as in Madras or Bombay.

44069. Might it not be rather difficult to ask the Inspector-General of Forests to decentralize in his own office?—But it will not be left for him to decide how far it should go.

44070. As regards the annual provincial returns of the alienation of State lands and of assignments of land revenue, which have been prescribed at the instance of the Finance Department, do you know why they are wanted or what is done with them?—There is a long history attached to them; they arose out of the fact that the Government of India found that some very large grants had been made in some provinces without their knowledge; that was about 35 years ago.

44071. Why should the Finance Department exercise control in the matter; is it not a matter for the Agricultural Department?—Permission is given by the Finance Department.

44072. But why do they want the return?—I suppose, because it is a matter affecting the revenues of the country.

44073. So is the creation of any permanent appointment or the sanction of any other permanent recurring expenditure.—Almost every question where finance comes in is sent to them.

44074. Before you give sanction for these matters do you consult the Finance Department?—We do in cases of alienations.

44075. Do you consider that those returns are necessary, in addition to your own department's control over the subject?—These returns include alienations which do not come up to the Government of India.

44076. Do they not include all?—They certainly include those that do not come up for sanction.

44077. And those that do not come up for sanction are matters which you have decided might be finally delegated to the Local Government?—Yes; this is merely for information as to what has been done.

44078. In all departments, where you delegate powers like that, you do not require returns of all the expenditure incurred under the powers delegated?—But this may refer to a permanent alienation of the revenues of the country; it may be small but it is a permanent alienation in some cases.

44079. You do not consider that that is rather an excessive interference?—I think the return does not take very long to prepare.

44080. It does not go on to the Secretary of State?—It is not required by the Secretary of State.

44081. You think it is not a case of, what I might call, curiosity on the part of the Finance Department?—I do not think so.

44082. You say you get two reports from Bombay for the Land Records Department; what is the object of having those separately?—I think that is entirely for the convenience of the Bombay Government.

44083. You would not object to having a single report?—I have not gone into this point, but I think that is the reason; there is a good deal of difference between Sind and Bombay generally.

44084. But as far as the Government of India is concerned, you do not want them separately?—No.

44085. Then as regards the Punjab Canal Colonization Report, the report on the working of the Bundelkhand Alienation of Land Act, the report on the working of the Punjab Land Alienation Act, and perhaps the report on the working of the Co-operative Credit Societies Act, is there any reason why those reports should not be triennial; can you get enough material for an annual report under a new Act to be of any great use?—I think in the matter of canal colonization in the Punjab we ought to have it every year; there have been some very burning questions about that matter.

44086. Then as to the report on the Bundelkhand Land Alienation Act?—I could not say offhand whether that ought to be annual or triennial.

44087. As to the report on the Punjab Land Alienation Act?—I think it ought to be kept up annually still; it is a very important matter. The report regarding the Co-operative Credit Societies Act clearly ought to be annual, because there is a great development going on as regards co-operative societies.

44088. Why do you want special returns about botanical gardens and parks and cinchona plantations and coffee and tea; why should they not go into the ordinary returns now?—I do not personally see why tea and coffee should not go into the ordinary returns. The reports regarding gardens are not prescribed by the Government of India, but come to us for information like other provincial publications.

44089. Are they for instance, of more importance than Egyptian cotton, as to which you get no special return?—The question of including them in the ordinary Agricultural Statistics was considered, but it was decided not to do so on account of their interest to the commercial public. As regards cinchona plantations, I think there are reasons for keeping the report; questions regarding the whole policy of the manufacture of cinchona in India may arise.

44090. In the provinces affected, at least in the Central Provinces, and I think in Burma also, it was suggested to us by several witnesses that the report on the proposed assessment of land revenue was quite useless and gave a great deal of trouble, and that if the Government of India got the first proposal of the survey operations, and the final report, that would afford them all they could possibly want; would you be inclined to agree to that?—In Burma there are some very important questions about assessment pending at present; we must get information from them until these questions are settled.

44091. But you get that in the proposals for the inception of revenue settlements; that gives you the whole of their estimate?—No; I do not think that is in sufficient detail.

44092. Is not the report on the proposed assessment of land revenue only a progress report?—It contains the Settlement Officer's proposals as to the rates to be adopted in the assessment.

44093. Then as to the return of settlement appointments sanctioned by the Imperial and Local Governments: do you want that in addition to the provincial Survey and Settlement Reports?—They do not include the same thing.

44094. The former is a return of appointments which has to go to the Secretary of State apparently, but practically the information must be given in the latter?—No; the information would not be given in the same detail in the provincial Survey and Settlement Report.

44095. But is it necessary for any Government of India department?—I cannot answer for the Secretary of State; personally I do not think it is necessary for us.

44096. Then as regards the report of the Maharaja Takhta Singhji Observatory, Poona; do you wish to see that?—No; as far as I am concerned it might go direct. I do not know whether there is any objection to sending direct from a Local Government to a Committee in England—that is the only reason I can imagine for objecting to that being done.

44097. You say you get forest working-plans from all Local Governments; is that quite accurate?—I think it is quite correct that we get them from all Local Governments including Madras and Bombay, but of course they are not criticized in the case of Madras and Bombay; in the case of the other provinces, the Inspector General does criticize them.

44098. Are they of any sort of use to you?—The working-plans are criticized pretty freely.

44099. The procedure in other Governments is that the Conservator of the province sends them to the Inspector General, and he sends them to the Local Government who disposes of them finally; is there any reason why they should come to the Department of Revenue and Agriculture after the Local Government has disposed of them? What is the use of sending them to you?—I suppose they are really wanted for the Inspector General; I imagine if they were not sent to the Government of India they would be required for use in the Inspector General's office.

44100. Take Madras and Bombay; what would the Inspector General want those reports for?—In the case of Madras and Bombay we do not criticize them as a matter of fact.

44101. This is not a matter of criticism but of sending up copies of the report, after it has been disposed of finally?—They are wanted for record in the Inspector General's Working Plans Office, which ought to have a complete record for all India forests.

44102. As regards the proposals of provincial Governments for the relaxation of different restrictions at present imposed upon them, you say that you have not had time to examine whether objections to any of them exist. May we expect a more definite answer than you are able to give us there?—I would not like to give an answer about all the proposals. I should not like to give a final opinion without knowing what the other departments have to say; going through them I saw no obvious objection; that is all I can say.

44103. (Mr. Meyer.) You spoke about a call for information with regard to forests; was that not at the desire of the Secretary of State?—First of all the Secretary of State sent out certain papers to us, and partly on the strength of those papers, we called for a report; then just as we had issued it we had a call from the Secretary of State asking us for an early report on the matter.

44104. Did you have any difficulty with any Local Government with regard to that call for information?—The Bombay Government has objected on the ground that it is unnecessary. They objected to having the enquiries made which would be necessary for the reply.

44105. What was the information about?—About the importance of forests for the retention of moisture in the soil; that was the main point.

44106. Speaking generally, do you have more difficulties with the Bombay Government than with other Governments?—I cannot say that; personally I have had no experience.

44107. You have had four months' experience only, and during that four months you have had this one instance. Did they finally agree to supply this information, or did you have to write a good deal before you got it from them?—The collection of this information will take some time; it has been impracticable to collect it this cold weather; there has been no final order in the matter.

44108. As regards the appointment of Conservators of Forests, you say that no province except Burma has a sufficiently large cadre to admit of it. Is not the Central Provinces cadre nearly as large as that of Bombay?—I looked into the figures; it seemed to me that there was a danger in a province even like the Central Provinces of there not being a man senior enough, or good enough, for a Chief Conservator.

44109. In that case could they not always go outside?—A Local Government does not like to go outside if it has a man of its own. There would be that difficulty; the Local Government might appoint a man who was really not fit if the cadre was a small one.

44110. Then you say that it is desirable that the Inspector-General of Forests should have had his training in more than one province. You do not apply that reasoning in other technical departments?—In the case of forests, it is very desirable that the man who is to give advice to the Government of India should have had experience of several classes of forests.

44111. Take your Inspector-General of Agriculture; he had only had experience in Bombay?—He had experience in Bombay only, but he is not a Controlling Officer at all in the way that the Inspector-General of Forests is, in certain matters, with the Local Governments.

44112. Take the Secretary in the Public Works Department; he may be a man who has had experience only in one province?—Yes; but I should think that as regards the work of a Public Works Officer it is much the same in every part of India.

44113. You think that in the Forest Department it is especially desirable that the Inspector-General should have had some first experience of the Burma forests?—The Burma forests are a very important matter.

44114. You spoke of the Forest Code applying outside Madras and Bombay. Do the Madras and Bombay Governments have to come to you with regard to alterations of their Forest Codes, or is it simply understood that they shall follow the Imperial Forest Code?—They make their own alterations and inform us of the alterations they have made. I think, however, that on general principles of administration they would not make any important alteration without referring to us.

44115. You practically admit that the Forest Code is now rigid and too uniform; was it not originally moulded on the Public Works Code?—So I believe; I take that on what I have been told; I have not gone into the matter.

44116. Might not the Inspector-General's control over working-plans be relaxed now, especially in provinces where you have a Chief Conservator?—It is an extremely technical point, and I do not feel that I am quite in a position to give a reply on that.

44117. (Chairman.) You make a statement that working-plans are approved after consultation with the local Conservator; is that correct?—What happens is that the working-plan is sent up by the Conservator to the Inspector-General who makes his criticisms on it, then he sends it back, and the Local Government, if it disagrees, has to refer the matter to the Government of India. If it agrees, the working-plan is finally approved by the Local Government.

44118. (Mr. Meyer.) You are not prepared to say that working-plans might be left to the provincial Chief Conservator?—I should like to look into that matter before replying. I know there has been considerable difference of opinion in Bengal as between the provincial Conservator and the Inspector-General.

44119. A Local Government cannot alter its Famine Code, practically, without reference to the Government of India?—No.

44120. Admitting that any vital alteration, anything affecting principles, should still go to the Government of India, might a Local Government not have latitude in the matter of details?—Personally, I think they might.

44121. In Madras and Bombay have you not got on very well with practically no control over settlements, except such as the Government of India has as the Supreme Government; you could always call for information if you wanted it, but you do not receive regular inception reports or completion reports, or anything else?—Those two provinces have a much freer hand than other Governments.

44122. In the United Provinces and the Punjab you have had settlement going on for many years and the principles are all more or less stereotyped; what is the objection to their being put on the same footing as Madras and Bombay?—I do not think they are quite on the same footing; there is a very important question now under consideration as to whether the length of settlements might not be increased; that is a very important question in Burma.

44123. I was speaking of the United Provinces and the Punjab. The length of settlement is a matter of course for the Imperial Government and the Secretary of State, but does that apply to the settlement machinery, or the principles of assessment?—I think there is another question which is at present under consideration, and that is the question of a limit on enhancements; until that is settled we ought not to make any very great departure from our present system.

44124. Assuming that you have come to a satisfactory settlement upon that, and as to the length of settlement, might the major provinces have the same freedom as Madras and Bombay have, without your calling for these inception and completion reports?—They might have a freer hand. I should not like to say that they should have as free a hand as Madras and Bombay, but a great many restrictions might be removed.

44125. As regards settlement appointments, are there not rules as to pay, and so forth?—Yes.

44126. A Settlement Officer gets the pay of the man below him in the ordinary line of promotion, plus Rs. 150 a month extra, subject to a maximum of Rs. 2,000, but technically these are deputations?—Yes.

44127. And it is for that reason that they go on to the Government of India and the Secretary of State?—Yes.

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44128. Now that the principles have been laid down, and it is understood that a Settlement Officer is a necessary part of the settlement machinery, might not these returns be done away with, if we can get the Secretary of State to give us that latitude?—Personally, I think so; I do not see any necessity for them.

44129. You refer to the control over water rates in Northern India and you say it should continue because, in the Punjab, the irrigation revenue is largely imperial. In the United Provinces is it not entirely provincial at present?—I have had no personal experience in this matter, and could not go beyond what I have already said.

44130. There is of course the general control that the Government of India has a right to exercise, but there is no statutory control in Burma or in Madras or in Bombay?—No.

44131. In Burma the major irrigation works are entirely imperial; in Madras and Bombay they are shared. Your argument about the Punjab is not of itself very strong?—I admit that it is not. Personally, I am inclined to think that probably in the United Provinces the system might be changed, but I have no experience at all in this particular matter.

44132. You have given us a very interesting account of the *thathameda* in Burma, and you have shown what the circumstances were which led to its gradual supersession by our land revenue assessments. But there still remains the question whether *thathameda* was not more popular and intelligible to the people than our settlement system, and whether these difficulties you mention might not have been met, say, by fixing the assessment in each village with reference to the total wealth of its inhabitants, whether derived from cultivation or otherwise, and including men who owned property in the village but did not live there. What is your opinion upon that?—I am afraid that is a question which it would require local knowledge to answer, but I may say that the Government of India saved the system so far as it exists to-day; the Government of Burma proposed to abolish it altogether.

44133. Your opinion, derived from a perusal of the correspondence, is that if the Burma Government of that day had been left to themselves, the *thathameda* would have been done away with altogether?—Yes; I certainly think it is fortunate that it has not been done away with altogether.

44134. You refer to certain sections, rule-making powers, and so on, in the Burma Land Revenue Act which you think might be relaxed; are there not analogous sections elsewhere in the Punjab and United Provinces Acts for example?—Very likely, but I have not gone through them.

44135. Take the Punjab Code, the preparation of lists of cesses, rules for the regulation of process-fees and process-servers, general rules under the Act, and so on; or take the Central Provinces rules as to the investment of an officer with settlement powers during the currency of a settlement; are not these matters in which it is hardly necessary to have the opinion of the Governor General in Council?—I think it is not necessary.

44136. Would you say generally that whenever rules are to be issued by the Local Government, and it is considered desirable that the Government of India should have the right of its intervention emphasized, it would be quite sufficient to say "subject to the general control of the Governor-General in Council"?—I think that that, as a rule, would be quite enough. I have not gone into the question, but the restriction has probably frequently been imposed in the local Legislatures.

44137. But from the administrative point of view, "subject to the control of the Governor-General in Council" would be quite enough?—Certainly.

44138. You refer to a case raised by the Government of Bombay about sending agricultural students to England to complete their education, and you say that reference ought to be made to the Government of India in these matters, because it is contrary to the general policy of Government. Why is it contrary to the general policy of Government?—We have specially set up a large college at Pusa which ought to be able to give all the training necessary in time.

44139. Still, Pusa is not finally developed yet?—No, not yet; but it has the full expert staff there now.

44140. Your point is that Pusa gives sufficient training for the ordinary Indian who desires to qualify himself as an agricultural student or expert?—As an agricultural expert; Pusa is entirely for experts. I think the training we can give in India ought generally to be quite sufficient.

44141. (Mr. Hitchens.) Would it be true to say that possibly the bigger questions, such as the extension of the term for land settlement, and large questions of that sort, would originate in your department, but that the smaller questions (which would constitute the bulk of them), such as whether an exception should be made to this or that rule, whether this or that appointment should be made or not, originate in the provinces?—The vast majority of questions originate in the provinces, but there are some very big questions which originate in the Government of India.

44142. It is only the bigger ones that would originate with your department?—That is so as a rule. In some cases very big questions have originated out of Commissions which did not deal directly with the matter; for instance, the different Famine Commissions have given rise to very big questions. These were taken up by the Government of India on the reports of the Famine Commissions.

44143. With regard to those questions which come up from the provinces and which in bulk are by far the most numerous, would it be true to say that, generally speaking, they go through six or seven separate channels before they debouch into your department?—If the Bombay Government, for instance, wrote to us in a revenue matter it would come direct to our department.

44144. Suppose a piece of reserved forest land is required, let us say, for a pound; would that have to come up to you?—Yes.

44145. It might be started by a tahsildar in Bombay; it would go from him to the Sub-Divisional Officer; from the Sub-Divisional Officer it would go to the Collector; from the Collector it would go to the Commissioner; from the Commissioner it would go to the Board of Revenue; from the Board of Revenue it would go to the Secretary of the Revenue Department; from the Secretary of the Revenue Department it would go to the Government; and from the Government it would go to you, or rather it would go from the Government to the Inspector-General of Forests?—It would not go to the Inspector-General of Forests direct; it would go to the Revenue Department direct, but in the office procedure it would pass through the Inspector-General of Forests.

44146. It would go direct from the Bombay Government to you?—Yes; we have a Forest Branch of our office, and that branch would send up the case in the ordinary routine to the Inspector General, and from him it would come direct to me as part of the office procedure.

44147. It might conceivably go to the Viceroy?—Yes; if it was a very big case.

44148. Or if you differed from the Provincial Government?—Yes, it would then have to go to the Viceroy.

44149. And it might also go to each individual Member of the Council to note upon separately?—It might. I may mention that since I have been in I have only had one single instance of sending up a case of disafforesting even to the Member in Charge of the Revenue Department.

44150. In regard to the small matter that I mentioned it would go through six or seven separate channels before it reached you, and when it reached you it would still have a fairly long course to run?—In a small matter its course would be very short.

44151. Who would decide it?—I would decide it if it was a small area.

44152. But on what ground would you decide it?—If it was a small area and the Local Government Board showed that *prima facie* there was no reason for objecting, I should pass orders to sanction it.

44153. Without referring it even to the Honourable Member?—Yes.

44154. Is that a sound position, that matters should be referred up to the Government of India and decided on their merits by the Secretary of the Department

without reference to higher authority?—He must agree with the Local Government: I do not see any objection to his dealing with a question like that if he agree; if he disagreed with the Local Government it would be objectionable that he should decide.

44155. In that case is it not conceivable that the Local Government might be allowed to decide for itself?—I quite agree. In this particular case of disafforestation I think we might allow the Local Government to decide in certain classes of cases without reference.

44156. Up to what extent?—It might vary in different provinces; I originally thought of saying 200 acres, but it is probably a question on which we should have to consult different Local Governments. I think we must reserve some power because it is such a very important matter.

44157. Apart from the different channels mentioned, a substantial number of people would note on the case, so that possibly it might be fair to say that a case of the description I have mentioned was noted upon by between ten and fifteen responsible officials?—It might; it would not necessarily be so many.

44158. Still it would be a large number?—Yes.

44159. Are not the amount of noting and the amount of attention which is given to a case which comes up to the Government of India very formidable?—They are substantial.

44160. And the machinery of the Government of India also, when it gets there, must necessarily be moderately formidable; in an ordinary case it would have to go through a good many hands?—Yes; in any big case it would have to go through numerous hands.

44161. So that the machinery being somewhat heavy, you would necessarily not use it if you could help; you would not take a sledge-hammer to crack a nut?—No doubt.

44162. Therefore the object would be to limit references as much as possible?—Yes; any reference that can possibly be avoided should be avoided.

44163. You would perhaps say that it is quite conceivable that within the limits which we have agreed upon there might be substantial room for alteration?—If you have a reference at all I do not see how you could eliminate these stages.

44164. In your department what principle is laid down for defining the relations between the Provincial Governments and the Government of India?—I do not think we have any principles laid down; perhaps I do not quite follow you.

44165. Are not the relations between the Government of India and the provinces a matter of policy really, and therefore the Government of India would have to lay down what its policy was in this very important matter of the relations between the two?—It is mainly a matter of practice; there are no rules on the subject.

44166. There is no policy?—I will not say that there is no policy.

44167. But you do not know what it is?—No. I will not say that I do not know what it is.

44168. Will you tell me what it is then?—No, I cannot; it depends on the case.

44169. There is no general policy?—I would not admit that.

44170. Then can you tell me what the general policy is?—I should have said in my department that the general policy was, any proposal from a Local Government that you can possibly accept, accept it.

44171. But the relation between the Government of India and the provincial Governments is obviously a matter of policy. It was discussed in the despatch of 1833, for example, and in that despatch it is laid down that the Government of India must not be overburdened by questions of detail, that the Government of India must exercise its good sense in off-loading work on to the provinces, and so forth. Therefore it was up to the Government of India to decide what it should off-load and what principles it should adopt. That was done from time to time, and different Governors-General took different views on the point and established different policies. What is the policy in your department to-day?—I should say in my

department the policy is the same as was laid down in that despatch, that we should not interfere unnecessarily in details and that we should deal with important matter.

44172. It is not more distinct than that?—No; we would interfere, if necessary, either in matters of principle or in very important details.

44173. Speaking generally, would you agree that it was desirable that the Government of India should reserve to itself the power to settle matters of principle, but that the carrying out of those principles should be left to the Local Government?—I agree to that generally.

44174. Then if the carrying out of a policy is to be left to the Local Government, that means that you have to leave to them the determination as to whether it is expedient in a particular case or not to carry out the general policy liberally?—Yes, I think we ought to leave them very wide powers of interpretation; I agree to that.

44175. Would you agree in saying that that is not done to-day? It would be possible to lay down general principles, for instance, with regard to the alienation of State land, and Local Governments might have discretion in applying those general principles; but on the recommendations which you say are likely to be adopted it is not open to the Local Government to alienate land on favourable terms, not being less than half the market value if the market value exceeds Rs. 5,000?—These rules have not been finally determined; it is a matter for consideration whether they go far enough.

44176. Would you say that this is an instance where extraordinarily little discretion is given in the application of the general principle to which you are prepared to agree?—It arises probably from the fact that in the past there have been cases in which considerable departure has been made from the general principle.

44177. Would your point of view be this; the general principle being that you leave it to the discretion of the Local Government, suppose the Local Government do not carry out that principle efficiently and well, they should make room for other people who will?—I am afraid it is very difficult in India to do that.

44178. Is it not possible to remove an officer whose point of view does not coincide with that, say, of the Secretary of State from time to time?—It is uncommon.

44179. The principle is not unknown in the empire of trusting to a Governor or Lieutenant-Governor to carry out a policy on certain lines, and, if he makes a failure, to replace him by somebody else?—Yes; I admit the principle, and it has been done in India, but it is very rarely done.

44180. Could it be carried further?—I think personally it could be carried further, but I see very great difficulties in enforcing it in India.

44181. (Mr. Dutt.) You have told us that except in Madras and Bombay no settlements can be introduced without the previous sanction of the Government of India. You say the object of this rule is to prevent expenditure and harassment of the people in cases where there is no substantial reason for the settlement?—That was the reason of the orders at that time.

44182. As a matter of fact, when there are no reasons for settlement, does it sometimes happen that Government refrains from undertaking a revision when the time for revision comes?—There have been two or three cases lately.

44183. From your general knowledge, has there been any such instance—that the time for settlement had come, but as there was no substantial ground for taking up the revision, the Government refrained from doing so?—I do not remember any such case.

44184. Probably you know that in 1866 no revision was made in Orissa; I am speaking of cases like that?—I am talking of the period since these orders were issued. Of course I know the Orissa instance. During my four months I do not remember any instance.

44185. Anyhow, you agree to the general principle, that when there is no substantial reason for undertaking a revision it need not be taken up, even though the time has arrived?—Yes; I agree to that.

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44186. Is that not one reason why the inception reports are called for?—That is how they originated, I think.

44187. Does not that reason apply to Madras and Bombay as well as to other parts of India?—You mean the general principle that there should be no settlement if it is not necessary?

44188. Exactly; does that not apply to all parts of India?—I think so.

44189. Therefore in your opinion should not Madras and Bombay send their inception reports before undertaking revisions?—It is a question I have never considered, and I am not prepared to give any opinion.

44190. But the circumstances being the same in Madras and Bombay as in other parts of India, should not those provinces send up a preliminary report before undertaking a revision of settlement?—I have not considered that; I should not like to say.

44191. Now with regard to the confirmation of settlements. One reason why the Government of India requires these confirmation reports is to see whether the enhancements have been too much or too little, or generally whether the settlements have been fair?—Yes.

44192. Does that reason not apply to all the provinces equally?—It is desirable that every settlement should be fair; of course that principle applies everywhere.

44193. Therefore, for the protection of the people, is it not desirable that all settlement reports from all the provinces should come to the Government of India for confirmation?—I am not prepared to say that, because, historically, the relations with Madras and Bombay have not been the same as those with other provinces, and I am not prepared therefore to say that we ought to alter the present relations on a point like this.

44194. Leaving aside the historical aspect of the question, and considering the point entirely from the aspect of the welfare of the people do you not think that the reason applies equally to all the provinces?—I think the importance of the question is equal in all the provinces.

44195. You think that, if the United Provinces has to send up its settlement for confirmation, the same reason applies to Madras and Bombay?—All I am prepared to say is that it is equally important that the settlement should be fair in Madras and Bombay as in other provinces; but I am not prepared to say that under the historical conditions of our relations with the provinces the procedure ought to be the same in all cases.

44196. I did not ask your opinion as to whether the rules should be altered, but, leaving aside the historical aspect of the question, and considering the question entirely from the point of view of the good of the people, does the rule apply equally to all the provinces?—I cannot go beyond saying that it is equally important in all the provinces that the settlement should be a fair one.

44197. And that the Government of India should be satisfied that the settlement is a fair one?—I am not prepared to say that the Government of India ought to exercise the same control regarding settlements in every part of India.

44198. Are you aware of any ground, except the historical ground, on which any distinction should exist between one province and another in this matter?—No; I am not aware of any other ground so far as Madras and Bombay are concerned.

44199. In Madras and Bombay (other than Sind) the duration of the settlements is thirty years?—Yes; that is the general rule.

44200. And in the United Provinces also? In your opinion should the duration be the same in old and settled provinces like the Punjab and the Central Provinces?—I think the general rule ought to be 30 years, but I am not prepared to say at the present moment how far in each province, where it does not exist at present, the rule ought to be extended. If it is possible to extend it to 30 years it ought to be done; if it is possible, I mean, without too serious a loss to Government revenue, and if there are no other very strong reasons, it ought to be extended.

44201. I was asking whether you had any opinion about these two provinces, the Punjab and the United Provinces, which are old settled provinces?—I am afraid that even in the case of the Punjab I could not say definitely; because, where, for instance, large extensions of cultivation are being made owing to canals, it might not be fair.

44202. But leaving aside those canal colonies?—I am afraid my knowledge of the Punjab is very limited. Generally speaking, it would be a very good thing to extend the duration to 30 years.

44203. Does the same remark apply to the Central Provinces?—I should think so, but there again I have no special knowledge of the province. As a general rule, I think the length of the settlement should be extended.

44204. To 30 years?—My knowledge of the Central Provinces is so small and I have seen so little of the Central Provinces settlements, that I should not like to say whether all the districts of the Central Provinces are ripe for it, or whether the province is generally ripe for it. If possible, it ought to be extended.

44205. The first settlement of the Central Provinces was for 30 years; afterwards it was reduced to 20 years; you think that, if it is possible to do so, it should be extended again to 30 years?—Yes; I think so.

44206. Is it proposed to define the grounds on which enhancements can be claimed and the amount of enhancement settled under different conditions?—The question is under consideration; it has not come to the stage of any final rules being formed; at present the question is only under consideration whether it is possible to issue rules which would be generally applicable.

44207. You have not got to any details yet?—No.

44208. You know that in matters of land revenue assessment the Government of India have issued certain instructions laying down the general policy to be observed all over India. In the matter of irrigation rates is it possible and desirable for the Government of India to lay down some similar general instructions to be complied with in all the provinces, first, when the irrigation rate is consolidated with the land revenue, and, secondly, when it is separately collected?—I cannot give an opinion on that, because I have had no experience at all of irrigation rates and as since I came to the department no cases involving a question of principle have arisen, I have not gone into it.

44209. You could not say whether the Government of India might lay down certain general instructions?—I do not know what the difficulties might be in the way, and cannot say whether it would be practicable for the Government of India to do it or not.

44210. In the United Provinces the Government of India still have the power of fixing the irrigation rates?—Yes.

44211. And from time to time the rates are altered by the Government of India?—Yes; the Local Government would make suggestions, and the Government of India would pass orders.

44212. Is it possible to fix rates for definite periods, as the land revenue is fixed for 30 years, so that frequent changes in the irrigation rates may be avoided?—That I could not express an opinion upon; I have not considered the matter.

44213. As regards the recruitment of tahsildars, is it your opinion that grading officers of the tahsildar class on a provincial list is better than grading them on a list for each division or district?—Yes; as a general rule. As regards Bombay the grading there is not provincial; in Bombay it is divisional. I had omitted to note this.

44214. But, generally speaking, is the grading of officials of this class on a general provincial list better than grading them separately for each division or each district?—I certainly think that in Bengal it works better, and as far as I know, it has worked better in the United Provinces; but I am not prepared to say that it would work better in Madras.

44215. You say "The Government of India thought that the system of grading officers of this class on a general provincial list works satisfactorily in other provinces"?—A better way of putting it would be, "In every other province except Madras and Bombay."

44216. From your experience you think it would work better?—Speaking generally I think it is a sound rule, but I am not prepared to speak about Madras.

44217. Would it not give a wider selection if you had a general provincial list?—It ought to do so.

44218. And therefore that you would generally get better men if you had a provincial list than if you selected men district by district, or division by division?—Certainly, in the provinces of which I have had experience.

44219. We had evidence before us that a great deal of waste land with grass or scrub jungle is now kept apart as unreserved or unclassed forest, and some officers have told us that there can be no objection to transferring the management of these unreserved or unclassed forests from the Forest Department to the Revenue Department altogether; have you any opinion upon that?—My experience of forests has been very limited, and I would not like to express any opinion. I should have thought there would be no objection, but I do not think that my opinion is of any value on the point.

44220. (Sir Frederic Lely.) You say that special rules for the cultivation of waste lands are drawn up in Madras and Bombay without reference to the Government of India, but that in other provinces the approval of the Government of India is required. Is there any reason why there should be a different practice?—It is an important matter, and if I remember rightly there were certain very revolutionary proposals sent up from Assam by Sir Henry Cotton.

44221. But, generally speaking, would you say that the other Governments are just as able to exercise power in that respect as the Madras and Bombay Governments?—I think it would be quite sufficient if the rules were issued "subject to the control of the Government of India."

44222. You are not aware of any evil effect having resulted from the independence of Madras and Bombay in the matter?—I am aware of none. I think that in this, as in other matters, it would be advisable if the rules were simply "subject to the control of the Government of India."

44223. In all cases?—As a general rule.

44224. The requirement of the approval of the Government of India is not in accordance with any express order?—No.

44225. It is an instance of minor Governments having insensibly fallen into dependence on the Government of India?—Or it might have arisen from the Government of India asking for information as to the rules before issuing them.

44226. As a general statement, might it be said that a great deal of the subordination of the minor Governments to the Government of India is in the absence of any special orders; the tendency has been to dependence?—I think that very often it has arisen from the fact that the Government of India has asked that rules on certain subjects should be submitted to them before being issued. Occasionally, when a new departure has been made, the Government of India has asked for the submission of the rules proposed before issue.

44227. It is not that there are express orders; is not the tendency to subordination?—I would not say that there is a tendency to subordination. I speak mainly from my experience of Bengal.

44228. As regards land settlements, the inception report is dispensed with in Madras and Bombay; is there any valid reason why the same course should not be taken with other Governments?—There are some big questions regarding settlement which are under consideration; it is better not to make any change in the settlement procedure until they have been disposed of.

44229. You have already mentioned the question of the limitation of enhancement; that is a question quite apart from the question of special settlements; it is a question which would affect all the provinces, including Madras and Bombay, when it is determined?—I could not say; the matter has not gone so far that one can say what the division might be.

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44230. Any orders passed on that by the Government of India would presumably be general?—Presumably, but the matter is in such a rudimentary stage that it is impossible to say. One would have to consult all the Local Governments before anything was done; some Local Governments might point out that the time had not come when you could pass general rules regarding enhancements. I can not really say what the result of the inquiry will be; it has not got to the stage yet of even formulating the questions that may be put to the Local Governments.

44231. At any rate it would be a question that would be discussed on quite general grounds, quite distinctly from special settlement proposals?—No doubt.

44232. Another question which is under discussion is the term of settlement?—That is rather special, in connection with Burma.

44233. But in any case the term of a particular settlement would come up, not on the inception report, but on the completion report?—Yes.

44234. So that that would be no reason why the inception report should not be dispensed with?—No.

44235. You mention as the chief reason for the submission of the inception report that it is chiefly to prevent expenditure and harassment of the raiyat in cases in which there is no substantial reason for a new settlement?—That is the reason the rule was passed. It was a financial reason, which led a good deal to the rule. The Government of India was at that time very hard up, and they wanted to avoid all unnecessary expenditure.

44236. That reason has to a great extent ceased to exist?—That is so.

44237. Then as to the fear of harassing the raiyat, it is not intended to suggest that the Central Provinces Government would be more likely to harass the people than the Bombay Government, or even the Government of India?—I do not think they would.

44238. Nor would it be intended to suggest that the Government of India, or the Bombay Government, know more about the people than the Central Provinces or the Punjab Government?—I think the underlying principle about control is that possibly the Government of India might not look at the question from so local a point of view as the Local Government.

44239. Is not the need of a revision of settlement essentially a local question?—It is also a financial question to a certain extent.

44239a. But are not all the reasons which would suggest the revision of a settlement local reasons, based upon local facts?—The Government of India is interested in the question.

44239b. No doubt, as it is in everything that goes on in India.—The local reasons would generally be the stronger, but sometimes the Government of India might, for instance, be willing to take a smaller increase of enhancement than the Local Government.

44239c. That is another point, which would come up on the final report later on. Is not the question as to whether a revision of settlement is necessary emphatically a question for the Local Government alone; is it worth while to trouble the Government of India about it at all?—I do not know that it interests the Local Government alone; the Government of India is interested to a certain extent, although not so much as the Local Government.

44239d. I understand that the United Provinces and the Punjab are exempted from submitting the final report asking for confirmation of the settlement. Why should those two provinces be given that special trust?—There are certain reasons in some provinces why closer scrutiny should be made of settlements.

44239e. But the Punjab is one of those provinces in which the question of term of settlement is so far undetermined?—The question of the term is under consideration.

44239f. It seems that, notwithstanding the power given to the Punjab of finally confirming its own settlements, re-assessments occasionally have to be submitted to the Government of India; that means that the law is modified by executive orders. Is that

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justifiable?—Our whole system of working would have to be altered if the Government of India could not interfere where a statute gives discretion to a Local Government. Sir Thinkell White raised that question.

44239g. And you do not agree with him?—It would be necessary to reconsider a great deal of our legislation, to see whether that might not deprive us of powers in certain cases which we ought to exercise.

44239h. If the Government of India think it ought to have certain powers that it has not got by law, is not the proper course for it to initiate a change in the law?—I have been reading some correspondence on the subject of statutory legislation of this kind. It is quite clear that at the time the law was passed it was never intended that the jurisdiction of the Government of India should be ousted.

44239i. They have always held that they could nullify the law if they wished?—I would not put it in that way, but they have always held that they had full powers of control.

44239j. What was this particular case?—The question was very fully considered in a Burma case in 1897 which came up with reference to a proposed alteration in the waste land rules. The point was dealt with in the letter of the Government of India No. 2475-88-2 Land Revenue, dated the 21st October 1897.

44240. Have you any general views as to in whose hands the power of suspension and remission of land revenue should be vested; would you give the power to the local officer to any large extent?—I certainly think that the power of suspension ought to rest with the local officer; the question is whether it ought to be with the Collector, or whether it ought to go any further—to the Commissioner; I think generally the Collector is the person who should have the power of suspension.

44241. How about remission; would you give the man on the spot any final power of remission?—Coming from a permanently settled province I have not seen much of it, and I have not formed any definite opinion.

44242. Among other subjects under your purview is Civil Veterinary Administration. In the country generally is not this branch of work entrusted to the Local Boards or District Boards?—They have generally a good deal to say to it.

44243. In most places we have found that the nominal management has been handed over to them, but they have no power to appoint or promote officers, no power in matters of discipline—no power, indeed, except that of making a contribution towards expenses. Is it a wise course under such circumstances to hand over veterinary work to District Boards?—I think it is a good thing to provincialize the Service; the difficulty is to get good enough men; you can get better men for a Provincial Service than for one entirely under a District Board.

44244. That is to say, it is absolutely essential for the efficiency of the department that the management should not rest with the District or Local Boards?—They might have some voice, but I do not think that they should have full power of appointment and dismissal.

44245. Practically that means that they have no voice at all?—Speaking for Bengal, I should not say that. The District Boards have considerable power in the matter.

44246. Does not that mode of handing over the work to them give an unreal tone to it, and has it not a tendency to stultify local self-government rather than to help it?—I would not say that. In the same way with education; the District Boards have a good deal to do with education.

44247. I am speaking of veterinary work?—I know, but the establishment in the case of educational work is also not appointed or dismissed by the District Board, and I give that as another example.

44248. Then you would justify giving veterinary work to the local body on the same ground?—Yes; I think it would be a good thing.

44249. (Chairman.) You say that "the municipalities and Local Boards have been associated as far as possible in this work," that is, in veterinary work.

Has not the real association which has now been established between the Government and the municipalities simply been that the municipalities have been compelled to provide the funds for veterinary work?—It goes further than that. I speak from my Bengal experience. There I found that they did take an interest in veterinary work, and I thought it useful that they should be associated with it.

44250. (Sir Frederic Lely.) Local Boards are already burdened with a great deal more expenditure than they can meet. That being so, was it wise policy to hand over the expense of veterinary work to them?—I do not know how far in all provinces they have been burdened with the expenditure, and how far grants have been made to them by the Government or not. I know, of course, that the Local Boards generally are not very well off.

44251. In Bengal have they contributed to the expense?—I am not quite certain; grants are often made to Local Boards for various purposes.

44252. Generally grants are made by Government, but a contribution also has to be made from the funds?—Yes, in some cases, but Local Boards do not, I believe, contribute to veterinary expenditure.

44253. As to the "provincial report of grain riots in tracts suffering from scarcity and famine." Surely grain riots are not of periodical occurrence? Suppose grain riots do not occur, are blank returns sent in?—No; they are only sent in as riots occur.

44254. They are not sent in on any special date?—No; I never submitted them myself; but it is a certain indication of distress in a province if they occur.

44255. If a grain riot did occur would it not be reported in the ordinary course of administration?—But it would scarcely come to the Government of India.

44256. Would not a serious riot of any kind be reported to the Government of India—any riot in which there was bloodshed?—I do not think so; riots where Europeans are concerned would be reported.

44257. (Sir Steyning Edgerley.) The reference is possibly to the orders of 1899?—They relate to Europeans.

44258. And also to all riots where loss of life is involved?—Yes; I do not think any unimportant riot would be reported.

44259. (Chairman.) When were general orders regarding remissions and suspensions issued?—In 1905.

44260. Were those orders uniform for the whole of the country?—The general principles were uniform, but in certain provinces modifications had to be made owing to the permanent settlements and to landlords coming between Government and the cultivators.

44261. Were they issued after consultation with the Local Governments?—Yes; and after reference to the Secretary of State.

44262. Then you say, "The advisability of enlarging the powers of Local Governments in respect of grants of land . . . for religious, public, or other purposes, is now under consideration." When was it first considered?—It has been going on now for over two years.

44263. Is it approaching completion?—I think so.

44264. Have the Local Governments been consulted upon these matters?—They have not been consulted so far, and as it is a case of relaxing rules, they would not necessarily be consulted.

44265. You say further that the law on the question of providing capital to the agricultural classes has been altered; when was that altered?—It was in 1906. I refer to the amendment of the Agriculturists' Loans Act and the Land Improvement Loans Act.

44266. I understand, in connection with the question of famine, that certain enquiries were issued by your department as to the storage of food and fodder by Local Administrations; do you know anything about that?—I do not remember any recent enquiry.

44267. Not about 5 or 6 years ago?—Local authorities have all been asked at times about the amount of the food supply.

44268. Was that followed up by representations to the Local Governments that they ought to send officers

to appropriate places for the purpose of learning forestry, and what were described as other protective measures?—I do not know what is referred to. No such orders appear to have been issued.

44269. You say: "But while the supply of full information is insisted upon, no interference is exercised so long as the Government of India are satisfied that the emergency is being properly met and that the relief measures are neither inadequate nor extravagant." How many columns of information are required in one of these returns or reports?—There is weekly information published in each Gazette, and then there are returns for each crop, so that it is rather difficult to give a figure.

44270. Is it a very minute and detailed report which is called for under a great number of heads and subdivisions of heads or is it a mere narrative statement?—The two main things are the statements in the weekly Gazette as to the crop prospects, and then there is a crop forecast prepared at different times giving the total acreage and prospects of the crop in comparison with other years.

44271. Are these crop forecasts required weekly?—No, there is generally a preliminary and a final one, and in some cases there are three.

44272. Are they necessary?—They are very important.

44273. But are they necessary?—I think it would be a pity to dispense with them.

44274. From the point of view of statistical information, or practical knowledge?—From the point of view of practical knowledge. We require them in order to see what the prospects are in a province.

44275. You say with regard to imperial experts in agriculture that they must have in mind that they have no authority over provincial expenditure and their functions are purely advisory functions; suppose the advice is disregarded, what would happen?—Then it is disregarded.

44276. What is the use of an imperial expert if he can only go round to provinces and offer advice which the provincial expert shrugs his shoulders at?—But that is not the general rule, I think. The imperial expert would not give advice on subjects he did not understand, and the provincial expert would be glad to know his opinions, and would probably modify his attitude on certain questions after consultation with him.

44277. But supposing the advice is rejected, then you say the matter falls to the ground?—The matter falls to the ground.

44278. And in the same way as he reports upon what he has seen in any province; suppose the report contains hostile criticism of the provincial proceedings, what happens?—In that case does the Government of India take no notice of his criticism?—As a rule we would send a copy of the report to the Local Government for them to take such action as they thought proper.

44279. Then suppose the Local Government says: "Thanks very much; we know our own business better than you do"?—Then probably nothing would happen unless it was a matter which seemed of very great importance to the Government of India.

44280. Is that what you would lead us to believe takes place—that the Government of India seldom interferes, even after reports are adverse and their advice is disregarded?—There is only one case in which I have seen an unfavourable report. I cannot say whether the Local Government will take action or not, but it is extremely unlikely that we shall take action. The report of the Inspector-General, as far as I can see, gives valuable information on the state of things.

44281. With reference to the figures furnished by you in answer to question 44039, are the land revenue report and the reports into which it is subdivided entirely inclusive?—The original Land Revenue Administration Report includes all those points.

44282. Did it include anything else; is this a full comparison of figures?—Yes; I think so; nothing has been omitted so far as I know.

44283. Then you say that the Government of India has done much to improve the system of reporting, but something remains to be done; what direction

would your improvements take?—I think in the way of shortening.

44284. By leaving out certain reports or omitting columns, or how?—By something of that sort. I was put on special duty in Bengal to cut down the provincial reports, and I made a number of recommendations, a great many of which were accepted, while others were not; I think some of them might still be taken.

44285. But we are speaking of the Government of India?—Yes, and in the same way the Government of India might probably still cut down some reports.

44286. And not only diminish the number of reports, but diminish the amount of matter which it is now thought necessary to include in those reports?—Yes.

44287. Would it require a special officer to deal with that?—No; I think each department could work that out for itself.

44288. Would it require a special officer in the department?—No; I do not think so; certainly not in the Revenue and Agriculture Department.

44289. Do the suggestions which you make cover all that you think could be done, or does anything still remain?—I have not gone through the reports with a view to seeing what could be omitted; it is possible that something more might still be done, but it would be a work of considerable labour to see what could be omitted and what could not. Of course one must be very careful not to omit anything which is required for the information of the Secretary of State.

44290. You tell us that the number of circular references for information has diminished within the last ten years, but the figures you give us do not include requests for information; are they circular requests, or are they particular requests to individual Governments?—They are circular requests to Local Governments.

44291. Are those requests for information initiated by your department?—That would depend, because there were some very big questions raised in Lord Curzon's administration, which must have led to a great many calls for information.

44292. Has your department increased in size of late years in the number of subjects you deal with or have you shed certain subjects?—We have shed certain subjects.

44293. Has that shedding been taken into calculation in the figures which you put before us? You say the number of circular references for information is smaller now than it was ten years ago; might that not be due, not to the decreased activity of your department, but simply to the fact that you have transferred some duties?—The figures of each now existing branch of the department were taken.

44294. (Sir Steyning Edgerley.) Have you ever heard of a very enormous enquiry that was ordered by the Secretary of State as regards opium in Burma with very little result?—I have heard of it, but I know nothing about it.

44295. May you not, before you have done with it, even be grateful to the Bombay Government for pointing out the labour this forest enquiry may involve in comparison with the results?—I do not think it is likely.

44296. As regards the unfavourable report by an Inspector-General which you mentioned just now, was that report made by the Inspector-General himself or by one of the experts?—By the Inspector-General himself.

44297. And that never went to the Local Government at all?—Yes; when I say it was an unfavourable report, I mean it was a report criticising the state of things, and it has been sent to the Local Government for such action as it thinks proper.

44298. Taking the actual functions of Inspectors-General, would you agree that their primary function is to advise the Government of India in cases which come up to them?—That is one of their most important duties, certainly.

44299. Would you agree that their second function is to be in charge of all imperial research?—Yes.

44300. And would you say a third function, perhaps, would be that they should form bureaux of information for enquirers, and disseminate any information of value?—Yes.

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44301. Fourthly, would you say that they should give advice and be of assistance to Local Governments when asked to do so?—Yes.

44302. I say "when asked," because I suggest that unless a Local Government feels it cannot get the result it seeks through its own experts, the provincial experts ought not to be overshadowed by imperial experts, but that it should be at the option of the Local Government to consult the Government of India; would you agree with that?—Certainly; the relations should be such that the Local Government should be free to consult them or not.

44303. Practically does that not mean, to sum up, that Inspectors-General are there to increase technical knowledge all round, and to help those who have not had time to study the various matters?—Yes.

44304. Do you agree also that an Inspector-General should have a perfectly free right as to touring?—I think so.

44305. And that he should offer help to Local Governments while he is on tour in their territories?—Yes.

44306. Would you agree to two provisos as regards that, firstly that he should give notice to the Local Government when he is coming, and offer to help them if they want any help, and, secondly, that he should send to the Local Government when leaving the province a complete note of the result of his visit?—Yes.

44307. Would you also agree that the Government of India expert might correspond either informally or formally, as the Local Government might prefer, with regard to purely scientific matters, with the provincial experts, provided that he first had very strict orders to refuse to receive any correspondence outside that sphere; the object being that the provincial expert should not suddenly take up some outside question and endeavour to enlist the sympathies of the imperial expert possibly in disregard of his own Government?—I think that would be improper, and that he ought to refuse to have anything to do with that sort of thing.

44308. And that he ought to have no authority, if he wants returns or reports, to call for them except through the department of the Government of India?—Yes.

44309. Do you agree that there is a risk of his assuming power?—Yes; I quite agree.

44310. And secondly that that tends to give him an administrative footing with the Government of India, because he is so closely connected with them?—Yes; a strong man in that position would naturally exercise a good deal of influence.

44311. Would you agree that there is a great risk that he might become an alternative channel of communication? I mean this, taking it from a suggestion of the Home Department; the Inspector-General might come back to headquarters, and note on a case, and say, "The Local Government says this, that, and the other is what happens; as a matter of fact it does not happen; I have been there and I have seen that something else happens and you ought to decide so and so"; is that not a risk?—There is a risk of that, of course.

44312. That is to say, you might take the advice of an expert gentleman who has been on the spot a week, against the opinion of the responsible Government, on a direct conflict of fact?—There may be that risk.

44313. Another thing suggested is that the Inspector-General is essential in the process of decentralization in order to keep the Government of India informed as to what is going on in the provinces; but is that not a function of a Local Government?—No; I think it is quite possible the Government of India might not understand what is going on without his aid; there is great difficulty in putting everything into correspondence, and the Inspector-General might help to clear up doubtful points.

44314. So far as the Government of India do rely on him, in preference to the Local Government, for settling administrative and not merely technical points, and so far as they rely on him, in preference to the Local Government, for the correctness of information, is there not the risk that you duplicate your means of administration to the detriment of the Local Government?—Yes; I think that is so, but I do not think it is a proper use for such an officer.

44315. Would you agree, if that risk exists, that one way, and perhaps an important way, of meeting it would be that, when he notes on a case, and differs completely from the Local Government, either as to facts or opinions, a copy of his notes should go down to the Local Government for consideration before the Member in Charge deals with the case?—I do not think I would take that line. A Local Government ought to have some chance, in any big scheme, of having personal access to the Government of India before orders are passed.

44316. Would it not eventually save time if the Local Government saw the case again at that stage, if there was a considerable conflict of opinion?—I am not sure that you could always let the Local Government see his opinion.

44317. Would it not operate in two ways: in the first place the Local Government would (just as the Lieutenant-Governor in Bengal has arranged to get in touch with the Board of Revenue, giving them the last word) give the last opinion before orders are recorded, and in the next place it would make the expert adviser very much more careful as to what he said with regard to facts and opinions?—Yes, but I am not sure that it might not make him too careful. I would not go so far as you suggest.

44318. All Local Governments send up monthly proceedings to the Government of India?—Yes.

44319. What is done with them when they get to the Government of India?—I think they are generally filed. Of course, occasionally they are wanted for a case.

44320. Are they systematically read?—Yes; they are always read in my department, to see if there is anything of importance, and any important paper is always brought up.

44321. Is not any important order printed in them with the correspondence in full?—Yes.

44322. And, therefore, the suggestion that, if decentralization proceeds, the Government of India must have these Inspectors-General, because it is essential that they should have some machinery for keeping them continuously informed of what is going on in the different provinces, and to bring to their notice matters which can only be learned on the spot, is entirely unnecessary, and they are not required, for the particular purpose because you have the detailed proceedings before you every month?—I do not think the proceedings give you all you want to know.

44323. Do they not give you the clue, if you want to know more?—Yes, they do give a clue.

44324. With regard to disforestation you suggest that it might be necessary to give different powers in regard to the different classes of forests in different Presidencies, but would that not be a difficult thing to do by any specific amendment of section 26 of the Forest Act?—Yes, it would be difficult.

44325. But would it not be perfectly simple, to do it if you had for your use an elastic delegating Act?—Do you mean an elastic delegating Act in forest matters?

44326. No; I mean a general delegating Act.—I am inclined to object to a general delegating Act; I think it would meet with very strong opposition.

44327. But in a question like that, would it not be the most convenient means you could have of adjusting the different powers needed in the different provinces?—I think a general delegating Act would be of great convenience, and in reference to this matter too, but whether it would be advisable is another matter.

44328. (Mr. Meyer.) Section 26 of the Forest Act could be perfectly easily altered in the direction desired by substituting for the previous sanction of the Government of India, "subject to the control of the Governor-General in Council," or, "subject to such conditions as the Governor-General in Council may from time to time prescribe"?—Yes.

44329. And any such amendments could perfectly well be put into a schedule to a Delegation Act, which once for all altered the sections in which it was considered undesirable that the previous sanction of the Governor-General in Council should be uniformly maintained?—Yes.

44330. With regard to the monthly proceedings, are they not necessarily fragmentary? Take for instance,

the question of agriculture; you will find in one month's proceedings that the Bombay Government, say, have sanctioned money for the establishment of such and such a model farm, and then perhaps you find next month they have issued orders with regard to an agricultural curriculum in schools, and so on—one thing is done in one month and another thing in another?—Yes, and it is very difficult to get the information in a complete form.

44331. The object of the monthly proceedings is to enable you to see the important orders as they are issued, and also to see whether the Local Government is doing anything *ultra vires*?—Yes, I believe that to be the object.

44332. Would it not be quite impossible to make a general review—without enormous labour at any rate, and without possible misconception—of the progress of agriculture in Bombay, from the Bombay monthly proceedings for a year or two?—It would be impossible in practice.

44333. Speaking generally, is not the object of a law, as far as Government is concerned, to lay down the relations of Government, and the officers of Government, to the general public?—Yes.

44334. It is intended to protect the general public by laying down in what cases Government in certain forms may take action which may possibly be to their detriment or otherwise?—Yes.

44335. Taking a province, for instance, it is laid down, again for the protection of the public, that certain action can only be sanctioned, say, by the Board of Revenue?—Yes.

44336. And certain other actions by the Local Government, but that is as between Government and the outside world. It does not in the least affect the disciplinary relations between the various branches of the administration; the Board of Revenue remains subject to the Local Government throughout, departmentally?—Yes; that is always the view taken by the Government.

44337. Therefore, the Local Government has every right to tell the Board of Revenue not to take any action in a matter which the Board by law might be empowered to take? For instance, to take liquor shops, if the Local Government thought a certain course of action on the part of the Board of Revenue inexpedient, they have the right, as the executive authority, to tell the Board of Revenue not to exercise those powers?—That is the view we have always taken.

44338. The Government of India is superior to the Local Government?—Yes.

44339. Did not the Act of 1833 deliberately lay that down, and say that they might intervene in any matter?—Yes.

44340. And similarly the Secretary of State is superior to the Government of India. Were there not certain matters recently with regard to deputations, which it was legally within the power of the Government of India to deal with?—Yes; I believe so.

44341. Do you think the Secretary of State would accept the position that because the law of India allowed the Government to exercise power, he should have no right of intervention whatever?—I am not here to speak for the Secretary of State, but I should have put it on the same footing as the interference of the Government of India with the Local Governments.

44342. Therefore, if there is to be a change it ought to begin from above, and it would be for the Secretary of State in the first place to lay down that he will not interfere with the Government of India in any matter in which the law would allow the Government of India, without his interference, to act on its own authority?—The same principle would apply, I think.

44343. With regard to a question put to you as to principle and detail, is it not a little difficult to say when detail ceases to be detail and slides into principle?—It is very often very difficult to say whether a matter is really a question of detail or of principle.

44344. And things which might *per se* be legitimately regarded as matters of detail, if they tend to become precedents, exercise very great weight in the official world?—Yes; that is of course so.

44345. Things broaden from precedent to precedent until you practically substitute a new law for an old one?—Yes.

44346. In the same way, taking the idea that the Local Governments should be allowed to transgress a law or rule which has been laid down for its guidance, and that nothing should be done except in the way of recalling the erring Head, do you think the Secretary of State would be likely to allow that to be applied to the Government of India, and give the Government of India full discretion to override rules in the Civil Service Regulations and otherwise which require reference to the Secretary of State?—I think I said I thought there would be very great practical difficulty in enforcing the penalty suggested by Mr. Hichens.

44347. As regards appeals, you say that administrative appeals might remain as they are; but with regard to personal appeals you would substitute one money limit for another. It has been suggested to us during our inquiry that the thing might be put on a simpler basis, and whether the appeal be administrative or personal, if it is merely a question of fact, and there is no allegation that the lower authority has transgressed the law, or acted in any way *ultra vires*, one appeal should suffice, except possibly where serious issues were involved to a particular individual, such as a case of dismissal from Government Service, in which case a second appeal might be allowed; would you be inclined to accept that as a satisfactory solution?—Yes; personally I should; of course always reserving the complete power of the higher authority to intervene whenever they thought obvious injustice was being done.

44348. A special power of revision such as the High Court exercises in civil and criminal cases? Still would it be necessary that that power of revision should be applied with very great discretion, lest it might slide into a regular appeal?—That is a danger everywhere; and there is a great tendency in India for revision to develop into appeal.

44349. We have had a lot of evidence to the effect that in Bengal there are sub-divisions where, though the *sadr* sub-division is directly under the Collector, the Sub-Divisional Officer, speaking generally, is confined to magisterial work, and even there he does not hear appeals from his subordinate Magistrates. The hearing of appeals is done by the District Magistrate, and all the revenue work is practically done by him through the medium of a certain number of Deputies, each dealing with his own subject. It has been suggested that that is a system of undue centralization, and leads to a Civilian becoming a Collector when he may have had no real revenue training; and that it might be better to decentralize the work and give each Sub-Divisional Officer all powers, both revenue and magisterial, including the full control of his Sub-Deputy Collectors, leaving the Collector more as a controlling authority for the whole district?—It would be very difficult to work that in Bengal in most places, owing to the permanent settlement. In one of the sub-divisions I held there was a good deal of revenue work to do and I had to do it, but it would be very difficult to work in a system by which a Sub-Divisional Officer in Bengal should generally have much revenue work to do.

44350. As regards income-tax, excise and stamps there is nothing special in Bengal?—No; but in Bengal there has come to be a system, which I do not altogether approve of, of ousting the local officer in favour of the special Excise or Income-tax Deputy Collector.

44351. You would disapprove of that, at any rate?—I have not considered the point lately, but I know soon after I was a Sub-Divisional Officer I regretted that such work was taken out of Sub-Divisional Officers' hands.

44352. What is your opinion as to these special subjects Deputy Collectors; would it be well, if it could be done, to do away with them, and give more Sub-Divisional Officers?—There is much to be said on both sides; I am not prepared to give an opinion; the whole tendency of administration has been the other way, and I have not thought it out sufficiently.

44353. Supposing a provincial Government wanted to recognize the Subordinate Forest Service, and that the cost came to more than Rs. 25,000, it would have to go to the Government of India?—Yes; at present.

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44354. Whom would it go to there?—It would have to go first to the Revenue Department.

44355. And you would refer it to the Inspector-General of Forests?—It would go to him in the ordinary course.

44356. Would he criticise the expediency of employing more men, or the expediency of employing them in this or that way, or in what direction would the criticism be?—It is almost impossible to say; it would depend on the scheme sent up. As a general rule, he would probably not have very much to say. Some proposal might come up from a Local Government which, from his experience in other places, he thought might not work.

44357. Would he criticize it from an administrative point of view?—Yes.

44358. Then it would go on to the Finance Department, and they would criticise it from the financial point of view?—Yes.

44359. You cannot tell what that might be likely to be after the Inspector-General of Forests had done with it?—I can only speak from my experience of late years of the Finance Department. Of late years they have very rarely opposed any reasonable scheme which has come up from Local Governments.

44360. Does not the Inspector-General of Forests sometimes formulate schemes for the Local Government?—I think he has no power to do that.

44361. Does he not do it?—I do not remember a case.

44362. This is an extract from the case of the Government of Bombay: "In August 1892 the Government of India forwarded a scheme by the Inspector-General of Forests, and in December 1892 the Local Government expressed their inability to adopt it." That is with regard to the reorganization of subordinate forest establishments?—An Inspector-General did a similar thing lately, but he was pulled up at once and told that it was an entire misapprehension of his position, and I certainly do not think we would now allow an Inspector-General to draft schemes for a Local Government unless asked by it.

44363. But you were not aware he had done it?—I had forgotten the 1892 case. In the recent case we pulled up the Inspector-General as soon as we found he had gone wrong.

44364. (Mr. Hichens.) Apart from financial considerations would you be prepared to give Local Government an entirely free hand in reorganizing their subordinate Forest Department?—I should be very unwilling to interfere with them.

44365. You would not object to its being laid down that the Local Government should have complete control with regard to the reorganization of their Subordinate Services?—Except from the financial point of view.

44366. Is it desirable from the financial point of view that they should send up schemes beyond certain limits?—I should think so, because there is always a danger of extravagance.

44367. But they have to find half the amount?—Yes; but even so the Government of India has to find the other half of the cost.

44368. You do not think then that the Local Government could be sufficiently trusted?—No, not at all; but I think the Government of India must continue to have financial control of some sort.

44369. When a settlement scheme is taken up, is it the fact that the general principles are decided first of all?—The general principles are laid down long before the settlement.

44370. Has the Settlement Officer pretty definite instructions as to the general lines on which he has to go?—Yes; those are laid down in every province; each has its own rule about it.

44371. Do the Government of India know quite well the lines on which he is going to act?—All the rules have been seen by the Government of India, but they are not generally sanctioned by the Government of India.

44372. I understood that before a settlement was undertaken, the Local Government write and explain

what they propose, and the general lines on which it is proposed to be done?—They would give a sort of general forecast.

44373. Before the settlement can be finally sanctioned, have not the results to be sent up to the Government of India?—In some provinces, yes.

44374. What do you want those reports for; is it in order to see that the Local Government have carried out literally and properly the general principles which have been laid down?—There is great room for difference of opinion, and assessments may have been fixed too high or too low.

44375. I thought that had been arranged beforehand?—No; these things must depend on the different districts; you cannot arrange that beforehand. In a province like Upper Burma, for instance, it was at first impossible to say *a priori* what the term of settlement should be.

44376. Was not that decided before?—No; it varies in each district.

44377. And you require the report in order to satisfy yourself finally as to what principle should be adopted?—Yes; on the two important points, the rates of assessment and the term.

44378. How big is the staff of agricultural experts under the Government of India?—I think it numbers 55.

44379. And you say that the number in each province is too small to have a separate *cadre* of their own?—Yes; it is at present.

44380. What drawback would there be, supposing they had their separate *cadre*; what in practice would happen?—Supposing one of their men went on leave, or fell ill, and some one had to take his place, the Government of India ought to be able to draw on the whole of India. Some provinces might have one extra man available, and some more than one.

44381. Would it be possible to get over whatever difficulty there might be by allowing any province to write up to the Government of India and ask them to provide some one?—In practice that is exactly what does happen now.

44382. Is it not the case, that being under your control, that the Local Government have to apply to you in regard to leave matters, for example?—No; they can give leave, but if they give a man leave they must make their own arrangements for filling up the vacancy.

44383. Can they make appointments?—No.

44384. Assuming the power of appointments lay with the Government of India, would there be any practical drawback in allowing provincial Governments to make them?—I do not think it is advisable that each Local Government should be allowed to make its own appointments.

44385. Are the general appointments of these officers made at home and when the men get here they are appointed to the different provinces?—Yes, but having once got a sufficiently large *cadre* you could allow each province to make its own arrangements. You cannot start separate *cadres* at present for each province because they are not self-sufficing.

44386. Then the Secretary of State appoints them, you post them to a Government and you have power to withdraw them from that Government at any time?—Yes; we have complete power to post them, but we do not exercise it in practice, except in the way of helping a Local Government.

44387. It does not give you much work here then?—No.

44388. (Mr. Dutt.) The Government of Bombay objects to the Inspectors and Directors-General corresponding with the provincial officers direct, and the Madras Government also objects to such correspondence and says that any correspondence necessary should be conducted through the Secretary of the department; have you any opinion upon that?—I think it is a mistake, but it is a matter one must leave to Local Governments. I should have thought it would be a good thing to correspond freely together. Sir Steyning Edgerley suggested some restrictions which I accept.

44389. In a case where a Local Government desired that any correspondence should take place through the Secretary, would you agree to that?—I should give way to the Local Government.

44390. With regard to the Court of Wards: you are opposed to Commissioners having the supreme power on the ground that such a system might give rise to a great deal of complaint?—It might; there might be cases of serious blundering, and a serious blunder would bring great discredit on the Government.

44391. Have there been cases, within your knowledge where estates have been taken under the Court of Wards and people have tried to get them released on the ground that the lady in charge was quite competent to manage her own affairs?—Yes.

44392. So that on the whole you think it desirable to leave the supreme power in the hands of the highest revenue authority in the province?—Yes; I think so.

44393. Subject to that, would you delegate to the Commissioner or to the Collector large powers of administering those estates?—I would delegate very freely.

44394. Do you think if a general Delegation Act was passed, from your experience of Bengal, that the people would accept it or oppose it?—I think there would be very strong opposition to it.

44395. Might it not sometimes lead to the delegation of powers which it was the intention of the Legislature to keep in the hands of the higher authority?—I think in some cases it would lead to the delegation of powers which the non-official members did not want delegated.

44396. Considering all these things, do you think, where powers have to be delegated, it should be done by an amending Act, or under a general Act of Delegation?—There would be an enormous amount of inconvenience in doing it all by special Acts though I think a lot of amendments might have to be made by special Acts.

44397. Have you ever thought of the plan of passing one Bill with a schedule showing all the powers under different Acts which it was desired to delegate, so as to minimise the work of the Council, and at the same time do the work through the Council, instead of by Gazette notification?—I think probably that it might be practicable, and it would save much labour.

44398. With regard to the restriction which has been proposed, on the right of appeal, do you think, as a Bengal officer, that any restriction of that nature would be liked by the people, or the subordinate Government officers generally?—My experience is that they like appeals.

44399. Would they dislike any restriction of the existing rights?—I think, in all probability any restriction would not be liked.

44400. Is there any real necessity for ordering any restriction of the existing rights of appeal as known by you in Bengal?—I have not a very strong opinion. I think a great many people get off under the present system who ought not to.

44401. If it be a fact, that certain Governments do not propose any such restrictions, would you force them on those Governments? For instance, the Government of Madras say in their note that they do not urge any large alterations in the existing right of appeal; would you frame a cut-and-dried rule and force it on the Madras Government?—Personally, I do not think the matter is of sufficient importance to force it on any province which strongly disapproves.

44402. So that you would leave the Governments to frame their own rules on the subject, instead of laying down a general principle for the whole empire?—I do not think the rules as to appeals should be made any more liberal than they are at present.

44403. But in your opinion has any necessity arisen for the Government of India to lay down any restrictions which should be followed all over the empire?—I have no experience which would lead me to say it is necessary.

44404. (Sir Frederic Lely.) Do you think it is exceedingly desirable to have varied experience

among the provincial Heads of the Forest Department?—Yes, I believe it is desirable that they should have varied experience.

44405. Would you say that the Forest Department is more liable to get into grooves than other departments are?—I could not express an opinion.

44406. At any rate is it not highly desirable, that it should be accessible to new ideas which can only be got by studying problems and acquiring experience in various parts of the country?—I believe it would be of great advantage to do that. I am not prepared to go so far as to say that it is indispensable.

44407. At any rate is it not worth purchasing even at the cost of a little provincial independence?—I think so.

44408. It has been said that if the Head of a province could not find a man fit to be the Head of the Forest Department, he would apply to the Government of India, but, as a matter of fact would he not be reluctant to do so?—It would be an unpopular thing in his province.

44409. Is there not a great difference between saying, "There is no man in my Forest Department fit to be the Head of it," and saying, "There is no man in the Medical Service who has had special experience of jails," which is an instance which has been mentioned?—Yes, there is a great difference.

44410. The one would cast a sort of slur on a very large body of officers, and the other would not?—Yes, it certainly would be very much felt in the province.

44411. What is about the average size of a sub-division in Bengal?—I should think something like 700 square miles with a population of 500,000.

44412. Do you think, if a Sub-Divisional Officer was given full powers in such a sub-division, and all the work was left to him to do, that under the permanent settlement he would not have enough work?—He would not have very much revenue work—not so much as he would in some other provinces, owing to the permanent settlement.

44413. I do not quite clearly understand your objection to giving him all the sub-divisional powers in his own sub-division and making him the administrator of his sub-division?—There is the question Mr. Meyer put to me about income-tax and excise. I have not really considered the matter, because the whole tendency of administration of late years has been to specialize these things more and more, but I think there are certain points in which it would be better if a Sub-Divisional Officer had more to say to them.

44414. Why should he not?—The excise administration would probably be more efficient if administered by a special Deputy Collector, and income-tax work, on the whole, would probably be better done.

44415. But personally would a Sub-Divisional Officer find difficulty in doing the criminal work and all the miscellaneous work in his sub-division?—In some of the sub-divisions the work is very heavy, and it would be more than he could do.

44416. And you would have to reduce the size of the sub-divisions?—Yes, I do not say a great many, but you would have to reduce some.

44417. Another difficulty suggested has been that of subordinate agency. The Sub-Divisional Officer now has to work mostly through the police?—There is no village agency in Bengal as there is in other provinces.

44418. And he has no means of carrying out his orders, except through the police?—Yes, as a general rule.

44419. What remedy would you suggest?—We are introducing in Bengal a system of union *panchayats* which I think may ultimately end in a sort of village organization. *Panchayats* are formed including a number of villages, and the president of the *panchayat* is a person to whom certain powers are given under the Criminal Procedure Code. I think ultimately a great deal of revenue information will be got through him, but we are only just beginning the system. If it could be developed it would probably be of great advantage.

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44420. You would not suggest putting one or more *thanas* under special subordinate Sub-Deputy Collectors?—No, I have not thought of it, but I do not think you would gain very much by that.

44421. (Chairman.) Mr. McIntyre states in the evidence for Bengal that he thinks the issue of direct instructions by the Inspector-General to Conservators under Article 86 of the Forest Department Code should be stopped. Do you know what those instructions are about?—They relate to the technical instructions for drawing up working-plans.

44422. (Mr. Meyer.) It has been represented to us in some other provinces, and especially in Bengal, that the tendency of the Revenue and Agriculture Department of late years, under the influence of what has been called the Punjab school, has been to prescribe measures for other provinces taken direct from the Punjab procedure, but which were not necessarily suitable for transportation, and complaint was especially made with regard to the record of rights in Bengal. It was said that they had had to alter the record of rights with reference to what was thought good in the Punjab. As a Bengal officer, what is your opinion?—I think there is no doubt there have been some extremely able Punjab officers in this department, and largely owing to their influence in some cases Punjab views have been put before the Government of Bengal very strongly, but the Local Government have generally been able to hold their own, in the way of objecting to anything which was unsuitable to their province. It was not, however, mainly due to Punjab officers that the questions regarding the record of rights were pressed.

44423. Then the tendency has been to thrust Punjab ideas upon them?—I think Punjab procedure has in some cases been suggested to the Bengal Government, very strongly.

44424. Which procedure was not suitable to the province?—Which perhaps was not suitable.

44425. (Chairman.) There was a point raised by Mr. Lyon at Dacca with regard to his proposal that the Board of Revenue should be replaced in Eastern Bengal by two officers who should sit as a Board for appellate work; what do you say as to that?—I do not approve of his proposal to abolish the Board as an executive body. I do not know whether the Commission has been informed of the Bengal system which has been adopted lately. I approve of that, but I would not approve of abolishing the executive functions of the Board.

44426. A suggestion was made as to whether the forest audit under the existing Civil Account Code should be in any way relaxed; what do you say as to that?—That is purely a financial matter on which I could not express an opinion.

44427**. Is it desirable that the Inspector-General of Forests should issue instructions to Conservators under Article 86, Forest Code, as regards the preparation of working plans?—It seems necessary that the Inspector-General of Forests should have power to issue directions regarding the technical part of the preparation of working plans if he is to continue to exercise the same control as at present. Mr. McIntyre, in Bengal, desires that the Inspector-General should no longer issue instructions to Conservators, but that the Conservator should submit his working plans to his Local Government which would send them on to the Inspector-General of Forests for advice. This might lead in many cases to great friction, if the Inspector-General of Forests found occasion severely to criticise the technical details of a working plan forwarded to him by a Local Government. At present the criticism is offered before the Local Government has made itself in any way responsible for the working plan.

44428**. Is there any objection to Provincial Governments having a free-hand as regards legislation to prevent friction between landlords and tenants? Why was the Bengal proposal to legislate regarding "*char*" lands delayed in order to be put in the form of an amendment to the Criminal Procedure Code?—I am not sure that I quite understand the first part of the question. Neither the Imperial Government nor the Provincial Government have a free hand regarding any import-

ant legislation. No proposed law can be introduced in either the Imperial or Provincial Legislative Councils until the Bill has been submitted to the Secretary of State and he has had an opportunity of objecting. Agrarian legislation is in India so important that I cannot conceive of the Government of India abdicating, or being allowed to divest itself of, its powers of control in this matter, and I hold that it would be impossible without a revolutionary change in the relations between the Government of India and the provincial Governments to allow the latter a freer hand as regards such legislation than it possesses in regard to other legislation. As regards the second part of the question, the Bengal proposal to legislate regarding "*char*" lands was never submitted by the Bengal Government to the Government of India. The Bengal Government consulted the Calcutta High Court, which disapproved of the legislation proposed, and submitted proposals of its own to the Government of India. Those proposals are under consideration.

44429**. Why should the inception of district survey settlements require the sanction of the Government of India?—I understand the question to refer to surveys and records of rights made under Chapter X. of the Bengal Tenancy Act. Under Section 101 of that Act, the previous sanction of the Governor-General in Council is required to an order directing the making of a survey and the preparation of a record of rights except in certain comparatively unimportant classes of cases. I think it is very probable that a proposal to relax the control of the Government of India in this matter would meet with strong opposition from the Bengal *zamindars*, and considering the strong feeling which agrarian legislation usually arouses, I would deprecate any alteration of the Bengal Tenancy Act, except in regard to really vital matters. Moreover the Secretary of State, in his despatch No. 30 (Revenue), dated 9th February, 1906, while approving generally of the programme for carrying out survey and settlement operations in Bengal and Eastern Bengal has directed that whenever it is proposed to extend the operations to any large portion of a district or group of districts, the reasons for the proposal should be stated as hitherto in detail to the Government of India, and that operations should not be commenced until sanction has been obtained. The expenditure on the operations, which it is estimated will exceed 3½ crores, is advanced in the first instance from Imperial revenues, and nearly a crore of the sum is paid by the Government of India. It seems desirable on this ground alone that the sanction of the Government of India should be obtained before any considerable extension of the operations is undertaken.

44430**. What is your opinion of the proposal that the Board of Revenue should be replaced in Eastern Bengal by two officers to sit as a Board for appellate work, but having no executive authority except as the Lieutenant-Governor's agents, and that these officers should relieve the Lieutenant-Governor of detailed correspondence, and of the supervision of Commissioners and Heads of Departments? Would such a change prevent junior officers of the Secretariat having undue influence, and is it necessary in order to attain the latter object?—I do not approve of the proposal to replace the Board of Revenue in Eastern Bengal by two officers to sit as a Board for appellate work but without executive authority. I think that this would be a means of centralizing instead of decentralizing authority, as the result would almost certainly be that many important cases which are now disposed of by the Board would be submitted to the Local Government for orders. I approve of the Bengal system described by the Chief Secretary to the Bengal Government and other Bengal witnesses, under which most of the references between the Board of Revenue and Government are unofficial. The Board of Revenue does now very largely supervise the work of Commissioners and of several Heads of Departments. I am not aware of the fact that junior officers of the Secretariat have undue influence, and I do not think the change proposed is necessary to prevent this.

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44431**. Is it desirable that special officers should be appointed for the inspection of district record rooms?—It is for Local Governments to decide how the record rooms of their provinces are to be inspected. Personally I would disapprove of the arrangement of appointing one or two men to inspect the arrangement of records for the province if the heads of offices were held to be thereby relieved of all responsibility.

44432**. Does the absence in Madras and Bengal of consolidated Land Revenue Laws render the control of Government there less satisfactory?—I am not in a position to give a useful answer to this question so far as it relates to Madras. The want of a consolidated Land Revenue Law is not felt in Bengal, because the greater part of the province being permanently settled, Bengal Revenue Officers are more concerned with the collection, than with the assessment, of land revenue. The various legislative enactments in force give Government ample power of control as regards the collection of the land revenue and also as regards its assessment in temporarily settled areas. I do not think any advantage would be gained by consolidating these enactments into a single code, and any attempt to do so would give rise to great difficulties as some of the existing legislation is applicable only to particular localities.

44433**. Why is the control over the Punjab in land revenue greater than that of the United Provinces?—The greater control in the Punjab is due mainly to historical reasons. So far as statutory restrictions are concerned, the differences between the United Provinces and the Punjab are not very important, but under the assessment instructions the Punjab is subject to two special restrictions:—

- (a) If the re-assessment of a *tahsil* as finally arranged falls short of the forecast accepted by the Government of India by more than 15 per cent. the instructions of the Government of India must be taken before the re-assessment is actually announced, unless the deficiency is covered by a surplus in other *tahsils* already assessed under the same sanction.
- (b) No re-assessment is to be fixed for more than 20 years except with the permission of the Government of India. (In the United Provinces the limit is 30 years.)

Both these rules were drawn up at a Conference with Punjab Officers held in 1892 when the assessment instructions were framed. The question of relaxing the 20 years' rule is now under consideration.

44434**. As regards suspensions of revenue, the Government of the United Provinces has power to make rules. Why do the Government of India claim to criticise and control the Local Government in this respect?—The Government of the United Provinces is not authorised by statute to make rules regarding the grant of suspensions and remissions of revenue on account of temporary calamities. These are granted as a matter of grace and not as a matter of right, and the Government of India have always exercised a considerable degree of control over Local Governments in matters affecting the collection of revenue. Some degree of control over Local Governments in this matter seems necessary, not only in view of the financial considerations involved, but also because the experience of recent famines shows the necessity of prompt and liberal relief being granted in this way.

44435**. Has the smaller degree of intervention by the Government of India with regard to the land revenue of Upper Burma, as contrasted with that of Lower Burma, been disadvantageous to the Government of India?—I am not aware that it is a fact that the Government of India have intervened less with regard to the land revenue of Upper Burma as contrasted with that of Lower Burma, though the legislative restrictions are not the same in each part of the province. In any case the interests of the Government of India are bound

up with those of the provinces under their control, and the Government of India cannot have suffered unless Upper Burma has also suffered.

44436**. What claim has the Government of India to settle above the heads of provincial Governments the number, date, and amount of the instalments of land revenue?—The Government of India do not settle above the heads of provincial Governments the number, date, and amount of the instalments of land revenue.

44437**. Why do the Government of India under the Burma Land Revenue Act—(a) claim to sanction grant of sites valued at Rs. 200, free of revenue, for religious purposes (Rule 33); (b) claim to sanction where the commission to be paid to a revenue collector exceeds 20 per cent. of the collection (Rule 141)?—Burma is the only province in which alienations of land for religious purposes are permitted at all. I have already stated that I see no objection to the proposal of the Lieutenant-Governor of Burma that the Local Government should have power to grant land free of revenue for religious purposes up to a limit of Rs. 500, instead of Rs. 200 as at present. (b) Rule 141 of the rules under the Lower Burma Land and Revenue Act was framed by the Government of Burma itself, when the rules were submitted for the sanction of the Government of India in 1885. The Local Government has never asked that the limit should be raised, and it seems quite high enough.

44438**. Why did the Government of India impose the system of suspensions and remissions of land revenue from other provinces upon the permanently settled districts of Bengal in spite of the opposition of the Local Government? Are the conditions in permanently settled parts of Bengal comparable in this respect with those of other provinces?—The Government of India have not imposed the system of suspensions and remissions of land revenue from other provinces on the permanently settled districts of Bengal. The Government of India asked the Government of Bengal to consider the advisability of introducing, in Bengal, legislation similar to that contained in Section 50 of the United Provinces Tenancy Act, which applies to the permanently settled districts of the Benares Division, the conditions of which are in many respects comparable with those of Bengal. But in deference to the views of the Government of Bengal they subsequently withdrew these suggestions, and allowed the Local Government to issue a set of rules for the encouragement of voluntary remissions and suspensions of rent by the grant of corresponding remissions and suspensions of revenue.

44439**. Does the Revenue and Agricultural Department on a supposed analogy with other provinces press unsuitable economies in survey and record-writing on Bengal?—The cadastral survey of Behar, which began in 1892, was the first operation of the kind which had been undertaken in Bengal, and at that time there was no officer in the province who had any experience of the making of surveys and records of rights on a large scale. It was consequently necessary for the Government of India to exercise considerable control over the procedure adopted, and to offer advice and suggestions regarding details to a somewhat unusual extent. In some cases the Government of India, owing to want of local knowledge and failure to appreciate the complexity of agrarian relations in Bengal, suggested economies which could not have been carried out without impairing the accuracy of the work, but as a Bengal officer, I am of opinion that, on the whole, the control of the Government of India was of great value, and that the benefits derived from it far outweighed any injury caused by friction due to suggestions made in ignorance of local conditions. Of late years in proportion as the Government of India has been satisfied that Bengal officers are fully able to deal with the details of survey and record-writing in Bengal, they have so relaxed the control at one time exercised, that Bengal may now be said to be on the same footing as other provinces in respect of the control exercised by the Revenue Department.

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44440*. Why should the Government of India restrict the acceptance of *salami* (premium) for the settlement of land with tenants in Government estates under the Court of Wards? Is not the result in Eastern Bengal at any rate that the raiyat pays but the employé of the Court of Wards, instead of the estate, benefits? Why is *salami* forbidden in the case of Eastern Bengal and allowed in the case of Bombay?—The question has arisen out of Mr. Savage's evidence. He says that "the restriction" complained of "was imposed at the instance of the Government of India." This is entirely incorrect. It does not appear that the question of the levy of *salami* in Government and Court of Wards estates was ever referred to the Government of India. It has been ascertained that the levy of *salami* in Government estates was forbidden by the Board of Revenue, Bengal, after consultation with all Commissioners. The Government of Bengal in approving the Board's order said:—"In addition to the reasons stated by the Board for refusing *salami*, I am to point out that there is also the objection that the acceptance of *salami* with a low rent instead of the full rent without *salami* would be tantamount to the partial capitalization of revenue of the Government estates—a measure which the Government of India have consistently prohibited." This appears to be the reason why the Government of India has been mentioned in this connection. The real objections to *salami* are of an administrative character, and the Local Govern-

ment and Board decided that it was not advisable to authorise the practice. I am not aware whether it is the case that the raiyat pays all the same, and that the Court of Wards employé benefits instead of the raiyat. Mr. Savage has not explained the meaning of his reference to Bombay, where occupancy right has a different meaning from what it bears in Bengal. As, however, it is not the Government of India that prohibited the practice of taking *salami* in Eastern Bengal the second part of the question does not appear to call for further answer.

44441*. Why should not leave be granted to Veterinary Officers direct by provincial Governments without going through the Inspector-General in India?—I see no objection personally to provincial Governments giving leave direct to Veterinary Officers, provided they can make their own arrangements for the work which has to be done. This would usually not be the case in long leave vacancies and, as the *cadre* of furlough reserve officers is very small, the posting of reserve officers must be left to the Government of India. It is convenient, when Local Governments require a substitute for an officer who wishes to take leave, that the application should come through the Inspector-General, Civil Veterinary Department, to the Government of India, as the Government of India requires the advice of the Inspector-General, Civil Veterinary Department, in such cases.

(The witness withdrew.)

Mr. L. M. JACOB, C.S.I., was called and examined.

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44442. (Chairman.) You are the Secretary to the Government of India in the Public Works Department?—Yes, since September, 1905. Before I joined the Government of India, I had been mainly an Irrigation Officer, and nearly all my service has been in the Punjab, but I have also been in Burma, where my work concerned the Buildings and Roads Branch more than Irrigation. I file a memorandum relating to the constitution of my department.

44443. The Member of the Government to whom you are particularly subordinate is the Member in the Department of Revenue and Agriculture?—Yes, he has charge of Revenue and Agriculture, and Public Works.

44444. Do you take up all important questions to him, while he sends on to the Governor-General for personal disposal such questions as he thinks fit?—I generally do that; sometimes the Member might mention that he thinks His Excellency should see this or that case, but it is generally the Secretary's business to take the necessary cases to the Viceroy.

44445. In noting on papers in your department does the superintendent put up a note which is amplified by another officer?—There is one office note, whether by the superintendent or a clerk, but for which the superintendent is responsible.

44446. What is the procedure after that?—Then comes the Under-Secretary.

44447. The Under-Secretary adds another note to the office note, you note again, and take it to the Member, who notes again; is that the process?—Yes.

44448. Is it the rule for the Member to note, or does he merely initial if he agrees?—If he agrees with me he initials, or if he has anything to suggest in addition to what I propose, or takes an entirely different line, he would say so.

44449. Then does the paper go to the Viceroy who sometimes minutes, and sometimes merely initials?—Yes. Lately the practice has been that I have a day every week with His Excellency, and I take all the cases which need reference to him, and lay them before him. In such cases His Excellency might ask me to leave a file with him for further consideration, or he might pass verbal orders to me which I place on record.

+ Vide Appendix I.

44450. You say that the delegation of powers to provincial Governments is very complete in respect to buildings and roads; is the delegation uniform to all Governments?—Yes.

44451. But not to all Local Administrations?—They have different powers.

44452. What is the average service of a Public Works Secretary of a Local Government?—In the past men have reached this rank when over 50 years of age, but in future promotion is likely to be more rapid.

44453. Would that mean after about 25 years' service?—Rather more; an officer enters the Service, say, at about 22 or 23 years of age.

44454. Referring to the *table of powers which you have set out, when were these financial limits settled?—I am afraid I cannot answer that, it was no doubt a long time ago, but I will furnish the information.

44455. At all events since that period the value of the rupee upon which the limitation is based has fallen considerably?—Yes.

44456. To that extent the powers of Local Governments have been automatically restricted?—Yes.

44457. At the same time the purchasing power of the rupee has diminished?—Yes.

44458. So that the power has been restricted again in that respect?—Yes.

44459. Is not the net result, that the size and importance of a work which the Local Government can now sanction is less than it was, say, 20 years ago?—The cost of labour has increased in recent years and is increasing. This means that work is more expensive, and the powers of Local Governments become automatically restricted in a corresponding degree.

44460. With regard to projects which Local Governments can sanction up to a maximum of 12½ lakhs, do they go backwards and forwards much between the Local Governments and the Government of India, or do they simply come up from the Local Governments to the Government of India and go back at once after criticism in your department?—The Local Government in all civil works estimates has the same power as the Government of India up to that maximum; everything above that has to go to the Secretary of

* Vide Question 44478a.

State. Projects sent up by the provincial Governments are scrutinised, and if found in order are transmitted to the Secretary of State with a covering despatch in which the Government of India communicate their views. If not in order, the estimate would be returned to the Local Government for revision, but it is seldom necessary to return more than once.

44461. The Government of India deal with all schemes of re-organisation, and with the promotions of Superintending and Chief Engineers?—Yes.

44462. Is there a separate *cadre* for each province?—So far as the number of Chief and Superintending Engineers is concerned, they form a part of a general *cadre* for the whole of India, except Bombay and Madras, on which the Government of India make promotions. In the case of Executive and Assistant Engineers there is a purely local *cadre*.

44463. But the officers who make up the *cadre* are liable to be transferred at the pleasure of the Government of India?—Only Superintending and Chief Engineers. But the transfers of the former are rare, and of the latter comparatively seldom. In all cases of transfers the wishes of Local Governments are consulted.

44464. Do Executive Engineers remain in a province?—Yes.

44465. Superintending Engineers, who are therefore more or less under the cognizance of the Government of India, have less powers in the matter of sanctioning contracts and estimates for imperial works than they have in sanctioning provincial works?—They are not under the cognizance of the Government of India, but are entirely under the orders of their Local Governments.

44466. But those powers are much less in the matter of imperial expenditure than in the matter of provincial expenditure; what is the reason?—Local Governments have less power of sanction in the case of imperial expenditure, but at present the powers of Superintending Engineers for provincial and imperial are the same.

44467. But if the Government of India have the power of removal of a Superintending Engineer, and presumably would do so in the case of any *lâche* in the matter of careful inspection and consideration of imperial expenditure, why should not the Superintending Engineer have the same technical power of sanctioning estimates and contracts for imperial works as he has in the case of provincial works?—Has not the Government complete control over him except in Madras and Bombay?—The Government of India have no control over the Superintending Engineers, and could only remove such officers at the request of a Local Government. They would not be in a position to know a Superintending Engineer had committed any *lâche* unless the Local Government reported it. So far as the Government of India are concerned, the powers of Superintending Engineers for imperial or provincial expenditure are the same. I am not aware whether in any particular case a Local Government has differentiated.

44468. Therefore, if the Imperial Government control them, and control their promotion (and of course their knowledge of technical details is the same whether the work is imperial or provincial) why should they not have the same power of sanctioning estimates and contracts for imperial expenditure as they have for provincial expenditure?—They have the same technical powers of sanction in either case. The Government of India do not control Superintending Engineers; they control promotions, but are guided by the recommendations of Local Governments.

44469. But the Imperial Government controls the Engineer?—No. He is under the orders of the Local Government to which he is attached.

44470. Will you tell us exactly what the "open capital account" is?—When an irrigation work is completed the project estimate is closed; anything further spent on the canal is then charged to what

is called the "open capital account"; that is to say it is charged to the "open capital account" of the canal, and not to the original project estimate for its construction.

44471. Then the difference between productive work and protective work is that a productive work is carried out by means of loans, and the protective work by means of revenue received from the Famine Insurance Grant?—These two classes of works are fully defined in Public Works Code II., Chapter XV., 2121, and Chapter XIX., 2199, 2200 respectively. Productive public works are those the capital cost of which has been wholly or mainly provided from loan funds in the expectation that they would prove directly remunerative, and that the net revenue will repay the annual interest on the capital invested within ten years after completion. (See Public Works Code II., 2123.) Protective works are those which have been sanctioned in consideration of their protective value, but without any expectation of their becoming directly remunerative. The cost of their construction is met from a moiety of the Famine Insurance Grant of 150 lakhs, which is set aside annually for the purpose. (See Public Works Code II., 2199 and 2200.)

44472. You say that it is essential that the power of dispensing the insurance grant should be vested in a central authority; would you say that while it was essential that the central authority should assign funds to a province, the amount which that province should spend and the details of that expenditure might well be left to the provincial Government?—It might at any time happen that there were a great many protective projects coming up from the different Local Governments for which we could only sanction a fraction of the sums required. We only get a moiety of the Famine Insurance Grant, which is 75 lakhs.

44473. But the central authority, having assigned to a province the amount which it could spend from the Famine Insurance Grant, might not the province be left to spend that block grant upon the work as it thought best, without having to go for details to the Government of India?—I think their projects should come up to the Government of India, so that we may see how a small sum can be most profitably spent over the whole country. For instance, when we have only 75 lakhs at the most for a year for the whole of India, Bombay alone might send up a project (in fact it has) amounting to 200 lakhs of rupees, so that they might want the whole of the grant.

44474. If you gave the whole 75 lakhs to the Government of Bombay might you not leave them to spend it on the work as they thought best?—If we gave 75 lakhs to Bombay it would not mean any powers of sanction, but only a grant of money for the execution of a work or works sanctioned by the Government of India or the Secretary of State—generally the latter.

44475. Do you think the Government of Bombay ought not merely to send you up the general outline of the scheme on which they want to spend money, but all the details of it?—Certainly, in the case of all works which the Local Government wishes to charge to the limited protective grant.

44476*. Has the demand for returns and information from Local Governments increased of recent years?—If so is this due to the requirements of the Secretary of State or to those of the Government of India?—Will you kindly give the Commission a list of the periodical returns which your department (a) calls for from provincial Governments or (b) furnishes to the Secretary of State with a column showing which of these (if any) are in your judgment unnecessary?—As a matter of fact in 1902, the question of reducing the number of returns from Local Governments was taken up, and a considerable number were done away with. Since then there has been practically no increase in the number of periodical returns. I submit the required lists, in which I have added a column to show whether the returns are necessary or not.

+ Vide Appendix II.

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44477*. The Madras Government desire power to deal with capital expenditure on works for which no capital and revenue accounts are kept. What is the nature of the restrictions now imposed, and can they be relaxed?—The rule in paragraph 2207, Public Works Department Code, Volume II., requires that, if for any reason an irrigation project classed under 43, "Minor Works and Navigation," of which the estimated capital outlay is over Rs. 50,000, is considered to be of insufficient importance to justify the maintenance of a capital account, or if any difficulty be anticipated in ascertaining the correct revenue, it may, with the approval of the Government of India, be classed as a work for which only revenue accounts are kept, or as a work for which neither capital nor revenue accounts are kept, as the case may be. This rule was introduced in November, 1892. Prior to that date the rule required that capital and revenue accounts should be maintained only for important works. The relative ideas of the term "important" being so divergent, it was considered desirable to define what were important projects for which capital and revenue accounts should ordinarily be maintained. For example, under the old rule Madras maintained capital and revenue accounts only for works costing more than Rs. 30,000; in Bombay it was found that there were instances of works costing less than Rs. 10,000, for which such accounts were maintained; and in Burma the Local Government submitted a proposal to treat a project costing over 4 lakhs of rupees and the ultimate return on which was estimated at 10 per cent. on the capital outlay, as a work for which neither capital nor revenue accounts need be kept. The money limit

of Rs. 50,000 was therefore introduced merely in order to define what may be considered to be an important project. I think, however, there would be no objection to leaving it entirely to Local Governments to decide the classification of works coming under the head "43," provided the expenditure is entirely provincial.

44478*. Would it be desirable to increase the spending power of the provincial Governments and the Government of India on individual works executed out of revenue?—Under existing rules Local Governments have power to sanction works debitable to provincial revenues up to a limit of 10 lakhs or 12½ lakhs, including establishment and tools and plant charges for each individual project. Projects exceeding this limit require the approval of the Government of India and the sanction of the Secretary of State. This limit of 10 lakhs was fixed when the £ was equal to Rs. 10. Now that the £ equals Rs. 15 it does not seem unreasonable to suggest that the powers of the Government of India and the Local Governments might be raised to 15 lakhs†, exclusive of establishment and tools and plant charges, for Imperial and provincial works, respectively.

44478a*. Might other provincial Governments have the same power as Madras and Bombay now possess in regard to the sanctioning of Imperial works which have been administratively approved?—As regards Imperial works, the powers of the Government of India and of the Local Governments are shown in the table below. The powers of the major Local Governments and of the Chief Commissioner, Central Provinces, might be raised as shown in columns 4 and 5:—

Existing powers.	Proposed powers.			
	Works.	Establishment and Tools and Plant.	Works.	Establishment and Tools and Plant.
Government of India	10,00,000	12,50,000	—	—
Madras and Bombay	2,00,000	2,50,000	—	—
Bengal, Eastern Bengal and Assam, United Provinces, Punjab, Burma.	50,000	62,500	2,00,000	2,50,000
Central Provinces	20,000	25,000	1,20,000	1,50,000
Coorg, Hyderabad, Rajputana and Central India.	20,000	25,000	} May remain as at present.	
Director-General of Military Works	50,000	62,500		
Superintendent, Port Blair	5,000	6,250		

As regards Coorg, Hyderabad, Rajputana and Central India, the engineering establishments in these provinces being very small no increase of powers seems desirable. No increase in the powers of the Director-General, Military Works, appears to be necessary. As to the Superintendent, Port Blair, the Andamans are under the direct administration of the Home Department, and any proposal with regard to raising the Superintendent's powers would have to be referred to that Department. There is, however, only an Executive Engineer to advise the Superintendent, and the powers seem sufficient.

44479*. Are there cases in which the Provincial Governments have to send up estimates for the approval of the Government of India in regard to works which they can sanction financially? If so, can such restrictions be removed or diminished?—Yes; *in the case of expenditure on Government Houses beyond Rs. 15,000, and in the case of Circuit Houses beyond Rs. 30,000. The Government of India have also restricted the powers of the Chief Commissioner, North-West Frontier Province, in the matter of sanctioning expenditure on the metalling of roads, even though the amount may be within his powers of sanction, by prohibiting him from sanctioning the metalling of any road, except where it is over a bridge, without the previous approval of the Government of India. The reasons for this restriction are special, I believe, and apply only to this province.

44480*. Has the sanction of the Government of India to be obtained for leave to enter into con-

tracts for the execution of works as apart from the sanction of estimates? If so, is this necessary?—Yes, as under the rule in paragraph 900 of the Public Works Department Code, as amended by Standing Order No. 255, dated the 27th September, 1907, a Chief Engineer personally, or a Secretary to a Local Government on behalf of a Local Government, can accept tenders for the execution of any sanctioned work only up to the limits within which the Local Government can sanction estimates for works. I do not think there is any objection to permitting Local Governments and Administrations to accept tenders for works up to any amount, provided the estimate sanctioned for the work by competent authority is not exceeded.

44481*. Could the present restrictions on provincial Governments in respect of the construction of houses for Government officers be relaxed?—Under existing rules the sanction of the Government of India is required—

(i.) In the case of Imperial buildings—

(a) If the cost exceeds Rs. 2,500 and if the 8 per cent. limit of salary is exceeded, the Local Government being competent to sanction buildings costing less than Rs. 2,500 irrespective of limit of salary.

(b) If the cost exceeds Rs. 10,000 in any case.

† The Government of India have similar powers in respect of Imperial works.

‡ The Government of Burma recommends this.

(ii.) In the case of Provincial buildings if the cost exceeds Rs. 5,000, and if the 8 per cent. limit of salary is exceeded; the Local Government being competent to sanction buildings costing less than Rs. 5,000, irrespective of limit of salary.

The restrictions could, of course, be relaxed in many different ways, or altogether removed, particularly in the case of quarters chargeable to Provincial revenues. I do not, however, think that the present demands, under Public Works Code, 1068, I. (a) are unreasonable. It is only asked that the rent should cover the interest on the capital outlay at 3 per cent. plus the annual charges for maintenance. No private landlord would be content with this small return on house property; and, except in special cases, I do not see why an expert building department should not be able to conform with the rule. It is true that the references on the subject to the Government of India are very frequent, but in the majority of cases the references are avoidable. The difference between the action taken by the various provinces is very marked. Some provinces work very loyally to the rules, and others refer to the Government of India without any real necessity; and I may mention that those provinces which refer least are not those most advantageously placed in the matter of rates. The question very largely depends on the personnel of the Public Works Department of the time being. If the Chief Engineer of the Buildings and Roads Branch insisted on economical construction, and in those provinces where there is a Consulting Architect consulted him freely, I believe that the number of references would be enormously reduced. The removal of the restrictions altogether would save the Government of India a good deal of work, but it is quite certain that there would be, for a time at any rate, a want of economy in the provinces. The only check would be their own financial check. The construction of quarters for officials is everywhere on the increase, and if these quarters were extravagantly designed a time would come when the money pinch would be felt and more attention would be paid to economical design. I am inclined to think that the restrictions had better not be entirely removed at present; the questions involved are largely personal, and it would be difficult for the head of a province, however interested he might be in reducing expenditure, to challenge the statement of his professional adviser that the cost of any building was a minimum. At the same time some relaxation of the rulings might be permitted. For instance, when the Government of India never refuse sanction when a full rental up to 10 per cent. of salary can be assessed, it is useless to require references on excesses between 8 and 10 per cent. The minimum limit of Rs. 2,500 and Rs. 5,000, for Imperial and Provincial Works respectively, up to which Local Governments and Administrations can sanction without reference to the Government of India might remain, but in all other cases Local Governments and Administrations might be empowered to sanction expenditure, the rental calculated on which under the ordinary rules will not exceed 12 per cent. of average salary. I consider also that if the limit of cost is raised to 12 per cent. the limit recoverable from an officer should be raised from 10 to 12 per cent. of salary and allowances.

44482*. Could the special restrictions as to expenditure on residences of the Heads of Provinces and Circuit Houses be relaxed?—As regards residences of Heads of Provinces, at present Local Governments can sanction expenditure on original works and special repairs on any one residence and its connected buildings up to a limit of Rs. 15,000 only in any one year. Beyond that sum the sanction of the Government of India is necessary.

The restriction regarding the limit of expenditure might be removed, and Local Governments and Local Administrations given powers to sanction as in the case of ordinary works.

With regard to Circuit Houses, prior to 1903 there was no limit of expenditure, but in the above year (in Public Works Department letter

No. 555 C. W.—B., dated 27th April, 1903), limits of Rs. 25,000 for original construction and of Rs. 1,000 for extensions and alterations were fixed. In 1905 (Public Works Department No. 1330 C. W.—B., dated 2nd October, 1905), the limit for original construction was raised to Rs. 30,000.

Local Governments and Administrations might be given the same powers in regard to Circuit Houses as they possess in respect of ordinary public works.

44483*. Have you anything to add to what was proposed in a recent circular letter of the Government of India in regard to the grant of larger powers of professional sanction to Superintending and Executive Engineers?—I have nothing further to add at present. I attach a copy of my note giving my own personal opinion on the subject, and on which action was afterwards taken by the Government of India in their letter No. 1352 E., dated the 5th November, 1907, to Local Governments and Administrations. The replies so far received are entirely favourable to the suggestions made by the Government of India, though they differ in points of detail. When the case is complete, the Government of India will no doubt largely increase the powers of Superintending Engineers, and to a less extent those of Executive Engineers.

Note.

The officer whose powers and responsibilities I should like to see largely increased, is the Superintending Engineer. To the Public Works Department officer-establishment coach there may be said to be four wheels—the Assistant, Executive, Superintending, and Chief Engineers, and under present conditions the Superintending Engineer is the weak wheel in it. If he happens to be a weak, easy-going officer, he is liable to be a mere dummy, and his office a post office between his Executives and his Chief. He may of course be a strong man, in which case he will make his presence felt, but he will nevertheless chafe at his fetters. I should like to see the Superintending Engineers, Engineers-in-Chief of their Circles, in fact I would call them so, and make them practically responsible for all engineering. They would then submit engineering details only of large works, costing over some limit which could be fixed, with any others that the Secretary, Public Works Department, chose to call for specially for any special reason. Freed from having to report to their Secretary at every turn, they would write a great deal less to him, and be able to devote more time to their Executives, preferably by sitting in their office chairs less and inspecting more, and freely assisting their subordinate officers with their advice.

The Secretary would then be, not Chief Engineer and Secretary, but Director and Secretary, and control the general Public Works Department policy of the province under the orders of his Local Government. This will not prevent him inspecting; on the contrary, relieved of much drudgery, it will enable him to inspect the more. And he should inspect the whole province to see its needs, with time to think and initiate, and to make the personal acquaintance of his officers. During such inspections he would not of course neglect the engineering side, he would keep in touch with what his Superintending Engineers were doing, pointing out any improvements that occurred to him, keeping his circles well informed of good points in other circles, but otherwise not interfering with the responsibilities of his circle officers, on the contrary cultivating initiative on their part, and seeing that they themselves did not encroach on the duties of their subordinate officers. In this way he could work *as easily as he could four under present conditions*, and he would have more time for administration, which he should keep closely in his hands, and be a more valuable adviser to his Local Government.

The present state of affairs is the result of a gradual change in the working of the Department. In the old days, the Executive Engineer was really an executive officer—the officer executing works. He had assistants—Assistant Engineers—themselves destined to become Executives in a comparatively

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short time; but they were merely his assistants, attached to him till they derived sufficient experience to qualify for the charge of divisions. The Assistant Engineer had, I think, no separate office, no official correspondence; he was an engineering assistant to the Executive Engineer. As work gradually increased, the Assistant Engineer became detached for a separate charge, a subdivision of the division, he had a separate office, and corresponded officially with his Executive Engineer. The sizes of divisions increased, and one Executive Engineer had many sub-divisions. He then had no longer time to carry out work in the same way he did before, the Sub-Divisional Officer became the real executive officer, the Executive Engineer evolved into a sort of Superintending Engineer, and the Superintending Engineer might have developed into a Chief only he had so little power. He consequently fell into the invidious position of a correspondence-buffer between the Executive Engineers who superintended the work of their Sub-Divisional Officers, the Executives, and the Chief.

I think it is too late to revert to the old system of Executives and Assistants, although it has a good deal in its favour. For one thing the Provincial Engineer policy is against it. That policy has been accepted by Government, and it would be only waste of time to enlarge on that subject, and the obvious alternative is to increase the powers of the Superintending Engineers, making them virtually Chief Engineers with a Secretary guiding the policy of the Local Government.

I noted very much on these lines when I was in Burma. In a large and developing province the burden of work which fell on the Chief Engineer was very heavy, and a second Chief Engineer was applied for before my time, but when sanctioned it was difficult to know what to do with him. The work could not be divided between Irrigation and Buildings and Roads, because there was only one Irrigation and many Buildings and Roads Circles. It was difficult to divide the province territorially, and the Lieutenant-Governor objected to two Secretaries advising him on the same subject. He was quite right; there can be but one policy and therefore there should be only one man. It was considered whether the province could be divided into $\frac{1}{2}$ and $\frac{2}{3}$, the Secretary to work the $\frac{1}{2}$ and be Chief Engineer to it as well as Secretary to the whole, while the other Chief Engineer would be Chief Engineer only to the $\frac{2}{3}$. This idea was dismissed as resembling a man with two legs of different lengths. I then advanced my views as I have stated them here. They were approved by the Lieutenant-Governor, but they meant time, and to avoid depriving the province of the second Chief Engineer, it was decided to place him under my orders for the technical examination of designs and estimates and inspections for which I had no time.

Turning to the details of Superintending Engineers' powers, under "Repairs," they have full powers within the limits of the budget grants placed at their disposal. The usual procedure is for the Executive Engineers to submit annual maintenance estimates by all the different heads of works, and when these are sanctioned by Superintending Engineers, they carry out the repairs at the usual or special times, charging the cost to the annual estimates. The Superintending Engineer would also keep a certain reserve in his hands for special works. Under this item a good Superintending Engineer will have a great deal to say to maintenance matters, specially in the Irrigation Branch, but otherwise the work is very much in the hands of the Executives. No alteration in system is necessary here.

Under "works," from 1862 (I have not dipped into more ancient history) to 1892 the powers of the Superintending Engineer were limited to Rs. 500. In 1892 these powers, in the case of selected officers, were raised to Rs. 2,500, and in 1888 to Rs. 10,000. At the present time, therefore, a Local Government has the power to allow Superintending Engineers to sanction "works" up to a maximum of Rs. 10,000. The power has

been too sparingly exercised, and when this has been the case it shows that either Local Governments have been over-kind in recommending such officers for circle charges or they are ridiculously distrustful. We know that promotion is now going to be more rapid, but even then it will be wise policy to treat Superintending Engineers as men and not as dummies. In the past men have become Superintending Engineers when of advanced age and experience, and keeping them in leading strings is neither the way to make them efficient circle officers, nor to train them to be fit to be Chief Engineers, when their responsibilities will suddenly be so largely increased. The time to exercise caution is when promoting a man to circle charge. If there is any doubt he can be placed on probation, and during that period be allowed restricted powers; but once he has shown himself a good officer he should be trusted to the full. He may make mistakes, every one makes them, but let him be forgiven. It is not the man who makes mistakes who is a bad officer; the bad bargains are the cautious do-nothings, who may make no mistakes but make nothing else either.

My suggestions, however, go much further than the present limit, and it will be necessary to quote the powers of Local Governments and Local Administrations. Under Imperial:—

	Rs.
Madras and Bombay have	2,00,000
Bengal, Eastern Bengal and Assam, United Provinces, Punjab and Burma have	50,000
Central Provinces, Rajputana, Central India, Hyderabad, North-West Frontier, Baluchistan, and Coorg have	20,000
Port Blair has	5,000

I see no reason why Superintending Engineers, made Engineers-in-Chief, should not be given powers, as far as engineering is concerned, up to Rs. 50,000, or less if the powers of the Local Administrations are less. Local Governments and Local Administrations are not concerned with engineering details, they must be dependent on their professional advisers, and all I want to do is to divert this responsibility from the Secretary-Chief-Engineer to the circle officer. Engineers-in-Chief of Railways, on railway construction, have powers up to Rs. 50,000, and they are Superintending Engineers, sometimes even Executive Engineers.

Under Provincial, Local Governments and Local Administrations have the same powers as the Government of India, that is Rs. 10,00,000, and under this head the powers of circle officers might be still further increased to, say, a lakh, or even 2 lakhs, or more. Take the case of a road, if a Superintending Engineer can sanction Rs. 10,000 for a certain length of road involving earth work, metalling, and culverts, it is absurd that he cannot sanction the engineering of a few extra miles entailing exactly the same kind of work. For it will be understood that I am alluding entirely to engineering details, not to administrative approval. New works would require the administrative sanction of the Local Government; it is only when that stage is passed that I would so largely increase the responsibilities of the circle officer.

This then is the main point, and I urge it in the interests of the duties both of Secretary and of Superintending Engineer. If the former is very conscientious he will examine the estimates which come up from the Executives through the Superintending Engineers in much detail, and working with his nose to the ground he has no time to keep a comprehensive look ahead. Or, paying more attention to his administrative work, he may leave the estimates to be dealt with by his Under-Secretary or Personal Assistant, in which case they are examined by officers junior to the Superintending Engineer, and who should be inferior to him in attainments. The system would also give the circle officers powers suitable to their standing, and foster and encourage good men instead of keeping them in a position in which their energies are so successfully paralysed.

If this is done there are various matters of detail which would have to be seen to. For instance, Superintending Engineers can now accept contracts up to Rs. 10,000; they would then have powers up to their powers of sanction to estimates. Superintending Engineers have now powers of local purchase of English stores up to Rs. 1,000, a Chief Engineer when not a Secretary to a Local Government up to Rs. 2,500, Local Governments and Local Administrations full power. Superintending Engineers should have at least Rs. 2,500.

I have not so far alluded to Executive Engineers' powers and their case is not nearly so important. The powers of Executive Engineers up to 1892 were Rs. 200 for both works and repairs, and were increased to Rs. 500 for selected officers in that year. The powers are very low, but in the case of repairs it does not matter much, as under the annual estimate procedure, explained above, the Divisional Officers have practically full powers within their budget grants. When this procedure is not in force, the powers for repairs would be far too low, but the procedure should be everywhere in force. The Executive Engineer question could be considered if the powers of Superintending Engineers were raised, and in accordance with what was decided in that respect, I believe in giving men more power all round and in not allowing them to shirk their responsibilities in it.

44484*. Might the larger provinces have their separate Superior Engineering cadres, appointing their own Superintending and Chief Engineers, as in Madras and Bombay?—It would of course be possible to give Local Governments full power to select their own Chief and Superintending Engineers, and make promotions in these two classes on a provincial cadre. This is the system in the Bombay and Madras Presidencies at present, but I am of opinion that it is preferable that Chief and Superintending Engineers, and more especially the former, should be on one cadre for the whole of India. At the present time all Provinces with the exception of Eastern Bengal and Assam, the Central Provinces and Rajputana and Central India, regulate the promotions of their Executive and Assistant Engineers, and, should the time scale of promotion for these classes which we have recently recommended to the Secretary of State be sanctioned, all provinces without exception will regulate the promotion of the Executive and Assistant classes. Madras and Bombay, as I have already stated, make their own selections for promotion to Chief and Superintending Engineer, but in the case of the rest of India the Superintending and Chief Engineers are on one list, which is controlled by the Government of India.

The Recommendation Rolls of officers of the rank of Superintending Engineer and above are submitted annually to the Government of India, from which a very fair estimate of the relative qualifications of the senior men in the various provinces can be made. In practice the recommendation of the Local Government in regard to the filling of a vacancy in the Superintending Engineer class is almost invariably accepted. It is only when it is observed that promotion to Superintending Engineer in a province is considerably more rapid than the average, that the Government of India ask the Local Government concerned to accept a man from a province in which promotion to the Superintending Engineer class has been retarded in preference to their own more junior officer. If it were only a question of a small difference in seniority the recommendation of the Local Government would be accepted, but it might be large, and then the Government of India would usually endeavour to transfer a senior officer from a province in which promotion had been slow. In the case of Chief Engineers the same procedure is followed, but as the number of these appointments, which are the prize appointments of the Department, are necessarily few, the question of the relative seniority of qualified men in the various provinces is more closely taken into consideration; and, though there is no definite rule on the subject, the practice is to consider each case very carefully on its merits, and the Government of India would not,

without very strong local reasons, agree to an officer being promoted to Chief Engineer in any province before his equally qualified senior in another, if the difference in seniority extended to as much as, say, a year, and there was no immediate prospect of the senior officer obtaining his Chief Engineership elsewhere. This system has the advantage of equalizing promotion in the Superintending and Chief Engineer classes throughout the various provinces; and in my opinion it has the further advantage of enabling a Chief or Superintending Engineer, who is very little concerned with the social customs, language, &c., of the people, to obtain the more varied and therefore very useful experience which service in more than one province necessarily affords. I am, therefore, of opinion that it would be to the interest of Government that there should be one list for Chief Engineers for the whole of India, not excluding Madras and Bombay, and that promotion to Chief Engineer should be made by the Government of India and not by Local Governments. In regard to Superintending Engineers, though this will possibly result in an unequal rate of promotion in the various provinces which the present system is designed to correct, I see no great objection to permitting Local Governments to make their own selections and regulate the promotions in this class. If any Local Governments have not sufficiently senior officers qualified for promotion, it would be open to them to apply for qualified men from elsewhere.

44485*. Apart from ordinary financial rules, what are the present restrictions upon Local Governments in regard to the Upper and Lower Subordinate Engineer cadres? Could they be relaxed?—The Upper Subordinate cadre (numerical strength) of each province is at present sanctioned by the Government of India, but as explained in my note on paragraph 40 in the memorandum of remarks on the proposals of Local Governments, I have proposed to give Local Governments full powers within a certain money limit to increase the strength of the Upper Subordinate Establishment in accordance with their requirements. Local Governments have full powers to make appointments to the Upper Subordinate Establishment, in the overseer class, subject to the restriction, in the cases of provinces usually supplied by the Thomason Civil Engineering College, Rurki (chiefly, the Punjab, United Provinces and Central Provinces), that no appointments are made until the Rurki recruits have been provided for. This restriction is necessary, as we guarantee six and seven appointments of overseers to the Upper Subordinate class at Rurki each year.

In regard to the Lower Subordinate Establishment, Local Governments have full power to sanction revisions of establishments subject to a money limit of Rs. 3,000 a year, and subject also to the condition that the average pay of the establishment does not exceed Rs. 50 per month. I think the former money limit might very well be increased, say, to Rs. 25,000 a year.

44486*. You have been furnished with schedules or memoranda showing the proposals made by certain Provincial Governments in regard to the relaxation of specific restrictions now imposed upon them by law, by rules having the force of law, by Imperial Codes (such as the Civil Service Regulations), or by executive instructions which they desire to have relaxed. Would you object, so far as your Department is affected, to any of such proposals (other than those which have been covered by answers to the previous questions), and if so, on what grounds? Can you suggest similar relaxation in any other matters?—I file a memorandum of remarks on the proposals of the Local Governments. I would suggest a similar relaxation of rules in respect of the following matters:—

Powers of Local Governments in respect of temporary appointments and deputations.

Under Article 78 of the Civil Service Regulations, Local Governments can sanction *bona fide* temporary appointments and deputations for any

† Vide Appendices V. (a) and V. (b).

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specified period if the salary, or salary and deputation allowance, do not exceed Rs. 250 a month, and for not more than six months if the salary, or salary and deputation allowance, exceed that amount.

In regard to temporary appointments, which in this Department are principally the appointment of temporary Engineers, Local Governments might be given full powers up to Rs. 1,000 a month, subject to reporting all appointments over Rs. 500 a month likely to last beyond two years to the Government of India for report to the Secretary of State.

In regard to deputations, which relate to officers on the permanent establishment, Local Governments might be given powers up to Rs. 500 a month for any specified period, and exceeding that amount for a period not exceeding a year.

Sanction to honoraria from State Funds.

Under Article 72 (b) of the Civil Service Regulations, Local Governments can sanction the grant, from General Revenues or from Local Funds, of an honorarium to an officer up to a limit of Rs. 500.

In the case of Imperial Funds a Local Government has power to sanction up to Rs. 200 in each case.

Heads of Departments can sanction up to Rs. 100. The powers of Local Governments might be raised to Rs. 1,000 in the case of Local or Provincial Revenues, and to Rs. 500 in the case of Imperial Funds.

Heads of Departments might be allowed to sanction up to Rs. 500 in the case of a Provincial Department and Rs. 250 in the case of Imperial Departments. The Administrative Department of the Government of India concerned might be given whatever enhanced powers in this matter the Secretary of State is willing to delegate to the Government of India. They might at least be given powers up to Rs. 2,000 in each case.

Acceptance of Fees.

Under Article 74 (c) of the Civil Service Regulations, Local Governments can sanction the acceptance of a fee by an officer up to Rs. 500.

Heads of Departments can sanction up to Rs. 100.

The Administrative Departments have full powers.

Local Governments might be allowed to sanction up to Rs. 1,000, and Heads of Departments up to Rs. 200.

Special Additional Pensions.

Under Articles 642 and 643 of the Civil Service Regulations, the Government of India only have powers to sanction the grant of special additional pensions to Chief and Superintending Engineers and officers of corresponding rank in the several branches of the Public Works Department.

These powers might be delegated to Local Governments. In only one case has the special additional pension been refused.

Revision of sanctioned scales of Clerical and Petty Establishments paid from Imperial Funds.

Under Public Works Department Code, Volume I., paragraph 41, Local Governments can sanction the above, subject to certain restrictions and provided that—

- (1) the aggregate of the increases sanctioned does not exceed Rs. 3,000 a year;
- (2) no appointment on an Imperial Establishment of which the salary exceeds Rs. 50 a month, and no addition to the pay and allowances of any officer in such establishment, if they exceed, or would after the addition exceed, Rs. 50 a month, may be sanctioned without reference to the Government of India in the Finance Department.

We might raise the aggregate of the increases under (1) to Rs. 25,000 a year, and appointments under (2) to Rs. 100 a month.

Sanction of expenditure whether Provincial or Imperial on objects customarily recognised as fit objects for the expenditure of public money.

Under Public Works Department Code, Volume I., paragraph 136, Local Governments can sanction the above up to Rs. 1,000 from Provincial, and Rs. 500 from Imperial, Funds.

We might raise the limit to Rs. 2,000 for Provincial and Rs. 1,000 for Imperial Funds.

Grant of permission to Gazetted Officers in receipt of furlough or leave allowances to take up private employment.

Under Public Works Department Code, Volume I., paragraph 400, the Government of India have reserved to themselves the power to grant permission to Gazetted Officers in receipt of furlough or leave allowances to take up private employment.

Local Governments might be granted the power of disposing of such cases in respect of all officers under their orders.

44487*. Is the Public Works Code not unnecessarily rigid in regard to a number of relatively petty matters? Could it be amended so as to leave wider discretion to Local Governments and authorities in regard to such points?—The rules in the Public Works Department Code are based on orders passed from time to time by the Government of India. If these orders are relaxed amendments to the Code would follow as a matter of course. I am not aware that the rules in the Code have at any time exceeded the orders on which they are based. There is much in the Code which could be improved if its revision were placed in the hands of selected officers placed on special duty for the purpose, but the Public Works Department is too short-handed at present to contemplate an entire revision. A new edition of the Code has recently been published, and in its publication a good many corrections and improvements have been carried out; but this edition cannot be said to be a revision of the Code. An entire revision would occupy a special establishment a considerable time. No proposals have yet been made for any complete revision, and though such revision might be held desirable, it is not urgent, and the work would still probably appear complicated and intricate to the layman not accustomed to handle it. No intelligent Public Works Officer should have any difficulty with it.

44488*. Would it be desirable to allot to Commissioners portions of the provincial Public Works budget in respect to roads, buildings and irrigation works to which they might give administrative sanction, professional sanction remaining as at present with the Public Works authorities?—Each province has its own rules in the matter of disposal of applications for administrative approval to works chargeable to provincial revenues and of the grants for such works; and it is entirely within the competence of Local Governments to alter their rules so as to give Commissioners greater powers both in regard to administrative approval and to the disposal of provincial budget grants. The Government of India impose no restrictions in this matter, so far as I am aware.

44489*. What should be the proper position of the Executive Engineer in regard to the Collector? Should he have a position similar to that of the Forest Officer, i.e., be under the Collector's control in non-technical matters, or be entirely independent of him? In the latter case should Irrigation Engineers be responsible for the whole work of distribution, assessment and collection?—The present system, under which the Executive Engineer is not under the orders of the Commissioner, is more free from defects than any other, and I strongly deprecate any change. In the first place, although it is possible to make the civil divisions, and the Public Works Department divisions continuous, it is often very undesirable. In the United Provinces this system is adopted, that is to say, the Executive Engineer's charge corresponds with that of the Commissioner, and the District Engineer's with that of the Collector. When I was Chief Engineer in Burma

and was arranging, under the orders of the Lieutenant-Governor, to re-distribute the Public Works Department charges, I tried whether the United Provinces system could be followed, and found it so disadvantageous as to be almost impossible. It can be readily realized that the best arrangement of Public Works charges to suit the works to be carried out in the most efficient and economical way does not necessarily correspond with the limits of civil divisions or districts. In Burma we found it out of the question; they manage it in the United Provinces, but there it is by no means, I believe, the ideal arrangement it is sometimes imagined. It is far too rigid, and it can only be regarded as a convenience from one point of view. The Public Works Department divisions are too large, and when work is overcrowded special establishment is detached for it and this is not the most economical way of doing work. If public works are to be carried out efficiently and economically, the best results will be obtained by forming the Engineers' charges in accordance with the work to be done, the expenditure, and possibly also the physical features of the country, and by adjusting the charges, as may be necessary, from time to time, untrammelled by any other considerations. Any system of definite boundaries must frequently be objectionable, and if Civil and Public Works Department charges cannot be continuous, then the change in the manner suggested becomes impossible. But even were it possible, there are other objections. The entire separation of technical work from administrative is impracticable. If the Commissioner were given full administrative power over the Executive Engineer, the latter might often screen himself behind it to explain defective work whether owing to want of supervision or faulty arrangements, and the result would be friction and divided responsibility between the Superintending Engineer and the Commissioner. There would be a general absence of discipline in the Public Works Department, and the free and unbiassed advice and opinion of Executive Engineers would certainly suffer. Control by Commissioners over the Executive Engineers' actions would re-act on the Public Works Department Sub-Divisional Officers, or District Engineers, over whom Collectors are apt to have too much influence. This has resulted in a recent case in hindering progress on an important Imperial work because the District Engineer was taken away by the Collector without warning on an inspection tour. Even, as at present without being placed strictly under the Collector's control, Sub-Divisional Officers—especially when they happen to be subordinates—are liable to suppose that their advancement depends on obedience to the Collector's wishes, even though this may mean irregular expenditure and bad engineering. Every good and sensible Engineer in the Department realizes to the full the importance of the powers and responsibilities of the Civil Officers, and he will always do his utmost to meet their wishes without being placed under strict control. On the other hand, if he is a bad Engineer that control will only make him a menace to the true interests of his Government, and he will be far better left to the unfettered discipline of his own department.

In the Irrigation Branch, the matter is immeasurably of greater importance, and any system of placing Canal Officers under the control and orders of the Commissioner and Collectors, or of taking away from them the work of distribution and assessment, where this procedure is in force, would be the most retrograde step since irrigation work was commenced in India. The advance that has been made in irrigation science in the last twenty years is enormous, but that science is still more or less in its infancy, and I am convinced that there are strides to be made in the future more than equal to those of the past. In all other branches of engineering we can learn from the progress of other countries, but in matters of irrigation India has to rely on herself alone. She is the foremost country, because no other country has such opportunities. The progress made is not merely in the direction of the construction of new works; the advance of knowledge in the

matter of distribution and conservancy, and generally speaking the potentialities of the volume of water with which any Engineer may have to deal, is far more important. New works will come to an end, the other advance will go on almost for ever, but it will only be possible at all if the Canal Officers are placed in full responsibility, otherwise they will cease to think and the progress is likely to be the other way. We should never have learnt the many vastly important lessons of the last decade or two if the duties of Canal Engineers had been confined to keeping their main channels in order, and if the Engineers had no concern with the water after it had left those channels.

Revenue results are absolutely inseparable from water distribution, and indicate whether the latter is carried out on a scientific basis or not. If these duties are sub-divided between two different Departments, neither will hold themselves responsible for the bad results which will inevitably follow. The Revenue Officer is not a Hydraulic Engineer by training, and long before he would acquire even a smattering of the subject in an amateur fashion he would probably be transferred to a non-irrigation district or possibly to the Judicial Branch. We know that the canal systems which are most efficient and where irrigation knowledge has progressed most are those of Northern India, where the Irrigation Officers are responsible for the assessments. In the case of some canals in the Punjab where the Revenue Officers used to assess, the management and results were such that the work was made over to the Irrigation Branch. I would invite perusal of the Irrigation Commission Report, Volume I., paragraphs 299-305, which contain the mature opinion of a body of specialists expressed after ample opportunities of threshing out the question in all parts of India. Nothing has occurred since to lead one to suppose that those opinions are out of date. The system of dual responsibility such as that contemplated by the question would be like a strong blind man carrying a cripple on his back, lending feet and borrowing eyes in return. The combination may at first sight seem a sound one, but it must be admitted that a better day's journey would be made by one man sound in sight and limb.

If it is difficult to make Public Works Buildings and Roads Branch charges continuous with Civil, it is quite impossible in the case of Irrigation charges. The arrangement would be still more inconvenient and subversive of economy. Canal branches could not possibly be divided up administratively in the way suggested without materially interfering with the proper distribution of water, and if the distribution and assessments were taken away from the Irrigation Officers, the difficulties would be enhanced. Running canal charges are often very large as it is, and if more than half the existing work was removed from the Canal Officer the charges would be enormous. In either case the results would be most unsatisfactory; the officer would have a small charge and be idle half his time, or a very large one in mileage and he would find it impossible to cover the area of his inspections. Moreover, sheared of distribution and assessment the work of the Canal Officer would be so meaningless and unpopular that no good engineers would ever willingly enter such a Service. The work would be confined to mere repairs in the jungles, and to carrying out the crude ideas of inexperienced Civil Officers, without any interests in the results, instead of dealing direct with the Superintending Engineer, a senior professional officer conversant with the work, who is able to control him administratively and technically.

I am strongly of opinion that on all irrigation works of importance, the engineers should be independent, and should be responsible for the whole work of distribution and assessments, not for collections.

44490*. In provinces where District Board Engineers are employed, would it be possible to devolve upon them a portion of the work in connection with buildings and roads now carried out by Government agency?—The reply is in the negative. Take the case of Bengal. Formerly all

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imperial and provincial works were carried out by the Public Works Department, the local works being entrusted to the Road Cess Engineers under the orders of the various Road Cess Committees, whose functions have since been assumed by the District Boards. I have never served in Bengal or in any province with the system in question, but I understand that this duplication of the Engineer establishment has proved expensive and inefficient. In 1892, against the advice of the Financial Committee of 1886, a measure was introduced under which all works and repairs in 26 Bengal districts were entrusted to District Board Engineers; and to safeguard the interests of Government, Inspectors of Works of the standing of Executive Engineers, were appointed. I understand this system has never justified its adoption, and notwithstanding a number of remedial measures tried from time to time, the dual establishment system has been generally reverted to. Out of a total number of 34 District Board Engineers now in Bengal, only six have the charge of Imperial and Provincial Works, and I believe there is every prospect of all such works being placed again under the Public Works Department. The chief defects of the District Board agency appear to be:—

- (a) The District Boards have no technical knowledge, but frequently interfere in technical matters.
- (b) The Government Inspector has no power of control over the District Engineers. He can only advise, and his advice can be altogether put aside. His time is largely wasted in writing far longer detailed inspection notes than would be necessary for a professional assistant under his orders, and it is entirely wasted if his advice is disregarded. Serious delays also occur in the preparation of estimates for imperial or provincial works, as the Superintending Engineer cannot call for a repair estimate without the approval of the Board.
- (c) The District Board Engineer is a servant of the Board, he has no one else to look to for advancement. He cannot be transferred to another district where the work may be more suited to his attainment. An indifferent District Engineer may be over-worked in one district, when a good officer is almost idling in another. His opinions and actions are liable to be prejudiced on all subjects in which any member of the Board may be personally interested. He has generally poor prospects and cannot afford to quarrel with the bread and butter he has. Contractors are frequently selected by members of the Board for reasons other than those of economy and efficiency, and the District Engineer has to accept them for what they are. He is too long in one place, and apart from the ordinary staleness of these conditions of service, he comes in time to dance merely to the tune piped by the local magnates, and as a counter-evil the Board will be disposed to overlook the faults and shortcomings of an engineer who seeks the smooth path with them.

I see no advantages whatever in the system other than the fascination of the abstract principles of devolution, and I do not think the country has sufficiently advanced to adopt this system.

44491*. In provinces where District Board works are carried out by Government agency, might a special District Board Public Works Establishment be employed?—The duplication of establishment, working over the same ground must be costly. I consider that all the engineering works of the country of any importance would be best carried out by the Public Works Department without the rigidity of the boundaries of the charges as in the United Provinces; but for works such as repairs to unimportant unmetalled roads and repairs or construction of petty buildings native subordinates might be employed by the District Boards.

44492. (Mr. Hitchens.) The Government of India deals with all schemes of re-organisation; does that mean that Local Governments may not increase the pay of their sub-overseers?—Yes, the pay of the various grades is fixed by the Government of India.

44493. They can increase the number up to a total of Rs. 25,000, but they cannot increase the pay of one man?—They can give him promotion, but cannot increase the pay of his grade.

44494. Is that a wise rule?—If the rate of pay was very unequal over all the provinces, there might be discontent.

44495. As a matter of fact, is the pay equal in the different provinces?—Yes.

44496. But do they not have local allowances in some provinces?—Yes there are local allowances for serving in districts where the expenses are specially high.

44497. The conditions of provinces differ, and therefore what is good pay in one province might be bad pay in another?—Yes, and they get it in the form of a local allowance.

44498. What is the objection to taking those facts into account in their pay, and allowing the pay to be based on the market value of a man in a particular province leaving Local Governments to pay the men entirely as they liked?—I do not know that there would be much objection to a province like Burma, which is entirely cut off, doing so, but in contiguous provinces where men just across the border were paid very differently, those in receipt of lower pay would certainly agitate for more.

44499. But, assuming a reasonable Local Government, it would not pay differently unless the local circumstances were different?—Some Local Governments might take a more liberal view than others.

44500. Is that likely?—It is possible. For instance I myself think our sub-overseers are very much underpaid, and I would give them much more, but I can imagine someone else taking another view and saying "We get the men for this pay and it is enough."

44501. Supposing a certain Local Government held that view and determined to carry it out, would there be any objection?—Only this, if there was a great discrepancy of pay between two provinces which are contiguous, the men in one might be discontented and agitate until they got the same pay as their brethren across the border.

44502. And if they were inadequately paid would there be anything unreasonable in that?—At present they come from the same college, and they get the same pay and are satisfied; there would be some discontent if they were paid at different rates.

44503. Do you know if a County Council in England are obliged to give the same rates of pay to their officers as another County Council?—No.

44504. Do municipalities have a uniform scale of pay throughout Great Britain, compulsorily laid down?—I do not know.

44505. Supposing they had not—as they have not—and no particular inconvenience has resulted from it, why should inconvenience result elsewhere?—I do not know that there would be any other objection except the one I have pointed out, that you would be paying men of exactly the same value and trained in exactly the same way, different rates, and they might be discontented.

44506. Apart from that you can see no particular objection to giving Local Governments the power?—No.

44507. With regard to Superintending Engineers do you recommend that each Local Government should be allowed to promote its own Superintending Engineers?—I have not recommended it; I have said I thought there would be no great objection if they did so, as it is very rarely the Government of India ever oppose the wishes of the Local Government, but the present system works exceedingly well.

44508. The change would lead to no evil results at any rate, in your opinion?—I do not think so.

44509. But with regard to Chief Engineers you do not hold that view; for what reason?—I prefer the present system because it equalises promotion, and because fresh blood is sometimes an advantage.

44510. If a Local Government had a particular desire to get a particular man who they thought would suit them best, do you fall in with their views?—We do as far as possible, but very often when they object to take a man at first as Chief Engineer, they afterwards admit when they have had that man transferred to them, that he was the best choice and were very glad to have him.

44511. Supposing a Local Government said they wanted a particular man, is there any reason why they should not choose him?—Yes, if he was a very junior man and we had a senior man who was every bit as good, or better.

44512. Even if the Local Government did not think so?—I think so, certainly.

44513. You think it would be better to give them someone they did not want?—Perhaps they do not know anything about the other man, whereas the Government of India do know his record, that he is a first-rate man, and, in addition, senior.

44514. Might not the Local Government say "We want this man, although he is junior, because we know he is efficient, gets on well with the staff, he knows the local conditions very well, and is the man we want"? If they pay the officer should they not have power to appoint him?—It would create discontent in the department if a junior man were promoted over a senior man just as good.

44515. But that would be the responsibility of the Local Government?—No. The senior man might be in another province.

44516. And if they wanted to take that responsibility would you not allow them?—They cannot take the responsibility as several provinces are concerned.

44517. With regard to the rules which exist in connection with the residences of Government officials, you think if Local Governments were empowered to deal with the matter themselves, there would be a substantial increase of expenditure at first?—Yes, there probably would be at first.

44518. What is your reason for that view?—From the estimates that have come up from time to time.

44519. What is the sort of amount that these estimates cover?—It might be anything; it might be from, say, Rs. 10,000 to Rs. 30,000 or more.

44520. I understood that you were prepared to give Superintending Engineers power to sanction, from a technical point of view, up to something very much above that?—Yes.

44521. Therefore so far as the technical point of view is concerned, there would not be any more extravagance under the one plan than under the other?—Yes, because there are certain rules under which a man is not entitled to a house of more than a certain value, but he is always wanting the largest house he can get, knowing that he cannot be charged any more than a certain percentage on his salary. You cannot charge a man more than 10 per cent. on his salary, and assuming he was only entitled to a house costing Rs. 15,000, he might say, "This is not good enough for me, I want this room and that room"; so that the house might finally cost Rs. 40,000.

44522. Then does the control of the Government of India consist in criticizing the size of the house?—It is for the Local Government to consider that, but if they think they cannot reduce it to the recognized cost, then they ask the Government of India to sanction an increase, and that is where our control comes in.

44523. Is not the Local Government more likely to know the particular class of house required for an officer?—No; I do not think so; it is the officer for whom the house is going to be built who is in communication probably with the Executive Engineer. He says he wants this, that, and the other; the Executive Engineer puts it down; he

sends it up to the Chief Engineer, who says the house cannot be built for any thing less, and it does not seem to him to be an extravagant estimate. The Local Government may not have time to go into it; it is sent on to the Government of India, and here we can see whether the house could be designed for less and bring it within the amount laid down, and very often we do it.

44524. (Chairman.) What is the standing of the Engineer who looks into these questions on behalf of the Government of India?—There is myself and the Consulting Architect.

44525. Do you look into all the schemes for officers' houses in detail?—Yes.

44526. (Mr. Hitchens.) Then you think the Local Government could be perfectly well trusted to put up a large public building, such as public offices and so on, provided it comes within the limit of 12½ lakhs, without control, but that they cannot be trusted to put up a house costing Rs. 30,000 because the personal element would come in?—That is the point; the personal element is a very strong one.

44527. Do you really think that the Local Government are likely to go astray owing to personal considerations?—I think they might, and very often they have not the advice of a competent architect to help them as we have.

44528. Is that not a question of technical efficiency?—It is very largely a question of technical efficiency.

44529. You are prepared to allow Superintending Engineers to sanction technically up to 1½ or even 2 lakhs for ordinary schemes; if their technical skill is sufficient for that, why is it not sufficient to sanction a house costing Rs. 30,000?—Because they have not sufficient architectural skill; we know we are designing equally good houses for much less sums than before.

44530. Is that not an argument for not giving Superintending Engineers of Local Governments powers of sanction beyond Rs. 30,000?—No. Certainly not, we are here referring to designs for residences only.

44531. Were the residences at Peshawar submitted to the Government of India?—I do not know. The Consulting Architect has only been appointed for a little over five years.

44532. (Mr. Dutt.) Are the Provincial Services mainly recruited from Roorki, Poona and Sibpur?—Yes.

44533. Who recruits the men, the Provincial Government or the Chief Engineer under the Provincial Government?—They enter by examination. At Roorki there is an entrance examination, and they compete at the end of their course for so many guaranteed appointments.

44534. Who makes the selection, the Imperial Government or the provincial Government?—It is by examination and competition. After the men come out as qualified Engineers from Roorki, they are posted by the Government of India to the different provinces for practical training.

44535. So that the selection is made partly by the Government of India?—No, the Government of India have no say in the matter.

44536. Does the same rule apply to Sibpur or Poona?—I do not know anything about Poona; I think it only feeds Bombay, and the Government of India have nothing to do with it.

44537. And Sibpur?—Sibpur supplies Bengal only.

44538. Is the educational standard at Poona and Sibpur as high as it is at Roorki?—I have never been to the Poona College. I have been to Sibpur and Roorki, and I think the arrangements at Sibpur are better than they are at Roorki, but the men who enter are not quite such a good class, and therefore, generally, the Roorki men have proved the better.

44539. Has not the standard at Sibpur been recently raised?—The college seems to be improving in its technical course.

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44540. Can men from the Provincial Service rise to the grade of Executive Engineers?—Yes.

44541. When they rise to that rank are they still considered to be members of the Provincial Service?—Yes, they are always Provincial.

44542. Is there not a difference in their pay?—Except as to the Chief Engineers; when they become Chief Engineers they receive the same pay as the Imperial Service.

44543. Who recruits the Subordinate Services in the provinces?—Lately the Local Governments have complete powers themselves as to the recruitment of their subordinates. That power was recently given; the only restrictions are that the Local Governments in the cases of provinces usually supplied by the Roorki College cannot make appointments until the Roorki recruits have been provided for.

44544. You are opposed to giving the Collector any control over the distribution of irrigation water?—Decidedly.

44545. You also say that a Canal Engineer should be responsible, both for the distribution and for the assessment of the water-rate?—Yes.

44546. You know that in Madras the water-rate is consolidated with the land revenue, and the assessment of the one goes with the assessment of the other?—Yes.

44547. So that if you had to give the Canal Engineer the assessment of the water-rate, you would have to give him the assessment of the land revenue also; would that not be a difficulty?—Accepting the principle that Canal Officers should control irrigation works, I do not think there should be much difficulty in arranging details such as these in any province.

44548. In that case would you separate the two assessments, or would you leave the whole thing with the Revenue Officers?—I have no experience of Madras, but if the consolidated rate system is found to answer there I see no reason why it should not be continued, but it would still be better to make Canal Officers responsible for irrigation management in the case of all large schemes.

44549. When the rate is consolidated the cultivator does not know what the water-rate is and what is land-rate?—But is it not possible to know?

44550. Under the existing circumstances, if you leave the assessment with the Revenue Authorities?—If the Canal Officers were responsible for the distribution and the assessments they would also have the remissions of assessments, and I cannot see that there would be any difficulty.

44551. But the assessment would have to be made by the Settlement Officer?—That is the fixed assessment.

44552. There are certain provinces in which the Local Government has the power of fixing water-rates, and in other provinces the Imperial Government fixes them; is it possible and desirable for the Imperial Government to lay down some general policy for fixing rates, so that there might be some uniformity in the different provinces?—This is a wide subject, and I see no great advantage in unification of water-rates everywhere. I would leave the matter to Local Governments.

44553. The Government of India have thought it desirable to lay down a general policy with regard to land revenue, and I wanted your opinion whether it might also lay down some general policy with regard to the levying of water-rates?—I do not think that any orders on the subject are necessary; the principles of water-rates are generally well understood.

44554. Are they not varied from time to time?—Not very much; they are raised or reduced sometimes.

44555. We have evidence that recently they have been altered in the United Provinces?—In three districts they have been altered.

44556. You do not think it is possible to lay down any more detailed instructions for general compliance?—No, I do not think it would be useful to lay down any more.

44557. Generally speaking should the water assessment be based on a calculation of the cost of the irrigation works?—No, certainly not. If that were done water-rates might be prohibitively high on expensive works, and ridiculously low on canals constructed under favourable conditions.

44558. You are against giving engineers employed by District Boards charge of Government buildings; you think that on the whole that system does not answer well?—It has not answered well in Bengal.

44559. You have no objection to a District Board employing its own engineer for its own works if it finds it is not costly and if the engineer gives satisfaction?—Yes, for certain unimportant works they might very reasonably be employed.

44560. Most of the works that the District Boards execute to-day are not very important works, they are only roads and ordinary bridges; for such works is there any objection to their employing their own engineers?—The District Board might possibly have a fairly expensive work which could be better done by the provincial establishment.

44561. But ordinarily the work they have to do could be done fairly well by the engineers in their employ?—Yes, I think so.

44562. And you would have no objection to their employing their own engineers?—No.

44563. We have had evidence before us that in Bengal most of the District Boards employ their own engineers. In Bombay they have their important works done by the Public Works Department and pay 12 per cent. on the cost of the works. Has any calculation been made as to which is the better system?—It must be cheaper to have only one system of engineers, instead of having two systems overlapping. I should think the Bombay system is the better; if you have District Engineers and Provincial Engineers employed over the same area it must cost more than if you had one set of engineers.

44564. But these Bombay District Boards have to pay 12 per cent. on all works executed?—If they had to execute them separately it would probably cost them more than 12 per cent.

44565. We had evidence that some District Boards with an annual income of two lakhs of rupees probably spent half of that, one lakh of rupees on works; 12 per cent. would come to Rs. 12,000 for their whole establishment. Is that so?—I have not calculated that, but I think they are probably well served.

44566. (Sir L. M. Jacob.) In regard to the relative position in a district of the Executive Engineer and the Collector, the Executive Engineer asserts an absolute independent position?—In the line of his own technical work, yes; but not in administrative matters.

44567. The Collector has no official concern with each other?—Initially, he would be under his Superintending Engineer, but really, of course, he would be very much concerned with his Collector; he would be conferring with him in many ways, although he would not be under his orders.

44568. There are no rules governing their relations, which are left to regulate themselves according to the disposition of the respective men?—Yes.

44569. Does it not diminish the force of Government to have two authorities like that in a district perfectly independent of each other, sometimes perhaps rather inclined to be defiant of each other?—I think not. The Collector is the Head of the district; the engineer would have no authority except the authority which he ought to have on the engineering side.

44570. From the political point of view, would it not be advisable to concentrate the power of Government by giving the Collector certain defined authority over the Executive Engineer as well as over the other officers?—Under the present system works the better of the two.

44571. Do you not think it is worth making an effort to attain that solidarity?—I do not.

44572. I quote the words of the Head of the Administration in the Central Provinces; he says, "it is even impossible for the Deputy Commissioner or the Commissioner to say what works are actually in progress at any given time; he sometimes finds a building completed which he did not know was begun, and that another work which he believed to be in progress has not been started, the money having been appropriated to some other work by some superior authority in the Public Works Department." Is that generally true?—I should say it was bad management in the Central Provinces.

44573. You think it is peculiar to the Central Provinces?—In the only province in which I have had charge of buildings and roads works (I allude to Burma), the preliminary demands for any year were first prepared by the Executive Engineer in consultation with the Deputy Commissioner; the Executive Engineer would then send the papers to the Superintending Engineer; the Superintending Engineer prepared his budget of works by civil divisions, generally informally consulting the Commissioner, and then he sent it through the Commissioner, to the Local Government. The Commissioner had thus the opportunity of making any remarks he liked, and of adding or of striking out, and he always decided the preferential order of the works which he considered were of the greatest urgency. The money was then allotted by civil divisions, and the Commissioner was kept fully informed of the works for which provision was made in his division.

44574. After the budget has once been sanctioned, could the Superintending Engineer make any change in it without the sanction of the Commissioner?—No.

44575. Is that the prevalent practice throughout India?—Burma is the only province in which I have had intimate connection with buildings and roads work; the budget was afterwards upset sometimes, but always by the order of the Lieutenant-Governor. For instance, after the budget had been sanctioned the urgency of some particular work might arise which had not been foreseen at the time the budget was prepared, and the Lieutenant-Governor might direct that it should be carried out and some other work in the budget postponed. The Commissioner would be informed of the change; the Superintending Engineer would not decide it.

44576. It would be the action of the Lieutenant-Governor?—Of the Lieutenant-Governor only.

44577. You are only speaking of the practice in Burma; you cannot say anything of other provinces?—The Local Government has the power to adopt some such system as I have explained, and the Government of India would not interfere.

44578. I am speaking of the actual practice?—The system I have explained is the actual practice in Burma.

44579. But you are only speaking of Burma; you cannot tell me whether it is so or not in other provinces?—No, I cannot; I daresay it might vary from time to time.

44580. In many districts does not most of the Executive Engineer's work consist of District Board works?—Usually I think these works would occupy only a fraction of his time.

44581. In all those districts where the Executive Engineer does the District Board work, does not the District Board work constitute a very large portion at any rate of his work?—No, I should think it would be less than the provincial.

44582. It would depend on the district of course, but generally you would say that a large portion of his work consists of District Board work?—I should think a fraction of it; it would not be a large portion of it, because if a large District Board had a good deal of work they probably would have a subordinate of their own.

44583. Are you again speaking of your Burma experience?—Yes, mainly, but I know in the

United Provinces the District Board work is only a very small portion of the total work of the Executive Engineer.

44584. At any rate, the Executive Engineer does a good deal of District Board work?—I was thinking more of Burma. If it was a very small District Board, which had very small work, then it would be a small fraction of his total work, whereas if it was a large District Board they might have their own engineer to do certain work of their own.

44585. Is not the Executive Engineer distinctly the subordinate of the Collector as Chairman of the District Board?—The Sub-Divisional Officer, or the District Engineer, Public Works Department, would be the officer in this position, but not in technical matters.

44586. Apart from technical matters, is he not bound to obey the orders of the Chairman of the District Board?—He would try to do so as far as he was able, taking all his work into consideration.

44587. Would there be any practical inconvenience in his occupying the same position with reference to Government works in the district?—I think so; I have tried to explain why I think it would be subversive of discipline; I do not know that I can add anything.

44588. The Executive Engineer admittedly occupies a distinctly subordinate position to the Collector in his capacity as Chairman of the District Board; why should not the same connection be kept up in regard to Government works; would there be any practical inconvenience—if so, in what way?—I think in the way I have explained; you would have very often bad engineers sheltering themselves behind the Civil Officers.

44589. He does not do that with reference to Local Board works?—I have had very little experience of Local Board works; in Burma we practically did everything ourselves; it is only where there were large District Boards where they may have had a separate engineer. Where the works were very small they were carried out in the usual way, and the Collector was probably only too glad to take the advice of the engineer as to how they should be carried out.

44590. You have not had much experience of a district in India proper where large work is carried on in the other way?—No.

44591. Then with regard to irrigation work which stands on an entirely different footing, you think that the management should be entirely in the hands of the engineer—that everything should be in his hands except the collection of revenue?—Yes.

44592. Why should he not have also the collection of revenue?—It is more convenient that the revenue should be paid into the treasuries which are under the Civil Officers.

44593. In either case it would go into the treasury; but why should it be specially convenient to hand over the work of collection to the Collector and not the work of assessment?—Because once his assessment work is finished really his whole work, as a Canal Officer, is practically done.

44594. You say that the management of the irrigation tract should remain practically with the engineer; why should he not do the whole of the work?—You can put collection under the engineer if you like but I do not see any advantage in making a change; it is no part of his work; it has no connection with his work as a Canal Officer, and it is now done by the Civil Officers very conveniently.

44595. The management of the irrigation of a tract of land is not merely a mechanical arrangement for the conveyance of water on to the land; do not the habits of the people, the quality of the soil, and a number of other considerations enter into the matter?—Yes.

44596. It is also a fact that the District Officer makes a special study of the people?—Yes.

44597. Just as the engineer makes a special study of the engineering part of the work?—The engineer in charge of a running canal has many other matters to think of besides engineering pure

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and simple. He is constantly in touch with the cultivators and their irrigation needs, and he is an expert on questions of soil and crops.

44598. You think the Canal Officer fills the part of both?—As a Canal Officer on a running canal he is daily in touch with the people and with all their wants in the matter of water for irrigation.

44599. Is he as conversant with land tenures, the quality of the soil, the customs of the people, and their general requirements, as the District Officer himself?—Every good Canal Officer will know a great deal about land tenures; he will certainly be fully acquainted with questions of soil, and he will know as much about the customs of the people as is necessary for his duties. In all questions connected with irrigation he is more in touch with the cultivators than any other officer, and no other officer can do the work equally well.

44600. Then it is on that assumption that you think he should have the sole management?—That is only one point, there are many others.

44601. But that is the assumption you make, and it is upon that assumption that you make the recommendation?—That is not the only reason; I can enter into others if required.

44602. You do not think the ideal plan would be to bring both sets of officers into the arrangement on the ground that each would contribute a certain amount of information and knowledge?—I think they both do come in as it is now, in a way; the Canal Officer should be made responsible, but the Civil Officer does come in. If he is the Deputy Commissioner he is the Head of the district, and he can always criticise and call for reports and information and anything else that he wants supplied to him, and if there is anything wrong he can bring it to notice.

44603. (Sir Steynning Edgerley.) Suppose the work of collection were given over to the Irrigation Officer, would it not simplify the work of remissions greatly; would not the necessity for remission be attributable to the failure of water on a major work, or the excess of water from flooding, or something that was entirely within the ken of the Irrigation Officer?—He already does the remission work by means of statements subsequent to the demand statements.

44604. Does he do that at present?—Yes.

44605. In the Punjab?—Yes, if he gives any remissions after the demand statements have gone in.

44606. Does the Executive Engineer settle the remissions to be made?—Yes, owing to inaccuracy of measurement or for any special reason; there are certain forms which are sent to the Deputy Commissioner exhibiting alterations in the demands.

44607. So that when referring to the whole work of distribution and assessment you really include the recommending of any remission of revenue that may be due?—Yes.

44608. You say, "I think, however, there would be no objection to leaving it entirely to Local Governments to decide the classification of works coming under the head '43,' provided the expenditure is entirely provincial." Is not No. 43 a shared head in a good many provinces, so that it could never be wholly provincial in those provinces?—It is in Bombay a shared head. In Bengal, in the Central Provinces, in Eastern Bengal and Assam, in Burma, in the United Provinces, and in Madras, No. 43 is entirely provincial; therefore, as a Local Government can sanction up to 10 lakhs, they could practically have full powers and classification. Bombay is half and half; the Punjab is entirely imperial.

44609. In Bombay your suggestion would take away the powers altogether?—No, in Bombay I should suggest that they might classify in any way they pleased within the powers of sanction of the Local Government; that would be two lakhs.

44610. In answer to the Chairman, you agreed that the rupee has gone down; and that rates of wages and so forth have gone up; in getting back even to the original figure of powers of sanction of the Local Governments, you would have to add

something on account of the rise in rates of wages, which in some provinces is as much as 33 per cent. or even 50 per cent.—I made the suggestion that it might be 15 lakhs instead of 10. Ten lakhs is a large figure, but there are many considerations why it should be larger now, and I see no objection to raising it to 15 lakhs.

44611. If it went as high as 15 lakhs you would see no great objection?—No, I think not.

44612. We were told in the North-West Frontier Province that their Chief Engineer had power up to Rs. 25,000 himself, while the Local Administration had power only up to Rs. 20,000. I suppose the North-West Frontier Province is on the same footing as Coorg, and Hyderabad, and Rajputana and Central India. So that you have the anomaly there that the Chief Engineer, *quâ* a Military Works Officer, has higher powers than the Local Administration on the civil side. In one capacity he is able to sanction up to Rs. 25,000 on the military side, and on the civil side as Secretary he can only deal with estimates up to Rs. 20,000. Is there any reason why these Governments should not have power up to the same figure, for instance, as the Director-General of Military Works, namely, Rs. 50,000?—I shall have to enquire into the facts about the North-West Frontier Province in order to reply to this question. With reference to the final question, are Imperial Works meant?

44613. Yes. You propose to raise the Central Provinces and the other administrations but you have not included the North-West Frontier Province or Baluchistan; I take it that they are the same as Coorg and Hyderabad?—Coorg of course is very small; it only has an Executive Engineer there.

44614. But in places where they have a Superintending Engineer?—In the North-West Frontier Province I do not see why it should not be raised.

44615. Or Baluchistan?—Or Baluchistan.

44616. I suppose the Superintendent of Port Blair might go up to whatever figure is ultimately fixed for Executive Engineers?—He can go beyond it. I do not know what will eventually be the outcome of the reference to Local Governments about the powers of Executive Engineers; at present Executive Engineers only sanction up to Rs. 500; the Superintending Engineer has powers of sanction up to Rs. 5,000.

44617. Would you see any objection to his going up further?—Port Blair has lately been given an Executive Engineer for the first time; previous to that it only had a subordinate; he was the sole Public Works Officer to advise and execute works. One would like really to attach it to a province like Burma, and then the powers as regards Public Works would be those of the Burma Government.

44618. Does your answer to the question whether it is necessary, in some cases, to obtain the sanction of the Government of India to enter into contracts, as apart from the sanction to estimates apply to imperial as well as to provincial works?—Certainly.

44619. What is the special restriction on the North-West Frontier Province about metalling roads?—The restriction is that they cannot sanction the metalling of a *kaccha* road without reference to Government.

44620. (Chairman.) Have you any idea of the reason why?—I believe on account of military considerations.

44621. (Sir Steynning Edgerley.) Do you get many references from the North-West Frontier Province?—Comparatively few.

44622. You say you have to keep a certain amount of appointment work of Upper Subordinates in your own hands because of these Roorki vacancies; is it not possible to apportion these out to the provinces, and let them arrange direct with Roorki?—There is no objection to that.

44623. If the Local Governments could do it direct, would it not save trouble? They send in an intimation of their vacancies, and the Principal

at Roorki sends in his list; why should you not let them settle it direct with Roorki?—It is a matter of small importance; as a matter of fact the Local Governments do select the men, and we only write posting them.

44624. You have given us, in criticism of the different proposals of provincial Governments regarding the relaxation of existing restrictions on their powers, a number of proposals, and there are a large number of similar proposals which are under the consideration of the Finance Department and others. Would you be quite content with any general decision that may be come to as to these financial provisions?—Yes.

44625. As regards your schedule of reports you are perhaps rather tied up by the requirements of the Secretary of State?—I did not go into that any further; when it was a Secretary of State's order I took that as absolute, and did not consider whether it was necessary or not.

44626. For instance, is the monthly statement of allotment from postal and telegraph minor works reserves a necessary return?—The reason why we want that is that we give a lump sum at the beginning of the year to the post office and telegraphs, and then the Head of the Postal Department and the Head of the Telegraph Department distribute it and give us the distributions by provinces from their reserves; we take these figures and add them on to the money that the provinces have to spend; we give that money out to them; it comes then into their budget.

44627. Why do you want the return monthly; would not once a year do?—They have a large reserve at the beginning of the year, and they give it out gradually. We want to know what the Local Governments have to spend; when we have given it out to a Local Government it comes in the imperial civil works grant to Local Governments.

44628. When it is once put into their budget why do you want to have monthly information about it?—It is not a question of the budget but of grants for particular works allotted during the year. These allotments are made by the Post Office and Telegraphs as each estimate is sanctioned by them, and a consolidated monthly return is submitted by them to the Government of India for information. This monthly return is necessary to reconcile the Post and Telegraph figures of allotment with the monthly statement submitted by Examiners to the Accountant-General, Public Works Department.

44629. But why should not one return do for the year; why should you have monthly returns all through the year?—For the first six months of the year there would be no objection to quarterly statements, but after the 1st October they should be monthly in order to meet variations of the budget grants.

44630. Does it give a certain amount of trouble to send up this return every month?—I think not. The return is a very small one and gives very little trouble.

44631. But really all you afterwards want to know is what is going to lapse?—We want to know what is given to any province; we want to know what they stand at for their imperial civil works.

44632. You want to know what the province is going to have and what is going to lapse?—Yes, we are watching their expenditure.

44633. So that a monthly return is hardly necessary; you do not apparently ask for it regarding any other imperial expenditure that is undertaken by the province?—Other imperial expenditure is on a different footing, grants are allotted direct to Local Governments, here the allotments for Post and Telegraph Minor Works are given to the Director-General for distribution.

44634. You say that the promotion roll of Executive and Assistant Engineers will be done away with if the re-organisation scheme is accepted; has not that scheme been sanctioned?—Yes.

† Vide Appendix IIc.

44635. Is the return of the expenditure on stores of any use? I know that it is forced on you by the requirements of the Secretary of State, but what is your personal opinion about it?—That is in connection with purchasing in the country instead of indenting on the India Office; it is to give them full information on that matter. It is dealt with by the Commerce and Industry Department; they are the Administrative Department for that; we only supply the information.

44636. (Chairman.) But so far as Public Works goes, does it serve any useful purpose?—No; it is only a check for the India Office as to what we buy in the country instead of buying from them, to conform with their rules.

44637. (Sir Steynning Edgerley.) If you wish to see the Local Government deal with the case of Upper Subordinates, why should you require any longer the submission of the roll of Upper Subordinates recommended for promotion to the provincial engineer establishment? Why should you not let the Local Government simply recommend you one name instead of sending up several?—We have three vacancies to fill, and it has happened that some Local Governments have made no recommendations. It is possible that two men might be taken from one province.

44638. Might not the return of works done to Government vessels by private firms go direct to the Military Supply (Marine) Department instead of going through you?—I don't think there would be any objection to this.

44639. As to the abstract estimate of the value of stores likely to be required from England in the Buildings and Roads, Irrigation and Telegraph Departments; we were told in the North-West Frontier Provinces that that return is submitted in August, preceding the year beginning in the following April and that it is really a pure guess, and hardly worth the paper it is written on; would you agree?—That is one of the difficulties of the whole system of estimates at Home. It is certainly very difficult to make it accurate, but Local Governments endeavour to give as correct information as possible.

44640. Is it probably so inaccurate as not to be of much use?—I would refer to Public Works Code, Volume II., Appendix 30, paragraph 22, and subsequent paragraphs. Whether accurate or inaccurate, the statements are required to facilitate the preparation of estimates of expenditure on stores in England by the India Office.

44641. Then the estimates of income tax recoveries and exchange compensation allowance; are they necessary?—That is purely for the Finance Department; we send these on under their directions.

44642. Then the capital and revenue accounts of Government residential buildings, and the promotion recommendation rolls of superior Accounts Officers?—As long as the Government of India control the amount of money spent on these buildings the former is necessary. And the latter is required as the Government of India regulate the promotions of superior Accounts Officers.

44643. If that control were handed over to the Local Government, the former would vanish?—If the Local Government had full power it would vanish.

44644. And if the Accountant-General or the Examiner dealt with the promotion of Accounts Officers, the latter also would vanish?—You mean, if there were no Accountant-General to the Government of India?

44645. No, there is a suggestion that Local Governments should be relieved of work in connection with the promotion of Accounts Officers. But this is a question of the superior Accounts Officers, whose promotion is in the hands of the Government of India under the advice of the Accountant-General, Public Works Department.

44646. It comes from the Local Governments?—Yes.

44647. What are the officers?—The Examiners, Deputy Examiners, and Assistants.

44648. Do the Local Government have anything to do with recommendations of promotion in the

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case of officers of that sort?—Yes; it all comes up; the Chief Engineer and Secretary would write his remarks, and the Lieutenant-Governor would endorse it or otherwise.

44649. Is that quite a sound system?—Suppose you want an absolutely independent audit; if the Examiner has to be troublesome there might be a question of the Local Government saying: "This man is rather a nuisance" ?—It should be understood that the Examiner exercises two functions—(1) as Financial Assistant in Public Works matters to the Local Government, and (2) as independent auditor on behalf of the Government of India. It would be in the former capacity that Examiners would be useful or otherwise to Local Governments, and the recommendations would be based on this side of his work. On the other side of his work the Accountant-General would be the judge.

44650. Should not the whole of such work remain in the Accounts Department?—Under the present system the Government of India control promotions, and that system should remain.

44651. Take the half-yearly list of Chief and Superintending Engineers granted extensions of service after 55 years of age; is there any use for that except that it is an order?—This is experimental; it is only now for the first time that a few extensions are being given, and the Secretary of State has asked us to report every half-year for his information to show what we do give; in fact I do not think one report has got home yet.

44652. Is the annual statement of temporary appointments in the Public Works Department over Rs. 500 per mensem something of the same sort?—The Secretary of State has ordered that.

44653. Apart from the fact that it has been ordered, do you think it is necessary to have it?—This is matter entirely for the Secretary of State.

44654. You cannot suggest any actual purpose, except information, that it is useful for?—No.

44655. As to the annual return of expenditure on stores, and the abstract estimate of stores likely to be indented for from England, except that they are ordered by the Secretary of State, do you see any particular service in them?—Both these returns are required by the Secretary of State; regarding the latter I have already explained why it is necessary. The former enables the Secretary of State to see what stores are purchased in India.

44656. (Mr. Meyer.) Ought not an Accounts Officer to be entirely independent of those whose accounts he has to audit?—No doubt.

44657. You spoke of the Chief Engineer dealing with his Examiners; do you think the Examiners are officers of an independent department, meant to be independent of the Chief Engineer, and not to be under his orders, or do you think that the Chief Engineer should control the Examiners?—I think the Examiner can be most valuable and useful to a Chief Engineer in the first function of his duties I have already referred to; as an auditor he should be, and is, altogether independent.

44658. If you want an outside opinion as to the value of an Examiner, why not ask the Civil Accountant-General; they do a good deal of work together?—I do not think they are very much in contact, in fact very little as a rule; their work is entirely separate; one is civil accounts auditing, the other Public Works accounts auditing.

44659. Is it right that the future prospects of an Examiner should be possibly at the mercy of an unfavourable report by an officer whom he may have thought it his duty to check in his audit?—There may sometimes, of course, be abuses in that way, but they are rare. Examiners are liable to transfer all over India; they are not under one Local Government, and a man who has been getting favourable reports throughout his career would hardly be damned by one unfavourable report.

44660. With regard to these returns that you have been speaking of as being unnecessary?—That is only my own opinion.

44661. Are you going to put your views before the Government of India?—I am quite prepared to do so.

44662. Or are you going to wait until this Commission has reported?—I will place my proposals before the Government of India.

44663. And move in the matter with a view to getting these unnecessary returns abolished?—Yes.

44664. Certain returns with regard to income-tax and exchange compensation and so on were required, you said, by the Finance Department; have you made any recent enquiries of the Finance Department as to whether they are still necessary?—No, I can do so if it is thought necessary; but it is rather a matter for the department that requires these returns.

44665. Surely it is for the department that submits the return and yet thinks it unnecessary?—I do not say that these returns are unnecessary; I merely say that we are asked for them by the Finance Department and we submit them.

44666. They may have been prescribed a long time back, under conditions which do not now exist. Anyhow, I suggest that you might ascertain from the Finance Department whether they still require them?—I can do that.

44667. As regards imperial works carried out by Local Governments, is not administrative sanction required besides the professional sanction?—Yes.

44668. How far does that administrative sanction go down? You say, for instance, that the Governments of Madras and Bombay can sanction an imperial work up to 2 lakhs, exclusive of establishment charges; that is, assuming the work to be in the budget?—Yes; that is their actual power of sanctioning an estimate.

44669. That is what one may call professional sanction?—Yes.

44670. There is also the administrative sanction, that is, the decision as to whether a thing is necessary or not?—Yes.

44671. Does that not come up to the Government of India a good deal?—Yes.

44672. What is the limit?—See Public Works Code I., paragraph 771a, which gives the limits up to which Heads of Departments or other local authorities can approve. Above those limits the Government of India would deal. The sort of works concerned would be quarters for a new post office, or a new telegraph office.

44673. The local Telegraph Officer or the local Postmaster-General would move the Local Government to include this new office in their imperial Public Works budget?—He would probably send it up to the Director-General of Post Offices or the Director-General of Telegraphs, who would give, or get, the administrative sanction, and then the Local Government would professionally sanction and deal with it entirely subject to their powers.

44674. The administrative sanction is necessarily pretty close?—Yes.

44675. You tell us you see no objection to the powers of Local Governments in regard to provincial works—this professional sanction as we may call it—going up to 10 or 15 lakhs. On the same analogy, might not the powers of the Madras and Bombay Governments in respect of imperial works go up from 2 lakhs to 3?—This might be done; but I do not think Local Governments are very much interested in obtaining higher powers of sanction for imperial works.

44676. The Government of Bombay went so far as to suggest that they should run up to 10 lakhs for their imperial works?—That is new to me; I think the powers I suggested are sufficient.

44677. Suppose a Local Government wanted an increase of powers under imperial, would you on the analogy I have put, let the Madras and Bombay Governments go up to three lakhs?—I see no great objection, but Madras and Bombay might have the same powers as other Local Governments which are as well off for professional advice.

44678. You have said yourself that Lieutenant-Governor provinces might have the same power as Madras and Bombay; perhaps the Central Provinces might also go up beyond the lakh and a half you proposed?—The figure I have put down is quite arbitrary; it is purely a suggestion.

44679. Then allowing for administrative sanction being acquired, if a Superintending Engineer is, according to your proposals in another connection, to be allowed to pass works up to a lakh in provincial matters, might not an officer of his standing do the same in regard to imperial works in the North-West Frontier Province or elsewhere?—My idea is that in imperial matters, where the provincial Governments have not their own money to spend, we should exercise rather more close supervision; they might be less concerned about being economical with imperial money than with their own.

44680. But that comes under the budget and administrative control; this is merely the professional sanction; the Local Government is dependent on its chief Public Works Officer, who is in most cases the Superintending Engineer?—But the Government of India also have their engineer who can advise them further if there is extravagance.

44681. What would you put the limit at for the Superintending Engineer?—I have not gone much into imperial works; I thought I would wait until we had all the replies of the Local Governments.

44682. In Baluchistan and the North-West Frontier Province civil works are carried out by the Military Works Services who charge the Civil Department accordingly. Might it be cheaper to have a separate civil works agency as in other provinces?—The present arrangement is cheaper.

44683. It was put by an officer of some experience in Baluchistan that they could manage things more cheaply themselves than by paying a commission to the military?—I think it stands to reason that if you have two men going over the same ground it is dearer, as a rule.

44684. One has always heard that the Military Works Department builds rather more for eternity than for time, that they work much more solidly and expensively than other departments; do you hold that view?—I think there may be some truth in it.

44685. You have not thought over the matter really?—No, but I do not see any objection to the present system; it ought to be the most economical one.

44686. Do you really think that a reference to the Government of India Architect is necessary in the case of every building over Rs. 50,000?—I think it is important where the Local Government has not any architect, if the architecture of the country is to be improved; it was largely for that purpose that the appointment of the Consulting Architect was made.

44687. Is the Government of India capable of getting a man who knows so much about architecture in all parts of India that every small building (because you cannot do much under £3,300) should come up to him?—My experience is that the Consulting Architect has effected great improvements on designs which have come up from Local Governments where they had no architect; the Public Works Engineers are not architects.

44688. Do you mean ordinary offices and houses, or something really big like a High Court?—Hitherto it has been usual only to send up important designs to him, but even in comparatively small buildings the architect has given most valuable advice. I may mention a case in Madras, a case of a residential building; I consulted the Consulting Architect, and we obtained the same accommodation for much less money; the Local Government accepted the suggestions, and admitted that the advice was valuable.

44689. But Madras is precisely one of those provinces which have architects of their own?—But for those small matters the Public Works Officer did not appear to consult the architect of Madras.

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44690. Therefore, because of his omission to consult the architect of his own province, it had to go up to the Government of India architect?—It did not go up to the Government of India for that reason, but Governments with architects would be wise to consult them more freely.

44691. If you think the imperial architect can be of so much use, is it necessary to have separate architects in the provinces?—Yes, otherwise there would be too much work in our office.

44692. But is it necessary when everything comes up to another man?—Everything does not come up, only buildings costing more than Rs. 50,000 when a Local Government has no architect.

44693. (Chairman.) Do you think that in a place the size of the Continent of Europe every domestic building costing more than £3,300 ought to go up to a central architect?—We have been very badly off for architecture in this country, and many atrocities have been perpetrated. Perhaps after a time these things might be done by the Local Governments, and the Government of India Architect would then advise only in important things; the Local Governments are more and more getting their own architects. Bombay had the very man who is now Consulting Architect to the Government of India.

44694. Do you think in principle that a domestic building costing less than £1,000 ought to go up to a central officer in a country the size of Europe?—Not if there was an architect on the spot; we want some Public Works men trained as architects; then it would not be necessary to have so many designs sent up to the Government of India architect.

44695. (Mr. Meyer.) You think that eventually both will be necessary—an imperial architect and a provincial architect?—Some of the minor administrations will never have a man, and the Consulting Architect would always be wanted to advise in important building schemes.

44696. But when they get local architects, the imperial architect should be confined to big buildings and matters in which the Government of India are more especially interested?—Exactly.

44697. With regard to the house-rent rules, your proposed check is that you should be able to increase an officer's rent. At present an officer cannot pay as rent more than a tenth of his salary; your proposal is to allow increased cost in building which on the quasi-commercial principles you adopt would run up to 12 per cent., but you also say, let the rent be enhanced to that same limit?—Yes.

44698. Does not an engineer occasionally go to needless extravagance or make a wrong design which adds to the capital cost of building when he is building a house for an official?—Yes it may happen.

44699. In that case would it be fair that the unfortunate occupant of the house should be mulcted because the engineer had gone wrong or had made mistakes?—But what else are you to do?

44700. Might you not maintain the present 10 per cent. limit on salary, but at the same time allow the Local Government to build a house, the quasi-commercial rent of which would run up to (say) 12½ per cent. of salary, leaving 2½ per cent. margin as the power of sanctioning a concession in the hands of the Local Government?—You mean to let him off up to 2½ per cent.? As I say these relaxations may be given to any extent, or you may give full powers to Local Governments. It is quite possible that any one individual house might be built at a higher cost than was necessary; that is to say, it may have been extravagantly constructed, but the Local Government has the power to lump every house in the province together and re-appportion the rents.

44701. But they do not as a matter of fact do that?—As a Superintending Engineer I used to do it in my own circle. You might have three or four houses of exactly the same design built in different places; in some places materials might be dearer than in others, and then the rent for one house comes to less than the rent for another,

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although the houses were exactly the same; I would certainly lump them together, and fix the same rent for them all.

44702. That would smooth out things to a certain extent?—Yes; one solitary house might be extravagantly constructed, but the effect would be minimised if it was spread over several hundred houses.

44703. Does that lumping rule apply to the original sanction?—It does not apply in actual practice, but it might in some cases be done, provided, as in Burma, the total return is not less than 3½ per cent.

44704. (Sir Steyning Edgerley.) Did you say that every province except Burma earns a little more than 3½ per cent.?—No, Burma gives the best return, but at the present time Madras and Bombay are also earning a little over the 3½ per cent.

44705. (Mr. Meyer.) If you could go up to 12½ per cent. instead of 10 per cent. you would get rid of a good many more references?—Yes. I have very rarely had a Government residence, and I have never paid as low as 10 per cent. of my salary in the open market for any house I have leased; I think 12½ per cent. would be no hardship.

44706. You propose to do away entirely with the restriction that now exists on Government Houses; you would allow a Local Government to construct a Government House without getting sanction up to 10 lakhs, which is the present limit for ordinary works, or possibly 15 if the new rules were imposed?—There again it is a personal matter, open to some disadvantages, but I see no great objection to letting the Local Governments sanction with the check of public criticism if they are extravagant.

44707. Here in the Government of India the Viceroy cannot sanction such alterations or extensions of Government Houses on his own authority; he has to get the concurrence of the Public Works and Finance Members?—Yes.

44708. In the same way, in Madras and Bombay the Governor would have to get the consent of one at least of his colleagues?—Yes.

44709. In other provinces you would get a single authority, the Lieutenant-Governor who has not any such check; is that not a possible objection?—It is an objection, but I see no other alternative but to keep to present procedure.

44710. It has been suggested that that might be remedied by requiring the assent of a small Committee, a Judge of the local High Court and one or two other people of that class, who might be able to send up to the Lieutenant-Governor and say, "We do not think that all this expenditure is required"; would that work?—No, I do not think it would work at all; you must either have the restriction as at present or let abuses cure themselves.

44711. (Chairman.) You told us just now that you really did not know very much about certain returns; that the Finance Department had called for them, and that was sufficient for you. Is it considered in a Department of the Government of India that it is sufficient for the Finance Department, or any other department for that matter, to call for a report upon a subject, and that the department which is asked to furnish the information must at once do so, without considering the necessity for the information demanded?—If the department called upon saw any reason to object to the labour and trouble which it would give them, they would make the objection, but I have never known of such a case.

44712. You have never known of the case of a department which is asked for a return questioning its utility?—As a matter of fact no new return has been instituted in my time, so that it has never arisen.

44713. Are the proceedings of your office printed?—Yes.

44714. The manuscript proceedings are destroyed and a sort of précis is made from them, which is printed?—The whole thing is printed, unless it is an unimportant file which is specially noted not to be printed.

44715. In these imperial works the Government of Bengal's powers are limited, so far as imperial expenditure is concerned to a total of practically £4,000. Does that total bear any proper relation to the responsibilities in other matters which are cast on the Governments of Bengal, the United Provinces, the Punjab, and others?—The only idea was that in provincial matters they would look after themselves, whereas in imperial matters they would not have the same interest.

44716. Do you really think that that sum bears any proper relation to the responsibilities which are cast upon them in other directions?—No; that is the only point in the matter—the Imperial Government have to exercise some check on imperial funds.

44717. With regard to the powers of Superintending Engineers, at the present moment the Local Governments have not delegated as much power to them as they could do?—That is so.

44718. In these cases the Local Government is generally the Secretary to the Public Works Department?—No; the Secretary would propose, but the Lieutenant-Governor would pass orders.

44719. But the probability is that where the proposal is made by the Secretary of the Public Works Department, the Lieutenant-Governor would on the whole agree with his technical adviser?—He might, or he might not.

44720. The distrust therefore has probably been largely inside the department?—I think that is very likely.

44721. As regards the creation of temporary appointments you say "Local Governments might be given full powers up to Rs. 1,000 a month." Would you put any limit on the number of these appointments?—No, I do not think so. But if it were noticed that the establishment charges were excessive, the Government of India might then draw attention to the fact.

44722. You would let them make as many as they liked?—Yes; subject to this check.

44723. As regards the suggestion that Commissioners might be given portions of the provincial Public Works budget in respect to roads, buildings and irrigation works to which they might give administrative sanction, you explain what the position of the Government of India is, but you do not tell us whether it would be desirable to allot to Commissioners the portions of the provincial Public Works budget referred to?—The system we had in Burma answered very well. There the Commissioners have a full say as to the demands, and the Local Government gives them as much as can be afforded. The Commissioners determine the preferential order of works in their divisions.

44724. The Local Government gave them a lump sum, and they spent it as they pleased?—Not exactly. On demands being received they have to be approved by the Lieutenant-Governor and allotments made.

44725. But, as I understand, the question is whether the Commissioner should be given a lump sum and the work not come up to the Local Government at all?—That is for the Lieutenant-Governor to judge. Personally I should prefer, if I were the Lieutenant-Governor, to adopt the Burma system.

44726. You would not break up the Public Works budget?—I am doubtful about the advisability, but it could be done if the Lieutenant-Governor wished to work that way.

44727. In Madras Mr. Bradley was asked "Do you think the Public Works Department have sufficient control over the major irrigation works for the ordinary requirements of the people," and his answer was "I think the control could be much improved." Have you anything to say on that point?—The question is imperfectly understood, and I am not well acquainted with the Madras system of management of irrigation works, but I understand that the distribution of water for irrigation is at present in the hands partly of the Civil and partly of the Canal Officers. This

being the case, the local Public Works Department cannot have sufficient control. The distribution should be in the hands of one or other set of officers, and I am strongly of opinion that responsibility for complete control should lie with the Canal Officers of the Public Works Department, who should be trained experts in work of this kind.

44728. In Mr. Ducane Smith's evidence he expressed the wish that the accounts portion of the Public Works Code should be so modified as to give the Examiner deputed to each province greater latitude in dealing with audit objections and minor irregularities?—I think the existing rules are sufficient. No greater latitude than the existing rules now need be given to an Audit Officer, who, from the nature of his duties, is bound to be guided by fixed rules laid down by the Secretary of State or the Government of India, and the power of dealing with objections which are not covered by such rules and raised in audit should rest with the Local Government or higher authority. In paragraph 1611 of Volume I. of the Public Works Code (8th edition) the Examiner is enjoined to exercise a discretionary latitude in auditing accounts. It is impossible to lay down any rules as to what such latitude is to be; it must rest with the individual Examiners concerned. The abolition of pies in Government accounts and the calculation of items even of income tax, salaries and travelling allowances to the nearest anna, would probably diminish the number of audit objections.

44729. The same witness suggested that the detail in the Public Works preliminary issue of estimates for provincial works should be omitted, and that a brief statement should be substituted showing the proposed outlay under the ordinary budget heads, repairs, establishment, tools and plant, and so on; what is your view as to that?—The six months estimates (due 25th October) and the 1st abstract revised and budget estimates (due 15th January) only show the totals against each head of revenue and expenditure and are accompanied with explanations of important variations; this has been found sufficient for our purposes. In the case of the preliminary revised and budget estimates (due 15th February) for provincial civil works it would be sufficient if the abstracts of revenue and expenditure (as prepared at present) were submitted without the details by works, etc., if so desired by Local Governments, but full and reasonable explanations of all important variations between the revised and budget estimate figures of current and succeeding years are necessary.

44730. (Mr. Hitchens.) Is there not a rule that the average pay of the Lower Subordinate Establishment shall not exceed Rs. 50 a month?—Yes; that is only the sub-overseers.

44731. Does that rule apply throughout the Service?—Yes.

44732. Have Madras and Bombay their own Public Works Code, or is there one general code for the whole of India?—There is one general code.

44733. Is it desirable that there should be one code for the whole of India?—I think it is better.

44734. You would not leave each province to make up its own code, subject to certain general rules laid down by the Government of India?—I think you had better leave it as it is.

44735. With regard to the dismantling of public buildings, is there any objection to allowing the Local Government to write off to any amount; you suggest that the limit should be raised from Rs. 1,000 to Rs. 5,000?—They can dismantle their own buildings; I was alluding there to imperial buildings.

44736. With regard to imperial buildings would there be any objection to giving them an unlimited power?—I do not think that is a point that they are very interested in; the number of imperial buildings is very small in the province, and they are not greatly interested in them; they are generally for the needs of an Imperial Department, which the Government of India have to look after and finance.

44737. Is anything gained by sending it up?—Yes, in the way I have previously explained.

44738. (Mr. Dutt.) On the matter of the construction of houses for Government officers. You say it is only asked that the rent should cover the interest on the capital outlay of 3½ per cent., plus the charge for maintenance. As a matter of fact the Government of India pays 3½ per cent. on the money which it has to borrow in the open market?—Yes, about that.

44739. So that, if they made it less than 3½ per cent. for officers' houses, the Government of India would actually ask less than what it has to pay when it borrows money?—Yes.

44740. Would that be fair to the taxpayer?—I think the 3½ per cent. is very reasonable.

44741. (Sir Steyning Edgerley.) Does not the fact of these buildings coming up to the Consulting Architect cause great delay?—No. If we have many large designs at the same time they may be delayed more or less, but in the matter of the small buildings there would be very little delay.

44742. In Dacca a high official told us that the delay that had occurred in getting these things through was such that they had had to pay a great deal more for the land, that rates had all gone up, and he thought that in the end any saving that the architect might effect would be a great deal more than balanced by the extra cost of construction, cost of sites, and so on?—If he is alluding to the residences, I do not think that is correct. They sent in their designs for residences, to which we took a good deal of exception; but when we wrote back and sent them suggestions, the reply was that the work had already been begun, and that the houses were nearly finished; they never waited for the Government of India orders on their application.

44743. You do not think that there is the risk of delay if you push everything through one small central office?—My experience is that the Consulting Architect works at a far greater pace than Public Works Officers, and that delay is avoided in employing him.

44744. Do you hold the opinion that it is a sound principle of administration to put power as low down as possible?—I would like to make the Superintending Engineer the Chief Engineer, so to speak, of his charge.

44745. That is, putting it down from the Local Government?—Yes.

44746. And giving higher powers to Executive Engineers, as high as you think you could give them?—Yes; but I would not increase the Executive Engineer's powers in the same proportion as I would increase those of the Superintending Engineer.

44747. I asked the question because some of your answers seem to imply that, if a thing is a little thing and not much trouble, there is not much harm in its coming up to a higher authority than is absolutely necessary for its disposal?—Only if there are other principles involved.

44748. Do you think that the question of houses should remain to some extent with the Government of India?—The question is so personal that it would be safer in the interests of economy, but with good advice from their professional advisers Local Governments ought to be able to manage.

44749. You think, however, that that will right itself gradually?—It might; taking an optimistic view, it ought to; especially if Local Governments would consult their Consulting Architects freely.

44750. As to the proposal that was put before you just now that Examiners might have power not to raise trifling objections, if they thought they were really trivial; is there not an objection of audit principle to allowing an Examiner any discretion of that sort?—Yes, he has to bring to notice any action which is against the orders of Government.

44751. And, if you give a discretion anywhere, the correct place to give it would rather be to the Local Government—to say, "Yes, it is quite true this is against the rule, but it is a very petty matter, and you are to pass it"?—Yes, it should be the Local Government and not the Audit Officer.

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44752. Dropping that suggestion suppose you gave power to the Local Government to say, "This is very petty, we are sure it would go through if we sent it up to the Government of India, so we order you to accept it."—The power could scarcely be given in that way.

44753. I am talking of cases where the Examiner cannot under the rules accept the orders of the Local Government; might not a great many of those cases be dealt with by giving the Local Government power to require the Examiner to accept them and putting such orders in a periodical return to you?—The Examiner as an independent auditor should be authorised to refer to higher authority if he considers necessary. Suppose it was an estimate under 10 lakhs of rupees, that the Local Government could sanction; the Local Government having sanctioned that estimate, they sanction another estimate as a separate work which the Examiner thinks is part of the same work, and he says "I demand that this be submitted to the Government of India because I think it is one work"; the Local Government cannot over-rule that unless you raise their sanctioning powers. It is merely a question whether the two works are one. That is one of the things that Examiners might refer, as they have referred, to the Government of India.

44754. You would hardly call that a minor irregularity; that would be a big thing?—Quite so; I do not quite know what the witness was alluding to.

44755. The idea I was trying to put before you is that the Local Government might dispose of a petty matter, while maintaining the Government of India control by a periodical return, on which the Government of India could say "You must not do this again," if they happened to differ?—I do not think that system would give less trouble.

44756. (Mr. Meyer.) An audit cannot really be efficient unless the Audit Officer is quite independent of the Local Government and cannot be over-riden by them?—That is so.

44757. Does that not hold in the case of the Government of India too; if an Examiner challenges an Act of the Government of India it has to go to the Secretary of State?—Yes.

44758. Suppose the case put to you by Sir Steyn- ing Edgerley, that the Local Government had some dispensing power; in order to maintain the audit control it would be necessary for the Examiner to agree that it was a case which did not transgress the spirit of the rule and need be referred to the Government of India for previous sanction?—Yes.

44759. If an Examiner did not agree, and thought that the matter really struck at the rule, or that the Local Government were getting so frequent in their petty exemptions that they were really eating away the rule, and demanded a reference, that reference ought to be made?—I do not think you could withdraw that power from them.

44760. Civil Accountants-General and Controllers of Military Accounts have the power not to trouble about little matters up to Rs. 10 if they consider that the irregularity is only technical, and up to Rs. 25 subject to reporting in periodical statements to the Government of India; have you not an analogous rule in the Public Works Department?—Yes.

44761. If a house is destroyed by an earthquake or a fire and had to be rebuilt, naturally any man of business would write off the previous capital expenditure that had been rendered nugatory by the earthquake or fire. Has the Local Government power to do that?—Yes, but report must be made to the Government of India.

44762. Has the Local Government any other power with regard to writing down capital charges, in the case of residential buildings?—No.

44763. As to these important proposals for decentralization in regard to the sanction of estimates which have been sent down to the Local Government, were they quite your own idea; they were not suggested by any Local Government?—No. The question of higher powers and responsibilities of Superintending Engineers was purely my own idea.

44764. You have suggested, generally speaking, in regard to provincial works, that a Superintending Engineer might go up to a lakh; would you allow the Executive Engineer to go up to Rs. 10,000?—He might, but I would work gradually as the staff of the department is improved.

44765. What is technically a new work may be merely a few sheds?—At present the Executive Engineer has only Rs. 500 powers, and it would be a jump to give him Rs. 10,000.

44766. The Chief Engineer has only got power up to Rs. 10,000 and not always that?—A Chief Engineer has only his powers in connection with his Local Government, see Public Works Code I-272.

44767. Your Rs. 10,000 plan would be made by the Executive Engineer?—The Executive Engineer would usually design, and in the case of a road it probably would not mean a mile of work.

44768. But let us say, a Rs. 10,000 house; the plan would be made out probably by the Executive Engineer; would he not be more careful if the responsibility fell upon him alone?—He probably would, but it would be safer not to extend powers too rapidly.

44769. A first grade Executive Engineer may have 20 years' service?—Yes.

44770. And he may have acted as Superintending Engineer occasionally?—Yes.

44771. Would that not make some difference?—But would you give it by grades?

44772. That is one solution.—Anyhow, I would not raise them too suddenly.

44773. Speaking generally, you are not quite satisfied with the efficiency of the department in the provinces?—No.

44774. You think in time we might, and ought to, get better men?—I think we shall get better men now that the pay has been improved.

44775. Has the change in the method of recruiting had anything to do with it?—No. I am speaking quite apart from that; if you had had better pay you would have had better men coming in, either from the open market or from Coopers Hill, attracted by the higher pay and the prospects.

44776. You sent up proposals to the Secretary of State some little time ago about improving the pay of the department?—Yes, and those came back sanctioned.

44777. Entirely?—No; the Secretary of State has cut down the pay lower than we proposed.

44778. Does not that happen every now and then?—This is the first big establishment proposal sent up in my time.

44779. We have had a great many complaints of the Government of India cutting down proposals; but it is not the provinces only who suffer; the Government of India itself has its proposals cut down by the Secretary of State?—In this case we proposed a higher scale than that of the Forest Department; I think Engineers should certainly be paid more than Forest Officers; the Secretary of State cut down the scale to what he sanctioned for the Forest Department.

44780. When was that?—About 1½ years ago.

44781. With regard to the Upper and Lower Subordinate Establishments; would it not be sufficient to be content with the ordinary financial restrictions; apart from those, is it necessary to have any restriction on the Local Government?—I have said before that it is better to have one scale of pay throughout India.

44782. In Eastern Bengal a Public Works Officer assured us that the Government of India not merely fixed the scale for subordinate establishment but fixed the scale for clerks in each Engineer's Office, and that they could not be altered without reference to the Government of India; is that so?—The Public Works Officer was quite wrong. The Local Government could make any alterations in the pay of clerks, subject to the ordinary financial restrictions.

44783. Is there not a system of carrying out minor works by departmental agency? Works

under a certain figure, repairs to buildings, and so on, required by the Police Department, or by the Salt Department, can be done by their own agency and not by the Public Works Department?—Yes.

44784. The general limit is Rs. 2,500?—Yes.

44785. It is Rs. 1,000 only in respect of the police?—It has been raised to Rs. 2,500 recently for police.

44786. It was raised to Rs. 2,500 in most departments about two years ago?—Yes, in all departments.

44787. Would you be in favour of raising it any more?—I do not think so. The Public Works Department ought to be able to carry out works better and more cheaply than an amateur department. It is only for convenience that very small works might be dealt with by them.

44788. As regards the revision of the Public Works Code; I gather that you think it would be a very excellent thing, but you are so short-handed that you cannot do it?—Yes.

44789. But suppose you employed two or three competent officers to do it, and it occupied them several months, would not the saving to all the officers in the department be so great as to justify that expenditure of time and money?—No. The Code as recently published, its 9th Edition, is not so defective that it is desirable to detach officers for the work at the present time. The work might take 18 months.

44790. But if it took even that time, would it not be labour well spent?—Possibly, but we are too short-handed to contemplate it.

44791. In regard to protective works as you say, the amount of money the Government of India have available is limited and has to be distributed all over India, and very often a province has what it considers a promising protective work, but cannot get it into the programme. Supposing such a province had a large cash balance, would there be any objection to their executing the work as an ordinary public work out of revenues?—If a Local Government wanted to carry out a work of a protective nature as a minor work, which it could sanction, there would be no possible objection.

44792. Could they do it?—Yes, provided the expenditure did not exceed 10 lakhs, except in Bombay where Head 43 is a divided head, and in the Punjab, where it is imperial.

44793. They could do it under "43" and you would not ask any questions?—No.

44794. And you would be quite glad if they did, because there would be less demand on your limited resources for protective works?—Yes, it is not only that our protective works sum is very limited, but it is subject to the caprice of famine, because, if it is all required for famine, we have nothing.

44795. (Chairman.) Did the Secretary of State when he reduced the suggested pay also reduce the numbers, or did he leave you your numbers?—He demurred to increase in the numbers of Imperial men on the ground that there might possibly be reductions in the railway establishment.

44796. He only reduced the pay?—The pay and numbers of Imperial Officers.

44797. Why should there be a uniform set of rules laid down by the Government of India with regard to the designs of engineering works? Do not varying conditions in different provinces require more elasticity?—The reference is apparently to the evidence of Mr. Clerk. I find myself unable to understand what he means. He first alluded to "rules regarding the designs of engineering works," and then corrected himself and substituted the words "principles of design." I can scarcely believe that he intended that the same principles of design should not be followed in different parts of India. The latest accepted, the most correct, principles of design should, generally speaking, be followed all over the world. Designs will vary in matters of detail in accordance with the special conditions of climate, labour, and materials available in any locality; but principles are principles, and do not vary. If he refers to rules, the Public

Works Department Code only deals with the manner of preparing irrigation projects. I refer to the rules in Volume I. of the Code, paragraphs 862-891. These rules were framed to meet a special need, and they are in no way obstructive. They do not affect the originality of design, but are merely a guide to the preparation of a project in the proper sequence. The necessary data for such projects are indicated, the plans required are specified as well as the scales and notation which should be adopted to make them readily intelligible. The rules are in this way very helpful, especially to those who have not had great experience in the preparation of irrigation projects. Mr. Clerk has not specified any rulings to which he takes exception, and I do not know of any cases in which the Madras Government have suggested that greater latitude should be given to local officers to settle details. In the case of the Appapuram project, the Chief Engineer, Mr. C. A. Smith, commented on the delay caused by the criticisms of the Inspector-General of Irrigation, but the Government of India found, after examination, that these criticisms were justified, and that the project had been greatly improved in consequence of them. It is possible that Mr. Clerk may be referring to similar suggestions for improvement in designs conveyed by the Inspector-General of Irrigation in his inspection notes or special notes on any particular project, but such suggestions cannot be said to be rules laid down by the Government of India. The Inspector-General is a very experienced officer, he has the advantage of inspecting works all over India, and of seeing the designs which best fulfil their requirements, and his advice should be very valuable to local officers.

44798. As regards the increased delegation of powers which the Government of India suggested in their letter to provincial Governments, would an increase of sanction to a lakh (as proposed by the Government of India) necessitate an increase in the status of draftsmen, &c., and entail much greater expense from provincial funds?—I cannot see that the grant of increased powers to Superintending Engineers as proposed by the Government of India would lead to any increase in the status of office draftsmen, or would entail greater expense from provincial funds. The fact that the Superintending Engineer possessed higher powers of sanction, which would relieve him of the necessity of referring to the Public Works Secretary, would not mean any extra work for him or his office. He would in any case have to spend the same time on the project, which he could not sanction, in order to justify his recommendation for sanction by higher authority.

44799. At present there are Government of India rules which prevent a Local Government promoting a Lower Subordinate to fill a vacancy in the Upper Subordinate ranks of the Engineering Service, e.g., the Local Government cannot promote a sub-overseer (i.e., Lower Subordinate) to be overseer, supervisor or sub-engineer (i.e., Upper Subordinate). Would it be possible to give full power of appointment in these grades subject to an engineering diploma?—What Mr. Lees, the witness in question, refers to is the past practice. We have, however, recently removed the restrictions complained of. The Burma Government has now full power to promote a Lower, or a temporary, Subordinate to any of the three grades of overseer. They cannot appoint any one straight away above the rank of overseer, but as they make all promotions in the subordinate grades, they practically possess the full power for which the witness asks. We have given the same powers to all Local Governments, with the reservation that Local Governments who draw recruits from Roorkee College, viz., the Punjab, United Provinces and the Central Provinces, must not fill up the vacancies in their cadres until the Roorkee students, who have gained the guaranteed appointments, have been provided for. This reservation is necessary as we guarantee nine appointments of overseer each year to Roorkee College, and for these men appointments must be found.

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44800**. Having obtained a contract for two sections, the Burma Port Commissioners asked to be allowed to accept a very favourable offer for the third section of a work, which was said to be urgently required owing to the insufficiency of wharfage. They applied on the 18th January, 1904, to the Government of India for sanction (the cost being £60,000), but the Government of India replied that until arrangements for financing the whole scheme were completed sanction could not be given. Each section was a separate work, and this ruling is said to have delayed the third section a year. Was the delay necessary?—Mr. Buchanan's statement is misleading. Port works aggregating about 40 lakhs of rupees in cost had been sanctioned against a loan of 40 lakhs authorized by the Government of India. Later the Port Commissioners asked for sanction to an estimate amounting to about 11 lakhs of rupees for the extension of a certain wharf, a work which was not included in the scheme to be met from the 40 lakhs loan. In their application the Port Commissioners did not say how it was proposed to meet this additional expenditure, and the Government of India could not see their way to sanctioning it without knowing how the Commissioners proposed to provide the funds. They therefore declined to agree to the work being commenced until the complete project had been approved, and provision made for the whole capital outlay. On resubmission by the Local Government with full information, the Government of India accorded sanction. The delay was unavoidable in consequence of the procedure adopted by the Port Commissioners, and was not due to any unnecessary interference on the part of the Government of India, who have to satisfy themselves that proper arrangements are made by local bodies for financing schemes involving heavy expenditure before they can consent to their execution.

44801**. Can you show in tabular form the powers of sanction of Local Governments and administrations, and of other Public Works authorities in respect of estimates and contracts?—I file a statement.†

44802**. Is it the case that, in consequence of the differentiation of powers of sanctioning estimates by Superintending Engineers between imperial and provincial works, and the necessity therefore of reference to the Government of India in the case of much smaller works than are referred to provincial Governments, the Secretary to the Government of India does himself go into these schemes of minor importance?—The imperial works referred to would be mainly buildings, and in the case of works for which the Government of India provide funds it is desirable that they should be advised by the Secretary to the Government of India in the Public Works Department, who does examine these schemes, and who has the advantage of the assistance of the Consulting Architect to the Government of India. In the case of irrigation projects there is a special officer employed, viz., the Inspector-General of Irrigation, for examining these projects in every detail.

44803**. Do all Engineers have the same individual powers in different provinces?—It is possible and quite probable that all Engineers have not the same individual powers in different provinces, because—

(i) In the case of Superintending Engineers the ordinary limit of sanction to works is Rs. 500, and the maximum limit up to which specially selected officers may be empowered to sanction works is Rs. 10,000; and

(ii) In the case of Executive Engineers the ordinary limit for all Executives and the maximum limit for specially selected officers are Rs. 200 and Rs. 500 respectively.

If there are differences in the powers of sanction, they would be due to Local Governments not giving the full maximum powers in all cases. I think, however, that the maximum should be given.

44804**. What are the powers of Superintending Engineers in respect of irrigation works—productive and protective?—Superintending Engineers may

sanction detailed estimates chargeable to the general estimate, and subsidiary works, of a project for a productive or protective scheme, which has been sanctioned by higher competent authority, up to a limit of Rs. 500; or, in the case of specially selected officers, up to Rs. 10,000, provided the cost is covered by lump sum sanctions in the project estimate.

44805**. Why has the Secretary, Public Works Department, North-West Frontier Province, higher powers than the Chief Commissioner of the province?—The position is as follows: The Chief Commissioner has been empowered by the Government of India to sanction estimates for public works, chargeable to Imperial Civil Works funds, up to a limit of Rs. 20,000, except when such works are connected with frontier defence, which all form part, so to speak, of one large undertaking, which necessarily requires the sanction of the Government of India. In his capacity of Commanding Royal Engineer of the North-West Frontier Province, Colonel Dickie, the Secretary, Public Works Department, has, I believe, the power to approve estimates for new authorized works chargeable to Military Works up to a limit of Rs. 25,000; and such approval carries with it no authority for expenditure, the rule in the Army Regulations being that no military works shall be commenced until sanction has been accorded and funds allotted by competent authority. As Secretary, Public Works Department, Colonel Dickie has no power in respect of estimates for works chargeable to Civil Works, except such power as may be delegated to him by the Chief Commissioner.

44806**. Why has the Government of India delayed the erection of suitable accommodation for Government offices and officers in Eastern Bengal?—In my reply to a somewhat similar question addressed to me by Sir Steynning Edgerley I quoted one case which came to my mind at the time. I have since looked up the papers in my office, and give below a history of the several cases relating to quarters and office buildings at Dacca which have been referred to the Government of India. I have no remarks to make; the history speaks for itself.

On the 7th August 1905, the Chief Commissioner of Assam submitted to the Government of India proposals involving an expenditure of Rs. 1,85,000 for providing temporary accommodation at Dacca for the Lieutenant-Governor, Secretaries and Heads of Departments of the proposed new province (which was constituted with effect from 16th October 1905). The Government of India sanctioned these proposals in Home Department telegram No. 2738, dated the 19th August 1905, and directed that the works should be proceeded with at once. In its letter No. 2375-B., dated the 8th September 1906, the Local Government reported that the project had been completed at a cost of Rs. 2,29,959.

On the 9th June 1906, the Local Government submitted for the general approval of the Government of India, plans and elevations indicating the style and arrangement of the building proposed to be constructed at Dacca to accommodate the Secretariat and other public offices, including the office of the Accountant-General. On the 5th July 1906, the rough project was returned to the Government of Eastern Bengal and Assam, as the Government of India were unable to approve the plans which were considered to be defective in some respects, and the Local Government was informed that the Government of India would prefer that the design should be prepared by their Consulting Architect. On the 25th July 1906, the Government of Eastern Bengal and Assam replied saying that the Lieutenant-Governor accepted the opinion of the Government of India, and that he would be very glad if a new design were prepared by the Consulting Architect. On the 2nd August 1906, the Consulting Architect was asked unofficially to prepare the design. On the 3rd September 1906, the Consulting Architect informed us unofficially that he had sent rough plans of his proposals for the Secretariat to the Local Government on the 15th August, and was awaiting the Local Government's reply before doing anything further in the matter. This reply was received by the Consulting Architect on the 29th August 1906. On the 4th October 1906, the Consulting Architect sent a photograph of a perspective drawing of his design for the Secretariat to the Local Government who were at the same time informed that the working drawings were in hand.

The Consulting Architect also asked that if any modification of the elevations were desired he might be informed by telegram. It appears from the copy of certain correspondence supplied to the Government of India by the Consulting Architect, that the latter sent a complete set of working drawings to the Local Government on the 12th December 1906 which were acknowledged on the 29th idem. Then between 26th April 1907 and 11th June 1907, certain correspondence passed between the Local Government and the Consulting Architect regarding the design. The Local Government, it appears, did not entirely approve of the plans prepared by the Consulting Architect and suggested certain alterations which the latter was unable to accept. Finally, the Consulting Architect referred the matter to the Government of India on the 7th June 1907. Then between 21st June and 11th July 1907 some demi-official correspondence passed between the Secretary to the Government of India, Public Works Department, and the Secretary to the local Public Works Department, as a result of which the Local Government on the 22nd July 1907 wired acceptance of the Government of India Public Works Secretary's proposal regarding the alteration in the design.

On the 30th November 1907, the Local Government asked for the special permission of the Government of India to start work on the new Secretariat building to be erected at Dacca as regards (i) indenting for steel joists, &c., and (ii) completing the foundations and plinth during the working season, November 1907 to May 1908. On the 3rd January 1908, the Government of India authorized the steel work for the proposed buildings being indented for within moderate limits, as reserve stock; but they could not sanction, as requested by the Local Government, the commencement of the foundation work up to plinth level, in anticipation of sanction to the estimates for the buildings, as the Secretary of State for India, (whose sanction will be necessary, if, as is likely, the cost exceeds 10 lakhs) objects very strongly to his sanction being anticipated. The Local Government was therefore asked to submit complete plans and estimates to the Government of India, and informed that, in submitting the estimates to the Secretary of State, the Government of India would, if necessary, ask for a reply by telegram. (The Secretary of State has also insisted on detailed estimates being prepared before he is asked to sanction any scheme.) In reply to a reminder dated 3rd March 1908, the Local Government stated (on the 12th March 1908) that the estimate for the main building had been received and was being considered, and that the estimates for the subsidiary buildings were expected from the Superintending Engineer early in April. We have not heard anything further from the Local Government.

On the 17th July 1906, the Director-General of Telegraphs submitted for the technical sanction of the Government of India in the Public Works Department detailed plans and estimates amounting to Rs. 1,02,139-9-9 for the construction of a telegraph office building at Dacca (Administrative approval to the construction of the building had been accorded by the Commerce and Industry Department about October or November 1905). The Consulting Architect to the Government of India to whom the plans were referred did not approve of the design. An informal conference was then held between the Secretary, Public Works Department, the Director-General of Telegraphs, and the Consulting Architect on the 13th August 1906. The Director-General of Telegraphs said at that conference that he would like the Consulting Architect to redesign the building, and would prefer some delay to having a building which would never be satisfactory. The Director-General of Telegraphs was requested demi-officially on the 13th August to furnish the Consulting Architect with certain information to help him in designing the building. On 6th September 1906 we returned the plans and estimates originally received from the Director-General of Telegraphs with the remark that the revised plans and estimates, which should be submitted through the local Public Works Department, were awaited. The revised estimates have not been received yet.

On the 12th October, 1906, the Government of Eastern Bengal and Assam referred to the Government of India the question of the provision of accommodation for the Chief Secretary to the Local Government.

It was stated that arrangements were being made for the construction of residences for Civil Officers at Dacca, including a residence for the Chief Secretary, and that arrangements had also been made for the acquisition of a house at Shillong for the Chief Secretary. The Local Government was of opinion that as the cost of each house taken separately was within the admissible limit, and that as it was intended to recover the rent due for each house throughout the year, the sanction of the Government of India was not necessary. The case was however referred to the Government of India on the representation of the Examiner that the sanction of the Government of India was necessary. As the Government of India had under consideration the general question of the rent to be charged for officers having more than one head-quarters, the case of the Chief Secretary's quarters was kept pending decision of the general question. On the 25th March, 1907, the Local Government was informed that the Government of India agreed with the Examiner that their sanction was necessary, and it was asked to submit detailed proposals for the consideration of the Government of India. The Local Government replied on the 8th May, 1907, saying that a house had been provided for the Chief Secretary at Shillong, but the Local Government did not submit detailed proposals for the Dacca residence as asked for by the Government of India. The Government of India on the 7th June, 1907, again asked for a detailed estimate for the proposed house at Dacca. On the 27th June, 1907, the Local Government intimated that the detailed plans and estimates had only recently been called for and were awaited, and that when received they would be submitted to the Government of India, if necessary. With reference to this latter communication, we repeated (on the 22nd July, 1907) that the Government of India desired to have full information before them in order to enable them to pass orders on the case. On the 11th October, 1907, we were informed by the Local Government that the detailed plans and estimate for the proposed residence at Dacca were still awaited from the Superintending Engineer, and that they would be submitted to the Government of India, when ready. On the 31st December, 1907, the Government of Eastern Bengal and Assam submitted detailed plans and estimates, etc., for the proposed residence. These were examined in this Department, and the Home and Finance Departments were also consulted. As the Local Government had already expended a large sum of money on the purchase of a house for the Chief Secretary at Shillong, the Government of India were unable to agree to further expenditure being incurred to the extent proposed on providing another house at Dacca, and the Government of Eastern Bengal and Assam were asked on the 21st February, 1908, to reduce the expenditure on the proposed building. (The reduction of expenditure on the residence is a matter of vital interest to the present and future occupants who will be required to pay rent, and the lower the cost, the less the rental.) On the 27th March, 1908, the Local Government resubmitted the plans and estimate, with the remark that the cost could not be reduced, and with the request that the aggregate rent recoverable from both houses be limited to 10 per cent. of salary. The case is now under consideration in this Department.

On the 3rd July, 1907, the Government of Eastern Bengal and Assam requested sanction to the construction of residential buildings for the staff of the Arts College and the School of Engineering, Dacca. The Government of India did not approve of the designs of the proposed residences of the principal and some professors which were considered costly, and on the 29th August, 1907, they communicated certain remarks to the Local Government with a view to effecting economy and improving the designs. As, however, it was stated that the quarters for certain Indian professors had already been constructed, the Government of India sanctioned the expenditure incurred on these buildings with the remark that the action of the Local Government in this matter was irregular. It was also suggested that as the Local Government had no Consulting Architect and was short of Public Works Officers, the complete designs for the remaining buildings might be prepared by the Consulting Architect to the Government of India. On the 12th September, 1907, the Local Government replied saying that the work had already been started in anticipation of the sanction of the Government of India, and that the

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buildings being well advanced, the designs could not be modified. The Local Government also expressed regret that this fact was not mentioned in its previous letter. In the circumstances explained above, the Government of India on the 2nd November, 1907, sanctioned the whole expenditure involved, and drew the attention of the Local Government to its irregular action.

On the 8th July, 1907, the Government of Eastern Bengal and Assam requested sanction to the construction of a residence for the Executive Engineer, Dacca Division. It was considered desirable by the Government of India to hold over this case till orders were passed on the quarters for the staff of the Arts College and School of Engineering, Dacca, as the decision on the latter case might affect the case under consideration. On the 9th September, 1907, we asked the Local Government whether it desired to have a design prepared by the Consulting Architect to the Government of India as already suggested by the Government of Eastern Bengal and Assam in the case of the quarters for the staff of the Arts College, etc., and we added that it was desirable that the cost of the proposed residence should not exceed the 8 per cent. limit permissible under rules. On the 21st September, 1907, the Local Government replied saying that if the Consulting Architect could supply a design fulfilling the conditions set forth in its letter, the Lieutenant-Governor would be glad to receive it. As, however, the Consulting Architect to the Government of India was at the time hard pressed with work, and as the Government of India had to sanction the other Dacca quarters, the work being far advanced, it was decided to leave the work in question to the Local Government. The sanction of the Government of India was accordingly communicated to the Government of Eastern Bengal and Assam on the 22nd October, 1907, to the proposed construction of a residence for the Executive Engineer at Dacca, but certain suggestions were made with the object of assisting the Local Government to keep down the cost of residential buildings in this and similar cases.

On the 29th July, 1907, the Local Government submitted for sanction a proposal for the construction of a residence for the Joint Magistrate at Dacca. This case was held over for the same reason as in the case of the Executive Engineer's quarters, and on the 9th September we asked the Government of Eastern Bengal and Assam as in the above case, if it desired to have the design prepared by the Consulting Architect to the Government of India. On the 24th September, 1907, the Local Government replied in the same terms as in the case of the Executive Engineer's quarters. For the reason stated above, in the case of the Executive Engineer's quarters, it was not considered necessary to entrust the work to the Consulting Architect, and on the 22nd October, 1907, the Government of India communicated sanction to the proposed expenditure on the residence for the Joint Magistrate at Dacca.

On the 16th November, 1907, the Government of Eastern Bengal and Assam requested sanction to the construction of quarters for the Superintendent of Police at Dacca. On the 7th January, 1908, the Government of India sanctioned the proposal of the Local Government, and communicated certain remarks with a view to improving the building.

As already pointed out, provision was made for the Accountant-General's office in the design of the proposed new Secretariat building at Dacca. On the 29th August, 1906, the Local Government asked for the administrative approval of the Government of India to the accommodation for Accountant-General's office being included in the proposed Secretariat building, the work being Imperial. On the 17th October, 1906, the necessary approval was accorded. On the 20th September, 1906, the Local Government asked for sanction to the construction of a residence for the Accountant-General at Dacca. The sanction of the Government of India to the proposal was communicated to the Local Government on the 23rd November, 1906.

(The witness withdrew.)

Adjourned.

SIXTY-FIFTH DAY.

SIMLA, Monday, the 6th April, 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. J. S. MESTON was called and examined.

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44807. (*Chairman*.) You are the Secretary to the Government of India in the Finance Department?—Yes. I file a † memorandum showing the organization of the department.

44808. You are the Head of the office, but the whole of the office is under the control of the Finance Member?—Yes.

44809. You say that the Finance Department deals with all questions of finance, but does it draw to itself from other departments questions which concern not only finance, but administrative matters?—Only in so far as the financial side of the question is concerned. A very large number of administrative cases come before the Financial Department, but we attempt to restrict our examination of them entirely to the pecuniary side.

44810. Is that a possible distinction to draw?—It is not always possible. The administrative element must necessarily enter into one's considerations at times, but, personally, I have always looked upon it as my duty to accept as far as possible the considered views

of the Administrative Department on purely administrative questions, and simply to enquire whether or not we can find the money for the schemes proposed.

44811. Do you go into the question of whether the financial proposals of the other Administrative Departments are sound or not?—Yes.

44812. Then you do something more than consider whether you have the ways and means to meet the expenditure which they propose?—Certainly.

44813*. Has the demand for returns and information from Local Governments increased of recent years? If so, is this due to the requirements of the Secretary of State or to those of the Government of India? Will you kindly give the Commission a list of the periodical returns which your department (a) calls for from Provincial Governments, or (b) furnishes to the Secretary of State, with a column showing which of these (if any) are in your judgment unnecessary? The demand for information and returns from the Local Governments by the Finance Department comparatively small. My impression (though I speak with only 1½ years' experience) is that it has

† *Vide* Appendix IId.

increased, and that the tendency is slightly in the other direction. Special calls for information on large questions, e.g., the enquiry of the recent Excise Committee, involve heavy correspondence at times; but, taking our work as a whole, I think that its increase points rather to the normal and rapid growth of public business in the country, and not to any growing disposition to interfere in the working of Local Governments. The list of periodical returns and reports which is called for in the second part of this question has been compared with the list of returns and reports which were received in 1902. The comparison shows that, during these five years, the number of returns required in the Finance Department has decreased by one; while the number submitted to us by the Secretary of State has increased by one. In itself, this does not prove very much, as the list omits all the fluctuating correspondence regarding budgets and other important branches of our work. But I think it is typical of the tendency. The † list of periodical returns asked for is submitted with a few explanatory remarks. It does not include certain special reports which we procure, at the instance of the Secretary of State and for his information, regarding the arrangements for checking the consumption of opium in Burma. These are probably of a temporary character.

44814. You tell us that the number of references and demands for information, and so forth, from Local Governments has not increased. Have the demands of the Finance Department upon the other departments of the Government of India increased within the last few years?—I do not think so; I can only speak from a personal knowledge of a little over a year and a half, but I certainly think we attempt to worry the other departments as little as possible.

44815. But has the natural, and perhaps the legitimate, demand of the Finance Department upon the proposals made by the other Administrative Departments increased?—It fluctuates to a certain extent. One sometimes finds another department—say the Home Department—in a state of mind to be rather disposed to push through its own schemes than to refer to us, in which case the Finance Department might have to interfere at times and request that that particular class of case might not be disposed of without their concurrence and without their seeing them in future.

44816. In the case of a dispute as to whether a question ought or ought not to be referred to the Finance Department, who is the arbiter?—I do not remember any such case arising. The limits are very clearly laid down in the rules of Secretariat business, and if any question arises as to the interpretation of those rules I should think it would go to the Viceroy-in-Council.

44817. Supposing the Home Department said "This is not a matter which concerns the Finance Department," what is your answer; do you claim at once that the matter is to be determined by the *ipse dixit* of the Finance Member?—I am rather at a disadvantage in never having had such a case; I think our relations are more harmonious than to require such a thing.

44818. Or, perhaps, the influence of the Finance Department has been considered to be as strong that it is hopeless to try?—I wish it were. The invariable practice, however, is that when there is any doubt whether a case from another department should come to the Finance Department, it does come.

44819. We have been told that the Local Governments have power within their budgets to transfer from one sub-head to another any expenditure they like within the total amount sanctioned by the Government of India, but the Government of Bombay have told us that that power of transference is limited to a certain sum; what exactly is the correct state of the case?—The rule is that the Local Government has full power to transfer between one major head and another, and *a fortiori* from any branch of one major head to another, so long as the total provincial allotment is not exceeded—that is, as regards provincial figures.

44820. Can they transfer from a provincial to a divided head?—Yes; the provincial share of a divided head and the purely provincial allotments are regarded as one; that is to say, the total is the criterion. A

† *Vide* Appendix IId.

transfer can be made between the provincial share of a divided allotment and a purely provincial head, or *vice versa*.

44821. But can the Local Government, within the total amount of their expenditure sanctioned by the Government of India, no matter from what source that income is derived, transfer the expenditure quite freely without any restriction either as to character or amount, from one part of the budget to another?—From one part of the provincial section of the budget to the other, but not from imperial to provincial.

44822. For what reason is that restriction upon them?—The provincial total represents the limit of the Local Governments' spending powers on provincial services, and if they were at liberty to transfer imperial funds to provincial funds, that would simply mean an excess of spending power.

44823. In the case of grants made by the Imperial Government to the Provincial Government for special purposes, such as police or education, is the Provincial Government bound to keep a separate account of the expenditure of that grant?—The practice has varied in that respect; it certainly is not the rule now that they are bound to keep a separate account. The grants given for police reform, for example, are supposed to be spent on police reform, but this department has never asked for any statement showing to what extent the money has been employed for that particular purpose, or to what extent it has gone to other purposes. We know that a large amount of those grants have lapsed into the provincial balances, and have been used for other purposes.

44824. For purposes other than police purposes?—Very probably.

44825. Cannot you say more than "very probably"?—We know that they have not spent the full amount of the grants under the police head.

44826. In the case of a special grant, would that not be regarded as a transference of imperial funds to provincial expenditure?—No, because the money when it is given to the Local Government becomes, for all purposes, provincial; we do not treat it as imperial at all—it is a complete gift.

44827. But in an assignment of revenue from imperial resources to the provincial Government, do you not look upon that, not as a gift, but as an earmarked assignment?—No, we treat it simply as an additional spending power.

44828. What sort of service has a Deputy Secretary, as a rule?—He may be an officer of 12 to 15 years' service.

44829. And an Assistant Secretary?—He is generally an officer on the Enrolled List, and he may be of any standing.

44830. And the Under Secretary?—He would have about eight to ten years' service.

44831. Is there any rule in your department as to the retention of the services of an officer in the Secretariat?—The three years' rule applies to the Secretary, the Deputy Secretary, and the Under Secretary.

44832. That is to say, they may not hold a particular office for more than three years, but they might be moved from Deputy Secretary to Secretary and hold each office continuously for three years?—Yes, that might happen. The three years' rule is a new one; I forget the exact date when it was introduced, but it was in Lord Curzon's time. It has, however, been in force for a long time as regards Under-Secretaries.

44833. Has it been adhered to since?—Yes.

44834. Do you regard it as a good rule?—Yes.

44835. You say that the officer in charge of a section disposes of certain routine or unimportant matters; can you give an example of the sort of matters which he disposes of himself?—Take the case of Deputy Secretary—he deals largely with schemes for expenditure and increase of establishments; suppose a case for increased establishment were to come from another department, he would exercise his power of criticism and make certain suggestions for alterations, and probably send it back to the department without submitting it for the Hon'ble Member's orders.

44836. That is done by a Deputy Secretary with about 14 or 15 years' service?—Yes.

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44837. Would he settle that matter on behalf of the Finance Department, not merely from the point of view of whether you could find the funds, but whether he thought the pay allotted to the different grades in the establishment was correct?—I referred only to intermediate discussion; the ultimate decision in any case of importance would not rest with him; he would have to submit it.

44838. What sort of cases would he "finally dispose of" himself?—All three of us—the Secretary, the Deputy Secretary, and the Under Secretary, do dispose of comparatively small matters; not very many small matters come up to us fortunately, but all cases which the Deputy Secretary or myself dispose of are tabulated and a short abstract is submitted to the Hon'ble Member for approval through me, so that either he, or I, is able to interfere and call for any case which has been decided finally without his, or my, seeing it.

44839. Do you do that constantly?—No, not constantly, because as a rule the statement gives a clear indication of the nature of the case.

44840. Do you indicate to the other departments of Government concerned that you have had reason to doubt the wisdom of your subordinate's decision, and that you propose to reverse it?—No, we do not wash our dirty linen outside; if an order has issued under my instructions which the Hon'ble Member thinks incorrect, it would simply be revised, without any communication of the reason why; but these cases very rarely occur, and the weekly statement has the effect very often of enabling orders to be stopped before they are issued.

44841. What is the distinction between expenditure which has been put in the budget and expenditure which on the other hand has not been specifically sanctioned; whom does the sanction come from?—There are two stages in regard to schemes of expenditure; there is the administrative sanction and the budget sanction. I use the words somewhat loosely, but the actual provision for the insertion of a scheme in the budget is not, of itself, an authorisation to the Executive Officer concerned to spend that money on that particular scheme.

44842. The inclusion by whom?—By the provincial Government or the Imperial Government, as the case may be. The mere fact that the money stands in the budget is merely an anticipatory provision against the administrative sanction which it is hoped will be given to that scheme afterwards. As a rule we object to inserting schemes in the budget unless there has been administrative sanction, but cases do occur where there has not been time to get administrative sanction and they are occasionally admitted into the budget.

44843. In that particular does not your practice in India differ very largely from the practice in the United Kingdom?—Yes, it does.

44844. Are schemes constantly put forward in the budget either by the Imperial Government or provincial Government which have not been administratively sanctioned?—Yes, very frequently, but we try and avoid that as far as possible.

44845. Is that a good practice?—It is a question of time. If a scheme comes forward towards the end of the year, and it is an elaborate scheme which there is no time to discuss on all sides, but there is a strong *prima facie* probability that it will be accepted, the Financial Department, either of the provincial or the Imperial Government, may assent to provision being made for it in the budget on the assumption that it will be sanctioned.

44846. Then it has to be criticized either by the provincial Government from the administrative point of view, or by the Imperial Government from the administrative point of view?—Yes.

44847. And by whom is sanction finally supposed to be given?—The final sanction is given by the Administrative Department after formal consultation with the Finance Department.

44848. Of either the provincial or the Imperial Governments?—Yes.

44849. How is that sanction notified?—It is notified through the Finance Department to the authority which has submitted the scheme for approval, and who is thereby authorised to go ahead with the expenditure if the necessary funds have been provided.

44850. Could any extension of this system of expenditure be made?—I have not considered that point, but the existing system works smoothly and well.

44851. I see that there are certain departments as to which exceptions are permitted. Particularly in the Department of Commerce and Industry, the Postal and Telegraph Departments may order expenditure without sanction, if it does not involve an outlay in excess of the budget grants of those departments or a re-appropriation from one major head to another. The Military Supply Department, and, I think, one or two other departments have power to re-appropriate from one major head to another up to 3 lakhs?—Yes.

44852. Could that power of re-appropriation from one major head to another be extended to Heads of Departments in the case of the Postal and Telegraph Departments?—It would not have any practical effect, because the Postal Department is all under one major head; there may be one or two other major heads with which it is connected, such as income-tax payments from its officers, but the amounts affected are very small; for all practical purposes we deal only with one major head.

44853. The Postal and Telegraph Departments are looked upon as one major head?—The Postal Department is one major head, and the Telegraph Department is another major head.

44854. Is there not a certain amount of departmental correspondence which takes place, either official or demi-official?—Yes.

44855. What approximately is the length of time which a matter of any considerable local importance takes in passing through your department on an inter-departmental reference, say from the Home Department or the Military Supply Department?—If it is a matter of any importance or urgency, the Secretary of that department puts it into a box and sends it straight to my room, and I probably note on it within half an hour and submit it to the Hon'ble Member. Of course there are many matters which are not of nearly so much urgency, and which have to wait their turn.

44856. It has been suggested that cases might take sometimes even so long as 6 or 7 months to go through?—I do not think so.

44857. You think that that would be very unlikely?—It is a matter of very rare occurrence. I have in mind a very important case on which the discussion occupied a longer period than that; it was the re-organization of the Public Works Department, but that was an enormously big scheme as to which it was known that the views of the Secretary of State would probably be considerably more moderate than ours, and on which there was a great deal of discussion; but it did not lie in the Finance Department for any length of time at any stage.

44858. But taking the question of the revision of an establishment, how long would that occupy?—If a case of moderate dimensions, it might go through the Finance Department in a week.

44859. How long would it remain in the department which sent it up to you?—I cannot say; it depends largely on whether they had to consult the original proposer of the scheme.

44860*. On what general principles are the present *quasi*-permanent settlements with the provinces based? What was the object in view in making these settlements?—The general principles which underlie the financial settlements made by the Government of India with a Local Government are as follows:—

(a) That the Government of India shall retain certain administrative services which it is inexpedient to hand over to provincial Governments, and that they shall reserve the revenue from those services, and such a share of the other public revenues as shall be adequate to the expenditure falling upon them.

(b) That the remaining administrative services of the country being entrusted to provincial Governments, each Local Government shall receive an assured income which will be independent of the needs of the Government of India and sufficient for its normal expenditure.

(c) That this income shall be given in the form of a defined share of the revenue which the Local Government collects, in order that the Local Government's resources may expand along with the needs of its administration.

(d) That, so far as possible, the same share of the chief sources of revenue shall be given to each province, to insure a reasonable equality of treatment.

F In pursuance of these principles, the Government of India have undertaken the whole cost of the administration of the following services:—(1) Military and defence. (2) Railways.† (3) Opium. (4) Salt. (5) Customs. (6) Post and Telegraphs. (7) Mint. (8) Political.† (9) Territorial and Political Pensions. (10) Protective Railways and Irrigation. (11) Ecclesiastical. The Government of India also undertake the whole of the Home charges, including the gain or loss in exchange upon Government remittances between England and India; and they accept complete responsibility for the public debt, although a certain share of the interest on irrigation capital is recovered from Local Governments. Furthermore, they bear the direct cost of famine relief up to a certain stage, under arrangements which will be subsequently described. Finally they make themselves responsible for the cost of all remissions of taxation. To meet these charges the Government of India reserve to themselves virtually the entire revenues from the first eight of the above services, the political revenue consisting only of tributes from certain Native States.

All the other branches of the general administration are, broadly speaking, under the provincial Governments; and all the other sources of revenue are placed at their disposal, in such measure as is necessary to meet the resulting expenditure. The Local Governments receive one-half of the proceeds from the following main heads of revenue, which are known as "divided heads":—(1) Land Revenue.‡ (2) Stamps. (3) Excise. (4) Income-Tax. (5) Forest. (6) Forest Irrigation Works. (Madras and Bombay only.)§ They also receive the whole of the remaining public revenues collected within their jurisdiction, except those described above.

In the interests of accuracy it may be pointed out that, in the case of all but one of the divided heads, the Government of India pay the same ratio of the cost of collection as they obtain of the revenues. The exception is Land Revenue, the administration of which is wholly a provincial charge, for the reason that it represents the cost of district administration. The Imperial Government also undertake the charges of direct famine relief under an arrangement by which each Local Government receives an annual credit on the imperial revenues as an insurance against famine. The credits, which are graduated according to the liability of each province to suffer from scarcity, accumulate, subject to a fixed maximum, until famine actually occurs. The cost of the relief measures in each province is then borne by the Government of India up to the amount of the accumulated credit of the province. After this amount has been spent, the further charges are shared half and half by the Imperial and the Local Governments.

Such are the principles and practice of the ordinary provincial settlements. The object of making these settlements *quasi*-permanent was to give the Local Governments a more independent position, and a more substantial and enduring interest in the management of their resources than had previously been possible. Under the previous system, when settlements were revised every five years, it was the practice for the Imperial Government to resume the surplus of the Local Government's revenue over its expenditure. This unfortunate necessity (which it is only just to say was largely the result of severe financial pressure on the Government of India during the years of low exchange) went far to destroy any incentive in a Local

† I need not refer to certain small items of expenditure which are classed under these heads as provincial or local, e.g., District Boards' railways.

‡ The United Provinces and the Punjab, however, receive only 3/4ths of the revenue under this head.

§ The Punjab gets 3/4ths of the revenue under this head. Otherwise the head is wholly imperial in the Central Provinces and Burma, and wholly provincial in Bengal and the United Provinces.

Government to economize, as it knew that its reduced standard of expenditure would be the basis for a correspondingly unfavourable settlement at the next revision. All this disappears under the existing system. A Local Government need not fear, in anything except very abnormal circumstances, the resumption of its surplus revenue by the Imperial Government; it can count upon a reasonable continuity of financial policy; it will be able to enjoy fully the fruits of its economies, and it will not be hurried into ill-considered proposals in order to raise its apparent standard of expenditure. On the other hand, the Imperial Government improves its relations with the Local Government by avoiding five-yearly controversies over the settlement; it can calculate its own resources with more confidence and can undertake reductions of taxation or fresh schemes of expenditure with a clearer knowledge of the consequences than was formerly possible.

44861*. Is there any objection to the present settlements being adopted by the Secretary of State under the Statute of 1858 as his allocation of the revenues of India?—I read this question as alluding to the grants or appropriations of Indian revenues which the Secretary of State, with the concurrence of the majority of his Council, may make under section 41 of the Statute. The point for consideration, as I understand it, is whether the Secretary of State might conveniently give a definite grant to Local Governments of the shares of revenue which have been placed at their disposal under the settlement arrangements now in force, on condition of their maintaining the services entrusted to them under those arrangements. *In limine*, it may be explained that no grant of the revenues to a Local Government can ever be absolutely permanent and final. The expression "*quasi*-permanent" has been deliberately employed in describing the existing settlements. The Local Governments have been warned that a power of revision is reserved "when the variations from the initial relative standards of revenue and expenditure have, over a substantial term of years, been so great as to result in unfairness either to the province itself or to the Government of India, or in the event of the Government of India being confronted with the alternatives of either imposing general taxation or seeking assistance from the provinces."† If our opium trade with China were suddenly cut off, or if our customs tariff were abolished, or if we were called upon to provide a navy of our own, we should have to consider whether Local Governments can be allowed to retain their shares of the revenues now allotted to them. But, as indicated in the above quotation, a revision of the arrangements might become necessary for less sensational reasons than these. Remissions of taxation or expensive reforms (such as those of the police force) are abnormal forms of expenditure which have to be financed as a rule by the Government of India, through the medium of recurring grants to the Local Governments concerned. The aggregate of such grants may reach in time a considerable figure, and the Local Government is thus in the unfavourable position of having a large fixed grant as part of its resources for meeting its growing expenditure. A re-adjustment would ultimately be necessary, such as has recently taken place in the Madras settlement. Minor adjustments are also of frequent occurrence‡; and although these do not affect the basis of the settlements, they show that finality would be extremely difficult of attainment, if not impossible.

It would not therefore, in my view, be either practicable or expedient to adopt the present settlement as the foundation for a permanent grant from the revenues of India to Local Governments. If, on the other hand, the allocation were to be merely temporary or provisional, I cannot see what advantage would be

†The quotation is taken from the usual paragraph in the Government of India's letter communicating final orders on the conclusion of a *quasi*-permanent settlement.

‡A recent example occurred in connection with Government printing. The Central Press of the Government of India used formerly to provide provincial presses with type free of charge. It was decided, in the interests of accurate book-keeping, to charge the provincial presses the cost of type thus supplied; but as this was a service which had not been taken account of in the provincial settlements, the Government of India gave counterbalancing assignments to the Local Governments affected.

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gained. The control of the settlements would be transferred from the Government of India to the Secretary of State. The many incidental modifications of the arrangements in minor points would have to be referred for his orders. He would have to decide the frequent claims for adjustments that arise in consequence of new services made over by the Imperial to the Local Governments and *vice versa*. And revision, when revision became necessary, would have to be carried out under his orders. In all these matters the Secretary of State would necessarily have to consult the Government of India, whose interests are as vitally concerned as those of the Local Governments. The result would be increased correspondence with the India Office, and increased centralization to an extent which would be retrograde and undesirable.

44862°. Might the North-West Frontier Province be given a provincial settlement?—The view that has hitherto been taken by the Government of India is that it would be premature at present to make a regular financial settlement with the North-West Frontier Province. The province is a new one and has hardly settled down into normal conditions. Moreover, the expenditure of the province is far in excess of the revenue collected within it, and direct control has been considered necessary as a check against possible extravagance. In the absence of a regular settlement, the Chief Commissioner has been invested with certain financial powers analogous to those of the Heads of the larger provinces [Article 278, notes (iii) and (iv), and Article 282, note (3) of the Civil Account Code]. There is no objection of principle to giving the province a settlement: it is merely a question of whether the time is ripe for taking such a step. The settlement would in any case be on very different lines from the arrangements in the larger provinces, as the revenue and expenditure capable of being assigned to the province are about 40 and 80 lakhs respectively.

44863*. What is the nature of the control exercised by the Government of India over the budgets of provincial Governments? In particular, what is the general character of the alterations in such provincial budget estimates made by the Government of India? Are these made otherwise than in the interests of accurate estimating? As regards the latter point, how far have the alterations made been justified in fact?—The scrutiny of the Government of India over a Local Government's budget is exercised through the medium of what is called the "Budget Notes." When a provincial budget is sent up through the Accountant General, the Local Government's "Civil Estimates," which give full details of the budget figures, are submitted simultaneously. These however are referred to only incidentally in the Financial Department, and for all practical purposes connected with our examination of the figures, the analysis by minor heads contained in the budget note is sufficient. The budget control is thus thoroughly general in its character. Its objects are to ensure—

- That the estimates approximate as closely as can be calculated to what will probably be the actual figures.
- That the Local Government does not budget for expenditure which has not received due administrative sanction, and is not likely to be sanctioned in time to be incurred during the year.
- That the Local Government is not unduly depleting its balances.

The third of these precautions is clearly necessary for the stability of our provincial settlement system. A Local Government cannot be permitted to raise its scale of expenditure without due regard to the revenues assigned to it; the inevitable result would be the breakdown of the settlement, and the saddling of imperial revenues with additional charges. The budget affords the Government of India their only timely opportunity for reviewing the progress of provincial expenditure and for applying the brake if the pace is unduly rapid.

The other two objects which are kept in view when we examine a Local Government's budget cannot be dispensed with, so long as the imperial and provincial finances are combined in our estimates and accounts, or so long as the Government of India are responsible for the ways and means of the whole administration. In nine cases out of ten, the alterations which the Government of India make in the provincial budget

are in the direction of more accurate estimating. The power to make such alterations is rendered specially necessary by the inveterate tendency of Local Governments to over-estimate their expenditure and under-estimate their revenue. I file a table† illustrative of the extent to which this tendency exists in every province. Estimates which depart so widely from actuals mean bad finance; they also mean the provision of larger ways and means than are necessary for the working of Government. It is therefore necessary to correct them; and our only mistake has been undue consideration in the past in not enforcing larger corrections.

I believe that, where a Local Government has expressed dissatisfaction with our treatment of its budget, it has done so under the impression that the alterations made by the Government of India in some way impair its powers to spend its own revenues. The curtailment of a Local Government's spending powers, as I have explained above, may sometimes be necessary in order to safeguard the working of our financial settlements. But this is not, in the great majority of cases, the reason for which the Finance Department interferes with a Local Government's budget. Its object is the correction of a forecast, and not the restriction of necessary and approved expenditure; and the belief that the latter result will follow is a misapprehension. For, in the first place, unless the deduction made from any particular budget grant is really excessive—and this has very rarely happened in practice—the reduced grant represents as much as the provincial Government will actually be able to spend during the year, even according to its original programme. Secondly, if towards the end of the year it is found that there is some danger of the expenditure exceeding the reduced grant, the Local Government can exercise its power of re-appropriation from some other budget head. These powers, which are summarized in Article 295 of the Civil Account Code, are ample. Thirdly, if it is found that the expenditure under all the heads taken together is likely to exceed the total of all the provincial budget grants (and this is a most improbable case), it is always open to the Local Government to apply for an additional grant from provincial revenues, and unless the amount were exceptionally large, this would ordinarily be sanctioned, as a matter of course. Of recent years there has not been a case in which such an application was refused, except on the ground that it was not actually required.

The only way in which these reductions can affect the spending powers of the Local Government would be if the latter had got into the chronic habit of under spending its grants. In that case, when a grant was reduced, the Local Government might apply its defective machinery to the reduced grant, and might under-spend even that. For instance, if a Local Government presented an estimate of 25 lakhs for expenditure on, say, police; and we calculated that it would probably under-spend to the extent of 3 lakhs, we should then reduce the grant to 22 lakhs. It is possible that the Local Government might apply its usual methods to the 22 lakhs and thereby succeed in spending only 20. This is what usually happens, and the Local Governments have the remedy really in their own hands. But in order to make the matter clearer to them, and prevent further misunderstanding, we are about to make a slight change in our procedure, and fresh instructions to the Local Governments have issued accordingly. In future, when we consider that the proposed budget grant, under any head as a whole, is larger than is likely to be spent, we shall make a lump deduction from this amount, as "probable savings," and shall take account only of the net figure in our estimates. But the Local Government will be authorized to operate against the unreduced figure; and audit will proceed against the latter, subject only to the condition that towards the end of the year, if there seems a probability of the reduced figure being exceeded, the Local Government will be required to provide for the excess either by re-appropriation, or in the last resort by applying for sanction to an additional grant.

44864*. Do the provincial Governments, as a matter of fact, have to come up frequently for additions to their expenditure budgets as finally passed by the Government of India?—In answer to this question,

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I hand in a table† which shows the applications for additional grants that provincial Governments have made during the last five years, including the current financial year up to date. It omits two applications which were recently made by Bombay and the Punjab, and were refused solely on the ground that it was too early in the year to judge whether or not the anticipated expenditure could probably be covered by the ordinary process of re-appropriation. In reality, therefore, there have been only 18 requests for additional expenditure grants during the last five years; and all of these have been sanctioned by the Government of India, though in several cases it was manifest that the extra grants were not actually required. As column 4 of the statement shows, eight of the applications were needless.

44865*. Is it desirable to relax further the control of the Government of India over provincial budgets?—I hope to have already shown that the control of the Government of India over the provincial budgets is neither unreasonable nor onerous; and that its pressure will be still further lightened by the arrangements for discounting lapses which are now being introduced. I have very carefully considered in what way the control might be still further relaxed, and I regret that I cannot put forward any practical proposition. The only concrete suggestions which the Commission appear to have received from Local Governments are:—

- that a Local Government should be invested with larger powers of re-appropriation;
- that it should be enabled to spend part of its balances, up to a defined amount, without the sanction of the Government of India; and
- that longer time should be allowed for the preparation and submission of the provincial budget.

The first of these suggestions is not understood, as Local Governments already possess the unfettered power of transferring allotments from one head of expenditure (whether wholly provincial or divided) to another. The second suggestion, in the form in which it has been put forward by the Government of Madras, simply amounts to this, that a Local Government should have a reserve of expenditure for which it has not budgeted, but which must be kept at its disposal and may or may not be used. Now in the first place, this is contrary to the accepted principles of the budget system. The Government of India is not in the habit of refusing to give a Local Government an extra grant for inevitable expenditure which had not been foreseen. To provide, however, a standing reserve for contingencies that may not arise is a direct incentive to careless estimating, and probably also to extravagance. In the second place, the suggestion is incompatible with the responsibility of the Imperial Government to provide the ways and means for the whole administration of the country. A provincial balance is not a separate fund locked up in a separate provincial chest; it is a part of the general balances on which we operate daily, and which we have to economise to the best of our ability, just as any private business firm economises in its till money or floating cash. To give Local Governments throughout India the facilities which this suggestion implies, would mean a *pro tanto* increase of our cash balances without any corresponding gain. The proposal has been formulated in a somewhat different manner by the Government of Bengal, who suggest that they should have power to increase their budgeted expenditure by the amount that their actual revenue is in excess of their budgeted revenue; in other words, that they should be at liberty to increase their expenditure provided their surplus is maintained at its budget figure. There are not the same objections to this as to the Madras proposal; but in practice I doubt whether the liberty which Bengal asks for would be found of much value. It would be difficult to form any definite assurance of an excess of revenue until a comparatively late period in the year, when new schemes of expenditure could not advantageously be undertaken. Moreover, an understanding of this sort is apt to lead to incorrect estimating; and finally, the Government of India would be unlikely to make any difficulties in allowing a Local Government to spend any windfall which it obtains at a sufficiently early stage of the financial year to be suitably utilized.

† Vide Appendix VIII.

The third of these suggestions is referred to in the evidence which the Royal Commission took at Madras. The proposal, as I take it, is that what is known as the first edition of the budget should be dispensed with, and that the Government of India should be satisfied with the submission of the budget figures in the form which is now laid before the Government of India in the middle of February. This would give the Local Government about three weeks longer than it has at present for compiling its estimates. Having had four years' experience in compiling provincial estimates as Financial Secretary to a Local Government, I cannot agree that the present date for the submission of the first edition of the budget figures is seriously inconvenient. There is a considerable pressure of work on the local Secretariat when the compiling is in hand; but I doubt if any advantage would be gained by transferring that pressure from January to February; and I can certify from personal experience that it is in no way comparable with the pressure in the Imperial Secretariat, which would be enhanced by the acceptance of this proposal. On the one hand, the provincial Government, which now sends up its estimates with the knowledge of what the actual figures have been for the first eight months of the current year, would not be likely to modify its proposals in any material degree if it formulated them at the time when the actual figures for nine months were known. On the other hand, it is a great convenience for the Government of India to work through the provincial budgets and to refer back particular points about which it is doubtful, before the budgets of the big spending departments (Public Works, Military, etc.) come into the Secretariat for examination. If the departmental budgets and the provincial budgets all arrived for the first time in a mass at the beginning or middle of February, I do not at present see how it would be practicable to have the Financial Statement presented to Council before the close of the financial year. The proposal does not seem to me likely to afford any appreciable measure of relief to Local Governments or to lead to any decentralization. If it meant any reduction of work in the Government of India Secretariat, I am sure we should all welcome it; but, as at present advised, I am afraid that it would not make things easier either for ourselves or for the provincial Secretariats.

A proposal which has sometimes been discussed for enhancing the liberty of disposal which Local Governments enjoy in regard to their budget allotments is the following. The Local Government would report its estimated expenditure in the gross, without any details showing how the totals were arrived at. The Government of India would pass the provision, with such reductions as were considered necessary, and the Local Government would then be free to distribute the total in any manner it chose. The only care of the Government of India would be to see that the estimate was a probable one, and that it was within the limits of the revenue assigned to the province. The Local Government would be trusted not to budget for a revenue which it knew it could not collect, or for expenditure which was not administratively approved. This is virtually the plan which was followed from 1872 to 1879, but was then abandoned. In the present expansion of provincial finance, and so long as the Government of India are responsible for the whole of the public expenditure to the Secretary of State, I do not think that a revival of the scheme is practicable. It is impossible for a Local Government to frame a correct estimate in the lump. It must be built up from the detailed provisions, and we ought to be in a position to see that these are reasonable. We must incorporate the budgeted expenditure of the provinces on the recognised administrative services in our annual Financial Statement; to show merely the gross outlay on all the services entrusted to Local Governments would not be a sufficient compliance with our duty to the Secretary of State and, through him, to Parliament. From a statistical point of view, it would be a retrograde measure; and it would justly be resented by all who study our Indian administration. If, however, this objection were met by the Local Governments providing us with the constituent figures of their total expenditure by major heads, I hardly think the plan with this modification would be found to differ materially from our present practice. It is true that we examine the major head figures in considerable detail at present; but, as I have shown above, we do

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this almost entirely with a view to satisfy ourselves that the aggregate provincial expenditure is likely to be worked up to. I do not see how it would be possible to satisfy ourselves as to the accuracy of the estimates unless we have an opportunity of examining the main figures which go to compose them, and in practice the Local Governments would not obtain any larger liberty in the handling of their funds under the proposed plan than they have at present.

44866*. Is it desirable to effect a larger separation between imperial and provincial heads of revenue and expenditure? Would it be expedient to keep the revenue heads divided as at present, but to make all expenditure, that is now divided, entirely provincial?—A larger separation between imperial and provincial finance would apparently be effected by some arrangement by which the imperial budget should exhibit only the imperial revenue and expenditure, omitting those of provincial Governments, while the accounts of provincial Governments should either not be shown at all in the Finance and Revenue Accounts, or be shown separately from those of the Government of India. As a mere matter of book-keeping such an arrangement would be possible. But I am unable to see that it would be attended by any advantage whatever, while, unless it were accompanied by, and based upon, a revolutionary change in the fiscal system of the country, it would yield highly misleading results and be productive of serious public inconvenience.

Under the system now in force, the provincial Governments are responsible for practically the whole charges of the civil internal government of the country. In the eight large provinces, which between them comprise 94 per cent. of the whole area of British India, the expenditure has been provincialized to the extent already described. The provincial expenditure amounts in all to about 24½ millions sterling out of a total of about 74½ millions. To publish accounts or estimates which exclude one-third of the total expenditure incurred by Government agency, especially when the items excluded are of so vital a character, would in my judgment be calculated to mislead the public and to give a wholly incorrect idea of the financial position. To get at the true facts, it would be necessary for the observer to combine the two sets of accounts for himself; and I see no reason for imposing this unnecessary inconvenience upon him, or for opening such a door for possible misconception.

Very similar considerations apply to the receipt side of the accounts. The Government of India reserve as wholly imperial a few important heads which are considered to be not well adapted for provincialization, and divide the remainder in the manner already described. If separation were made in the manner apparently contemplated, the effect would be to exhibit the receipts from these great heads of revenue as being approximately only one-half of what they actually are. So long as the provincial Governments derive the major part of their funds, not from separate provincial imposts of their own, but from a share in the proceeds of general taxation, this result could not be wholly avoided, though it might possibly be mitigated by means of "deduct" entries. That, however, is a rather clumsy device, and is not to be recommended without strong reasons.

The present system of financing provincial Governments by means of a share of all the principal heads of revenue (except a few which are unsuited for this arrangement for special reasons) seems clearly preferable to a system by which they would be dependent entirely on the yield of one or two taxes, and have no concern with the remainder. By the former system, the financial interests of the Imperial and provincial Governments are brought as nearly as possible into unison; troublesome difficulties of classification are eliminated, and the financial progress of both proceeds at an equal pace. A still more important consideration is that by broadening the bases of provincial revenue as widely as possible, we make for financial stability. If a province were dependent on only one or two large heads of revenue, its finances would be subject to serious disorganization if these were to undergo a set-back owing to any special or unforeseen cause. For instance, a province, which retained the whole of its land revenue, and received no share of the other principal heads, would be rendered bankrupt by the occurrence of a severe famine, in which the collections would of necessity be largely reduced.

Even as it is, though no Local Government retains more than one-half of its land revenue, the Government of India have found it expedient in the most recent settlements to protect the Local Governments against this danger by guaranteeing them a certain minimum figure under this head, and sometimes also under irrigation.

I have already referred to the possibility of a "revolutionary change" in the fiscal system of India. What I had in my mind was an arrangement by which the Imperial Government would retain the whole of the proceeds of the existing heads of revenue or most of them (which in that case would not need to be maintained at their present rates), while the provincial Governments would be empowered to impose independent taxation, each in accordance with its own provincial requirements.†

Such a system is quite conceivable, and in the distant future I should think it not unlikely to rise above the administrative horizon. But in present circumstances, and for many years to come, it could not be regarded without grave apprehension. I will not dwell on the unpopularity of all new taxation merely because it is new, though such considerations are exceptionally weighty in India. The other objections which are most serious are two. In the first place, it is inevitable that taxation of the kind in question must fall chiefly on the land, for the reason that no other interest is large or rich enough to provide the requisite funds. In this case, the provincial Governments would be levying a kind of second land revenue, over and above the land revenue proper, which would be an asset of imperial revenues. In addition to this there would also be levied the district or local rates, also falling on the land. Even though it were arranged that the aggregate of these three imposts should not exceed its present total (and it is doubtful whether such a stipulation could be enforced), to collect two imposts from a single source in place of one would be inconvenient both to the administration and to the taxpayer, and would tend to engender the suspicion that the total burden of taxation was being increased. Our policy should be to consolidate and unify the existing imposts on the land, and not to multiply them. A second and still more powerful objection is that this system would dangerously facilitate the increase of taxation, while making it more difficult to reduce it. The imperial taxes would no doubt be affected; but if Local Governments were empowered and required to provide their own resources, then when any Government alleged that it required larger funds for general or specific purposes, it would be almost impossible in practice for the Imperial Government to assume the responsibility of negating the proposal. It is a remarkable fact that in present circumstances, almost all Local Governments are at best lukewarm in regard to reduction of taxation even though fully compensated for it, while not infrequently they are actively hostile. The history of the recent abolition of the famine cesses, and the patwari cess, and the reduction of the salt duty, affords significant illustrations of this attitude. It is a common experience, when the Government of India suggests the abolition of some cess or tax raised for a specific purpose, on payment of compensation from imperial funds, to be met by a counter-proposal that the compensation should be paid, but that the tax should be retained and its proceeds made over to the Local Government for expenditure on something else. The explanation of this tendency is not far to seek. Local Governments and their officers are keenly alive to the importance of effecting improvements in the branches of administration entrusted to them: and

† It is, of course, also possible to conceive a combination of this hypothetical system with the present one, *i.e.*, the provincial Governments might retain a share in some or all of the heads that are now divided, and be empowered to impose independent provincial taxation to meet the remainder of their requirements. It is unnecessary to consider this variation in detail.

‡ Perhaps "fully" is a little too strong a word. Our practice has been to compensate Local Governments for the full present loss of revenue arising from remission or reduction of taxation, but not for the loss of the future growth of the impost reduced. So long, however, as the provincial settlements are revised from time to time so as to substitute a share of growing revenues for a largely swollen fixed assignment, this objection is removed, or reduced to very small proportions.

these improvements invariably mean more money. On the other hand, under the present constitution, they are not subject to the safeguards and restraints which operate on a Ministry which is responsible to the House of Commons, and whose existence depends ultimately on the verdict of the taxpayer. Provincial Governments spend the proceeds of their taxes, but they do not pay them, and they are not responsible to those who do. Until a popular element has been introduced into the Indian constitution, and has been invested with effective control over at least some part of the fiscal system, there are grave objections to increasing in any way the existing facilities for imposing provincial taxation.

It is possible that those who advocate further extensions of the present system are not fully aware of the important changes which have been introduced in 1903 and subsequent years. Sir David Barbour when giving evidence before the Welby Commission in 1895 indicated as one of the greatest drawbacks to the arrangements then in force the fact that at the quinquennial revision of the provincial settlement it was the practice of the Government of India to resume all or most of the increase of revenue which had accrued to the Local Government during the expiring settlement. Since 1903, this grave defect has been got rid of. The settlements are now *quasi*-permanent: there will be no periodical revision; and each Local Government will be secured in the permanent enjoyment of its own revenues save in wholly exceptional circumstances. This reform, coupled with the extension of the provincial interest to every appropriate head, the increase of the provincial shares of the divided heads to one-half in practically all cases, and the consequent reduction of the fixed assignments, the introduction of the system of minimum guarantees, and the new arrangements in regard to famine relief, has materially altered the character of the new settlements. I believe that these now rest on a sound basis, and I am unable to suggest any improvement of importance in them. There is no objection of principle to a greater separation between imperial and provincial finance. On the contrary, Sir David Barbour's view that a large province with a population of 50 millions or thereabouts is big enough to possess an independent financial system, must command general assent. But the Government of India have found it impossible to devise any scheme which would not be attended by greater evils than any which now prevail.

The second part of the question contains a suggestion which would present no practical difficulty. The expenditure under the other "divided heads" could be provincialized in the same way as has been done with land revenue. The extra charges thus thrown upon provincial resources would have to be counterbalanced by our giving each province a larger fraction of the revenue under one or more of the "divided heads." This would probably mean that the provincial share in each divided head would not be uniform for all provinces, a result which should be avoided if possible. I would point out, however, that the provincialization of divided heads would not in any way add to the powers of the Local Governments with regard to the expenditure; their powers in the matter of divided heads of expenditure are exactly the same as if the charges were wholly provincial. It is also open to question whether the provincialization of the divided heads of expenditure would always make for efficiency. Take the case of excise. If a Local Government spent more money on preventive establishments, it might obtain a larger revenue. But if it had to bear the whole extra expense, while getting only half the extra revenue, it might hesitate to move in the matter through fear of actually losing over it.

44867*. Might the period for which provincial Governments are permitted to grant loans under the Local Loans Act be extended, and might provincial Governments be given power to sanction loans by local bodies in the local market?—The rule recently laid down regarding the duration of loans made by provincial Governments to local authorities prescribes that a loan for a longer term than 20 years may not be sanctioned without the approval of the Government of India. This somewhat restrains the liberty of Local Governments, who formerly had power to give a loan for a term up to 30 years in "very special cases." The Government of India found reason to believe that this maximum term was gradually becoming the ordinary period for which loans were being sanctioned; and

having regard to the striking growth of local indebtedness, they decided to emphasize the undesirability, in the great majority of cases, of going beyond 20 years. It is hardly ever true economy to defer the redemption of a loan for a longer period. In the case of loans from the provincial loan account, it is rarely necessary, as local authorities are not allowed to borrow unless they have an ample margin for the service of their debt. And it is often clearly wrong in view of the duration of the work for which the loan is taken. Local Governments are apt to forget that all these considerations are involved, and to attach undue weight to the wishes of the present generation of tax-payers, who are naturally anxious to defer repayment as long as possible. I think, therefore, that it is quite justifiable to insist on 20 years as the normal maximum, and to make an extension difficult except for the strongest reasons. The Government of India have to find the money for these loans, and they have a right to see that it is not tied up for unduly protracted periods.

The raising of loans by local bodies in the open market has now reached considerable magnitude, and become a matter of more than provincial importance. The main reasons why the Government of India has reserved the power of sanctioning these operations are two-fold:—

- (a) to secure that the loans do not clash with the Government's own borrowings; and
- (b) to prevent the loans from being raised on terms which will be found unduly onerous in future.

The first of these points is an essential condition of borrowing by public corporations. The loan market in India is limited in capacity, and the Government of India, as representing the general tax-payer, must claim priority over other public borrowers. To allow a municipality or a Port Trust to skim the market before the Government raises its annual loan would clearly not be in the best interests of the country at large, and Government must have a general power to regulate the times at which, and the conditions on which, a local body call for tenders. I do not see how it would be possible to delegate this power to Local Governments. The selection of the proper moment for floating our annual loan is a matter of considerable delicacy, requiring prompt decision; and it would not be practicable to take Local Governments into our confidence throughout the operations. A suggestion has been made that Local Governments might be left to sanction local loans, on the condition that no issues should be permitted during those months of the year (say, May to September) when the Government of India have a special interest in the market. This would serve our purposes; but it would not be fair to local bodies, and they would strongly resent it.

The second reason why the Government of India wish to control the floating of local loans is in the interest of the borrowing corporations themselves. It is sometimes argued—and Local Governments are apt to press this view—that the local authorities are the best judges of their own interests. Unfortunately, this is not confirmed by many of the actual cases which come up for decision. I may, perhaps, be permitted to give one or two concrete examples—

- (1) A Local Government recommended that a Port Trust should be allowed to float a 40-lakh loan, repayable in 44 years, for the acquisition of land. The immediate revenue expected from the property was more than sufficient to meet the charges (sinking fund payments *plus* annual interest) of repaying the loan in 30 years. The Government of India had to overrule the Local Government, and insist upon the shorter term.
- (2) Another Local Government asked, on behalf of a Port Trust, for a loan of 1½ lakhs, to be spent on revetting the right bank of a river, and to be repaid in 60 years. The annual charges (4 per cent. interest *plus* sinking fund) would have been Rs. 6,875. The Government of India had to point out that to repay the loan in 30 years would mean only Rs. 9,000 a year; that the Trustees have a surplus income of Rs. 50,000 a year; that they are only at the beginning of their borrowings; and that the shorter term would in the long run be far less onerous.

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- (3) A third Local Government wanted a loan of 50 lakhs for another Port Trust, to be spent in buying land, laying railway sidings and building sheds and offices. The term proposed was again 60 years, although the undertaking was to be immediately remunerative, and the life of many of the works was clearly far less than 60 years. Here again the Government of India, in the interests of posterity, had to cut down the term to 30 years.

The fact is that, in nearly all public corporations in India, there is an influential element who are strongly biased in favour of the reduction of the present rates of taxation, whatever the effect on the future may be. This view, plausibly disguised, is persistently forced upon the Local Government, who are naturally anxious to support local interests; and the result frequently is that the Government of India are the only authority in the position to form a detached and impartial judgment. I think that the existing rules might suitably be relaxed to the extent of letting Local Governments sanction the raising of loans in the open market for amounts not exceeding five lakhs and for terms not exceeding 30 years; but I would not go further.

44868*. Generally speaking, could provincial Governments be given wider powers (a) in respect of the creation of appointments and the raising of salaries the cost of which falls wholly or partially upon them; (b) in respect to appointments the cost of which falls wholly upon imperial revenues? Could the restrictions upon provincial Governments contained in Article 283 of the Civil Account Code be otherwise lightened?—† In respect of the creation of appointments and the raising of salaries, the cost of which is wholly or partially provincial, the powers of a Local Government are as follows:—

- (a) It may create a permanent appointment with a pay of Rs. 250 per mensem.
- (b) It may raise the pay and allowances of an existing appointment up to Rs. 250 per mensem.
- (c) It may sanction a temporary appointment or deputation for six months, if the salary is not at a higher rate than Rs. 50,000 a year.
- (d) It may sanction a temporary appointment or deputation for a longer period, if the salary does not exceed Rs. 250 per mensem.
- (e) It may sanction a revision of establishment which involves additional expenditure of Rs. 25,000 a year.

The limits of these powers are, in the main, the restrictions which were imposed on the Government of India before August 1907, when the Secretary of State agreed to relax them. The powers of the Government of India, as now defined, are expressed † by substituting for the words italicized in clauses (a) to (e) above the following words:—

- (a) Rs. 500 per mensem.
- (b) Rs. 750 per mensem.
- (c) two years.
- (d) Rs. 500 per mensem.
- (e) Rs. 50,000 a year.

The propriety of extending those enhanced powers to Local Governments, with whom provincial settlements have been made, was considered when the Secretary of State's orders arrived; but it was decided to leave the matter to be dealt with by the Royal Commission, as it was recognized that any such extension would be a momentous piece of decentralization. It is now suggested that the powers in clauses (a) to (e), as enlarged in the manner described, may be conferred on all Local Governments with provincial settlements. This measure of devolution would save a large amount of correspondence, and would give

† The reply to this question embodies suggestions which were made to the Finance Department by Mr. Meyer before the Royal Commission assembled, and which the Department is prepared to accept.

‡ This statement requires two minor corrections, with which I have not burdened the text. In the first place, the Government of India may raise an officer's salary to Rs. 750; this is somewhat different from his pay and allowances. In the second place, the powers in clause (a) cannot be exercised at all, and those in clause (b) can only be partially exercised, in respect of gazetted appointments ordinarily recruited from England.

Local Governments a much freer hand than at present in dealing with the establishments which are a charge upon their revenues.

In respect of the creation of appointments and the raising of salaries, the cost of which is wholly imperial, the powers of Local Governments and minor administrations are defined in Article 278 of the Civil Account Code. It is now suggested that the following extended powers may be given in such cases, subject only to the condition that sufficient budget provision exists:—

- (a) Local Governments (i.e., those having provincial settlements) may revise establishments when any additional expense involved is met either by an equivalent reduction in the same department or in some other department charged to the same major head, provided that the revision does not entail the creation of a new appointment on pay of more than Rs. 500 per mensem, or the raising of the pay and allowances of any existing appointment to more than Rs. 500 per mensem.
- (b) Minor administrations (i.e., those mentioned in note (iv) under Article 278, Civil Account Code) may exercise the same powers, but with Rs. 100 substituted for Rs. 500.
- (c) Local Governments and minor administrations may deal with non-gazetted establishments as at present (Article 278 (a) (2), Civil Account Code), but with power to create new appointments, or to raise the pay and allowances of existing appointments, up to Rs. 100 per mensem in each case.
- (d) They may sanction temporary appointments and deputations, subject to budget provision, if the salary plus deputation allowance does not exceed Rs. 100 and the duration of the appointment or deputation does not exceed 12 months.

It is also suggested that the quarterly statements prescribed in Article 278 (b) need not be submitted.

In respect to the further restrictions embodied in the rules cited in Article 283, Civil Account Code, certain relaxations may now be recommended in connection with services of which the cost is wholly or partly provincial. They are mentioned *seriatim*, with reference to the clauses of paragraph 4 of the Resolution quoted in the article.

Clause (3).—This may be modified as suggested above.

Clauses (4) and (5).—These restrictions may be removed.

Clause (6).—In lieu of this, it may be laid down that a Local Government before altering the rates of duty on spirits and drugs in a district which borders on another province, should obtain the consent of the neighbouring provincial Government, referring the matter to the Government of India only in the event of the other Local Government disagreeing.

Clause (8).—The first sentence of this clause may be cancelled.

Clause (10).—This is obsolete and may be withdrawn.

44869*. Have you any other suggestions to make in respect of the rules which now govern salaries, deputation and other allowances, and rewards or honoraria?—† In regard to salaries, the only suggestion I have to make which is not already covered by the preceding answer is a very minor one. Under Article 279A of the Civil Account Code, the disallowance of an Audit Officer in respect of pay and allowances drawn by an officer under its control may be remitted by a Local Government, on certain conditions, in so far as the payments under objection were made more than six months before the date of the audit challenge. If, however, the erroneous payments were made within six months of the date of challenge, they cannot be remitted without the orders of the Government of India. In cases of this latter type, the Government of India almost invariably accept the recommendation of the Local Government; and I think the remission of disallowances might be left to the discretion of

† Paragraphs 2, 3, 4 and 5 of the reply to this question embody suggestions which were made to the Finance Department by Mr. Meyer before the Royal Commission assembled, and which the department is prepared to accept.

Local Governments, without reference to the date of challenge, provided only—

- (a) that the erroneous payments were drawn by the payee under a reasonable belief that he was entitled to them; and
- (b) that the limitations in provisos (3) and (4) of Article 278A (a) are observed.

In regard to deputation allowances, the present limit to the powers of a Local Government is that the allowance may not exceed one-fifth of the deputed officer's salary or Rs. 300 per mensem, whichever is less (Article 81, Civil Service Regulations). This limitation gives rise to a considerable number of references to the Government of India about unimportant cases in which the equity is clear and in which the discretion of the Local Government would never be questioned. It might therefore be suitably laid down that Local Governments may exceed the limit of one-fifth, provided the allowance granted does not amount to more than 50 per cent. of the officer's salary or Rs. 300 a month, whichever is less. For the present it might be advisable to have sanctions under this extended limit reported, upon half-yearly returns, to the Government of India for information and scrutiny.

In regard to allowances to an official who is appointed to a temporary post, the Local Governments have power to give up to 20 per cent. in excess of the officer's ordinary salary, with discretion to relax the rule in cases where the emoluments of the transferred officer do not exceed Rs. 250 a month. While this restriction may reasonably be maintained in the case of appointments of an exceptional character, some larger liberty might be given in the case of temporary appointments of the same category as permanent posts already in existence. In such a case, e.g., if an additional Commissionership or an additional Judgeship is created as a temporary measure, the salary of the officer appointed to the post might with propriety be regulated by the rules which govern acting appointments generally.

In regard to conveyance allowances, the rule in the Civil Service Regulations (Article 1074) lays down that a permanent conveyance or horse allowance may be given to an officer who has a large amount of travelling at, or within, a short distance from his headquarters, for which travelling allowance is inadmissible under the ordinary rules. No such special allowance however may be granted except with the sanction of the Government of India. There is reason to think that the latter restriction is unnecessarily rigid, and that the exercise of the power given by Article 1074 might safely be left to Local Governments who have provincial settlements of their own, subject to a general definition of the conditions on which, and the limits up to which, such allowances are admissible.

In regard to rewards and honoraria granted to an officer from general revenues or from local funds administered by the Government, the existing powers of sanction are as follows:—

- Up to Rs. 100, by the Head of the Department.
- Up to Rs. 500, by the Local Government.
- Up to Rs. 1,000, by the Government of India.
- Above Rs. 1,000, by the Secretary of State.

Inasmuch as considerably higher limits in the matter of salaries and allowances are now under consideration, it is suggested that these restrictions might be correspondingly relaxed, the present safeguards as to the circumstances in which rewards are admissible being of course fully maintained. It is submitted, therefore, that the powers of sanction may be enhanced as follows:—

- Up to Rs. 250, by the Head of a Provincial Department.
- Up to Rs. 500, by the Head of an Imperial Department.
- Up to Rs. 1,000, by the Local Government.
- Up to Rs. 2,000, by the Government of India.

The circumstances in which an officer may receive fees from a private source or from an independent public body are prescribed in Article 74 of the Civil Service Regulations. In this case the powers of sanction are as follows:—

- Up to Rs. 100, by the Head of the Department.
- Up to Rs. 500, by the Local Government.
- Above Rs. 500, by the Government of India, unless the fees are for the conduct of University examinations.

It is submitted that these figures may be altered in the following manner:—

- Up to Rs. 250, by the Head of a Provincial Department.
- Up to Rs. 500, by the Head of an Imperial Department.
- Up to Rs. 1,000, by the Local Government.

44870*. Might provincial Governments have more power in the matter of pensions, travelling allowances, leave allowances, grant of free quarters, transfers to foreign service, and sanction of expenditure outside ordinary rules under Article 278 (A) of the Civil Account Code? As regards pensions, would the grant of powers which it may seem desirable *primi facie* to give to provincial Governments involve larger delegation by the Secretary of State to the Government of India?—It will be convenient to combine the answers to both the parts of this question which deal with pensions. I will refer only to certain proposals for increased powers in this respect which have recently been considered by the Finance Department at Mr. Meyer's instance.

- (a) When an officer with no substantive and permanent appointment acts in an appointment of which the pay is not less than Rs. 100, the ordinary rules allow him only half the pay of the post. But in special cases, with the sanction of the Government of India, the acting emoluments may be raised up to the full pay of the appointment. It is submitted that this special power might be extended to Local Governments, in respect to officers serving under them; the rule being declared not to apply to barrister appointments (rule 1 of Article 546) or to officiating Law Officers (Article 657). Half pay is rarely sufficient to attract a competent outsider to an acting vacancy; and the applications of Local Governments for higher emoluments are never vetoed.

Article 144,
Civil Service
Regulations.

- (b) The Government of India have power to grant a compassionate allowance to an officer dismissed for misconduct, insolvency or inefficiency, on the conditions that—

Article 353,
Civil Service
Regulations.

- (i) the officer was not appointed in England, and that his pay did not exceed Rs. 250 per month;
- (ii) the allowance does not exceed 3/4rds of the pension that would have been admissible if the officer had retired on medical certificate.

It is suggested that the limit of Rs. 250 might suitably be raised by the Secretary of State to Rs. 500; and that the powers of the Government of India in this matter might be delegated to Local Governments in respect to officers serving under them. The analogy of the Government of India's powers with regard to new appointments supports these proposals.

- (c) A pension is not admissible except for permanent service. But, upon such conditions as it may impose in each case, the Government of India may allow temporary service to count for pension if the pension does not exceed Rs. 10 per month. This limit is 28 years old; and it is now proposed that it might be raised to Rs. 50 per month. It is also suggested that these special powers might be delegated to Local Governments in the cases of pension which are within their powers of sanction.

Article 368,
Civil Service
Regulations.

- (d) Interruptions in pensionable service may be condoned up to the limits, and under the conditions, described in Article 422, Civil Service Regulations. It is now suggested that the Secretary of State should allow the authority (whether Government of India or Local Government) who has power to sanction the pension full discretion to condone any interruption in service, however long, and whatever the status of the officer concerned. It will be understood that there is no question of making good any deficiency in pensionable service, but merely of protecting one period of pensionable service from being sacrificed by reason of not being immediately followed by another such

Article 422,
Civil Service
Regulations.

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Article 434,
Civil Service
Regulations.

Article 475,
Civil Service
Regulations.

Articles 642
and 643, Civil
Service Regu-
lations.

Article 740,
Civil Service
Regulations.

Article 743,
Civil Service
Regulations.

Article 924
(b), Civil Ser-
vice Regula-
tions.

period. The references on this subject are numerous and the recommendations made are almost invariably accepted.

(e) The Government of India's sanction is necessary to the grant of a pension to an officer who is discharged in consequence of a change in the nature of the duties of his office. It is suggested that Local Governments might be left to deal with such cases, subject to the observance of the ordinary rules which govern the grant of compensation pensions.

(f) Officers holding the appointments scheduled in Article 475, Civil Service Regulations, may be given by the Government of India an additional pension of Rs. 1,000 a year on certain conditions specified in the same rule. The Local Government is the only possible judge of the case for an extra pension in respect of officers serving under it; and the power to grant the concession might properly be delegated to Local Governments.

(g) In the Public Works, Railways and Telegraph Departments, the Government of India have similar powers to award additional pensions to the officers on the conditions specified in Articles 642 and 643, Civil Service Regulations. It is proposed that those powers be delegated to Local Governments in respect of officers serving under them.

(h) The Government of India may grant a pension not exceeding Rs. 25 per mensem to an officer injured, or to the family of an officer killed, in the execution of his duty. A Local Government may give up to Rs. 10 per mensem. As the Local Government is the best judge of the circumstances, its application for a higher pension in special circumstances is most unlikely to be refused; and to avoid useless correspondence, it is proposed that the Rs. 10 limit be raised to Rs. 25. The Secretary of State might also be moved to enlarge the Government of India's powers to Rs. 100.

(i) In cases which do not fall strictly within the ordinary rules for wound or injury pensions, the Government of India have powers to sanction

- (i) a gratuity not exceeding Rs. 1,000; or
- (ii) when injury or death is due to devotion to duty, a pension not exceeding Rs. 25 per month or a gratuity of equivalent amount.

It is proposed that these powers be conferred also on Local Governments in cases where they would be the sanctioning authorities under the ordinary rules.

(j) In general, the Government of India have power to grant a Rs. 10 pension or a gratuity of equivalent amount, in cases where no pension is admissible under the rules, provided that the general spirit of the Civil Service Regulations is observed. It is suggested that the Government of India's powers in this respect might be enhanced to Rs. 100, and that Local Governments with provincial settlements may be entrusted with powers up to Rs. 25 in cases of officers paid from provincial or divided heads of expenditure.

Travelling allowances and Leave allowances.—The rules on these subjects are, for nearly all practical purposes, binding alike on the Government of India and on Local Governments. I cannot suggest any further delegation of powers to the latter.

Grant of free quarters.—This, and the kindred matter of house allowances, are questions on which general principles might be laid down, and general limitations imposed; the working of the rules being then entrusted to Local Governments. I cannot at the moment suggest what limitations would be suitable, as the classes of officers concerned and the conditions of their working are so varied; but as in the case of conveyance allowances, the delegation of reasonable powers to Local Governments should present no difficulty.

Transfers to Foreign Service.—The powers of Local Governments in this matter have been considerably expanded recently; and there does not seem any necessity for further delegation.

Extension of Article 278A of the Civil Account Code.—Here also I have no suggestions to make. The

large extensions of powers which are being proposed in other directions ought to reduce the necessity for employing this rule, which appears to me to be already sufficiently liberal.

44871*. You have been furnished with schedules or memoranda showing the proposals made by certain provincial Governments in regard to the relaxation of specific restrictions now imposed upon them by law, by rules having the force of law, by imperial codes (such as the Civil Service Regulations), or by executive instructions which they desire to have relaxed. Would you object, so far as your department is affected, to any such proposals, and if so, on what grounds? Can you suggest similar relaxation in any other matters?—I must ask the indulgence of the Commission for more time to answer this question. The proposals made by the five Local Governments whose schedules I have received, are very numerous; some of them are general and far-reaching; and they all require careful examination.

44872*. Is there any ground for the allegation that the interference of the Government of India with provincial schemes of expenditure goes too much into detail?—This is so largely a matter of opinion that the reply must necessarily be general and provisional. We have all been struck by specific instances of interference which have appeared at the time to be unnecessary. On the other hand, comparatively little is heard of the numerous cases, in which interference has been justified and beneficial. Again, the degree of criticism is largely a personal matter: one officer thinks it necessary to correct a Local Government in details which his successor would leave alone on principle, even when he thought the Local Government clearly in the wrong. It is impossible to provide against such variations in temperament, or to standardize the permissible limits of interference. Personally, my opinion is that there has frequently been a straining after completeness and uniformity which were not absolutely essential to efficiency, or even always to economy. I think that in the last few years there has been less of this than there was, and I do not think it is a characteristic of the Finance Department. The granting of quasi-permanent financial settlements to Local Governments was one of the largest measures of decentralization for years; and the additional independence and responsibility which it conferred on the provincial Governments have been fully recognized in this department. The control of the Government of India over provincial finance was of necessity rigid and illiberal during the period when the fall in silver paralyzed all financial generosity. Since then, it has been steadily and deliberately relaxed; and I do not think that Local Governments have ground for any serious complaint of a general character.

44873*. Are you satisfied that the Government of India have an agency for the audit of provincial revenue and expenditure which is fully responsible to them and entirely independent of the provincial Government?—The answer to this question is in the affirmative. The Audit Officer in each province is directly responsible to the Government of India, and independent of the executive power of the Local Government, which is bound to receive and forward any objections which he may take to its action.

44874*. Might provincial Governments be empowered to frame rules under sections 5, 8 and 13 of the Opium Act "subject to the general control," instead of "with the previous sanction of" the Governor-General in Council?—The Finance Department fully accepts the propriety of the alteration.

44875*. Is there any objection to permitting provincial Heads of Departments to make reappropriations within budget heads of expenditure administered by them?—The policy of the Government of India in recent years has been to acquiesce in the conferment of these powers on provincial Heads of Departments subject to two general conditions:—

- (i) that the re-appropriations are made within the same major head; and
- (ii) that savings under salaries and establishments are not re-appropriated to other classes of expenditure, and vice versa.

The first of these conditions is essential if confusion is to be avoided; the responsibility for budget control

over the major heads must rest with the Local Government. The second condition has an administrative aspect as well, but there are two financial reasons of great importance which underlie it. One reason is that in our budgets no separate provision is made for leave allowances paid in India, and these allowances are ordinarily met out of savings in the budget allotments for salaries. As the charges for leave allowances are very unequally distributed among the different branches of the Service, it is essential that the central authority of the province should have a free hand in utilizing any lapses in the grants for salaries and establishments. The other reason is that the Local Government ought to have at its unfettered disposal a certain section of the savings in its provincial budget as a reserve against excess expenditure or special calls upon its purse. The practice—in some provinces at least—has been to earmark informally the net savings under salaries in this manner; and it is a distinct administrative convenience that this procedure should be maintained. Subject to the stipulations mentioned, the delegation of the power of re-appropriation in favour of their Heads of Departments (including Commissioners) might reasonably be left to the discretion of Local Governments.

44876*. How far, speaking generally, would you be prepared to allow the delegation of specific financial powers now vested in provincial Governments to Heads of Departments and Commissioners, especially as regards the grant of minor pensions, the creation of temporary and permanent appointments, and decisions in questions relating to travelling and other allowances?—Broadly speaking, the view hitherto taken by the Government of India has been that Local Governments should not be given any general power of delegating to subordinate authorities the powers which they themselves have received by specific delegation. It has been regarded as preferable that the matters in regard to which the devolution of a Local Government's powers is permissible should be scheduled, after due consideration of the arguments in each case. Heads of Departments are stars of varying magnitude, and it is difficult to indicate any general principles which should regulate the delegation of powers to them. As a general rule, it does not appear expedient that they should exercise the authority of a Local Government except in regard to non-gazetted officers under their direct administrative control; and even this general condition will require further limitations with reference to the status of the different departments concerned. The Government of India have recently sanctioned very numerous instances of devolution of authority to Departmental Heads in several provinces; and much still remains to be done. As regards the specific points for delegation which are covered by the latter part of this question, I may, perhaps, be permitted to refer to paragraphs 11 to 50 of the "Note on certain sections in the Civil Service Regulations" drawn up by Mr. Meyer for the Royal Commission. The suggestions embodied in these paragraphs, although there has not been time to examine them fully in this department, proceed on the general lines which the department has followed in dealing with proposals for decentralization as between Local Governments and the authorities subordinate to them.

44877*. Would there be any objection to Commissioners being given divisional budgets, within which, subject to the general control of the provincial Government, they might pass expenditure on Public Works establishments, &c.?—I am not quite clear how far it is contemplated that the divisional budget should extend. The Commissioner has a general surveillance over the operations of a number of departments in his division; and it is difficult to suggest any means by which he could share the financial responsibility for their working, which vests primarily in the Heads of the respective Departments. If, however, the intention is to give the Commissioner certain powers of sanctioning establishment and contingent charges within his division, there is no objection that I can see to his having a corresponding power of allotting the necessary funds from a divisional budget.

44878. (Mr. Meyer.) As regards the Secretariat appointments, is it not exceedingly rare, that an Under Secretary moves straight up to Deputy Secretary, and a Deputy Secretary straight up to Secretary?—Yes, very uncommon.

44879. Is it not absolutely exceptional?—It is very rare.

44880. So that usually an officer would hold his appointment as Under Secretary for three years or so and then go out and, later on possibly, come back as Deputy Secretary?—Yes.

44881. And similarly with regard to the Deputy Secretary and Secretary?—Yes.

44882. As regards Secretariat cases, may it be said generally that, outside a very big scheme, such a one as you have mentioned, where there is delay in any case it is because it has to go to more than one department, and it may come back more than once to the Finance Department before it is settled?—Yes, that would be a case of frequent reference to the Finance Department; I described only the case of a single reference.

44883. Have not the Administrative Departments of the Government of India, for convenience, been given certain financial powers?—Yes.

44884. Practically speaking, the same powers as a provincial Government?—In respect of their own expenditure, yes.

44885. With an exception relating to the personnel of their own Secretariat establishments here?—That is so.

44886. As regards the inclusion of non-sanctioned schemes in the budget, the strict rule in the Civil Account Code is that no scheme shall appear in the budget until it has been administratively sanctioned?—It is.

44887. Still, as a matter of convenience, you would allow a scheme to pass if it had been under discussion, and it appeared to you to be within measurable distance of being sanctioned?—That is so.

44888. Suppose a Local Government sent in its budget and said, "We propose to split up a district, or to revise the pay of our clerical establishment; we have not yet thought the matter out, still we have put down say five lakhs;" would you accept that?—That would be almost inevitably struck out.

44889. You give reasons against the suggestion that the terms of the financial settlements with provincial Governments should receive the sanction of the Secretary of State and should not be altered without his permission; you mention the difficulties that that would give rise to. In this connection, has not the Secretary of State of late years shown a greater tendency to interfere with the powers of the Government of India as regards the provincial settlements than previously?—He has revived, in a recent case, a power which he had previously enunciated some years ago and which had not been used in the interval. That was a decision, by, I think, Lord George Hamilton, that any revision of a provincial settlement which involved a large transfer to provincial sources of revenue which had previously been imperial, should be submitted for his consideration. In pursuance of that decision, the Secretary of State has recently called for a further examination of the settlement which we have just made with the United Provinces.

44890. Not only that, but in 1903 was it not laid down that the Government of India could not allot funds to Local Governments for the purpose of compensating them for loss of revenue consequent on remission of taxation, without reference to the India Office?—There were a series of restrictions laid down at that time.

44891. Also that they could not give large grants for administrative reforms, and that they could not, in fact, give a province any large money grant, save for the purpose of restoring a depleted provincial balance or maintaining the normal expenditure in case of some special calamity such as famine?—That is so: those were the orders of 1903.

44892. If this proposal that was put to you was adopted, and any modification of the settlements with Local Governments rested with the Secretary of State, is there any probability that the Secretary of State would look more favourably on increasing the resources of the provincial Governments than the Government of India has hitherto done?—It may be a mistake—but it is the prevailing impression here—that grants to Local Governments are scrutinized much more carefully than is altogether necessary.

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44893. To sum up then, if any alteration in the provincial settlements rested with the Secretary of State, not only would there be the inconvenience that you have described in the case of minor adjustments and so forth, but in all probability the last state of the Local Governments would be worse than the first?—I am inclined to think it would be.

44894. In regard to the question of a financial settlement with the North-West Frontier Province; you say that the Chief Commissioner has got considerable powers with regard to appointments under the present arrangements. Are not his powers confined to the relatively small powers allowed to an ordinary provincial Government in respect of imperial expenditure, plus provincial expenditure powers only in cases where additional expenditure is covered by a reduction of permanent expenditure in other establishments?—That is the rule.

44895. So that really he is a good deal worse off than if he had a provincial settlement?—Yes; that is to say, he is worse off than if his figures were classified as provincial figures.

44896. The Agent to the Governor-General in Baluchistan complained that his budget estimates were cut about by the Comptroller of India Treasuries, and that he never had a chance of seeing them again; is that quite right?—I think the complaint is a reasonable one, and after the manner in which the Baluchistan estimates were rushed this year, I propose to take up the question of having them prepared in the form of a regular budget note in the future.

44897. So that, as in the case of any other province, the Agent to the Governor-General will see what is cut, and will be able to show cause against it?—He will have two opportunities of examining our corrections. I ought to say that nothing has been done in that respect yet.

44898. But you can and will do it; it is a simple matter?—I propose to take the matter up at once.

44899. In regard to the request which some Local Governments have made that they should be allowed to re-appropriate from balances without reference to the Government of India, you have indicated the objections, but the chief is that it would affect ways and means?—That is the main reason.

44900. It has been suggested to us by one Local Government (Madras, I think) that to save time they might do it within a small amount. That would have to be laid down, but we will put it provisionally at 5 lakhs; that is to say, that as long as their minimum balance was not drawn upon, they could allot from balance to additional expenditure up to 5 lakhs without reference to you, the argument being that that would not be of sufficient importance to disturb the ways and means estimates; what would you say to that?—That argument is not an unreasonable one. If you limit the reserve, so to speak, to 5 lakhs for a province we could probably arrange, without any convenience, to face a maximum excess of 40 lakhs for the eight big provinces. The only remark I would make is that, as a rule, the Local Governments, except in bad years like the present, have always got much larger spending powers than they actually use, and that if they know how to re-appropriate they should never have any difficulty in re-appropriating even as much as 5 lakhs from other service heads.

44901. As a matter of fact, such power of allotment would really be unnecessary?—I think it would be unnecessary; it might, however, be a useful concession to sentiment.

44902. Still, if it pleased the provincial Governments, it would not do any harm?—I do not think it would do any harm, because it would usually be covered by savings.

44903. Then with reference to the proposal of the Madras Government that they should not send up the budget notes at the present date but in the middle of February, you give very strong reasons against that. There is another point, perhaps, that you have not taken into account. The first edition figures may require you to go up to the Secretary of State for modification of proposals previously made for the disposal of an anticipated surplus?—That is so.

44904. And of course it is most desirable that the Secretary of State's sanction to such alterations should be obtained as quickly as possible?—Very desirable.

44905. It would be a grave inconvenience if you had to wait till the middle of February before you could address him and say that you were not able to remit as many taxes as you had previously proposed, or that you had a larger surplus than you thought you would have and proposed to remit more?—It might have the effect of preventing the Financial Statement from being presented within the financial year.

44906. As regards the borrowing powers of Local Governments, you see no necessity for Local Governments to borrow in the open market?—Certainly not.

44907. Would you be inclined to let them take loans from the Government of India?—Within reason, that would be a suitable arrangement; the loans ought to be strictly limited.

44908. They might on occasion be granted loans by the Government of India, for what sort of purposes?—First of all, it should be restricted to non-productive expenditure; and secondly, to expenditure of that class which the Local Government is unable to meet from its current revenues for the year, but which it could meet if the expenditure were spread over a certain number of years.

44909. Of course, if you had a big loan of that sort it would *pro tanto* diminish the power of the Government of India to carry out their productive Public Works?—Yes. I should object to big loans also on the ground that they embarrass the Local Government's successors.

44910. And you might have *ad misericordiam* pleas for remission?—Quite so.

44911. Take Article 278 of the Civil Account Code. That allows Local Governments to sanction special non-recurring charges up to certain limits, Rs. 1,000 for provincial expenditure, and Rs. 500 for imperial, if they are not covered by ordinary rule, but do not involve the setting aside of a rule. We have been told that in practice that condition is so severely applied by the Accountant-General that the power becomes nugatory; is that the case?—I have heard no complaints. My own recollection of cases in a province does not altogether agree with that, but it may be the case with individual Accountants-General.

44912. You object to the raising of these limits; why?—I should object to the raising of the sums if the Commission sees its way to support the various relaxations in other directions which have been suggested. A dispensary power of that class is inevitably necessary when you have got very rigid rules, but when the rules become slacker, I do not think there is any necessity to raise the dispensing powers.

44913. To meet the possible objection about the Accountant-General, might the challenge of the Accountant-General be limited to cases in which payments are repeated from one year to another or are in direct variance with existing rules?—Would that differ very much from the existing system?

44914. Not in spirit perhaps, but the wording might possibly be amended.—I should have no objection to amending the wording.

44915. Did not the orders contained in the Civil Service Regulations originate at a period in which the Local Governments had practically no financial powers?—Yes.

44916. And the other day the Local Governments had only a five years' lease of their revenues under the provincial contract system?—Yes.

44917. Have not these *quasi*-permanent settlements now materially changed the situation as regards this detailed control?—I think they have, if we have a full assurance that the settlements are *quasi*-permanent.

44918. Why do you doubt the permanency of the settlements?—One sees certain Governments, one Local Government in particular, with which *quasi*-permanent settlements of a reasonable nature were recently made, spending at such a rate now that it seems almost inevitable that it will come up very shortly for a complete revision of the settlement. Of course, all uncontrolled increase of spending powers rather endangers the boundaries of a settlement.

44919. Could you not meet that, if necessary, by raising the minimum balance, or by requiring the Local Government not to exceed its current revenues by more than a certain amount every year?—Yes, that could be done.

44920. Do you still consider that the Government of India must issue general rules laying down the principles of travelling allowance and conveyance allowance and leave, and other matters with which the Civil Service Regulations deal?—Generally speaking, certainly.

44921. For instance, the amount of acting allowance, that it should be two-thirds of the difference between the permanent salary of the man's previous post and that of the one in which he is acting?—Quite so.

44922. But is not a large part of the Civil Service Regulations devoted to specific exemptions or applications of these rules with which the Government of India has to deal, and consequently the Local Governments have to come up to them?—Yes.

44923. In such cases, speaking generally, might the powers of the Government of India be delegated to the Local Governments in respect of Services which they pay for wholly or in part; would there be any objection to their framing detailed rules of their own? Of course, there might be particular exceptions where such a general rule of delegation would not apply.—I should be very glad to see a liberal view of that nature taken.

44924. Following that, might not the Civil Service Regulations be made more general in their character, the Government of India laying down principles and their general application, and departure from these in special cases being within the discretion of the Local Government provided it was financially interested, as long as such departures, in the opinion of the Accountant-General, referred only to legitimate or special exemptions, and were not of such a large or recurring character as really to fritter away the general rule?—I think that would follow. It is also very essential in the interests of audit that, if the Civil Service Regulations or the imperial code is restricted to general principles, it should be fully supplemented by provincial codes. I can imagine nothing more disastrous, from the accounts point of view, than uncertainty in these matters.

44925. It has been suggested to us by some people that in case of exceptions from general rules the Local Government might overrule the Accountant-General and leave it to the Government of India, on perusal of the Local Government proceedings, to intervene; would you be in favour of that?—I should entirely dissent from that view. My reason is that audit is audit; I would much rather see rules made liberal and relaxed within all reasonable limits, than any power given to the authority who was audited to overrule the Auditor.

44926. Would that be better than to leave the Accountant-General some discretionary power of challenge?—Yes. He has that power at present within narrow limits, and of course his tendency is to rigidity; but, on the whole, that is a good tendency.

44927. We have had complaints of the meticulous character of a number of the existing rules in the Civil Account Code, and the large amount of trouble and correspondence they throw on District Officers and their superiors; in addition to the two volumes of the Civil Account Code, there are also, apparently, Treasury Manuals in the various provinces. Would it be possible to have a relatively simple code embodying the restrictions necessary from the point of view of imperial finance, and making it clear that in regard to other matters, such for instance as the authority that has to countersign duplicate bills and the extent to which duplicate and triplicate copies of accounts are necessary, the power shall rest with the Local Government on the advice of the Accountant-General?—The proposal is a new one to me; and I can only answer in a general way. But I certainly think that the Civil Account Code has become unduly swollen and unduly minute, and that a great deal could be done in the direction which the question indicates. The rules of treasury procedure would have to stand, as well as matters affecting imperial finance. But much of the petty detail about contingent charges, etc., might go.

44928. (Sir Steyning Edgerley.) As to your answer that you entirely dissent from the grant of power to overrule an Audit Officer. The principle that an Auditor should be entirely independent from the authority he audits is one that will receive general

acceptance, but, as a matter of fact, the Government of India, in reference to its control by the Secretary of State, has exactly the power from which you dissent so strongly on principle?—Of course, there must be some final authority which decides whether the audit objection is right or wrong.

44929. The suggestion that we have had from the provinces upon this particular point is rather this; that if the Audit Officer objects, as he is bound to do under the rule, and if it is a trifling case which the Local Government knows from its experience will be pretty sure to go through, they might dispose of the matter and include it in a monthly return which should be sent up to the Government of India, practically extending the principle now admitted as between the Secretary of State and the Government of India to the case of the Government of India and a Local Government?—But you do not get rid of the objection that the authority whose accounts are being audited takes the law into its own hands.

44930. Subject to control, because he reports at once or within a reasonable time?—Yes, I do not like the idea; it would be better to leave things as they are.

44931. But you have already got the arrangement yourselves?—I do not think that that states the case precisely. If an Audit Officer could not accept our ruling, we should almost invariably submit the case to the Secretary of State for decision.

44932. You require a statement of counterfeit coin from the Local Governments; the Home Department requires a similar return; Local Governments have also to send a similar return to the mint. Are these three returns all necessary; why should not one return suffice?—I do not think the separate report to the mint is altogether necessary. The Home Department return is required for detective purposes. Ours is required more for currency purposes.

44933. Would not the Home Department return serve your purpose quite well if they sent you a copy?—I have not examined the matter; I will look into it.

44934. Then as to the return of "Recoveries in India of the cost of Privy Council appeals"; is the only reason you want that because it has been asked for by the Secretary of State?—That is the only reason.

44935. If he would agree to abolish it you would see no objection?—Not at all.

44936. Similarly as to the statement of settlement appointments sanctioned by Local Governments and the Government of India?—I should be glad to see that dispensed with by the Secretary of State.

44937. Why do you want a statement of cases of opium smuggling?—Opium is a very valuable source of revenue. Smuggling, especially between provinces, reached a high standard of efficiency at one time, and it was considered absolutely necessary to watch it.

44938. But is the Finance Department of the Government of India very capable of watching the details of opium smuggling?—It affects us as far as our revenue is concerned.

44939. But take salt, stamps or excise, offences all affecting your revenue, but you do not get returns as to those?—No, we do not.

44940. Why do you single out this one head?—I really do not know the history of this statement; but I will have it looked into.

44941. Two other departments tell us that you require returns from them which have to be eventually obtained from Local Governments. The Public Works Department tell us that you require from them an estimate of income-tax recoveries and an estimate of exchange compensation recoveries. Do you still want these?—I should not think so.

44942. The Revenue and Agriculture Department tell us that you require from them, and through them from Local Governments, provincial returns of all alienated lands, under the rules of 1872, and all assignments of land revenue. Such grants are permanent expenditure in one form or another, but there are plenty of forms of permanent expenditure by provincial Governments within their powers as to which you do not require returns. The whole of that question is being gone into now, and I have no doubt that this point will come up in connection with the enquiry.

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44943. You say that under sub-heads 8 "Political" and 9 "Territorial and Political Pensions" that the Government of India have undertaken the whole cost of administration, while reserving eventually the whole revenue under sub-head 8. In the Bombay Presidency, which, I think, has most Native States to deal with, while reserving the revenue of the Bombay Agencies as imperial, you have provincialized the whole of the expenditure?—Yes.

44944. There is a great difficulty about responsibility for famine expenditure; might not the provincialization of the revenue possibly help to settle that question in the Bombay Agencies—not Baroda?—That may be.

44945. Then in the next item, "Territorial and Political Pensions," the Aden pensions, which come to about half a lakh, are of course imperial, but the rest of the item is practically a charge on the land revenue, which comes to about Rs. 5,29,000, and it is really a provincial liability if you are to have a thorough logical application of your principles?—I do not think they are classified under this particular head of account.

44946. Then, as regards the possibility of the Secretary of State adopting the present provincial financial settlements as his allocation of the revenues of India, I understand you to say that under this recent reassertion of authority by the Secretary of State and under his orders of 1903, you really cannot alter the quasi-permanent settlements to any great extent without going to the Secretary of State?—Any revision of the settlements which involves a large addition to provincial resources requires the Secretary of State's sanction.

44947. Do you think the contrary is not the case? Could you without his sanction largely decrease the provincial resources?—I am not sure. We had a case the other day in which the Madras settlement was readjusted; it was called a revision, but it was really a readjustment, giving them different shares in the divided heads, but not giving them any larger net resources. In that case we have reported the matter to the Secretary of State; but we understand that his specific sanction is not required.

44948. Your surplus in 1906-07 was 1½ millions; what surplus did you budget for?—£874,100.

44949. In 1907-08 you are about half a million out?—Short of our estimate, yes.

44950. In an agricultural country, might not famine, and in any country plague, disorganize any budget?—Yes.

44951. And after all, the budget is only the best guess you can make at a given stage of information as to what your revenue is going to be?—It is the most careful approximation that we can make of our revenue and expenditure.

44952. What should you say that in an ordinary year, with neither plague nor famine, is a permissible margin of error in a budget? Would you say 3 per cent.?—Two per cent. I should say, as an outside limit.

44953. When famine or influences of that sort upsets your budget, it does not necessarily prove "bad finance"?—Not necessarily.

44954. When alterations are made in the provincial budgets between January the 20th and March the 8th or 9th, is your alteration submitted to the Member in charge of your department, or is it made by the Secretary?—On a matter of importance it is submitted; my practice has been, during the two budgets that I have been connected with, to submit any matter of importance to the Hon'ble Member; minor matters I keep to myself.

44955. Before the alteration goes back to the Local Government, it is an alteration by the Government of India and not merely by the Secretary of the Finance Department?—I should hesitate to say that. The discussion which takes place on the budget notes is a departmental discussion.

44956. I suppose the time from the 20th January to the budget time is a period of very great stress in your department?—Yes.

44957. As regards the third cause for which you alter the budget; do you think that any Local Government can really destroy itself, so to speak, in a single year? You say "The budget affords the

Government of India their only timely opportunity for reviewing the progress of provincial expenditure and for applying the brake if the progress is unduly rapid.' Have you really got time to fully consider the case of a Local Government in those two months?—It is the only opportunity one has for a bird's-eye view of their financial prospects generally.

44958. But ought you to stop them then, or wait until you hear what they have to say?—The Government of India has laid down definite instructions, for example, that a provincial Government must retain a certain closing balance; if that closing balance is endangered it is reasonable to insist on reductions to maintain it.

44959. But it might be spending so fast as to deplete its balance long before it actually trenches on its minimum budget?—That may occur of course.

44960. Would you then stop them at the budget time on the ground that they are unduly depleting their balances?—If there was a danger of their going below the minimum they ought to be stopped.

44961. But without that danger?—Not necessarily. I would point out however that it is the duty of a Local Government to give intimation in advance of any intention to budget for large expenditure out of its balances.

44962. Do you really think you can give adequate attention to the case which a provincial Government may have for special temporary expenditure in that time of stress? I suggest that you ought to note that they are going too fast, and wait till April or May, when you could discuss it with them.—The result would be, in the meantime, that they had obtained the spending power.

44963. For one year only. Do they not deserve the consideration of a full hearing before you stop them on that ground?—But they have it; the suggested corrections in the budget go to them twice; they have two opportunities of explaining their figures.

44964. But do you suggest that you have time to consider their case in that short period of stress of budget preparation?—We have the broad figures to go upon which indicate the pace at which they are going; we know exactly what their review and expenditure is; I do not know that any further consideration would improve the position.

44965. You do not think that you might learn exceptional circumstances which you ought to know?—Those exceptional circumstances are almost inevitably explained on the budget notes.

44966. And you have time to consider them?—They are very fully considered.

44967. Do you not think that the feeling that they are not perhaps fully considered—cannot possibly be fully considered in that time—is part of the reason for the dissatisfaction to which you refer?—No; my experience is that this particular form of dissatisfaction has been based on a misapprehension as to the intentions of our reductions.

44968. Do you not think that a cause outside those you have mentioned is that the Local Governments feel that they do not get a sufficient hearing on a point of that sort?—I should be very sorry if that was the case; as Secretary to a Local Government, I cannot remember ever having that feeling.

44969. I do not say that you are entirely responsible for it, but would you not say that the system of these reductions tends to promote "the chronic habit of underspending grants"?—I think that if deductions are cut too fine, they certainly have that effect.

44970. Reading the last sentence of your answer to the question as to the nature of the control exercised by the Government of India over provincial budgets, with what you have already told us and with your answer to the question whether provincial Governments have frequently to apply for additions to their expenditure budgets as passed—that there is generally much more money in a provincial budget than they expect—why is it necessary for the Local Government to come up and apply for special sanction for an additional grant, in the event of their going within their own budget but beyond the provision left by your reductions? My suggestion is that you have got their revised estimates in January, which show you how, as they think, the year is to close; at the end of

the year you get an annual statement as to excess expenditure for formal sanction; why do you want this special outside sanction?—It is a budget principle; your audit would be impossible unless you had a grant to audit against; otherwise the excess expenditure would be held under objection by the Accountant General. Our sanction removes that.

44971. But would it not be possible to give them, in cases where it is necessary (you say it is scarcely ever necessary), liberty to run up to their own uncorrected budget figure before they had to apply?—That would be an overspending.

44972. It would be an overspending which would be covered by the return of excess expenditure in the previous financial year?—Quite so, but then the sanctioned budget figure is the lower figure; that appears in both the imperial and the provincial budgets, and the Auditor General works against that.

44973. You say that you are unable to make any suggestion or to put forward any practicable proposition for further relaxation of budget control. Do you see any real objection apart from possibly some (I hope not insuperable) difficulty in audit, to allowing the two budgets to run side by side?—I am afraid I do not understand the suggestion.

44974. The Local Government makes its budget and sends it to you on the 20th January in full detail; you use it in full to make your own budget in March. The suggestion is that you use your own budget for ways and means and for all your own purposes, but that as regards the provincial budget, you do not modify that, but leave it as it stands?—You mean you would leave their uncorrected figures as representing their power of expenditure? Then the result would be that we should have two sets of figures, our figures against which the auditor would audit, and the provincial figure against which the Local Government might be continually overspending the true sanctioned allotment.

44975. That is the objection, but so far as the revenue side is concerned it would make no difference whatever, because the Local Governments do not touch that revenue?—No.

44976. As regards the expenditure side, it would probably amount to three or four items out of the whole?—Very probably.

44977. So far as the adjustment is concerned, your audit might continue as at present?—I am afraid the result would be considerable confusion, and it would be very hard on the Account Department to have to say precisely what particular figures they were dealing with at any particular time. We have given a power, so to speak, of allotment under certain major heads, and it is possible it may be extended to other heads, but the over allotment in accordance with ordinary principles is conditioned by the necessity of covering any excess of expenditure above the budget figure by savings.

44978. Up to the present moment that has never been considered?—No, it is a new thing; it was only begun about a month ago.

44979. As regards ways and means, taking two or three Local Government budgets if there was an excess on the one, and a deficiency on the other, might it not adjust itself?—Yes, that might be done.

44980. (Sir Frederic Lely.) Are we to understand that the alterations made by the Government of India in the principal Government budgets are confined to the considerations mentioned in your answer as regards the nature of the control exercised by the Government of India over provincial budgets?—Yes, that was my intention.

44981. Are alterations never made for reasons of policy; for instance if the Government of India considers that more should be spent on this and less on that, is that taken as a reason for making alterations?—That would not be done on a review of the budget.

44982. Is there not a distinct objection to the present system by which a provincial budget goes up to the Government of India in the middle of January, and from that date until the time of its final sanction the provincial Government has not a voice in the matter at all?—But the provincial Government has two opportunities of seeing any corrections that the

Government of India may have made; the first edition of the budget is returned to the Accountant General by the end of January or early in February, and the Accountant General then consults the Local Government as regards any changes that have been made in the figures, and as regards objections they have to make, and any re-adjustments they want; they have the notes in February, and that operation is repeated again in the second edition, so that the Local Government has two opportunities for questioning any corrections we may suggest.

44983. Supposing the budget is prepared and is sent up in January, and at the same time suppose it is laid before the Local Legislative Council, and as the result of discussions thereon, or as the result of other considerations, the Local Government wishes to alter some of the items, to reduce some and increase others, or introduce new ones, can it write and say so to the Supreme Government? Would those proposals be accepted?—I think so. We had an occasion this year in which the Bombay Government found difficulty with regard to certain reductions under two service heads, but, as an alternative to our restoring the reduction, asked that an equivalent spending power should be added in the Public Works Department for particular purposes, and that was at once accepted.

44984. Was that after the budget had been submitted?—That was after the first edition of the budget came to us, and after the Local Government had seen the corrections we had made in the first edition.

44985. As a matter of fact, it would be a little more inconvenient to you, to make such an alteration, than it would be to make the alteration on the receipt of the month's estimates?—We often make corrections right up to the 10th March.

44986. With regard to the quasi-permanent settlement for Bengal, was allowance made in that settlement for the non-progressiveness of the permanent land revenue?—Yes; that was a feature which was carefully considered.

44987. As to the proposal to cast all the expenditure on divided heads upon the Local Government, you have mentioned one or two considerations which are adverse to that proposal, but I understand that, on the whole, you have no special objection to it?—I did not express any special objection, but I think there are objections. The question, as I understand it, is whether all expenditure could not advantageously be made provincial. The proposal is that the Imperial Government should still continue to share certain heads of revenue, but that its share of those heads should be smaller than at present, and that, in compensation, the Local Government should undertake the whole of the expenditure in the province on provincial services. There seem to me to be two substantial objections to this. In the first place the Government of India would become simply a partner in the Local Government's profits without taking any share in its burdens, and this might place it in an invidious position: the Imperial Government might find itself exposed to the reproach of carrying off a share of the provincial revenue without displaying any corresponding interest in the provincial needs. Of course that objection may be regarded as more sentimental than real, but it is of considerable importance if the Government of India is to protect itself against the accusation of exacting toll from the Local Government. The second objection is the serious difficulty which might occur with regard to increased expenditure upon services the revenue of which is shared between the Imperial and Local Governments. A Local Government might not unnaturally be reluctant to incur heavy expenditure on reforms, such as excise reforms or reforms in forest administration, if it were only to obtain a fraction of the revenue resulting from those reforms, and in fact there might be a direct loss to the Local Government. The point of that difficulty is, it seems to me, that you open a very large door to friction between the two authorities. There is no such opening at present, because if the Government of India bears any increased expenditure in improving the efficiency of a Service from which the revenue is divided that is justified by the fact that they undertake a share in the burden. Then on the other hand, I have not been able to find any sort of counterbalancing advantage in the proposed arrangement, and it would not, for any practical

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purposes, improve the position of the Local Government in the matter of sanctioning establishments. It would increase the dead-weight of expenditure on them, and the increase in the provincial share of revenue would increase the risk of dislocation of provincial revenues in time of famine or the like.

44988. Would it not give the Local Governments to a certain extent a more independent position?—I hardly think so. I think they would become more dependent in bad times on the Government of India than at present.

44989. With regard to the division of the financial burden between local funds and provincial funds, has not the tendency been in recent days to impose too many responsibilities on Local Boards without giving them sufficient funds to meet them?—I quite agree; Local Boards in many provinces—I do not say all—have been very much curtailed in their financial independence, and I should like to see that matter remedied.

44990. The evidence before us is that there is very little popular interest taken in Local Boards, one reason being that they were starved, and that they were called upon to do work without having the money to pay for it?—That is a reasonable grievance, but I do not think it is the only one.

44991. It is not the only one, but it is said that there is not enough money for village demands, because most of it is swallowed up by Government Departments, such as the Medical Department, the Veterinary Department, and the Education Department, and so on?—Yes.

44992. Would you, as a matter of general policy, be inclined to meet that by relieving Local Boards of certain of their responsibilities or by giving them a larger assignment of revenue?—Personally speaking, I should like to see the Local Boards given much larger responsibilities and revenues to meet them.

44993. Local Governments give them grants for specific purposes as it is, but do not these grants vary from year to year in many cases?—Yes; Local Governments give them special grants for special works frequently, and they also give them general assignments to supplement their defective revenues.

44994. Would you approve of giving those grants on a staple basis and making them lump assignments, on the analogy of the settlement made by the Government of India with the provincial Governments?—Precisely; I should like to see District Boards (speaking with personal experience of only one province—the United Provinces) placed on a semi-contractual relation with the provincial Government, receiving either the rates or a definite share of the revenue, also the miscellaneous receipts which they at present enjoy, tolls, ferries and the like; and if necessary having their revenues supplemented by fixed assignments from provincial funds. I should like to see that arrangement made in the form, to begin with, of a quinquennial settlement.

44995. You mention that you would restrict the loans by the Government of India to Local Governments to non-productive objects—what is your reason for that?—The programme of productive expenditure ought to remain in the hands of the Government of India. It must be met from loan funds, and the Government of India is the authority in the best position to raise the necessary money, and also they are in the best position to discriminate between the schemes which are productive and those which are not.

44996. Would that not also apply to non-productive works?—As far as possible a Government does not raise loans for non-productive schemes; the expenditure on irrigation works, however, in certain provinces is wholly provincial, while in others it is partly provincial, and loans for such irrigation works are in effect provincial loans, inasmuch as the provincial Governments pay the interest on them.

44997. When you speak of the striking growth of local indebtedness, may be you do not consider that in itself an evil, if the indebtedness is fully represented by valuable assets?—No; I do not think so.

44998. In fact, is it too much to say that borrowing is an essential to rapid progress?—In all countries, I think, that is the rule.

44999. You say, very truly, that the Government of India in the matter of such loans are in a position to form a detached and impartial judgment; is not their judgment also sometimes inappreciative of local difficulties?—I think they attempt to weigh all the considerations which are placed before them as a rule.

45000. Let me take a concrete case which often occurs. A municipal town is in want of a water-supply and a drainage scheme, the two things running hand in hand, and one without the other doing, perhaps, as much, or more, harm than good. Suppose the estimated cost of each work is 10 lakhs, and the municipality can afford an instalment for repayment of capital of say Rs. 50,000 per annum out of its current revenue; then suppose for the water works they have saved a couple of lakhs, which leaves them 8 lakhs to provide. To raise that 8 lakhs by loan for 20 years it will cost them in round figures Rs. 40,000 a year, which practically absorbs the whole of their savings year by year. For 50 years the instalment would be only Rs. 20,000, leaving them free to begin with the drainage, so that really the difference between the two periods means that for the 20 years' period the town has to go without drainage, which is an absolute necessity of public health for practically a whole generation?—I fancy what would happen in such a case would be that the loan would be consolidated, and the whole amount taken up at once.

45001. Then they would be absolutely unable to meet the charges on a consolidated loan for 20 years?—Yes, that might be so; that frequently happens.

45002. That is a difficult position; is it not of daily occurrence?—Yes, it very frequently happens.

45003. And sanction to a municipality to raise a loan under such circumstances for 20 years would be absolutely useless?—I do not think the Government of India would show any pedantic insistence on 20 years in a case of that sort; cases of that sort have frequently occurred, and in the case of the city of Benares a 60 years' loan was granted, simply because the municipality was quite unable to meet the charges in a shorter period.

45004. Does it not come to this that the Government of India will make a relaxation of that sort which it will not trust a Local Government to do?—It is not a cast iron rule at all.

45005. You propose to confine Local Governments within exceedingly narrow limits—not more than five lakhs and not more than 30 years; would you be prepared to raise these limits?—This was my suggestion for minor relaxations in the case of very small works, where a reference to the Government of India might be found vexatious, but I do not think I could advise any wider relaxation of the general rule which we have now laid down, and which really has been framed in the best interests of the local bodies themselves. Local Governments have in the past shown a certain amount of readiness to meet the wishes of local bodies as regards the duration of their loans, and local bodies invariably, as a matter of experience, are certain to overdate them. We have had cases in which a local body wanted to raise money for a productive work, the revenue from which was sufficient to meet the charges on a 30 years loan, but the Local Government in sending up the case advised a 60 years loan. That was clearly a case of the Local Government showing a certain amount of good humoured compliance with the wishes of the local body, and if the proposal had been sanctioned it would have been a serious burden upon the successors of the local body.

45006. Is the fact that one Local Government in one case happened to be over-lenient any reason for strictly limiting the powers of all Local Governments?—I have enumerated three cases with regard to three separate Local Governments, and my experience is not restricted to the instances which I have given; they are by no means exhaustive.

45007. (Mr. Meyer.) With reference to the illustration given by Sir Frederick Lely as to a municipality desiring to start a drainage and a water scheme simultaneously and not having the means to meet the loan charges within a period of 20 or 30 years—in such a case would not the Local Government contribute as a rule, either by a lump grant or by bearing part of the charge?—Yes, a Local Government has frequently done so.

45008. (Mr. Dutt.) You speak of the functions of the Inspector-General of Excise and Salt, the first being to keep the Government of India informed with regard to matters relating to excise and salt, but is that not the duty of the Local Government?—Yes; it is.

45009. Then, as Inspector-General of Excise and Salt, he has no special duty?—Yes, I think so. The explanations of Local Governments to the Government of India with regard to excise and salt, confined as they may be to annual reports, are necessarily general, and very often somewhat vague and uninforming in their character, whereas we hope to get from the Inspector-General a much more detailed and personal knowledge of the points involved.

45010. But where such information was required, could not the Imperial Government ask for it directly from the Local Governments?—Yes that could be done; that would be an official reference.

45011. Then the second function which you refer to is furnishing Local Governments in the provincial departments with advice and information; generally speaking, may I not take it that the Local Governments would be *prima facie* better acquainted with the facts regarding their own provinces than an Inspector-General, who is not very often there?—That may be so.

45012. A third function, to which you refer, is the bringing of the experience of one province to bear upon the conditions of another, but might that not be done by provincial conferences?—Yes, within measure I suppose it could.

45013. It has been suggested, therefore, by certain Local Governments that really, so far as they are concerned, the appointment of an Inspector-General of Excise and Salt has been of no use to them at all; what do you say as to that?—It is a little unreasonable for them to make that statement at so early a stage, because it is quite a new appointment.

45014. The words used were that the utility of the appointment was not quite evident?—Then we hope it will be evident within a very short time.

45015. Then it is your opinion that it is an appointment which is required?—I think so, and I think it will justify itself very soon.

45016. And after the excise matters have been settled and orders passed on the report of the Excise Commission, will this appointment be still necessary?—Look after the excise arrangements in all the provinces?—Yes, I think that will be found to be the case.

45017. At any rate you think it is too early to judge to give any opinion as to the utility, or otherwise, of this appointment?—Yes; I think so.

45018. Is that your opinion from the experience which you have gained up to date?—Yes.

45019. But it is liable to modification, and it is possible you might change your opinion, after you have seen the result of the work of the officer in question?—Yes.

45020. With regard to salt, you say that in Madras, Bombay, Bengal, Eastern Bengal, and Assam and Burma, the salt revenue is subject to the control of the Government of India, and then you refer to the different arrangement with regard to the northern portion of India: is salt largely manufactured in the United Provinces?—No.

45021. Therefore could not the United Provinces be taken away from the second category and added to the third category; is there any reason for keeping the United Provinces under the control of the Northern India Salt Revenue Department?—The whole of the area under the jurisdiction of the Northern India Salt Revenue Commissioner is served by certain specific salt sources which are under his control, and the United Provinces is one of the provinces so served; it has no sources of its own beyond the small amount of ground saltpetre which is made, which is negligible, and the idea always has been to retain under one control those Northern India sources and the areas which they feed.

45022. Do the United Provinces get only about three-eighths of the land revenue and the other provinces one-half?—Yes.

* Vide Appendix Id.

45023. Is there any reason for making that distinction?—No; the only reason is that we have to equate the revenue and expenditure. We might have given those provinces half the land revenue and a smaller share of some other heads. But it has been a matter of practice based on expediency to equalise the shares as far as possible on all the major heads which are divided, and to throw any adjusting difference on the land revenue.

45024. If land revenue is made a wholly provincial head instead of a divided head of revenue, would it not be more difficult for the Government of India than it is now to introduce such reforms in the land revenue administration as would affect the revenue?—That is to say, to control the settlements?

45025. Or to make such rules as have recently been made for remissions in times of scarcity and famine?—It would be more difficult.

45026. Therefore, in the absence of any popular influence over the land revenue administration, is the control of the Government of India desirable and necessary?—I certainly agree that it should be retained.

45027. You refer to the remission of certain taxes; was that remission made entirely at the instance of the Government of India or at the suggestion of the provincial Governments?—I speak under correction, because I was not in office at any of those times, but I do not recollect any of those cases in which the initiative did not come from the Imperial Government.

45028. And you are generally opposed under present circumstances to giving provincial Governments the power of imposing new taxation?—I do not think the time is ripe for that.

45029. And the time will not be ripe until a popular element has been introduced into the Indian constitution?—No.

45030. You say that Local Governments always possess unfettered power to transfer allotments from one head of expenditure to another whether wholly provincial or divided?—Yes.

45031. Sometimes the provincial budget is discussed in the provincial Council after the imperial budget has been passed, and if, in consequence of that discussion in the provincial Council, the provincial Government thinks it desirable to make certain alterations and to transfer some allotment from one head of expenditure to another, I suppose they are perfectly free to do so?—Quite. The budget figures would of course remain; but the Local Government could reappropriate from one head to another with entire freedom.

45032. So that the passing of the imperial budget before the debate takes place in the provincial Council does not prevent a provincial Government from making any alteration if they think it necessary to do so in consequence of those debates?—No, so long as they do not alter the total allotment.

45033. The Secretary of State has recently increased the powers of the Government of India with regard to the creation of appointments; you propose to bestow the same increased power on provincial Governments?—Yes.

45034. Is it your opinion that this discretion is always likely to be used as wisely by a Local Government, especially if it is a one-man Government, as by the Imperial Government?—I do not think we should question the judgment of the Local Government in a matter of that sort.

45035. Is not a greater degree of pressure and personal influence brought to bear on a Local Government than can possibly be brought to bear on the Imperial Government?—Yes, I suppose that is true, but of course one hopes that a Local Government would do what is reasonable.

45036. Is the creation of these appointments up to Rs. 500 very frequent?—No, I do not think it is of very frequent occurrence.

45037. So that by keeping this control you only require the Local Government occasionally to come up to the Government of India for sanction?—Yes, when the limits exceed those which are now proposed.

45038. The correspondence necessitated by this is not very large?—It is very considerable. We prepared a list of the correspondence when this matter was under discussion.

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45039. Is the correspondence so large, and the work so heavy, that it is absolutely necessary to delegate these increased powers to Local Governments?—I do not think the work is very burdensome, but still it is very considerable, and this is a measure of decentralization which seems to me to be reasonable.

45040. You say that, as a rule, it does not appear expedient that the Departmental Heads should exercise the authority of a Local Government in regard to Gazetted Officers under their direct administrative control?—Yes.

45041. I suppose all members of Provincial Services are Gazetted Officers?—Yes.

45042. And orders as to their appointment, transfer, and promotion should therefore, according to that rule, be passed by provincial Governments, and not by the Heads of Departments?—Broadly speaking, I do not see why certain powers of transfer should not, even in the case of Gazetted Officers, be delegated to Commissioners of divisions.

45043. (Chairman.) Can you tell us when the Government of India made the recent order sanctioning devolution to Departmental Heads?—There were a number of cases which came up in 1904, principally from the Bombay Presidency, in connection with the devolution of pension powers and powers as to leave, and it was to that mainly I referred.

45044. (Mr. Dutt.) Generally, would you be in favour of making over to District Boards the proceeds of all cesses on land which are now levied with the land revenue?—Yes; the proceeds of all cesses which are levied for District Board purposes.

45045. I am speaking of all cesses on land which are now levied with the land revenue, including, for instance, the Public Works Cess in Bengal?—Yes; I should, certainly. There are certain exceptions. For instance, some relies of the cess for the payment of village services; I do not know that it would be expedient to hand those over to the District Boards, but the district cesses proper should be handed over to them.

45046. There is also a proposal to empower District Boards themselves to impose cesses, as I think they have done in Madras, in order to be able to guarantee local works like feeder lines of railway; that would necessitate a District Board imposing a cess over and above the cess which the Government imposes on the same district and with regard to the same land: are you generally in favour of that procedure?—No; personally I am not. The cess levied in Madras for railway purposes is an isolated case. There was some discussion as to the propriety of extending it to other provinces, and, if I remember rightly, the proposal was vetoed with the concurrence of the Secretary of State; but if you want my personal opinion, I do not want to lay any more burden on the land.

45047. (Mr. Hitchens.) In regard to the budget, do you only alter the provincial figures either in the interest of accurate estimating, or if they happen to have infringed the rules?—Yes.

45048. As an example of how the rules might be infringed, you said supposing they budgeted for a large scheme which had not been administratively sanctioned, it might probably be cut out. In that case would that appear as a probable saving under the new arrangement?—No; that would be cut out definitely, as outside the scope of the scheme.

45049. Is it reasonable to prohibit a Local Government from budgeting for something which they think they can carry out, merely because it has not been administratively sanctioned?—No; and in proof of that we do allow them to budget for schemes which have not been administratively sanctioned.

45050. You gave us an example, that if they did budget for a large scheme of that sort, it would be cut out. Would you cut it out if there was reason to suppose that the scheme would be administratively sanctioned, or would come up for administrative sanction, before the end of the year?—A great deal depends on the stage which the scheme has reached. Let me give an example: One province in connection with this year's budget provided a large amount for taking over all the secondary schools in districts; we ascertained that the proposals to this effect, which would require the sanction of the Secretary of State,

had not yet reached the Government of India. We consulted the Home Department, who were administratively concerned, and they said that the matter would take a considerable time to discuss. We also regarded the financial position of the Local Government, and we ultimately decided to cut the whole thing out. Subsequently the Local Government reported that, in ignorance of the fact that the sanction of the Secretary of State was necessary, it had actually made the transfer, and we restored the provision.

45051. Then you would not delete an item unless you were, humanly speaking, perfectly certain that the administrative sanction could not be obtained before the end of the year?—That it could not come in time to let the matter begin.

45052. (Chairman.) "Begin," but not to be completed?—To let the full amount of expenditure be utilized, I should say.

45053. (Mr. Hitchens.) But, in the last instance, you would allow a certain sum for the portion of the year in which it could be utilized?—Yes; that very frequently happens.

45054. In the interests of accurate estimating, from time to time, you modify the figures of expenditure and put a lump sum at the end of each major head as probable savings?—That is done with a certain number of major heads at present.

45055. The provincial Government is allowed to spend up to its own figure?—Yes.

45056. But if it does so happen that towards the end of the year they find that they have exceeded the reduced head, they have to come up for purely formal sanction, which will never be refused?—Not necessarily; they may re-appropriate from savings on other heads; if they are not able to do that they would, as a last resort, have to come up for formal sanction.

45057. At any rate, is it not a purely formal thing, practically, if a provincial Government does have to come up for sanction?—I do not think we should refuse it.

45058. You could not refuse it?—No.

45059. And they need not come up till well on in the year, and until it is perfectly certain that sanction will be required?—As a rule, they would not come up till quite late in the year.

45060. What is the authority of the provincial Governments to spend money?—The budget is sanctioned by the Government of India.

45061. And, therefore, they cannot spend money except within the lump sanction by the Government of India?—Yes, within the limit of the budget.

45062. And if they exceed that, it is obvious that additional sanction must be given?—Yes.

45063. Mr. Meyer alluded to the point that the Secretary of State scrutinized very carefully any proposals that the Government of India might make for giving fresh settlements to Local Governments. Is it the case that the Secretary of State has cut down the proposals of the Government of India in regard to fresh grants or in regard to settlements?—I do not remember any case in regard to settlements; there are cases in which he has objected to grants which the Government of India proposed to make to Local Governments.

45064. Can you give us those cases?—I can give two or three cases; but none in which the Secretary of State finally refused to sanction a grant which we strongly advocated.

45065. Generally speaking, has it happened more than once or twice?—It is a rare occurrence.

45066. You gave your reasons why you thought it would be undesirable to abolish the divided heads of expenditure. As a fact, is the control of the provincial Government over the divided heads precisely the same as the provincial heads of expenditure?—The administrative control within budget limits is the same.

45067. Is there any difference as regards their control?—As regards Imperial charges, they are subject to certain restrictions laid down in Article 278, Civil Account Code.

45068. I refer to where you say: "I would point out, however, that the provincialization of divided heads would not in any way add to the powers of the

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Local Governments with regard to the expenditure; their power in the matter of divided heads of expenditure are exactly the same as if the charges were wholly provincial?—That is to say, their administrative powers in regard to spending the money.

45069. But the Government of India exercise more influence when the heads are divided than when they are not divided?—Not only that, but they undertake more liability.

45070. You gave as an objection that the local authorities might increase the expenditure under those heads supposing they were provincial heads, thereby increasing the revenue, yet they would only get half of the increase?—That is one phase of it, but not the one that presented itself to me. The difficulty I suggested was that if expenditure with regard to a non-divided head were forced upon a provincial Government by the Government of India, and the Local Government obtained only half the profits that followed from that expenditure, it might be a grievance.

45071. How far could that be got over in regard to divided heads by first of all deducting the expenditure from the revenue and then dividing the net revenue only?—Would not the result be just the same? We do not show, except in the purely Commercial Departments, net figures in our budgets; we show revenue and expenditure; and I take it your suggestion would be to show only net revenue, and to divide that. The result would be precisely the same as at present, and it would be misleading, because you would obscure the expenditure which had been actually made.

45072. I understood you to allude to the extravagance of a certain provincial Government or Governments?—Yes; I referred to one particular Government which is rapidly spending its balance, more rapidly than others; I should not call it extravagance.

45073. In the matter of financial stability is not continuity of government of considerable importance? Yes; continuity is always important.

45074. Would you say, that you had as much stability in a provincial Government, as there is in a Crown Colony?—My own impression is that the continuity is considerable and is reasonable, but I am not quite aware of the limits of the question; is it a perfectly general question as to the whole administrative power?

45075. It was a purely general question as to whether the continuity was as great in the case of a provincial Government here as it is in the case of a Crown Colony.—I should think it was very similar; I do not think there is much reason to discriminate. It is broken to some extent, in the case of the Local Government by the Head of the province being changed at intervals; but I presume that in a Crown Colony the tenure of officers in charge of large departments may also have limits. Of course there is this distinction, that in a Crown Colony you have an Executive Council of which the members, taken as a whole, are not removed once every 5 years, and to that extent it probably might be said there is a greater continuity than there is in a Lieutenant-Governorship, but that is very much on the surface, because underneath it you have the permanent establishment which deals with, and controls, all matters of detail, and it is just as continuous in a Lieutenant-Governorship as anywhere else.

45076. May I take it, normally speaking, that the establishment would exercise a very strong influence on the actions of the Government or the Lieutenant-Governor of the day?—In matters of detail certainly.

45077. At any rate the continuity would be quite sufficient to justify a substantial delegation of powers?—I think so.

45078. With regard to the question of financial delegation, do I understand that you are prepared to adopt the principle that the Government of India might lay down general principles with regard to such a matter as travelling allowances, and that the Local Government might be empowered to amplify them by separate regulations of their own?—Yes.

45079. How far should the principles of the Government of India be really general in regard to, say, travelling allowances?—The question put to me by Mr. Meyer was one which I have never examined in

detail and I should not like to specify any particular principles, but there would be no difficulty in picking them out.

45080. Would you be content to lay down the very broad principle that travelling allowances were intended to cover the cost of travelling to an officer?—I should like to add certain other principles, or sub-principles; I do not think that in itself this broad statement would be quite sufficient.

45081. Would your principles be so general as to allow the Local Government to adopt a mileage basis or any other basis that they thought fit?—Yes, within limits. There are certain phases of that particular point, travelling allowance, which the Government of India have always looked upon as dangerous, and they would probably find an opportunity of putting in an injunction against them; they might also lay down the limits of daily allowances and of mileage allowances—that a certain distance must not be exceeded per day. That might be done in the interests of economy, but one need not go much further than that.

45082. That postulates that Local Governments are not likely to be economical?—They are not always economical as a matter of practice; none of us are at times.

45083. If you are going to assume that a provincial Government is going to make a mess of things, would it not be better to give them no power at all?—Must not the assumption be that if they are empowered to elaborate certain rules in accordance with general principles as to travelling allowance, they are not going to be unnecessarily extravagant, but that they are going to carry the rules out in a reasonable spirit?—Yes, but I do not think that abrogates the necessity for limits altogether, but I should make the limits liberal and very general.

45084. You propose to empower Local Governments to revise their establishments up to a maximum of Rs. 50,000 without the sanction of the Government of India. Why should you have any limits at all in respect of entirely provincial expenditure, including of course, the expenditure on divided heads?—Of course that question might apply to all classes of expenditure. It is almost inconceivable that the Government of India which is responsible for the finance of the country should give absolute *carte blanche* to the Local Governments in any matter in regard to establishments; the risk of extravagance is just the same as in regard to other matters. With regard to Public Works there is a larger limit. I cannot defend Rs. 50,000 any more than I can defend Rs. 60,000 or Rs. 40,000, but I do think it is essential that some limitation should be imposed.

45085. You think there is actual danger under certain conditions that the Local Government might be extravagant in this or in any other matter?—I think so.

45086. And you do not think that your power of general control would be sufficient?—No, any more than the control of the Secretary of State over the Government of India would be sufficient to prevent the Government of India sanctioning extravagant schemes on their own account.

45087. With regard to the alienation of land would you be prepared that the Government of India should lay down general principles and allow Local Governments to work out the details?—Yes; but here again within limits.

45088. But are there not limits to-day?—Yes.

45089. Would you extend them very substantially indeed or multiply them slightly?—I would multiply, them by a moderate amount.

45090. You would not be prepared to trust Local Governments to carry out the general principles of the Government of India, subject to the Government of India stepping in, if they appear to be going too far?—It is not really a case of trusting or distrusting them; it is simply a case of having defined limitations upon expenditure which are just as much to the interest of Local Governments, as to the interest of the Government of India. The great pressure which is brought to bear upon a Local Government to make a large gift of land, for instance, to a particular denomination, would be materially modified if it was known that that particular alienation has to receive

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the sanction of the Government of India. The Government of India at present is the only effective critic of provincial expenditure; the extreme criticisms which you sometimes find in newspapers do not really help or check a Local Government; there is very little articulate public opinion of real value; and I think all these particular limitations, and this necessity to come up on all big schemes is valuable in order that they may be examined in the light of independent criticism, by means of which a light is thrown on the proceedings of the Local Government which you cannot get otherwise.

45091. (Chairman.) You tell me that the duties of the Inspector General of Excise are to advise Local Governments. The Government of Bombay quoted to us a case in which they said the advice of the Inspector General had been of such a character as to differ very little from orders; I do not know whether your attention has been directed to that?—I have seen the statement in the Bombay evidence; the matter has not come up to the Government officially, and I have very little doubt that before any recommendation which the Inspector General may have to make is accepted, the views of the Bombay Government will be fully obtained.

45092. But is the Inspector General of Salt and Excise entitled to advise the Collector of Salt Revenue (who is a servant of the Bombay Government) upon questions of excise? Are not his functions limited to advice to the Local Government?—He is supposed to confer informally with the Executive Officers, and any advice that he would give would be purely of a friendly and informal nature; it would be in no way binding upon the Collector of Salt.

45093. Do you think that the Inspector General has done nothing improper in the form that this communication to the Local Government has taken?—I have not seen the papers; I am in entire ignorance of the case except from this reference to it.

45094. You say the Inspector General does not call for any returns or reports; is he actually ordered not to do so?—That was part of the terms of his appointment.

45095. You also say that he is entitled to confer informally with Heads of Departments and Local Governments; has there not been some change in the policy of the Government of India as to the informal correspondence between the Inspector General and Local Governments I think more particularly in the case of the Sanitary Commissioner?—I am afraid that this is rather outside my province.

45096. On the whole should the conferring of Inspectors General with Local Governments be formal or informal?—It is extremely desirable that it should be informal at this stage.

45097. What do you mean by "at this stage"?—At the stage before the question at issue reaches the Government of India.

45098. Would you forbid him to correspond formally with the Local Government?—The Inspector General of Excise is not expected to do so.

45099. But speaking generally of Inspectors General?—I think it is advisable that they should not; formal references are apt to be regarded as orders, and sometimes to be resented as orders.

45100. Would the Local Government take up the position that a formal letter from the Inspector General was an order to them to do so and so?—I do not say all letters; some might be asking for information merely, but there is a risk of that.

45101. Then there is a question about Baluchistan and the salt revenue. A case was quoted to us in Baluchistan where the local population had a preference for earth-salt as against salt manufactured by the Government of India Department; these people were forbidden to use their local salt. Have you anything to say on this point?—The case is still *sub judice*. There was a great deal of discussion about it, both from the point of view of protecting our revenue and from the point of view of protecting the revenue of the Bombay Presidency. The local authorities have strongly represented the preference of the Baluchis for earth-salt, and they have been asked to examine the case again and submit their re-considered opinion to the Government very shortly; it is about a year ago since the matter first came up, and the Bombay Government were asked to report in a year.

45102. Is the Bombay Government in control of salt questions in Baluchistan?—There is a special arrangement by which Baluchistan salt matters are controlled from Sind.

45103. Do you think, on the whole, that the insistence on certain excise requirements against the wishes of a whole population will not be an exhibition of, perhaps, an undue tendency towards revenue considerations?—That might be argued, but I do not think we have the whole facts so much before us that I can express an opinion. The feeling of the department rather was in favour of stopping this, but the feeling of the Inspector-General has been in favour of continuing the permission to use earth-salt within limits.

45104. Is not the Comptroller and Auditor-General in India a very different official from the Comptroller and Auditor-General in the United Kingdom?—The positions differ.

45105. The Comptroller and Auditor-General in England is a mere Comptroller and Auditor-General; he is in no way, as the Government of India man is, an executive subordinate officer?—He is responsible, as I understand, only to Parliament.

45106. He has no executive duties at all?—No.

45107. I understand that the Government of India now have at the headquarters of provincial Governments Accountants General who prepare, and perhaps to a certain extent criticize, the budgets of the provincial Governments?—They compile the budgets; they collect the estimates of the various subordinate budget authorities and compile them, and they very often assist the Local Governments with their advice.

45108. During the process of compilation, which is carried on continually throughout the year, they submit to the Government of India a monthly report of how the actuals stand and what the probable estimates are for the two succeeding months?—That is the report of treasury transactions. It is associated with the budget, but it is not part of the budget procedure.

45109. At all events it enables the Government of India to make a pretty accurate forecast of what is going on in the way of expenditure and receipts in each provincial Government as the year progresses?—Yes; it gives the general progress.

45110. When the provincial budget is actually sent up on the 20th January to the Government of India, the items in it, the major heads of it at all events, have been inserted in that budget very largely under the influence, if not under the control, of an official of the Government of India, the Accountant-General?—I do not think it could be said that he has any particular influence over them. He collects the statements of the requirements of the spending-officers in the province and compiles them, but he does not control them in any way; he has no authority to cut down. I may explain that in addition to the budget there is what is called a revised estimate for the current year; with regard to that he has full powers, because all that we require to know is what is really to be collected and spent, and he tells us, with reference to his own knowledge, and without reference to the executive authorities as a rule; but as regards the budget of the coming year he accepts their figures.

45111. Then I take it that he has no power to suggest to the provincial Government, before the provincial budget is sent up to India, that their expenditure in this or that direction is probably excessive?—Yes; he has powers of friendly advice and assistance in that direction, but he has no controlling power; he might very well say to a Local Government "I find that the total under this head is so much, but in the last five years you have never spent more than so and so; unless you have very good reasons for this large increase it will be advisable to reconsider it"; but he cannot cut it down.

45112. Does he communicate all that passes between him and the provincial Government to the Government of India from month to month?—He does not communicate his informal discussions on the budget to the Government of India; what he does communicate to the Government of India through the Comptroller General is the actual receipts and expenditure of each month.

45113. Is it the case then that before the 20th January the Government of India have some considerable knowledge of what is likely to take place in

respect of any one provincial budget?—As regards the current year, yes.

45114. Not the current year, but the forthcoming year?—No; they have no information as regards the requirements of the forthcoming year until the 20th January, except for a preliminary six months forecast which is made in December, which is a very rough thing; they have no information in detail of what the Local Government proposes to budget for in the coming year.

45115. Then I may take it that the Government of India has no knowledge (except a rough estimate in December) of the budget of the Local Government for the forthcoming year until the 20th January?—The December estimate is a globular estimate for the whole of India, but for the individual provinces the first intimation that the Government of India has of the requirements of any Local Government for the next year is when it receives the budget notes on the 20th January.

45116. You say here that you cannot receive them on a later date than the 20th January for the first time, because it is not until they have come in that the estimates of the great spending departments are submitted to you?—That is so. It is not a matter that follows; it is a coincidence to a certain extent.

45117. When are the estimates of the great spending departments made up?—They come to us about the middle of February.

45118. They do not depend on a fluctuating income?—The railways fluctuate very seriously, as we find to our cost sometimes.

45119. Does the Post Office fluctuate?—No; it is pretty steady.

45120. Or the Public Works Department?—No; that is more or less in one's own hands.

45121. The Military Department?—Yes; the expenditure fluctuates there.

45122. Does the ordinary normal expenditure under military fluctuate?—The normal expenditure does not fluctuate, but the special expenditure does.

45123. Does the Marine Department fluctuate?—No.

45124. Then would it not be possible so far as these departments are concerned to have their estimates rather earlier in the year than the middle of February?—It would be possible, but it would give them a great deal of inconvenience.

45125. Some of the great spending departments in the United Kingdom submit their estimates long before February; they submit them in November?—That is so.

45126. Would it not be possible for the great spending departments in India to submit their estimates of expenditure, say, in December, and thus enable you to take the local budgets later and upon a more close calculation of the knowledge of actuals?—Of course the actuals are just as important in the case of railways as in any other case.

45127. But after all, the surplus actuals of the Railway Department are of comparatively small amount?—They are liable to upset us very largely; they did last year.

45128. By about a million and a quarter sterling?—They sometimes alter towards the end of the year so rapidly as to upset all our calculations.

45129. At all events, as regards these other departments, they could be submitted to you very much earlier?—I should like to consider that; I have never thought about it; I have no doubt it has been considered frequently, but I am not aware of all the reasons for fixing the date. The India Office would also have something to say on the point.

45130. If you could get in these estimates of the great spending departments earlier, could you, by means of working them up, postpone the first submission of provincial estimates to a somewhat later date?—I am rather inclined to think that even without that it would be possible to take the provincial figures somewhat later, if we dispensed with the somewhat minute examination which we now give them.

45131. Take the case of Baluchistan again; it was said there that Rs. 20 was cut down out of a total

estimate of Rs. 29,390?—I do not think that that was done by us; that is done by the Comptroller of India Treasuries.

45132. Is not that sort of criticism too minute for the Government of India to indulge in?—I should have no objection to dispensing with it.

45133. I understand that if the Government of India indulged in a somewhat less minute criticism of details it could take the budgets from the Local Governments at a somewhat later date?—I believe it is possible. Even as it is, the pressure upon us is very serious; I am inclined to think personally that we might scrutinize the local figures a little less studiously, and perhaps receive them a few days later.

45134. If you got your provincial budgets at a somewhat later date than you do, would you have less reason to suspect the accuracy of their estimating?—I hardly think so; it would only be a difference between their having eight months' actuals to go upon and having nine months' actuals; after all, in many branches of the administration they are not guided very much by the actuals of the current year.

45135. You yourselves were upset last year by the later actuals of the ninth or tenth month of the Railway Department?—Yes.

45136. Might not the same thing apply to the Local Government?—Not nearly to the same extent; their movements are much more regular.

45137. (Mr. Meyer.) Are not these provincial estimates matters of great importance?—They are.

45138. They concern your large imperial revenues in the divided heads?—They do.

45139. And the imperial surplus is likewise affected by the actual extent to which the provincial Governments are either incurring expenditure out of balance or passing surpluses into balance?—That is so.

45140. Suppose, as is suggested, you took all these matters a little later than the 20th January, you would be very bunched up at the end to get the budget out before the 20th March?—Yes, I have said so; I think the pressure would be very heavy.

45141. Of course, you have to alter things with reference to another month's actuals and so forth, but the bulk of the criticism of the provincial estimates takes place on the first edition?—Yes, that is so.

45142. A question has been put as to the small amount of time at your disposal for a real scrutiny. Have you not in each case the notes of the Accountant General?—Yes.

45143. You also have two specially trained assistants in your own office who are used to this budget work?—Yes. One of them is the superintendent of the department, an officer drawing Rs. 500 a month; the other is an officer specially deputed during the budget season from the Enrolled List, probably an officer drawing Rs. 800 to Rs. 1,000, a trained Accounts Officer.

45144. Your function as Secretary is really to pass judgment on opinions, possibly conflicting, that are put before you?—Yes, that is so.

45145. How long does it take you, roughly, to deal with a budget of one of the major provinces?—In the first edition I try to give a day to each large budget; two small provinces probably come into one day.

45146. Then as to taking the estimates for imperial heads earlier, you mentioned railways as fluctuating. Is not customs also a matter to which you have to give special care?—It is indeed.

45147. And in which we want really the very last figures available in order to make a useful guess at what the customs revenue will be at the end of the year?—Yes; they have to be corrected up to the eleventh month.

45148. In regard to these proposals of extending the powers of Local Government in the matter of the creation of appointments and the enhancement of salaries to the same extent in provincial matters as the Government of India now enjoy, thanks to the Secretary of State, will that not really choke off a good deal of work, if adopted?—A very large amount of work.

45149. When a matter comes up for financial reasons, such as the creation of a Rs. 300 appointment, the

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department to which it is addressed, whether the Home, or Revenue and Agriculture, or any other, necessarily proceeds to criticize it from the administrative standpoint?—Yes.

45150. So that this matter, which seem *prima facie* to be a mere financial concession, will really give the Local Government very much larger administrative freedom than they at present possess?—Yes, that is so.

45151. Can you give us any idea of the proportion of references which are now made on these questions which would, on the figures of last year, have been choked off if the Local Government had enjoyed the same extended financial powers which the Secretary of State has recently conferred upon the Government of India?—If the Local Governments during 1906 had possessed extended powers to create new posts up to Rs. 500 *per mensem* (in place of the existing limit of Rs. 250), to enhance the pay of an existing appointment up to Rs. 750 *per mensem* (in place of Rs. 250), to deal with a scheme for the revision of establishment up to Rs. 50,000 per annum in place of Rs. 25,000, and to sanction a temporary appointment or deputation on a salary over Rs. 250 *per mensem* up to two years instead of six months, the result would have been that they would have been able to dispose of 124 cases which had actually to be referred to the Government of India. Many of these cases involved voluminous details, so the actual figures somewhat understate the work involved.

45152. There is a point arising out of that, as regards the Government of India *vis à vis* the Secretary of State. In regard to these restrictions, they only take into account the actual pay; they do not take into account conveyance allowances, and house and office allowances?—I think not.

45153. Would you be prepared to apply the same to the provincial Governments—to allow these to be considered outside salary?—Yes, I think so; I see no objection to that.

45154. Assuming, of course, that the Government of India must continue to lay down general rules as to the conditions upon which such allowances shall be given?—Quite so.

45155. Then as regards this Rs. 50,000 rule. Does not the bulk of expenditure which is incurred in adding to establishments really arise in regard to low-paid appointments?—Yes, in large schemes.

45156. For instance, you might spend lakhs in increasing the pay of clerks below Rs. 100?—You might; we had a case recently of the subordinate forest establishment.

45157. That is the reason why the specific Rs. 250 or Rs. 500 rule has to be supplemented by a maximum total cost?—That is no doubt the case.

45158. Would you be prepared to give the same powers of expenditure to provincial Governments in the matter of wholly imperial charges as they now enjoy in provincial and divided heads?—I would answer that question in the negative. As I said before, I do not think it is a matter of trusting or distrusting the Local Governments. It is a simple matter of ordinary business principles. It does not seem to me to be good business to give an agent, so to speak, *carte blanche* to spend money for his principal, when he has no share in the return. One can quite understand a Local Government taking a pride in developing the revenue from an Imperial Service, but it can hardly be expected to have quite the same interest in keeping down the expenditure for which it has no responsibility, as it would have in keeping down expenditure which comes directly out of its own pockets.

45159. And, perhaps one might add, in regard to which it is constantly pressed by an energetic Head of Department?—Exactly.

45160. So that the net revenue, after all, might be materially diminished, whatever happened to the gross revenue?—That is quite conceivable.

45161. In the Civil Service Regulations are there not about 35 pages taken up with travelling allowance rules, which are specially capable of diminution?—Yes, I think there are.

45162. With reference to a question asked you by Mr. Hichens, you hold that it is desirable, on such a matter as the ordinary rate of mileage, that the

Government of India should continue to lay down general rules?—Yes, I think so; they ought to lay down maxima, and somewhat more detailed principles than those mentioned by Mr. Hichens.

45163. The fact is that we have got Imperial Services—our own Indian Civil Service, the Forest Service, the Police Service—in each case all members of one Service, but working in different provinces?—Yes.

45164. Might it not excite discontent if a Forest Officer, for instance, found that in his province he was only allowed to draw 6 annas a mile, and in the next province his *confrère* was allowed to draw 12 annas?—Other things being equal, I suppose it would.

45165. On the other hand, would you allow the Local Governments larger discretion than they now have in regard to giving special mileage allowances for tracts in which travelling is specially difficult or expensive?—Yes, I would not maintain the necessity of coming in all cases to the Government of India.

45166. Then with regard to the matter of substituting fixed travelling allowance for mileage or daily allowance. Assuming that the fixed travelling allowance is fixed so as to be roughly the equivalent of what an officer during normal touring would get under the other rules, would you see any objection to allowing a Local Government to give a fixed travelling allowance?—I speak on that point with a certain amount of reservation, because the department has always very strongly objected to fixed travelling allowances on principle, with certain exceptions. I do not myself think that the arguments against fixed travelling allowances have yet been adequately met. I can imagine, however, that, in a large scheme of decentralization, this would be one of the points which should be left to the discretion of the Local Government, but the Government of India would probably insert an injunction against the wide extension of the system of fixed travelling allowances.

45167. You spoke about the Foreign Service Rules, and you said that they had been lately amended. Can you give us a copy of the new rules?—They are in the latest edition of the Civil Service Regulations. The particular extension of power to which I referred was the larger discretion given to Local Governments in the matter of lending their own officers to Native States. Previously no transfer could be made to Foreign Service of the first kind except with the consent of the Local Government under whom the officer was serving, subject, in the case of transfer to the service of a Native State, to the sanction of the Government of India. That has been relaxed to the extent of allowing Local Governments to grant, without reference to the Government of India, transfers in cases of short periods under a year. There has also been a general addition to the exemptions from the ten-year rule; that is to say, previously there was a general prohibition against transferring officers of under ten years' service unless they belonged to a few specified Services; the list of those Services has now been very considerably extended.

45168. Was not the ten years' rule about the greatest grievance the Local Governments had?—Yes; they complained very much about transfers to Court of Wards, and formalities of that sort, and that has been to a very large extent removed by these corrections.

45169. Will these new rules recognize that a transfer to a Court of Wards or an administration of that sort may really be in the interests of the State, and probably is, and quite differs from the case of a transfer to some outside authority, over which the State has no real control?—Yes; in that respect the rule has been very much relaxed in certain provinces.

45170. You have spoken about giving larger resources to local bodies. With respect to their existing resources, what we have found in several provinces is that the District Boards have to budget for a certain amount for roads, for medical, for education and so on, but that the real management is done by a Government department; the plea being that it can be done far more efficiently in that way. There is another school of thought that says it is better to sacrifice a little efficiency, and to get those local bodies to take a real interest in their own work; it is urged that they will never do that unless you give

them the actual control over the expenditure they are responsible for. Which line would you take?—I should like to be enrolled in the latter school.

45171. We have heard a great deal about the elaborate character of the accounts which the Government Rules exact from the District Boards and municipalities. You had a great deal to do with the control of District Boards and municipalities as Financial Secretary in the United Provinces; can you give us your ideas on that point?—I had a very great deal to do with it, and I was responsible for preparing a Municipal Code of accounts with the ideas of simplifying procedure and removing restrictions which subservience to the restrictions of the Government of India involved. Although we did a certain amount in that direction, I do not think we did nearly enough, and I hope a great deal more may be done. It seems to me it is quite unnecessary to tie down local bodies to anything more than the rough classification which obtains in the Government accounts. It is unnecessary also to insist on the same rigidity of audit. It is difficult to get the Accounts Department to see it from that point of view, but I hope that as Local Boards obtain greater independence they will fight out that point themselves.

45172. Is it not also unnecessary to apply the full rules of the Civil Service Regulations to the personnel of these local bodies: all that is required is that a servant of a local body should not get materially larger leave concessions and that sort of thing than a man in Government Service?—Yes; I think a few very general simple rules will be quite sufficient.

45173. You speak about the Commissioner's budget as if it was a matter of establishment charges merely. The question was, of dividing the Public Works budget largely up into divisional budgets, and giving the Commissioner the power of sanction of allotments which the Local Government at present possesses?—I should be entirely in favour of that. It is extremely desirable that the Commissioner and District Officer should be in closer connection with Public Works operations than they are at present; and subject to the reservation of an adequate reserve for large works of more than local importance at headquarters, I see no reason why, in time, Commissioners should not have financial control over most of the Public Works in their divisions.

45174. And in time might you not even go further, and give them general budgets, letting them make allotments for education and other matters, if it were considered advisable that they should have some administrative control over such expenditure?—I see no difficulty about it in theory; in practice it will take some time to work out.

45175. (Sir Steynning Edgerley.) With regard to the criticism of the Bengal proposal in your answer to the question whether it is desirable to relax further the control by the Government of India over provincial budgets, if you are right in your argument that Local Governments are inveterate under-estimators of revenues and over-estimators of expenditure, is it not the fact that directly the accounts are closed for the year there would probably be a certain sum which this Bengal proposal would affect? You say, "It would be difficult to form any definite estimate of excess of revenue until a comparatively late period in the year." Directly the previous year's accounts are closed would there not probably be an unanticipated three or four lakhs?—That would not affect the accounts of the current year; we are dealing with the current year's figures.

45176. You accept the revised figure in your budget on the 20th March; the accounts are closed, and you find that the Local Government is perhaps four or five lakhs better in actuals than in the revised. The Bengal proposal suggests that they should be allowed to utilize that amount during the year?—I took the Bengal proposal as being a power to add an excess in current revenue to current expenditure. If they mean what you say, I prefer the suggestion that Mr. Meyer made, that they should be empowered to spend up to a certain limit from their balances without reference to the Government of India.

45177. (Chairman.) Up to what percentage of their balance can they spend now?—They cannot spend anything from their balance without getting an additional grant.

45178. With the consent of the Government of India, how much can they spend?—That is unlimited.

45179. (Sir Steynning Edgerley.) Is not some of this argument as regards the possibility of effecting a larger separation between imperial and provincial heads of revenue and expenditure a little open to criticism? Whether the public are misled by the accounts you publish really depends on what your accounts purport to show; if you say that your accounts only show the imperial share the public will not be misled?—I am afraid it would be difficult to get the outside public to quite understand the difference.

45180. Then you lay great stress on the necessity of purveying for the observer, who has to study the accounts. Could you not do that with the assistance of two or three statistical clerks? I mean, the convenience of the student is not of greater importance than the administrative convenience of the Local Governments?—Still, we would rather not juggle with our figures if we can help it; it is very essential that we should maintain continuity.

45181. Your argument regarding the preferable method of divided heads of revenue must apply, I suppose, with some modification. For example, there is a consideration on the other side that the imperial share in these heads has been made a justification for interference with the freedom of Local Governments in the past which has been rather close?—You mean, insisting on a voice in control; yes, that is so.

45182. The argument as to Local Governments spending the proceeds of taxes, but not paying them, and not being responsible to those who do, is equally true of the Government of India?—Essentially.

45183. And the Government of India also are less in touch with the needs of the people than the Local Government?—I do not know. I should hesitate to say that.

45184. Are not the Local Government very much closer to the needs of the people than the Government of India?—That is so; the Local Government are no doubt closer to their own particular people.

45185. As to your remark about the Local Government possibly hesitating to move in a matter for fear of actually losing over it; have you any illustration behind that fear, or is it simply a fear?—I cannot call to mind any specific instance at the moment.

45186. As to your answer regarding the grant of larger powers to provincial Governments in the matter of appointments. Of course, I do not put it forward as any sort of claim by a Local Government or anything of that sort, but, as a matter of agency, do you not meet the objection that you stated in answer to Mr. Meyer about the treatment of imperial heads for which the Local Governments are agents, when you suggest the condition that budget provision exists; assuming that you put budget provision for an expenditure into your imperial budget (i.e., you have agreed that some expenditure should be made), why should you want all the details about appointments to come up to the Government of India; you have had the scheme before you in order to make the budget provision, and you have given a general approval to it; why do you want the whole matter to come up again in detail if you have got budget provision; why should you not give the Local Government the same power as in divided heads?—The particular scheme presumably has been discussed before budget provision is made for it.

45187. But all the details very likely have not been gone into?—Probably not.

45188. The real difference between the divided head and the head in which the Local Government is the agent for the Imperial Government is the question of budget provision; the Government of India must have the right to say, "We do not want to spend upon this at present"?—The budget provision is an incident in it, but the actual discussion of the specific matter is the main thing.

45189. You do not care to trust that to the Local Government?—I do not think it is a case of trusting or mistrusting them.

45190. You do not think it would be a matter of administrative convenience to entrust it to them?—I suppose it would within limits.

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45191. In your answer as regards the powers of Local Governments to grant deputation allowances, you suggest a half-yearly return as a means of control?—I do not press that; I do not much believe in half-yearly returns.

45192. When you, as Secretary, once feel sufficient confidence to be able to dispose of a matter sent up by a Local Government at all, is that not a signal that the matter ought never to have come up?—I do not think that could be applied as the criterion.

45193. It is one of the criteria?—Certainly, but it is not the full test.

45194. It ought to be a signal to make you consider whether it should come up?—Certainly, and it is very often dealt with in that way.

45195. Is there a system of dealing with the papers from that point of view?—I can call to mind half a dozen cases in which the matter had become such a formality that it had never been customary to go beyond a certain officer, say the Deputy Secretary or myself, and we have considered and taken orders on the point whether it was necessary for this particular class of reference to come up any longer.

45196. Have you written to the Local Government to say, "We do not require this any longer"?—Yes, that has happened frequently.

45197. As to borrowing, although I suppose most people would agree that the Government of India should do all large borrowing, we have had evidence that in very small sums for local works you might elicit a certain amount of local capital which would not come to a Government of India loan at all; for instance, the Chairman of the Chamber of Commerce at Cawnpore told us rather strongly that he thought that would be so, and other witnesses have told us the same. The question is whether it would be worth while making the experiment, giving the Local Government power to borrow locally up to 4 or 5 lakhs?—I should have no objection. I may mention, in connection with the statement you refer to, that some years ago Cawnpore wanted 10 lakhs for a drainage scheme, and it had to go to the Bank of Bengal for it; it was not able to raise a penny itself.

45198. It might fail, but there is no objection to trying it?—No.

45199. We have had suggestions by several Local Governments that when an Inspector-General strongly differs from a Local Government, it would be wise, and would probably save time in the long run, if the Local Government were allowed to see his opinion before it went to the Hon'ble Member in the Government of India Department; what do you think of that?—I think there are strong objections to that. The Inspector-General after all is simply an Advisory Officer in the department; he is a departmental officer, and if his views could be called for by a Local Government who objected to the attitude of the Government of India, there is really no reason why they should not call for the views of the Registrar or the Under-Secretary.

45200. That is not the point. A scheme comes up from the Local Government and, in the course of your treatment of it, it goes to the Inspector-General, who notes about it; he very possibly challenges the Local Government's facts, and very possibly challenges their opinion, and may possibly supply a lot of technical matter, of which if the Local Government were aware, they might entirely modify their views. Would it not save time and trouble if such opinion went down to the Local Governments, and they were able to consider whether they should either drop the scheme or modify it so as to meet his objection; might they not be able to say, "It is quite true that the Inspector-General has said so and so, but he has mistaken our local circumstances; there are exceptional conditions which have to be met," and therefore, by that reference, the Government of India, when they come to deal with it, would get a very much truer account of the problem they had to solve?—The Government of India having discretion as to the communication of the papers?

45201. It would be for the Secretary of the department.—That procedure is very frequently followed, for instance, in the case of the Inspector-General of Irrigation; his notes on schemes that come up are constantly referred to the local officers.

45202. If it is not done in other departments, do you see any objection to extending the practice to all the departments?—I should see no objection to this department, for instance, exercising the power of sending Mr. Dane's views upon any particular scheme for the consideration of the Local Government whom he has criticised.

45203. Is not Calcutta a very long way off the routine work of the Baluchistan Agency?—It is indeed.

45204. Is there not anything practicable in the shape of giving them some Agency Audit Department nearer to them than Calcutta?—The thing is not big enough at present; that is the only difficulty.

45205. As regards Foreign Service, you made a distinction between officers going to Native States and going anywhere else where there may be public interests to serve; is it not the very first condition of Foreign Service that it shall be for the Public Service?—Certainly.

45206. Then I do not quite understand the distinction you draw.—I do not think I was guilty of drawing that distinction; I referred to a certain relaxation.

45207. I thought you drew a distinction between Foreign Service under Court of Wards and Foreign Service in Native States?—There are two separate relaxations dealing with the rules relating to those two separate cases. I do not think they are connected at all.

45208. Might not the whole of those rules be worked by the Local Governments concerned; they have been in force now for 20 years?—A good many of them might; I am now attempting to consider the revision of them.

45209. You are inclined to be rather reserved about the distinction between permanent and daily travelling allowances; we have taken a certain amount of evidence from various provinces about that; a good deal of the evidence goes to show that the permanent allowances are in many ways very advantageous, and that they allow of at least equal control over officers travelling as do daily allowances; do you see any reason for debarring Local Governments from choosing which they prefer, and which they consider more suitable in their own particular province? I will give you an instance; in Eastern Bengal officers mostly travel by boat; they have to take the boat for the whole tour; the permanent allowance they represent is very much more convenient for travelling there than the daily allowance. Might not the Local Government be allowed to choose which it prefers?—Yes. It is largely a matter of local conditions; opinions have differed very much about it.

45210. That being so, it is a case where a Local Government might be allowed to choose?—If you give Local Governments large measures of delegation, this probably would be one of them.

45211. (Sir Frederic Lely.) I am not quite clear with regard to the limits within which the Indian Government considers the provincial budgets—are they entirely financial?—That is rather a difficult question to answer. I think ostensibly they are entirely financial, but of course one has to consider the probability of administrative sanction being accorded to particular schemes which find a place in the budget; one does not attempt to criticize the administrative value of those schemes, but simply examines whether they have received administrative sanction or not, or, in the case of exceptional schemes which are inserted without previous sanction, whether the general trend of the case is such as to justify us in thinking that they will be sanctioned.

45212. Supposing, for instance, a provincial Government wished to spend 5 or 10 lakhs of rupees in buying land to develop into a Government suburb would that not be rather a novel proposal?—Yes.

45213. And would probably attract attention?—Yes.

45214. Would the Government of India take any notice of it, if it came up in the draft budget?—If it had been accepted as an administrative scheme, we should say nothing about it.

45215. If the amount was under 10 lakhs, would it not be within the power of the Local Government?—Yes, provided the Local Government was not unduly drawing upon its balance.

45216. You would not feel called upon to object to it on the ground of its novelty or its inappropriateness?—I do not think so.

45217. Generally, is interference with a budget purely financial, and is it embodied in the three points which you mention?—That is so.

45218. With regard to the alienation of land, you said you were in favour of extending the powers of the Local Government?—Yes, the present powers are too restricted.

45219. Do you not consider that there is a considerable difference between alienation of land and expenditure of money; alienation of land is irretrievable, whereas money extravagance can be rectified by a little economy?—Quite so; the alienation of land is a permanently recurring loss.

45220. Therefore are you of opinion that the right of alienation of land should be very carefully guarded?—Yes, I think so.

45221. And perhaps you would not very strongly object even if it was proposed to retain the provincial rights as they are?—One element in the restriction now imposed is administrative, and if it is necessary for administrative reasons to watch it with the same care as at present, this department would not have anything to say, but if the administrative objections are waived, the feeling of this department is in favour of a moderate increase in the limits.

45222. Can you tell me whether anything has been done, or is about to be done, with reference to the local cesses in Bengal in the way of readjusting them in a more satisfactory manner?—As regards the Public Works Cess and the Road Cess, certain recommendations were submitted to the Secretary of State, but action had to be postponed owing to the present financial pressure.

45223. Are they at present in abeyance?—Yes. I spoke with some reservation because I did not know to what extent you wished a description of what was proposed. What has been proposed is that the two separate cesses, as such, should be abolished, that an amalgamated cess equivalent to the two should be imposed, and should be made over fully to the control of the District Boards. That is at present in abeyance, because we cannot afford to help the Local Boards to the extent necessary.

45224. What is the present policy as to feeder railways?—It is rather in a state of flux. The branch lines have hitherto been handed over to private enterprise in accordance with certain defined terms which are now regarded as unduly strict; these branch line terms are now being revised. Light railways which would possibly be of purely local interest are now being regarded as matters which might reasonably concern provincial Governments, and might reasonably be assisted by guarantees from provincial revenues; but both these questions are still under discussion, and for that reason it is difficult to explain exactly what the policy is.

45225. Are you prepared to give any preference to the alternative methods of guarantee by a Local Board or a rebate on traffic with a main line?—That would be very much a matter of arrangement with the main line.

45226. As the promoters may arrange?—Yes.

45227. But on the general question would you admit that the advantage of stimulating local sentiment and eliciting local capital is worth making an effort to obtain?—Yes, I think that is a very reasonable employment for the surpluses of rich District Boards, for instance, in parts of India where they have not the power to impose a special cess.

45228. It is worth making an effort to attain?—I think so.

45229. Complaint has been made that the local Audit Officers very often think a great deal more of their own convenience than anyone else's and that their orders are often unnecessary and peremptory in tone, and generally that in minor matters the hand of the *babu* is visible; would you approve of a suggestion that audit offices, in their rules and methods, should be overhauled by an expert with a view to revision, and possible simplification, as to accounts and vouchers and so on?—I should be very glad to see anything in the way of simplification.

45230. Would it be worth while to have a thorough overhauling? Is not the system the growth of many years?—Yes; it is subjected to continuous criticism by the headquarters staff, and I think that is essentially the function of the Comptroller and Auditor General; but at the same time I think I must admit that the whole tendency is towards increasing complication. As regards discourtesy, of course, that is a matter which must be dealt with when individual cases are found.

45231. But is it not generally believed that Audit Officers are often fettered by unnecessary technical rules and methods which perhaps might be better for revision?—Perhaps the suggestion of Mr. Meyer might go far towards remedying that, that is to say, if we had an imperial code and separate provincial codes.

45232. That would involve an examination by an expert pretty much in the same way that I have suggested?—Yes, that would involve examination, but in the department.

45233. (Mr. Dutt.) On the other hand, it was suggested that in some provinces the Audit Officers and the Accountant General might in some cases give a somewhat tender interpretation to the existing rules—do you think that is possible?—As I have attempted to show, I think the essence of audit is rigidity, and I would rather see the rules relaxed and made more sympathetic, than see any change of attitude on the part of the Accountant-General or Audit Officers.

45234. The rules being there, and the Accountant-General being there, you think it his duty to interpret them strictly, and that he would not be an efficient Accountant-General if he did not do so?—Quite so.

45235. You have said that you have no objection to the notes of Inspectors-General being sent to the Local Governments; is that not done now when it is proposed to take any action upon them?—My personal experience is confined to the one Inspector-General in this Department, and so far he is only in a state of pupillage.

45236. Supposing your Inspector-General did submit some suggestions, and the Government of India thought it worth while that some action should be taken, do you not think that the Government of India would, in that case, send a copy of the note to the provincial Government before finally taking any action?—I think so.

45237. But you would not suggest that the notes should be sent to the provincial Government by the Inspector-General direct before sending them on to the Government of India?—No.

45238. With regard to loans made by Local Governments to local bodies, you say that the Government of India have to find the money, but is that always the case?—Yes, unless the local body goes into the open market.

45239. Does not the provincial Government sometimes grant loans to local bodies?—Yes, but it does so from a loan account which is placed at its disposal out of the imperial cash balances.

45240. So that in every case in which a loan is made to a local body it is the Government of India which finds the money?—Yes.

45241. You told us that you have no objection to Local Governments being invested with powers to borrow small sums for works of public utility?—From the Government of India, yes.

45241A. Would you not empower the Local Government to borrow in the open market?—No, I do not at all like the idea of their going on the open market. I think it would be wasteful.

45242. And local loans would tend to clash with the loans of the Government of India?—Yes, you might have five or six Local Governments going on to the market at the same time as we were going ourselves; furthermore, I think it would be wasteful, because they are not likely to get the market on better terms than we do; their ostensible security would not be regarded by the market as quite so good as ours, and therefore they would have to pay more for their loans.

45243. Would not it also have the effect of adding to the indebtedness of the country if all the Local

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Governments were free to borrow money and went into the market as well as the Government of India?—Yes, I think it would add to the burden on the country.

45244. Is any action taken to limit that indebtedness or to reduce it by a sinking fund as regards the Government of India?—There are certain small sinking funds in regard to railways, but, broadly speaking, the tendency is upwards. There is, however, this very great feature with regard to Indian indebtedness which has to be borne in mind, namely, that a constant transfer is taking place between productive and non-productive debt. The amount of our non-productive debt is very rapidly diminishing.

45245. But beyond that the reduction is only very slight?—It is not very large: there are a certain amount of limited loans which we pay off now and again, but no sinking funds on a big scale.

45246. You speak of a small cess levied in Sind which is not made over to the District Board; are you quite clear that it is in addition to the land revenue, or is it part of it?—The Bombay Government take one view, and the Government of India are rather disposed to take the other; it is a matter which seems to be rather difficult of elucidation, but the Bombay Government view is, in recent settlements at any rate, that the cess has been taken out of the land revenue. The facts are not at all clear as regards the older settlements, inasmuch as the Government of India has been given to believe that the cess was taken over and above the land revenue, and the question has not been quite settled.

45247. Beyond that, and beyond the Public Works cess in Bengal, are there any land cesses which are not made over to District Boards now in India?—Yes, but they are very minor; there is one cess in Madras. I am not speaking, however, of the rural police cesses.

45248. I am only speaking of land cesses.—Yes, there is a cess in Madras which is gradually being abolished, but it cannot be abolished because it has not been wholly levied yet. Then there are various small cesses in Northern India such as the headmen cess and the *lambardar* cess.

45249. Are they assessed to the land revenue?—They are in a fixed ratio to land revenue.

45250. (Mr. Hitchens.) With regard to the delegation of further powers, do I understand generally your view is that in financial matters in particular you must have control either from above or from below?—Yes, that is so.

45251. And you urge that you must have it from above, and therefore your opinion is that you have not got it from below?—We certainly have not got it from below at present, in the sense of an electorate.

45252. I do not mean necessarily in the sense of an electorate, but practically speaking there is no public opinion which can exercise the necessary control?—It does not bear upon matters of that sort to any material extent.

45253. Supposing the control of the Legislative Councils, for example, were made wider in the sense of scrutinizing the budget and discussing it and so forth, would that modify your view?—It would certainly modify the position as regards control.

45254. It would give a more substantial control, and would therefore justify a still further devolution?—Yes, I think so.

45255. You are aware, for example, of the form of public control that there was in the Transvaal under the Crown Colony Government?—Yes.

45256. Supposing the provinces had a control of that nature, would that, in your opinion, justify the grant of substantially larger powers?—Yes, I think undoubtedly it would.

45257. For example, in the case of salaries and in the case of travelling allowances and various other regulations that have come up, would you then be prepared to give Local Governments the powers to settle these matters themselves on prescribed general principles?—Yes, I do not see why we should not, and I think that is bound to come.

45258. Would you then say it would not be necessary to have a limit for the modification of the salaries

of the subordinate *cadre*, for example, of the Public Works?—I am not sure that in many cases the tendency of a more popular Government would not be towards greater extravagance, especially in regard to subordinate *cadres*.

45259. Would you allow them to increase the pay of the establishment, subject only to the financial limits imposed upon them by their resources?—No, I think I should still have certain general principles, and maxima laid down, just in the same way as, I understand, the Local Government Board in England exercises control over the very independent bodies which they have to deal with; I do not know the limit of that control.

45260. But still you would modify the control very substantially?—I would modify it very substantially, and that will have to come—it is inevitable.

45261. Several witnesses have laid a great deal of stress upon the uniformity of pay; for example, some witnesses have told us that the pay of the subordinate ranks in the Public Works Department and various other departments should be uniform throughout the Indian Empire; do you agree with that?—No, I do not; I think that the conditions of different provinces differ so much that the pay must vary.

45262. Apart from the question of control then, you would not limit the powers of the Local Government in this respect?—No.

45263. You do not think it is desirable to have uniformity?—No. May I explain what I mean. Uniformity is of very much more importance when you come to Services, the members of which are liable to transfer between province and province. Imagine, say, an engineer who is serving in Northern India being attracted by the prospects of very much more pay in Southern India than he is getting, and intriguing for a transfer.

45264. Do you object to that?—Yes, I do rather.

45265. But in South Africa, as you know, there was no uniformity between the different Colonies, and that did not lead to any particular disadvantage there.—I think one Colony very often lost a good man because they did not pay him enough, whereas here we do not do that; what we do is to say that a man of a particular position and standing shall get a certain pay, and there is no reason then why he should not do his work anywhere.

45266. In ordinary business the man who can pay the best salary gets the best servant.—Yes, but I hope we shall never have the provinces competing to that extent.

45267. You think there is a danger of that?—Yes, I do think there is a danger of that; in regard to the very small subordinate establishments, there is not the same danger and therefore there is not the same objection.

45268. You have said that, in your opinion, the District Boards require further financial assistance; would you say the same thing with regard to municipalities?—I think municipalities under stress of very special circumstances deserve the consideration of the Local Governments, but a municipality has very large powers of taxation of its own, and until it exercises them to the full I do not think it has the same claim upon the general taxpayer that a District Board has.

45269. To-day they get no annual contribution?—No.

45270. Do they, as a rule, get any endowment in the shape of land?—The Local Government, in certain provinces with which I am acquainted, has made over considerable areas of Government land to municipalities, which is probably of great value.

45271. Do you approve of the principle that one of the best forms of endowment for a municipality is to give them adjacent land where it is Government property?—I am afraid I have never had to consider it, and I should not like to express an opinion upon it.

45272. At any rate, you know that that is the principle in South Africa, and that when a town is started it is endowed with public land, and what is called the unearned increment or improvement which is due to the rise of the town, is given to the town for its local

purposes?—Yes; but in India we do not often have unallotted public land of any value in the vicinity of our large towns.

45273. That is a principle which is not adopted here?—Not to a large extent; we have restricted ourselves, almost entirely to intra-municipal land which is, of course, of especially high value.

45274. For example, do you consider that the Rangoon municipality might have reasonably expected an endowment from the land?—I do not know the circumstances of Rangoon.

45275. (Chairman.) You state that recently the Finance Department have proposed to give greater freedom to Local Governments by enabling them to come up under your new proposals, and that they are to budget partly against what the Financial Department sanction and partly against what they suggest, and if they exceed the actual sanctioned expenditure, then they may spend up to their original proposed expenditure, getting the excess money which they require for that expenditure by re-appropriating from some other head. Is that not practically what your suggestion amounts to?—Yes.

45276. A statement has been made by Mr. Stokes with regard to Madras finance, that a lump reduction in the way you now suggest, followed by a re-appropriation from some major head, must cause great inconvenience, because you have to distribute major heads of expenditure in order to get your increased grant of money. The Local Government does not really get any increased revenue which it may spend, but it only has to redistribute what it already has in order to meet the expenditure which it wants to incur?—In the first place, it would not disturb the other head for any practical purpose, because the excess expenditure, when it occurs, would be towards the end of the year, and the re-appropriation would be from actually ascertained savings under another head.

45277. You have to pre-suppose then that the Local Government has failed to spend up to its budget expenditure (which from my experience is very unlikely), and in order to meet the excess expenditure they must, before they can meet it, redistribute their expenditure under some other head?—The orders are that they must endeavour first to ascertain whether they have savings under another head. It would be quite contrary to the spirit of the order to suggest that they should reduce the spending power under another head. Let me take a concrete example; supposing a Local Government has, under this new scheme which we have suggested, received a budget allotment of 20 lakhs for education, and is allowed to spend up to 22 lakhs, and if towards the end of the year it finds that it has already spent 20 lakhs and will probably spend another 1½ lakhs, it will at once look round and probably find that under police there is certain to be a very large lump saving; it would simply re-appropriate the 1½ lakhs from police.

45278. So that although they might be theoretically a good deal freer than they were, in practice they are not?—They are freer in this respect, that previously if a Local Government budgeted 22 lakhs for education, and we cut it down to 20 lakhs, it had at once to meet its Director of Public Instruction, its inspectors and heads of schools and distribute that reduction of two lakhs amongst them, all of them resenting and objecting to it and crying out that it restricted their power and utility. But that disappears now, because we say: If you think you can spend 22 lakhs, go ahead and do it; we believe you will only spend 20 lakhs; if towards the end of the year you find you are right and we are wrong, utilize other savings or come to us for a new grant. It simplifies the relations of the Local Government with their departmental officers very materially.

45279. Does it not produce this result, that instead of having to meet their Director General of Education for the purpose of deciding where the cut is to take place, in March, they have to meet their Inspector General of Police in December and decide with him where the cut is to take place?—Yes, but by that time they are generally convinced that they have over-estimated, and that there will be very large savings under police.

45280. So that it depends on the latter supposition as to whether your plan is or is not a method of

granting greater freedom to provincial Governments?—No doubt, you have taken into account the simplification of the operation with the departmental officers under the first head, which I have tried to describe?

45281. Quite—I quite understand that you have transferred the disagreeableness of financial reduction from one department to another.—Then towards the end of the year the Accountant General has the whole of the figures before him, and he is in a position to let the Local Government know under which head there will be the saving they are looking for.

45282. But supposing there is none of this anticipated saving which you rely upon, what happens?—Then they would come up to the Government of India for permission to draw on their balances.

45283. Are they to look round and see which of the departments is less likely to grumble, or can they come up to the Government of India and say, "We have a very large balance and we want to spend some of it"?—That would be another case. One can quite imagine their doing that. You mean that they would keep themselves within their budget limits up to the end of the year and then come up with some scheme of utility towards the end of the year and ask for a special grant for the purpose? That of course might always happen, but it does not affect this particular system.

45284. Therefore, in order that the Local Government may enjoy this greater freedom which you propose to give them, they have to be quite certain that they cannot spend up to their expenditure under departments other than that in which you propose to give them this greater freedom?—I do not know that I should altogether put it in that way.

45285. Is it not rather playing off Peter against Paul?—The Government of India takes the risk; it gives to the Local Government this power of allotment under certain big heads, and if the Local Government finds itself in a position to spend up to the full amount, then we have to find the balance in the last resort.

45286. In two or three provinces we were told that the Government of India usually yielded to the representations of the provincial Government, but only after a very great deal of troublesome correspondence; do you admit the justice of that?—Is that in connection with the budget?

45287. I do not know whether it was so much with regard to the budget as with regard to general questions, but it was said both in Burma and in the United Provinces. At all events, you would not agree to the admission of the sweet reasonableness of the Government of India in one respect, or suggest it in the other?—I think they are very reasonable, and I think there is very little prolonged discussion over budget matters.

45288. (Mr. Meyer.) We have had a great deal of evidence in the provinces with regard to the large number of transfers, and it has been suggested that to some extent that might be remedied by a relaxation of the rigidity of the leave rules. For instance, as you know, a man who has taken privilege leave in excess of six weeks cannot take ordinary leave again for 18 months.—Yes.

45289. Before that time has expired, perhaps that man has been on special duty and has had a man acting for him; when that special duty was over, would it not be the most convenient time for the officer to take leave if he wanted it, because there would be a man already acting for him, and there would be no need of any fresh change?—Yes.

45290. Therefore, the suggestion has been made that there should be, what one might call a leave ledger, and against everybody's name there should be entered the total amount of leave he had earned and taken, with the balance to his credit, and that he might be allowed to take that balance, provided it was convenient to the Local Government that he should take it, at any time, though he might have returned from previous leave only six months before?—I have heard that system very warmly advocated, and I think there is a great deal to be said for it. The old leave rules were materially altered in the interest of preventing and minimizing transfers, but there is reason to believe that in certain respects they have not had the desired effect, and I have no doubt that very shortly they will have to be reconsidered.

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45291. The fundamental point remaining that a man should not have more leave than at present, and that he should not get leave when it was not convenient to give him leave; otherwise you would be in favour of a leave ledger?—Yes, I think that would be a very good idea.

45292. (Sir Steyning Edgerley.) Will you kindly look at the figures of revenue and expenditure in your appendix illustrating the tendency of Local Governments to under-estimate revenue and over-estimate expenditure for the last three years as regards Bombay. As to revenue under the first head of adjustments in 1905-06 the actuals are 12.12 lakhs in excess of the estimate of 43.58?—Yes.

45293. Will you take it from me that 12.12 was put in long after the budget was framed, for the purpose of making good a deficit?—Certainly.

45294. Subject to that, that would make the actuals for the year, in items for which the Local Government or the Government of India could budget, Rs. 4,98,34,000?—Yes.

45295. Then the fact remains that for the estimate of revenue in 1905-06 the Bombay total is nearer to the actuals than that of the Government of India?—Yes, that is so.

45296. And in the previous year also?—That is so.

45297. And in 1906-07 the actuals are nearer the Bombay estimate than that of the Government of India, so that in all three years the Bombay estimate is closer?—Yes.

45298. The gap is very big in 1906-07 because the Government of India in that year were rash enough to cut what the Local Governments thought they could collect in land revenue by 4.75 lakhs; they were warned that they were quite wrong. Turning to expenditure in 1904-05, the Government of India altered the Bombay estimates by Rs. 74,000 only, and they were more accurate than the Local Government, but the Local Government's estimate was within 2½ per cent. of the actuals?—Yes, that is so.

45299. Then in 1905-06 when the Local Government had the disturbing element of famine, as the figures stand, the Government of India are again more accurate, but the Bombay estimate is within 2 per cent., discarding the famine figures. They had to prepare for a certain amount of famine, which luckily did not occur?—Yes.

45300. In 1906-07 they had again to prepare for famine, but discarding the famine figures their estimate is nearer the actuals than the Government of India's estimate, and is within one-half per cent.?—The Government of India's figure there was nearer to the actuals surely than the figure of the Local Government.

45301. Not when you come to take out the famine figures?—But the famine figures were the same on both sides.

45302. I suggest that the Bombay figure is within ½ per cent. of the actuals and nearer to them than the Government of India estimate, and the actual expenditure was ½ per cent. in excess of the estimate?—Yes, that is excluding famine.

45303. So that I venture to suggest that the remarks in your answer to the question regarding the nature of the control exercised by the Government of India over provincial budgets are rather strongly worded under those circumstances. Can you say that in all those three years "the chief fault of the Government of India was in not cutting half enough"?—I admit the figures as you have given them to me.

45304. And therefore the case is not quite so strong as it is put?—It is not quite so strong as it is put in the case of the Bombay revenue estimates.

45305. (Mr. Dutt.) As to the effect of recent orders, I understand previous to this change the Local Governments had to make some alteration in their own budgets, and in order to do so they had to reduce expenditure whenever the Government of India modified their budgets?—Yes.

45306. At present they can go on exactly as if no change had been made in their budgets, spending according to their own budgets, and at the end of the year, if they find they are going to exceed their total,

then they have to come to you for an additional grant, if they cannot meet additional expenditure by appropriation from one head to another?—That is the position.

45307. Therefore they have been saved a vast amount of trouble in not having to reduce their own budgets according to your corrections in the first instance?—Yes, and not only that, but in not having to distribute the reductions.

45308. (Chairman.) Mr. Lamb in his evidence at Bombay said there was an essential difference between the Governments of Madras and Bombay and the other provincial Governments which is not recognised in practice; do you in the first place, so far as the Financial Department is concerned, admit that there is an essential difference between those two Governments and the other provincial Governments?—I am not aware of it; as far as the references that come up to our department are concerned all the Governments are treated on the same footing precisely; the Governments of Bombay and Madras have certain powers of direct reference to the Secretary of State.

45309. But in practice there is no difference admitted as between the Government of India and the Governments of Madras and Bombay?—No, not as far as I know.

45310*. Should provincial Governments be granted borrowing powers, or power to guarantee interest on private enterprises in the matter of feeder railways and the like? And should they be allowed to borrow in the open market?—The proposal that Local Governments should be empowered to guarantee interest to promoters of local railways—light feeder lines and the like—is a proposal that the Government of India put forward more than three years ago. It was subjected by the Secretary of State to certain criticisms; he alluded in particular to the danger of creating a number of petty lines with vested interests which might embarrass the Government in larger measures of railway development. He also requested that the opinions of Local Governments should be obtained. This was done; and a despatch embodying the result of the consultation was actually drafted last year. Its issue has been delayed by the fact that the Railway Board have advised a revision of the terms on which private companies are allowed to construct what are known as branch lines. It is felt that there must be a close analogy between the branch line terms and the conditions of provincial guarantees to local feeder lines; and when the former are settled, the recommendations regarding the latter will presumably have to be modified. The Government of India, however, are in full accord with the principle of provincial guarantees within reasonable limits.

In regard to the grant of borrowing powers to Local Governments, I think that there are very strong objections to giving them access to the open market. In the first place no Local Government could offer a security for its loans equal to that of the Government of India; it therefore follows either that they would be compelled to pay a higher rate of interest than the Government of India pays now, or that they would have to raise their loans at a larger discount. Secondly, it would be impossible for the Government of India to allow any Local Government to default in the service of its loans. If in consequence of mismanagement or misfortune a Local Government was unable to provide the requisite funds, the Government of India would be forced to intervene and make the necessary provision. In other words, there would be a virtual guarantee at the cost of imperial revenues; and as this guarantee would not be formal and would not be announced, we should get no return for it, or at best an inadequate one. Even if the guarantee were formally declared, the loans would not be floated on terms as good as if they were raised by the Government of India direct. Our experience with guaranteed railway loans affords ample corroboration of this statement. Thirdly, if Local Governments were allowed to float their loans independently, difficulty would certainly arise both with the Government of India and between themselves with reference to the time, and perhaps the place, of issue. Every Government would wish to issue its loans at the most favourable season, i.e., between the middle of June and the end of July. Such loans would certainly collide with imperial loans. We have already had

considerable trouble of this very nature in connection with the issue of loans by Port Trusts and Presidency corporations, the amount of which is very rapidly growing. It has been suggested in the press that if local Governments were empowered to raise provincial loans, they would be able to proceed more rapidly than at present with local Public Works; and the case of the irrigation programme in Bombay has been cited as an illustration. This idea rests on a misapprehension. The anticipated result could only ensue, if the aggregate sums borrowed by the Imperial and Provincial Governments taken together were larger than that which the Government of India alone is able to borrow, under the existing system. Now the sums which we could usefully spend on productive works are so much greater than that which it is possible to borrow, that we are under strong and unceasing inducements to borrow year by year the very utmost sum that the market will supply on reasonable terms. Of course the Government of India are not infallible, and it is quite possible that miscalculations have been made occasionally; but the Government of India are in a far better position to estimate what the market will give than a series of isolated local Governments could hope to be. Our loans are subscribed almost entirely at Calcutta and Bombay, subscriptions from other centres being of trifling relative importance. If provincial Governments raised their own loans, every Local Government except those of Bengal and Bombay would have to tap a market of which they had no first hand knowledge. I do not believe that more money can be raised in India unless we are prepared to pay a higher price for it; and for any given amount, the price will be lower if it is raised by the Government of India than by the Local Governments. I would also point out that the cases in which Local Government would require, or be justified in raising, permanent debt are not really very numerous. For instance, they would never require to raise a loan for war, nor, under present conditions, for railway construction. It is unlikely that a province which was offering from famine would be in a favourable position to raise a famine loan, and provincial famine loans are open to the further objection, as pointed out by the Famine Commission, that their effect would be to impose the cost of famine relief permanently on the inhabitants of the affected area instead of throwing the charge on the population of India as a whole. The only case that remains is that of productive irrigation works.

There are not, however, the same objections to Local Governments having a loan account with the Government of India. Advances thus taken should be, not for current expenditure, but for the construction of non-productive works; provided, firstly, that the cost of the work is beyond the immediate resources of the local Government, and secondly, that it is of such a nature that it would not be convenient or economical to spread the work over a sufficiently long term of years. An illustration of this class of work is to be found in the scheme for the improvement of the Bengal waterways. It is understood that this project will cost not less than a crore of rupees. It can never satisfy the conditions of a productive public work, and cannot therefore be carried out from permanent debt. It is also unlikely that it can economically be spread over more than three or four years. Unless therefore the Local Government is placed in funds for the purpose by the Government of India, it can never be carried out at all. Another illustration can be found in the history of the reconstruction of the Presidency General Hospital in Calcutta some eight or nine years ago. This work was estimated to cost about 35 lakhs of rupees. It was quite beyond the resources of the local Government, and the only way in which it was possible to carry it out was by means of grants specially contributed by the Imperial Government. There may have been some independent justification for an imperial grant in that particular case, but if we assume that no such justification existed, it would have been possible for the Local Government to carry out the work with the assistance of an advance from the Imperial Government to be repaid by instalments spread over five or six years. An arrangement of this character was, it is believed, once adopted in connection with the Hijli tidal canal.

In making this suggestion, it is necessary to say a word of caution. If advances of this character were given too readily, the temptation to hypothecate

provincial revenues in advance might become inconveniently strong, and the future administration of a province might be starved because a former Government had been in a hurry to proceed with some costly, ambitious, and non-productive project. This consideration points to the expediency of imposing some limit to the amount that might be advanced in any case, and more particularly to the necessity for fixing a comparatively short period for repayment. Ordinarily, it would be expedient to require a Local Government to liquidate an advance within five years at the utmost.

45311*. Is it necessary to maintain the difference in powers of sanction by a Local Government in regard to imperial and provincial heads of accounts in Services which provincial Governments manage for the Imperial Government?—As I understand this question, it enquires whether Local Governments should not have the same powers of expenditure in regard to imperial Services under their control as they enjoy in regard to expenditure on purely provincial Services. I would answer in the negative. It is not a matter of trusting or distrusting Local Governments. It is a simple matter of ordinary business principles; and I am sure it is not good business to give an agent *carte blanche* to spend money for his principal when he is to get no share in the returns. A Local Government may—and often does—take a pride in developing the revenue of an imperial Service; but it can hardly be expected to have the same interest in keeping down expenditure for which it has no responsibility as it has in keeping down expenditure which comes directly out of its own pockets. So far as my experience goes in connection with the Salt Department, the present rules do not cause any large number of references, and I think they should not be materially altered.

45312**. Could not all expenditure advantageously be made provincial?—The proposal, as I understand it, is that the Imperial Government should still take a share in certain main heads of revenue, but that the share should be smaller than at present, and that the Local Government should be made responsible for the whole expenditure of the province. There seem to me to be at least two substantial objections to such an arrangement. In the first place, the Government of India would become simply a partner in the Local Government's profits, without taking any share in its burdens; and the Imperial Government would consequently find itself exposed to the reproach of carrying off a share in the provincial revenue without displaying any sympathetic interest in the provincial needs. This objection may possibly be regarded as more sentimental than real; but it is of considerable importance if we are to protect ourselves against the accusation of checking provincial activity by exacting an arbitrary tribute from provincial resources. The second objection is the serious difficulty that might often occur about increased expenditure upon services of which the revenue is shared between the Imperial and the Local Governments. A Local Government might not unnaturally be reluctant to incur heavy expenditure on reforms, say in excise or forest administration, if it were only to obtain a fraction of the increased revenue resulting from those reforms. The outcome indeed might be a direct loss to the Local Government; and if it happened that the particular reforms were proposed by the Government of India, it will be readily conceived how serious an opening would be afforded to friction. At present there is no such opening; if the Government of India urges increased expenditure in improving the efficiency of a service from which it receives a portion of the revenue, it can always justify itself by the fact that it undertakes a share of the additional burden. Against these two objections, I have been unable to find any clear suggestion of any counterbalancing advantage in the proposed arrangement. It would not, for practical purposes, improve the Local Government's position in the matter of sanctioning establishments and the like. It would increase the dead-weight of expenditure which falls upon the Local Government in bad years; and the increase in the provincial share of revenue would only enhance the dislocation of the Local Government's finances in a time of famine.

45313**. Do provincial Governments often apply to the Government of India for power to spend in excess of their original budgets?—I have already attempted to answer this question by giving a list of the applications

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actually made during the last five years. This list was prepared several months ago, and there have been a few more applications for extra grants in the interval. These however have been wholly the result of the extra heavy expenditure thrown upon Local Governments by the current famine; and such applications are inevitable in such abnormal circumstances. In normal years however the appeals for extra grants are rare, and the need for such grants is still rarer. A Local Government frequently comes up for an additional grant which turns out to be quite unnecessary, as there are sufficient savings on the provincial allotments to meet the additional expenditure. Out of the 18 applications received during the last five years, no less than 8 were of this character.

45314*. Why should not provincial Governments, instead of the Government of India, make additional grants to local taxation?—The answer to this question is that Local Governments *do* assist local bodies very frequently. In certain provinces, if not in all, they habitually subsidize District Boards whose income happens to be unequal to their expenditure; and they are constantly making contributions for education and special grants for public works, hospitals and the like. In the case of municipalities, their intervention is less frequent, as those bodies have taxing powers of their own, which they are expected to exercise in full before appealing to the pockets of the general tax-payer. Here also, however, grants by Local Governments for specific purposes are not uncommon. As an instance of the powers of Local Governments to assist local bodies, I may perhaps mention that Rs. 30 lakhs are being given this year by the Imperial Government to the different provinces in aid of sanitation. There is little doubt that this money will be largely used by the Local Governments in subventions to District and Municipal Boards, and there is no intention on the part of the Government of India of interfering with the amounts or the terms of any such grants which the Local Governments may give.

45315*. What objection is there to the first budget estimates of Madras being sent in a fortnight later in order to enable them to be discussed by non-official Members?—I have already attempted to answer this question. The first edition of the budget notes has to be sent to Calcutta by the 20th January, the rule being the same for all provinces. If the Madras budget were delayed, it would be impossible for us to prepare our preliminary forecast of the budget results until towards the end of February, instead of at the beginning of that month as at present. The main object of this compilation is to enable the Government of India to formulate, with some certainty, its proposals for dealing with the next year's surplus if any. Those proposals have to be submitted to, and considered by, the Secretary of State, whose orders are awaited before the budget is closed. Unless, therefore, we know approximately how we stand at an early date in February, it would, I am afraid, be extremely difficult to present the budget before the end of the financial year. Nor, as I have said, do I believe that the Local Government would be able to improve materially upon its estimate if it were given another fortnight's grace. The preferable course, in the interests of nearly all concerned, would be for the Local Government to frame its figures a little earlier than is now the case, so that any discussion with non-official Members could take place during the first fortnight in January.

45316*. Does the power of the Financial Commissioner in Burma to sanction pensions cause any difficulty?—I am not aware that it does; and I am inclined to think that the power to sanction pensions might, within well defined limits, be largely delegated to authorities below the Local Government. The sanctioning of pension applications, which have been passed as in order by the Accountant-General, is a matter of almost pure routine in a provincial Secretariat except in cases where a reduction of a pension is officially recommended, or where an officer is recommended for a special pension, or where the retiring officer is of high rank in regard to whom, as a matter of courtesy, it is usual to take the orders of the Head of the province. In all other cases, if the Accountant-General certifies that the pension is admissible, the power of sanction might well be vested in the authority who has the power of appointment to the post which the retiring officer vacates. Delegations have already been largely admitted upon this principle, and its extension can do no harm.

45317*. Why were rules recently issued under the Local Authorities' Loans Act largely limiting the powers of Local Governments? Were any of the Local Governments consulted before the new rules were issued?—I may perhaps answer the last part of the question first. No draft of the new rules were submitted to Local Governments for opinion. The reason was that the new rules were simply a compilation of numerous orders and instructions which had already issued in modification of the old rules, and there was no principle involved on which the Local Governments had not already full opportunity of expressing their views. I do not think that Local Governments can reasonably complain that their powers have been seriously curtailed. On the other hand, their discretion has been enlarged in other directions, a feature of the new rules on which emphasis has *not* been laid. So far as I have seen the evidence, reference has been made to only two limitations; the first being the injunction against sanctioning local loans for a longer period than 20 years on their own authority, and the second, the restriction placed upon loans in the open market without reference to the Government of India. The former restriction is only a slight extension of the previous orders which debarred a Local Government from sanctioning a loan for a longer term than 20 years except in very special cases, when the period might be raised to 30 years. The latter maximum was rapidly becoming the rule instead of the exception; and the Government of India had observed repeated instances in which a Local Government had apparently yielded to local pressure in sanctioning a longer term than was justifiable in the interests of the borrower. It has also to be remembered that if a loan is given from Government funds, it comes out of the Government of India's cash balances, and the Government of India has every right to ensure that it is not kept out of its money for a longer time than is absolutely necessary. The second restriction was imposed in the best interests of the country at large, and the Government of India have resolutely maintained their right to regulate public borrowings so as to secure the best possible terms for the general taxpayer.

45318*. Is the Government of India unduly anxious to enforce uniformity in respect of excise?—I do not think so. Occasionally complaints to this effect have been received from Local Governments, and have always met with full consideration. The fact is that the difficult and delicate task of harmonizing the moral and the revenue side of excise devolves largely upon the Government of India, and it has consequently had to interfere more minutely than it does in most other branches of the administration. Also the excise administration in several provinces has been weak and wanting in sufficient technical knowledge, and the Government of India have been insistent on large and somewhat complex reforms. It is quite possible that in the details of this policy Local Governments have been asked to adopt methods which are not in all respects suitable to the local circumstances of their jurisdictions. But it was precisely for the purpose of ascertaining those circumstances and of adapting the general policy to them, that the Government of India appointed a strong Excise Committee. I do not think that any fair critic who examines the report of that committee and the orders of the Government of India upon it can seriously contend that there is any undue straining after uniformity. Any errors in this direction that have been committed will, I am confident, be rectified by the assistance of the newly appointed Inspector-General. He is now engaged in a minute examination of local conditions in consultation with local authorities upon the spot; and the knowledge which he will thus bring to bear upon any questions, regarding which the Local Governments are not in accord with the Government of India, should enable a reasonable and satisfactory solution to be arrived at.

45319*. Under the Excise Act, 1896, the Financial Commissioners can make rules as to the disposal of confiscated drugs, and under this Act in March, 1906, he made a rule ordering the destruction of confiscated cocaine, after consulting the Inspector-General of Hospitals. Why did the Government of India in November, 1907, issue an order for the quarterly despatch of confiscated cocaine to the Medical Store Depot in spite of the provincial Government's protest that the order entailed complicated instructions and disproportionate expense?—The reason why special orders were issued in regard to

cocaine is that the drug is largely used for beneficial medical purposes; and it appeared a wasteful policy to destroy any cocaine which is certified suitable for medical use. Confiscated cocaine is obviously, in this respect, upon a different footing from confiscated hemp drugs, of which no beneficial use can probably be made. The orders regarding cocaine were issued with the concurrence of the medical authorities, and are understood to be working satisfactorily. No protest has been received by the Government of India from the Government of Burma against the orders; but I have seen what Mr. Gates says in his evidence, and I will have the matter looked into from his point of view. I must say however that this particular example of centralization is somewhat unfortunate. If the Government of India were never to issue instructions in a simple matter like this without sending round to all the Local Governments and Administrations in India and asking their consent, we should never get business done at all.

45320*. All leave certificates for more than six months have to be countersigned by the Inspectors-General of Civil Hospitals. Is this necessary?—This is an old rule (Article 835, Civil Service Regulations) which has survived because nobody has hitherto complained of it. The original idea was to keep the Administrative Medical Officer in touch with the work of his subordinates. It has also been suggested that the procedure acts as a check on Medical Officers upon whom pressure might be brought to give leave on flimsy pretences. I do not think there is very much in this, or that the whole matter is of sufficient importance to justify the existing rule. Counter-signature might be dispensed with in the case of officers drawing less than Rs. 100 per mensem if not altogether.

45321*. What is the necessity for requiring the sanction of the Government of India to the investment of funds belonging to the provincial Governments, and why should not provincial Governments be allowed to raise their own loans as Local Authorities in England are permitted to raise their own loans, subject to the total loan not exceeding a fixed ratio of income? Have not Port Trusts, Presidency and *mufassal* municipalities and District Boards borrowing powers, of raising loans in the open market?—If a provincial Government invests money, it can do so only by withdrawing the money from the general cash balances of the Indian Government. Those balances are rarely at a higher figure than is necessary for the daily financial business of the country's administration. To tie up any portion of them by investment would thus affect our ways and means, and might necessitate our having to increase our borrowings. It would mean no economy in the end, and it would prevent the Central Government from handling the available resources of the treasury to the best advantage. The claim for a power of investment often proceeds on the erroneous assumption that provincial funds are in some way earmarked and separated from imperial funds. This is not the case; its provincial budget simply gives the Local Government a power of spending, up to defined limits, out of the general purse of the Empire. In answer to a previous question, I have discussed the propriety of allowing Local Governments to borrow independently. Port Trusts, municipalities and District Boards have independent borrowing powers; and several of the larger Corporations raise loans in the open market. Their relation to Government is, I need hardly point out, entirely different from the relation of a provincial to the Imperial Government.

45322*. Is the balance due to provincial Governments, in respect of deficiencies caused by the assignment to them of certain heads of revenue causing greater expenditure than corresponding revenue, made up to them from the excess of land revenue, except in Burma, where such excess is made up from salt and rice duties?—No. If the standard of expenditure determined for a Local Government at the provincial settlement is greater than the standard of revenue assigned to it, the difference is made good to it by an assignment from the general revenues of the Government of India. This assignment is passed, as a pure matter of convenience in accounts, through the receipt head "I—Land Revenue." The practice in Burma is the same as for any other province.

45323*. Would a re-assignment of revenue and expenditure do away with the necessity for special

grants, such as those recently made for the development of agriculture (now aggregating 48 lakhs) and education, as well as for police reform?—A re-adjustment of the shares of revenue could be made so as to absorb the special grants referred to: this has just been arranged in the case of Madras. No re-adjustment could possibly dispense with the necessity for future grants of a special nature.

45324*. Could not larger powers be given to local officers to remit revenue in times of distress?—How far would this enlarge the financial control of (1) the Government of India or (2) the Secretary of State? How far down in the scale of officials should this extend?—Yes: I think that the existing powers might be materially enlarged without any danger. But I should like to discuss the details with the Department of Revenue and Agriculture before saying more.

45325*. Do the Government of India, in finally returning the budget figures, send a covering letter saying that while reductions made have been with reference to actual probabilities of income and expenditure, yet the provincial Government will not be debarred from incurring any expenditure struck out from their budget, if they have the funds?—The ordinary terms of the instruction are somewhat as follows:—"The estimates originally proposed under some of the heads have been modified by the Government of India, with the object of securing closer correspondence between the budget estimates and the actuals of the year. But I am to explain that it is not intended to restrict duly sanctioned and necessary outlay, and the Government of India will be prepared to consider applications for supplementary grants should the progress of expenditure under any of the heads in question indicate that the budget grant is likely to be materially exceeded."

45326*. Is the control by the Government of India over the Excise Department of provincial Governments closer than in other branches of administration? Is this closer supervision necessary, and, if necessary, would it not point to a complete transference of revenue to the Imperial Government?—I think that the control of excise by the Imperial Government has been, in recent years, closer than in many other departments. The reasons have been (1) that Local Governments were as a rule very ignorant, and often somewhat apathetic, regarding the revenue aspect of excise; and (2) that the constant criticism to which our excise policy is subjected by temperance reformers has necessitated special supervision on the part of the Imperial Government, with whom the responsibility ultimately rests for the moral aspect of excise. I consider that this closeness of scrutiny has been necessary and that it has been justified; but, as the Local Governments must continue to undertake the immediate control and direction of excise, I think that it would be the gravest mistake to deprive them of all interest in the excise revenue.

45327*. Is it found that the appointment of an Inspector General of Excise and Salt has decreased reference and correspondence, besides diminishing control in matters of detail?—This has, in my opinion, undoubtedly been the case, as regards excise.

45328*. Have not certain general rules for guidance been issued in the case of income tax to Local Governments and also in respect of stamps and court-fee labels, or has each case to be referred to headquarters?—These heads of revenue are administered in accordance with law and certain general rules laid down by the Government of India. The references to the Government of India are very few in number.

45329*. Should not a provincial Government have power to borrow to meet loans for assisting encumbered estates under the Court of Wards? The Court find it difficult to borrow at reasonable rates, and now have, in the case of Eastern Bengal, 15½ lakhs at rates varying from 5½ to 9 per cent. Does this not involve unnecessary loss?—I am afraid that I could not assent to this proposition. The Government has many needs of its own, and sufficient difficulty in raising the loans which it requires in the interests of the general taxpayer. I do not at all think it should use its credit in order to cheapen the loans of private borrowers.

45330*. Why should (a) the objections of provincial Governments to alterations in the provincial budget by the Government of India, and (b) supplementary estimates (at the end of February) in Eastern

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Bengal all go through the Accountant-General and be put forward by him? Does this give provincial Governments a sufficient opportunity of stating their case?—There is not the slightest objection to the Government of Eastern Bengal and Assam submitting its objections to the budget corrections direct to the Government of India if it so wishes. Other Governments frequently do so.

45330**. Has the Accountant General authority to alter the figures of the provincial Government's budget without instructions from the Government of India? Does he ever do so?—An Accountant General is wholly responsible for the *revised* estimate, and may alter the figures which the Local Government has suggested, if he does not consider them to be justified. But he has no authority to alter a Local Government's budget figures against their wish; he can only advise the Local Government if he thinks their proposals are unsuitable.

45331**. Might not the special sanction given to Eastern Bengal to sanction expenditure without specific re-appropriation be made general and extended to all other provinces?—The reference is to an altogether exceptional sanction, which was necessitated by special local circumstances. I do not agree that expenditure should ordinarily be permitted unless it is covered by budget provision, by re-appropriation, or by duly sanctioned extra grants. Any such relaxation would convert our budget system into a useless formality, and would lead to hopeless financial confusion.

45332**. At present when the budget provision for any department of a Local Government is insufficient, and the deficiency cannot be made up by re-appropriation from some other department, either an application has to be made to the Government of India, or by the inclusion of lump sums in the budget for the re-organization of establishments. Would not a better system be to empower Local Governments to appropriate up to a certain limit from their closing balance?—In years where we have a reasonable margin to come and go upon, I do not think there would be any harm in letting a Local Government draw upon its balances within moderate limits if necessary.

45333**. Could not the detail in the Public Works Department preliminary issue of estimates for provincial works—the 6 months and revised estimates—submitted to the Government of India be omitted, and a brief statement substituted showing the proposed outlay under the ordinary budget heads, original works, repairs, establishment, tools and plant?—For the purposes of the Financial Department, this would be quite sufficient. I doubt however if the Public Works Department Secretariat would agree to dispense

with the information. Some Local Governments have shown themselves unable to utilize their budget grants without the pressure of departmental supervision from above.

45334**. What precautions are taken to prevent demands for information by the Accounts Department from placing an undue burden on departments of Local Governments, *e.g.*, the demand for monthly consolidated absentee statements from the Director of Public Instruction in the United Provinces?—I cannot say that any special precautions are taken; but I am quite sure that if a Local Government informed us of any demand which imposes an undue burden upon it, the matter would be promptly looked into. I will have enquiry made about the special case mentioned by Mr. Dela Fosse.

45335**. Why was the grant of a house rent allowance of Rs. 50 per mensem to Assistant Collectors of Customs in Bombay delayed in spite of the recommendation of the Bombay Government submitted in January, 1907?—The case referred to is typical of several such representations which have been made to the Government of India. A scheme for house building and house allowances on behalf of Government officers presents a large number of difficult and delicate questions; and the satisfactory and economical treatment of the case as a whole would be seriously prejudiced by admitting individual claims before we had fully worked out the main principles. The Bombay scheme has to be submitted in all its details to the Secretary of State; and he might naturally dislike our dealing with any part of it, even provisionally, before he has had an opportunity of expressing his views upon it.

45336**. Assuming that larger financial control is entrusted to Local Governments, could some system of training in the Imperial Financial Department be devised for selected members of the Indian Civil Service of each province in order to create a supply of Financial Secretaries better able to appreciate financial principles? Could such training be more suitably given in offices of Accountants General, or by attaching officers to the Imperial Financial Secretariat?—I think this would be an excellent scheme. The officers should be attached to the Government of India Secretariat in the same way as has occasionally been done in the Legislative Department. Whatever may be the measure of decentralization decided upon, I venture to hope that something of this sort may be practicable, if only to convince provincial authorities that our methods are not so arbitrary or unreasonable as they are sometimes represented to be.

(The witness withdrew.)

Adjourned.

SIXTY-SIXTH DAY.

SIMLA, Tuesday, April 7th, 1908.

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.

Sir HERBERT RISLEY, K.C.I.E., C.S.I., was called and examined.

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45337. (*Chairman*.) You are the Secretary to the Government of India in the Home Department?—Yes, since September 1902. For three years before that I was Census Commissioner for India. Before that again I was Financial Secretary to the Government of India for about six months, with a little break. I was Financial Secretary to the Government of Bengal from May 1891 to August 1898. Out of 34½ years' service I have spent 21 in the Secretariat and 13½ out of it. I hand in a statement showing the constitution and duties of the Home Department.

† Vide Appendix Ie.

45338. You have put in a statement showing the staff of the Secretariat on three dates, 1887, 1897, and 1907; the statement does not show the Inspectors General and Directors General who work under the Home Department?—No, because they do not form part of the Secretariat.

45339. They are not included at all events for the purposes of this calculation as part of the Secretariat in the Home Department?—No. Their offices are distinct.

45340. Are all these appointments of Directors General new since the 1st April 1887?—No, the

Director of the Indian Medical Service has existed all along. The Sanitary Commissionership, when established in 1866-67, was a distinct post; then in about 1880 it was doubled up with the Surgeon Generalship, mainly for personal reasons.

45341. With that exception, these appointments of Directors General and Inspectors General and their staffs are all new since 1887?—From 1871 to 1889 there was a Director-General of the Archaeological Survey. In 1889 the appointment was abolished on financial grounds. It was revived, and its duties defined, in 1902.

45342. You tell us that the Government of British India is vested in the Governor-General of India in Council; do you say that in consequence of a reference to any particular Act, or is it a general statement?—The statement is a quotation from Ilbert's Digest. It is based on the Regulating Act of 1773 and the Charter Act of 1833.

45343. Does not the Act of 1858 vest the Government of India in the Secretary of State?—My statement refers only to the Government of India, and takes for granted its subordination to the Secretary of State under the Act of 1858. That Act declared that India was to be governed by, and in the name of, the Crown, acting through a Secretary of State who was to exercise the powers of the East Indian Company and the Board of Control. It left the powers of the Government of India untouched, but made it subordinate to the Crown instead of to the Company. The relations between the Secretary of State and the Government of India are now regulated by constitutional usage.

45344. You say that "every Local Government must obey the orders of the Governor-General": is that practically a quotation from one of the despatches to which you refer later on?—That again is practically a quotation from Ilbert, and is based, I think, on the Statute of William IV. I have gone a little beyond Ilbert in adding the last words, "including the exercise of its own statutory powers."

45345. This is, at all events, the view which you take of the relations of the Governor-General in Council to the Subordinate Governments in India?—Yes.

45346. You say that the functions of Government exercised by the Home Department are limited to control and supervision?—That is to say, they are only directly executive in respect of Port Blair.

45347. When you say "control," what exactly do you mean; you say you "control" archaeology, you "control" internal politics, you "control" education?—It is open to the Government of India to intervene and pass orders on any question whatsoever, whether it falls within the statutory powers of a Local Government or not.

45348. That is in no way limited by Acts passed in India?—No, in no way.

45349. You also tell us that under the rules of business the Home Department can claim to interfere in any question submitted to another department which affects either the general administration or the internal politics of the country; is that so?—Yes; any question connected with general administration, another department would consider itself obliged by the rules of business to refer to the Home Department. Also such matters as the staff of the Telegraph Department, the Public Works Engineering staff and so forth, subject-matter which is in itself rather remote from the business of the Home Department, but which may involve the principles of the Public Service Commission. Generally all administrative questions, and those actuarial questions which apply to Services would be referred to us.

45350. Yesterday the Finance Department told us that they were in a position to claim to consider any questions submitted to other departments of the Government of India, "upon financial considerations," and they explained to us that the financial considerations implied, not merely the possibility of providing money, but whether the money that it was suggested ought to be paid for a scheme was wisely and economically given out. Does the claim which your department exercises, plus the claim of the Finance Department, practically result in any question of any magnitude whatever having to go through three

departments, namely, the proper Administrative Department, the Finance Department, and the Home Department?—It closely approaches to that. In the case of the Finance Department I can quite see that it is a little difficult to say where the financial question comes to an end and the administrative question begins.

45351. And, in the same way, it would be very difficult to say where the proper administrative energy of one department ends and the Home Department activities begin?—Yes.

45352. (*Mr. Meyer*.) The Financial Department would be consulted in anything regarding expenditure, but in a case originating in the Revenue and Agricultural Department, the Home Department would not be consulted unless there was some special matter in which it was interested—Civilian recruitment, and so forth?—Yes, Civilian recruitment, or the principles of the Public Service Commission.

45353. So that, as a rule, there would only be two departments involved, the Administrative Department and the Finance Department?—Yes, assuming that no general Administrative question such as comes to the Home Department arises.

45354. (*Chairman*.) Do not general questions of administrative importance very frequently occur?—It is rather a question of the magnitude of the scheme.

45355. But, as a matter of fact, they do generally occur?—I can think of cases where they do not. If I remember rightly, the Revenue and Agricultural Department reconstructed the whole of the archaeological arrangements without reference to the Home Department; I certainly found the papers strange to me when I took over the Archaeological Department afterwards.

45356. Does it require some exercise of memory to recall cases in which the three departments do not interfere?—In the cases I have cited the three departments certainly would be concerned.

45357. And in the subsidiary questions depending upon those?—No doubt. A reference does not necessarily involve interference; the case may simply pass through, and we may say "No objection in the Home Department."

45358. Still, it requires reference and consideration?—Certainly.

45359. I do not quite understand why the Home Department interfere to see whether a thing is actuarially sound; I should have thought that that was more for the Finance Department?—It has been a matter of practice in all these instances to refer these cases to the Home Department. Mostly these actuarial questions are considered in both departments; the Home Department has to see whether promotion is likely to be blocked by a particular arrangement of grading, or whether it is likely to be unduly rapid; it is merely as a matter of practice that the Home Department comes in, as the custodian of those principles.

45360. Might that be quite as advantageously left to the department originally concerned, or solely perhaps to the Finance Department?—I daresay the Finance Department, as the calculating department of the Government of India, might be placed in charge of actuarial questions.

45361. And might perhaps be entrusted with the whole actuarial calculations?—I do not think it much matters which department does it, as long as some one department is in charge of the work, and certain principles are kept in view; but the Finance Department seems to me to be best equipped for the purpose. In that case the Administrative Department concerned would state its requirements from its own point of view, and the Finance Department would carry out the calculations necessary to give effect to them.

45362. With regard to these volumes of proceedings of the department, which have to be transmitted to the Secretary of State; are they what are known as the monthly proceedings?—Yes; I very seldom see them myself; they are dealt with as a matter of routine; the Registrar sends them straight to the Secretary of State.

45363. Are they, on the whole, necessary?—That is rather a question for the Secretary of State.

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45364. But I am asking from the point of view of the Home Department of the Government of India?—It seems to me desirable that the Secretary of State should have as far as possible a continuous record of the work of the Government of India before him.

45365. Do these furnish a useful record; is it necessary that they should be sent so often, or do they really contain valuable information?—Yes; I think it is desirable that they should be sent monthly, because they may be of use to the Secretary of State for the purpose of answering questions in Parliament.

45366. Is that their principal use?—And also to keep the India Office *au courant* with affairs in India; I do not know how they are dealt with in the India Office.

45367. You say that the practice is for the Superintendents in the various departments to submit the files to the Gazetted Officers with notes on them. Do they sign these notes?—Yes; they sign initials on the left hand of the page; the officers who deal with them sign their full names.

45368. Are all letters or despatches drafted subsequently to the reference of files to either the Deputy Secretary or the Secretary; is that the constant practice in the department; does the department never put up a letter at the same time that it puts up the note?—The subordinate officials, the clerks, do that occasionally; in simple routine matters, where it is perfectly obvious that a certain reply is to be given, they put up drafts for approval. There are some things that constantly require treatment of that sort, and for these there are printed forms of draft.

45369. Does the Deputy Secretary or the Secretary, in submitting papers to the Hon'ble Member, put up the draft of the despatch or letter, or are they always drafted after the return of the files from the Member?—The more common practice is for there to be notes, and a decision on the notes, and then a draft; it happens occasionally, not frequently, that it is convenient to make a draft in the first instance.

45370. Does the Under Secretary in the department in charge of the subject note after the superintendent of the department has noted?—Yes.

45371. He does not merely say "I agree," or initial it, but he proceeds to note?—If he agrees, he will simply sign his name, and mark the file to the Deputy Secretary or Secretary, as the case may be. I have given the order of distribution which is rather complicated. Agreement is signified by simply signing.

45372. Then it goes to the Secretary, and he signs or notes?—Yes.

45373. It then goes to the Member, who signs or notes?—Yes, if it is marked to the Member.

45374. Does a considerable proportion of the cases go to the Viceroy?—That depends upon the importance of the question, and also upon whether it involves disagreeing with a Local Government.

45375. Do a large proportion of cases go to the Viceroy?—I would hardly say a large proportion; I do not know that I can tell you the precise percentage.

45376. But roughly speaking: is it a quarter, or a third?—Hardly a quarter. In 1907-08: out of 4,298 cases dealt with by the Home Member, 934, or 21·7 per cent., were submitted to the Viceroy.

45377. A great deal of work is disposed of at the initial stages by the various officers, the Under Secretary or the Deputy Secretary. Are those purely matters of routine?—They may be matters of routine; they may be matters involving an intermediate reference to a Local Government, for example; or, they may be perfectly obvious matters which could be disposed of in accordance with practice.

45378. You have made certain suggestions as to the delegation of powers and so forth, and for decentralization. If they were carried out, would they get rid of a considerable amount of this initial work?—Certainly.

45379. A great deal of it?—Yes.

45380. That would leave practically only the questions of larger importance?—It would effect a substantial reduction of work in respect of matters of minor importance.

45381. You tell us that the Secretary is solely responsible for the entire business of the department, and in another place you say the Home Department is assigned to the special care of an Ordinary Member of the Governor General's Council. Do you mean that

the Secretary is responsible for the interior management and machinery of the department, but that the responsibility lies with the Member of Council for the decisions given by the Home Department?—Yes, but the Secretary is responsible for bringing to the notice of the Governor General any question on which he thinks the Governor General's orders ought to be taken. It rests with him to mark the file for the Viceroy or not.

45382. That is to say that, if the Secretary disagrees with the Member of Council it is his duty to go to the Viceroy?—Yes, in cases of sufficient importance.

45383. Is that from time to time as occasion demands?—Yes.

45384. You would suggest to us that there is a divided responsibility for the decisions pronounced by the Home Department?—In what sense do you mean divided responsibility?

45385. That is to say that, if the Secretary can disagree with the Member of Council, he is responsible for referring the case, over the head of the Member, to the superior authority?—The Secretary is the Secretary to the Government of India, not the Secretary to the Member; and it is by reason of his duties to the Government of India that it may be necessary for him to make this reference to the Governor-General, which again may result in a reference to Council.

45386. Therefore there is a divided responsibility?—I do not think that phrase expresses the position correctly. The orders of the Member issue in the name of the Government of India and on their undivided responsibility. The Secretary is responsible only for seeing that they know what is being done.

45387*. Has the demand for returns and information from Local Governments increased of recent years? If so, is this due to the requirements of the Secretary of State or to those of the Government of India? Will you kindly give the Commission a list of the periodical returns which your department (a) calls for from provincial Governments, or (b) furnishes to the Secretary of State, with a column showing which of these (if any) are in your judgment unnecessary?—† I file a statement showing that of formal reports or returns 19 have been introduced, and 18 abolished, since 1901. Of the 70 items included in that statement 43 are required for one purpose or another by the Secretary of State, while 27 do not go beyond the Government of India. Among the latter I have marked seven which in my judgment are unnecessary. No further reduction in reports and returns is possible without the co-operation of the Secretary of State. The demand upon Local Governments for "information," as distinguished from reports and returns cannot be reduced to statistics, but it has undoubtedly increased of late years owing to the development of the country, the spread of education, the improvement of communications, etc. At the same time the formation of an Indian Committee in the House of Commons has led to more frequent questions and calls for returns, which in their turn add to the demand for information from Local Governments. The following statements illustrate this aspect of the subject:—

Home Department.

Year.	Number of communications made to Secretary of State in connexion with possible questions in Parliament.
1898	16
1899	8
1900	16
1901	2
1902	11
Total	53
1903	13
1904	13
1905	31
1906	43
1907	209
Total	309

† Vide Appendix IIc.

Year.	Number of questions on Indian affairs appertaining to the Home Department, asked in Parliament.
1898	66
1899	57
1900	20
1901	15
1902	40
Total	198
1903	38
1904	48
1905	82
1906	153
1907	165
Total	486

45388*. How is the superior staff of the Imperial Secretariat recruited, and how long (generally speaking) are officers kept in the Secretariat consecutively?—The superior posts in the Home, Revenue and Agriculture, Finance and Commerce Departments are recruited from the Indian Civil Service; in the Foreign Department, from the Political Service which includes Indian Civil Service, as well as Military, Officers; in the Military Supply and Army Departments, from Military Officers; in the Public Works Department, from Engineer or Accounts Officers; and in the Legislative Department, from the Indian Civil Service and Barristers-at-Law. The tenure of appointment of officers is ordinarily limited to three years, but may be extended.

45389*. What are the general principles governing the relations between the Government of India and the provincial Governments?—An authoritative statement of the general principles governing the relations between the Government of India and the provincial Governments is to be found in paragraphs 76 to 86 of the despatch from the Court of Directors, No. 44, dated the 10th December, 1834, and in the despatch No. 3, dated 28th March, 1838. The practice in the matter of correspondence between the Secretary of State and the Governments of Madras and Bombay is regulated by the Home Department letter of 17th June, 1872, and the later letters of 1877 and 1879, on the same subject†. The other provincial Governments do not correspond with the Secretary of State.

45390*. Would it be feasible, in matters dealt with by your department, to grant larger powers to provincial Governments after the Government of India had laid down general lines of policy? Would the grant of any such powers, which might otherwise be desirable, be impossible at present by reason of restrictions imposed by the Secretary of State?—When the Government of India have laid down general lines of policy on any particular subject I think it very desirable that the Local Governments should be given ample scope as regards giving effect to the policy, and

† Copies of these papers are contained in Appendix IX.

‡ NOTE.—The following statement shows that the ratio of expenditure to population in Bombay is considerably higher than in any other province in India:—

Statement showing expenditure per 1,000 of population in Madras, Bombay, Bengal, the United Provinces, the Punjab and the Central Provinces.

Provinces.	Total provincial expenditure per 1,000 of population for 1894-95 as compiled by Sir James Westland in 1898.	Total provincial expenditure per 1,000 of population for 1899-1900 as compiled by Finance Department in 1902.	Expenditure on higher administrative appointments per 1,000 of population for 1904-05 as compiled by Home Department in 1907.
	Rs.	Rs.	Rs.
Madras	608	870	86
Bombay	1,135	2,380	146
Bengal	325	620	77
United Provinces	394	760	90
Punjab	632	910	103
Central Provinces	537	860	103

that the instructions conveyed to them should be general rather than particular. I believe that at the present time the Government of India endeavour to proceed upon this principle. The fact that they desire to be supplied with copies of the particular orders issued for the purpose of giving effect to the general instructions in no way conflicts with the principle. It is merely a matter of convenience, and saves the waste of time involved in hunting through volumes of proceedings. But the principle itself is subject to some necessary limitations—

(1) Where the Government of India finds the money it must have some control over details—

(a) because without particulars it cannot know how much money will be required;

(b) because when a Local Government has not to pay the bill itself it is not unnaturally tempted to utilize the occasion to raise its standard of administrative efficiency at the cost of the Government of India.†

(2) When a Service is recruited from England the conditions must be uniform throughout India.

(3) Even when Services are recruited provincially the conditions must be fairly uniform, owing to the growing solidarity of the educated classes throughout India.

(4) Where commercial interests are affected, the administrative arrangements ought to be as uniform as possible. A firm which does business in half-a-dozen provinces will be unfairly hampered if it has to work under half-a-dozen different sets of rules. The case of the petroleum rules is in point.

(5) Where international obligations are involved, e.g., the working of the Paris Convention, the same holds good.

(6) Also in the case of shipping. If sanitary regulations, signals, etc., differ from province to province commanders of vessels have reasonable grounds of complaint.

(7) Certain penal provisions must also be uniform. A sentence of imprisonment for a given time ought to mean much the same thing everywhere, and the conditions of remission (mark system) should also be uniform.

(8) Jail manufactures may also be mentioned. If one province competes with local industries and another does not, the conditions will be unequal; some firm is sure to have a grievance and will come to the Government of India for redress.

45391*. You have been furnished with schedules or memoranda showing the proposals made by certain provincial Governments in regard to the relaxation of specific restrictions now imposed upon them by law, by rules having the force of law, by imperial codes (such as the Civil Service Regulations), or by executive instructions which they desire to have relaxed. Would you object, so far as your department is affected, to any such proposals; and, if so, on what grounds? Can you suggest similar relaxation

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in any other matters?—My proposals in regard to the relaxation of the various kinds of restrictions now imposed upon Local Governments are contained in the statement,† which I hand in.

45392*. What are your views regarding the enactment of a general Act of delegation on the lines of Act V. of 1868, empowering the delegation, and re-delegation of powers, now vested by law in the Government of India and Local Governments, to other authorities down to Heads of districts, but safeguarded by provisions for the prior notification of such intention and the invitation of objections?—I am decidedly of opinion that legislation ought to be undertaken to empower the Government of India to delegate some of its powers to Local Governments, and to enable Local Governments in their turn to delegate certain functions to their own subordinates. The tendency of modern legislation, at any rate in the provincial Councils, has been to require the sanction of the Local Government in a number of cases where that sanction is, as a rule, purely formal. District Officers and Commissioners send up proposals which never get beyond an Under Secretary, and are notified in the Gazette by his orders. This is a clear waste of power. But I do not think the lines of Bombay Act V. of 1868 can be followed. I doubt whether the precedent of the Commissioner in Sind can properly be appealed to, and I am certain that a proposal to delegate in gross would arouse general opposition. It appears to me, therefore, that the proper course to adopt is to draw up a complete delegating Bill, with a schedule showing the powers which may be delegated under each Act now on the statute book, and the officers to whom they may be delegated. As regards future legislation, there should be a standing order in each Legislative Department that the question of delegation should be specially considered when any Bill is being drafted.

45393*. Are there any general rules of the Government of India governing the recruitment of the Provincial and Subordinate Services for provincial Governments?—I understand this question to refer to the Provincial and Subordinate Civil Services. On this assumption, the general rules governing the recruitment of those Services are contained in the following extract from the Home Department letters Nos. 1535-1539 and 1543, dated the 27th and 28th May, 1892, to the Governments of Madras, Bombay, Bengal, the United Provinces and the Punjab, and the Chief Commissioner of the Central Provinces, revised up to date.

"The last question upon which it is now necessary to address the Governor in Council is that of the rules to be laid down for regulating admission to the Provincial Service.

"It is desirable to recapitulate here the conditions which the Government of India and the Secretary of State have determined must be satisfied by candidates for admission to the Provincial Service. They are the following:—

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

(a) That he is not over 25 years of age, except in the case of barristers, advocates, or pleaders appointed to the Judicial Branch otherwise than by competitive examination. In these excepted cases, Article 63 of the Civil Service Regulations fixes the maximum age at 30;

(b) That he has attained a prescribed preliminary standard of education, and specially of qualification in one of the vernacular languages of the province in which he is to be employed. The vernacular standard should be a high one, involving a thorough knowledge of the language, and ability to write and read the written character with facility. In the case of Europeans and Eurasians, this requirement will have to be enforced by means of a special examination; in the case of Natives, evidence of it will be provided by the candidate having passed the University or School Standard Examinations;

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

(d) That he is of good character.

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II.—Every person appointed to the Provincial Service by recruitment shall be subject to a period of probation or training, during which time his appointment will be probationary only, unless in special cases the Local Government declares such probation or training to be unnecessary.

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

IV.—Recent residence of at least three years in the province should, as a general rule, be an essential condition of admission, and no barrister, advocate, or pleader should be appointed, as such, unless he has been at least three years actually practising his profession in India and can speak the provincial vernacular.

V.—Europeans who are not natives of India shall be eligible if qualified by the above conditions, for appointment, with the sanction of the Government of India.

VI. No member of the Provincial Service shall be dismissed otherwise than on the result of a judicial or formal departmental enquiry. This condition is practically in accordance with the orders already in force, but it is desirable that it should be definitely laid down in the rules.

"The Government of India also think it desirable that the rules should contain an announcement that the Local Government reserves to itself the right to make promotion to the superior grades of the Provincial Service without regard to seniority, and are of opinion that it might be ruled that seniority shall not give a claim to appointment to the grade on Rs. 500 a month and higher grades. Such an announcement would not in any way interfere with the discretion of the Local Government to retard promotion in particular cases in grades below that on Rs. 500 a month, should it consider that the character of any individual's service has not been such as to justify his receiving promotion in the ordinary course according to his seniority."

These general rules are supplemented by detailed rules issued by the Local Government, with the previous sanction of the Government of India.

45394*. What is, generally speaking, the position of the Imperial Inspectors-General? What do you regard as their proper functions? May they be consulted by provincial Governments as well as by the Government of India? Should their views be furnished to the Local Government before a provincial scheme is dealt with by the Government of India? How far do they, and should they, correspond direct with the Heads of the provincial Departments? Does such correspondence tend to weaken the control of the provincial Governments over their own officers? Would it be expedient to substitute periodical conferences of provincial Heads of Departments for Inspectors-General?—The position of the Imperial Inspectors-General subordinate to the Home Department may be defined as follows:—

Director-General, Indian Medical Service.—"The Director-General of the Indian Medical Service will be the head of the amalgamated Indian Medical Services in India. It will be his duty, among other matters, to propose transfers between the Military and Civil Departments, to recommend for promotion to the administrative grades, and to advise the Government on all questions relating to the admission of officers and subordinates to the Indian Medical Service, to the conduct and services of Indian Medical Officers of all grades, and to the supply of medical and surgical stores. The Director-General of the Indian Medical Service . . . will be entitled to receive any information he desires from the Surgeons-General, Inspectors-General of Civil Hospitals, Administrative Medical Officers, and Sanitary Commissioners attached to the Local Governments and Administrations, and to communicate with these officers, in regard to the operation of departmental rules and orders; but he will exercise no direct authority over these officers, who will be solely under the orders of the Local Government and Administration to which each belongs."

Sanitary Commissioner with the Government of India.—"The Government of India have no intention of relieving Local Governments of the direct control and responsibility which they have hitherto exercised in sanitary matters, or of weakening their authority over provincial sanitary establishments.

The main functions of the Sanitary Commissioner will, as heretofore, be to advise the Government of India upon sanitary and bacteriological questions. He will not be permitted to encroach in any respect upon the authority of Local Governments, or the officers under their control. But he will be empowered to consult and confer with them informally upon matters connected with sanitation and will, in this respect, occupy a position closely analogous to that of the Director-General of Education. He should also correspond unofficially with the provincial Sanitary Commissioners and the Heads of provincial laboratories upon points of departmental procedure, forms and statistics, and purely technical questions."

Director-General of Education.—This officer's primary duty is to advise the Government of India on all educational questions. He also confers with, and advises Local Governments, and corresponds unofficially with the provincial Directors of Public Instruction. Unlike them, however, he has no executive power, and it is on record in the Home Department that his designation of *Director-General* was intended to connote guidance and not control.

Director-General of Archaeology.—It is the duty of the Director-General of Archaeology to secure that the ancient monuments of India are properly cared for, and that repairs and restorations are carried out on the right lines. He exercises a general supervision over all archaeological work, assists the provincial officers in ascertaining and formulating the requirements of each province, and advises the Government of India as to the operations for which special subsidies may be allotted from Imperial revenues. The creation of the appointment was not intended to weaken the responsibility of Local Governments for the care of the ancient monuments of their provinces nor, in my opinion, has it had this effect.

Director, Criminal Intelligence.—The position of this officer is described in my succeeding reply.

In my opinion, the existence of these advisory and inspecting officers is the necessary consequence of two modern tendencies—the specialization of administrative business, and the advance of decentralization. As to the former, the demand for higher standards of efficiency and the increased employment of specialists render it necessary that the Government of India should have expert advisers of their own if they are not to choose blindly between several conflicting opinions. As to the latter, however far decentralization may be carried, there will always remain certain general questions upon which the Government of India is, and must continue to be, the ultimate authority. In order to decide these questions it must know the administrative facts involved. It is obvious, however, that the further decentralization proceeds and the more the independent powers of Local Governments are enlarged, the less direct knowledge will the Government of India acquire by means of ordinary official correspondence. Unless, therefore, they are entirely to abdicate their functions of controlling general policy, and of advising the Secretary of State in matters which require his sanction, it is essential that they should have some machinery for keeping them continuously informed of what is going on in different provinces, and to bring to their notice matters which can only be learnt on the spot. In short, if these officers did not exist already, the advance of administrative decentralization would compel the Government of India to create them.

While the retention of officers of this type is in my opinion indispensable, I think it essential to lay down some rules to prevent them from exceeding their functions and generally to guard against their operations weakening the control of Local Governments over their own officers, and setting up friction between those Governments and the Government of India. Premising that all such rules must be applied with tact and forbearance, and must not be too technically interpreted, I suggest the following:—

(I) An advisory officer is entitled to ask officially for any information which may be necessary to enable him to keep the Government of

India informed on matters of general importance relating to the branch of the administration with which he is associated; and, to that end, every facility should be given to him by the corresponding officials of Local Governments. I would make such references official for the simple reason that informal or unofficial correspondence is apt to be mislaid and forgotten. But the distinction is purely formal and is not of the first importance. I would make it, however, a general instruction to all advisory officers that such correspondence should be restricted as much as possible. There is a danger of these things being overdone, especially if they get into the groove of routine.

(II) He should be ready to furnish to a Local Government, or to the Head of the provincial Department concerned, any advice or information at his disposal, which he may properly communicate. The point is that when the Head of a provincial Department is preparing a scheme for submission to his own Government it is *prima facie* legitimate and to the advantage of the Local Government that the provincial man should be able to get the advice on technical matters of an expert who has wider knowledge than himself. There are, however, two dangers—

(1) That in giving his advice the Imperial officer may unwittingly trench upon questions of general administration and may thus give offence to the Local Government. It would perhaps be possible to guard against this by ruling that when the Head of a provincial Department desires advice on a matter of general administration as distinguished from one of technical knowledge, he should not refer to the imperial adviser without obtaining the permission of his own Government.

(2) That it may be assumed by the local authorities that if they follow the imperial adviser's suggestions their scheme will necessarily be approved by the Government of India, at any rate so far as the functions of their adviser are concerned. It should, however, be understood that this does not necessarily follow. When consulted by a provincial department the imperial adviser can only express his views for what they are worth and subject to the necessary limitations of his position. He is not the ultimate sanctioning authority, and at the time when he is consulted he may not know the entire history of the subject, so that when the case comes before the Government of India points may be raised which will induce him to modify the opinion he expressed to the provincial officer. I have dwelt on this rather fully because it appears to me that the giving of advice to provincial officers is one of the most valuable functions of these imperial officers. If their action in this direction is carefully guarded, it ought not to lead to friction with the Local Governments, and it will certainly tend to expedite the transaction of business. I may mention that the Sanitary Commission with the Government of India has on several occasions been consulted direct by the Lieutenant-Governors of the United Provinces and Bengal, by the Chief Commissioner of the Central Provinces, and by one of the members of the Bombay Council, and that the local officers of all provinces except Madras consult him frequently.

(III) He should endeavour not to multiply reports and returns and thus add to the burden of routine correspondence devolving upon local officials. No such reports or returns should be asked for without the permission of the department of the Government of India to which the advisory officer is subordinate.

(IV) He should tour freely all over India and, when on tour, he should be regarded as the

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accredited agent, though in no way as the plenipotentiary, of the Government of India; and Local Governments should be asked to instruct their officials to accord him all facilities. The more touring that is done the better. The knowledge thus acquired adds greatly to the usefulness of the advisory officer, and it is very desirable that he should establish friendly personal relations with provincial officers.

45395°. Has the creation of the appointment of the Director of Criminal Intelligence with the Government of India centralized control over the provincial police? How far does this officer act as an Imperial Inspector-General of Police for India?—I do not think it can be said that the creation of the appointment of Director of Criminal Intelligence with the Government of India has centralized control over the provincial police, nor would any such centralization be possible under the law now in force. The main functions of that officer are to collect and communicate information relating to special forms of crime extending over several provinces, such as coining, note-forgery, illicit traffic in arms, poisoning on railways, and the movements of criminal tribes. This is indicated by his designation, Director of Criminal Intelligence in contradistinction to the work of Criminal Investigation carried on by the corresponding provincial departments. It is unusual for him to undertake investigations, and he has only done so in special cases at the instance, or with the approval, of Local Governments who have supplied him with the requisite staff. The Director of Criminal Intelligence has also assisted the Government of India with his advice in dealing with the many questions of police reorganization arising out of the report of the Police Commission. It was intended that he should do this when the appointment was created and the proposal was approved by the Secretary of State. Sir Harold Stuart, the first Director of Criminal Intelligence, had been Secretary to the Commission; he had visited all provinces with them, and had taken part in their consultations with the Local Governments and their officers; and he was exceptionally well qualified not merely to give technical advice, based on his knowledge of police administration, but also to explain to the Government of India the requirements of the various provinces and the point of view of the Local Governments themselves. It was not contemplated at any time that he should act as an Imperial Inspector-General of Police; nor could he do so without special legislative authority.

45396°. To what extent could the necessity of reference to the Government of India in regard to the appointment of Financial Commissioner and other high officials be dispensed with? Are not other Local Governments subject to restrictions in this respect which do not apply in Madras and Bombay?—My proposals under this head are contained in entries Nos. 46-53, 55 and 57-59 of the † statement filed.

45397°. Apart from financial restrictions, is the sanction of the Government of India necessary to the transference of any area from district to district within the same province?—In Upper Burma, any transfer of areas from district to district, for administrative, including revenue, purposes, requires the previous sanction of the Governor General in Council under section 5 (a) of the Burma Laws Act, 1898 (XIII of 1898). The sanction of the Governor General in Council to similar transfers in Lower Burma is not required by law; but it has been the practice for such sanction to be applied for. In Madras, Bombay, Bengal, the United Provinces, the Punjab and the Central Provinces, the Local Government has statutory power to alter the limits of districts.

45398°. Is the system of administration through a Board of Revenue or Financial Commissioner preferable to the agency of territorial Commissioners or otherwise? Is it necessary to have both methods in one province?—My experience is confined to Bengal where both methods are in force. In a province of that size, where there are six or seven Commissioners and the revenue work is heavy and intricate, the Secretariat would be overwhelmed with detail if the Board of Revenue were abolished. The same would happen

to the Board if the Commissioners were abolished, while the administration generally would suffer by being deprived of a wholesome form of local guidance and control.

45399°. Would it be desirable to enlarge the powers of territorial Commissioners somewhat on the lines of those exercised by the Commissioner in Sind?—I am decidedly in favour of enlarging the powers of Commissioners, but it is not clear to me that the powers exercised by the Commissioner in Sind can properly be regarded as a model. The position occupied by that official is peculiar; it has been determined by local, historical, and, to some extent, personal causes; and it seems to me not improbable that, with more direct railway communication between Karachi and Bombay, the independence of the Commissioner in Sind will come to be reduced. In any case, I doubt whether public opinion in Bengal would acquiesce in so large a devolution of powers from the Local Government to Divisional Commissioners as is carried out in Sind.

45400°. Are sufficient powers given to Collectors and Sub-Divisional Officers?—I understand that I am only asked for a general reply, and am not expected to enumerate the actual powers to be delegated to Collectors and Sub-Divisional Officers respectively. It would be impossible to do that with any approach to finality at the present stage of the discussion. But, in my opinion, the principle to be borne in mind should be that in the interests of efficiency and with the object of saving correspondence, training officers in their work, and developing a sense of responsibility, as large a devolution as possible should be made both to Collectors and Sub-Divisional Officers. If the scheme for separating judicial and executive functions which is now under consideration proves a success when tried experimentally, and is extended to the whole or the greater part of the advanced provinces of Bengal and Eastern Bengal and Assam, it will be necessary to remodel the present sub-divisional system and to create executive sub-districts considerably more extensive than the existing sub-divisions. The officers in charge of these sub-districts ought, in my opinion, to be vested with substantially larger powers than the present Sub-Divisional Officers possess. As they will have no criminal cases to try they can only be given a full day's work by increasing their powers.

45401°. Is the district administration of Bengal and Eastern Bengal too much centralized at the district and sub-divisional headquarters, and would it be desirable to create smaller administrative circles within the sub-division?—I do not understand what this question refers to. It will be seen from my preceding reply that I think the tendency in future will be to increase, rather than to diminish, the size of executive sub-divisions. In the case of judicial sub-divisions, on the other hand, the tendency will probably be in the opposite direction. As litigation increases there will be a constant demand for more courts. Fresh judicial sub-divisions will be created and the size of the existing sub-divisions reduced, so as to give all parts of a district a criminal court within a convenient distance.

45402°. Are there any considerations in respect of the powers of Collectors and Sub-Divisional Officers which specially refer to Burma?—I am not in a position to give a useful answer.

45403°. Are you in favour of the creation of (a) Advisory, (b) Administrative, Councils to assist Divisional or District Officers? Assuming that such Councils are desirable in the districts, would it be possible to utilize the existing District Boards or to develop them to meet the need?—I think there is much to be said in favour of creating Advisory Councils to assist Divisional Commissioners. Such Councils would be the natural complement of the Provincial Advisory Councils which it is proposed to constitute; they would give the leading men of a division an interest in public affairs and some insight into the practical difficulties of administration; they would render the extension of the Commissioner's powers more acceptable to the public; and they would furnish that officer with a body of reliable and responsible advisers whose opinion would carry considerable weight if they were carefully selected. In my opinion, the divisional Advisory Councils should consist of not more than six or seven non-officials recommended by the Commissioner and appointed by the Local

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Government for a period of five years, subject to renewal. In making his recommendations the Commissioner would have regard to the desirability of representing the districts forming the division and important classes and interests, but no hard-and-fast rule as to proportionate representation could be laid down, at any rate at present. I do not think it would be desirable, until further experience had been acquired of their working, to give such Councils powers of administrative control, reserving to the Commissioner the right to reverse or modify their orders at discretion. At starting I should prefer to make them purely advisory, in the hope that after the system had been in actual operation for a few years the free working of advisory methods, unfettered by rigid rules of procedure, would indicate in what directions a further advance could be made. It might be possible, for example, to make it a condition that in certain definite classes of cases the Commissioner should only exercise the enlarged powers conferred on him with the concurrence of a majority of his Council, and that where the Council did not concur the Commissioner would, if he proposed to carry the matter further, be obliged to refer it for the orders of the Local Government. But, as I have said, I would begin on a purely advisory basis. If relations of mutual confidence are thereby established, as I hope and believe will be the case, the rest will follow of itself. To start with a fixed division of powers will give rise to antagonism and distrust.

The case of District Officers stands on an entirely different footing. The District Officer is much more closely in touch with the people than the Commissioner, and he has to decide either finally, or by way of recommendation, a number of comparatively minor matters relating to his district, some of which are necessarily of a more or less personal character. He is constantly moving about; he comes into contact with a great number of people, and in this way is more favourably situated for gauging public opinion and consulting the many individuals whose interests are affected than a small Council sitting at headquarters and necessarily liable to be approached in irregular ways and subjected to interested influence. To tie him down to one set of advisers would simply hamper him. The efficient District Officer would derive no benefit from his Council, for his own range of knowledge would be wider than theirs, while an inefficient District Officer might do much harm by indolent reliance on their advice. Apart, moreover, from these objections, the District Officer already has his Advisory Council ready-made in the form of his District Board, and there is no room for a second body side by side with this. If the constitution of the District Board were improved it might serve a useful purpose as an organised consultative body to which the District Officer might refer certain classes of cases. This, however, raises the whole question of the reform of Local Government which can hardly be discussed here. On the whole, therefore, I think the consideration of Advisory Councils for District Officers should be deferred until the system of Local Government has been reconstructed. In carrying out that reconstruction the desirability of constituting the District Board so as to discharge the functions of an advisory district Council ought to be borne in mind.

45404°. Do you consider that the authority of the Commissioner or Collector has been weakened by the creation of special departments or by the centralization of Government in the provinces?—No doubt it is the case that the authority of the local officers has been weakened by the causes referred to. In some degree this is inevitable. How far it is in itself an evil and what remedies should be applied are questions covering the entire range of administration.

45405°. Do you consider it desirable to select officers for the higher posts in the Indian Civil Service with greater care? If so, at what point of an officer's official career should such process of selection, as opposed to mere seniority, begin?—If the independent powers of Executive Officers are to be substantially increased it appears to me essential that the men who are to exercise these powers must be carefully selected. With the spread of education Indian public opinion becomes continually more critical; the tendency to dispute executive authority is everywhere on the increase, and the widest publicity is given through the press to any official proceedings

that admit of being represented as arbitrary or injudicious. Under any system of Government occasional scandals are bound to occur, but it is reasonable to expect that they will be less frequent under a régime of selection than where the higher posts are left to the chances of mere seniority. The principle of selection has been insisted on by a series of public Commissions and has been affirmed by the Secretary of State, and the Government of India. It was definitely laid down in 1890 that no officer should be appointed to the charge of a district or to be a District and Sessions Judge who had not in the course of his previous service given distinct evidence that he was fit for such office. In my judgment this injunction is perfectly sound in principle. In order, however, to apply it fairly in practice it should be stated so as to make selection come into play when an officer becomes eligible for substantive promotion to the posts in question. That would give him a fair chance of proving his capacity while officiating as District Officer or Judge, and in doubtful cases his confirmation might be deferred until the Local Government had been able to test his qualifications fully. In the case of Commissioners the same principle applies only with greater force. Their position is more conspicuous, and their functions are more important and demand more special qualifications. A man may be a good Collector and yet be unfit for employment as a Commissioner. Here again, however, there will be little difficulty in giving every one a trial in officiating appointments, and the rule should be the same—that selection should take place at the stage of substantive appointment.

45406°. Should Government have power to retire officers considered unfit for promotion? If so, on what terms as regards pensions?—Whatever rules may be made with the object of introducing promotion by selection will be liable to be defeated in practice by the reluctance of Local Governments to pass over well-intentioned and industrious men whose characters are blameless and whose only fault is that they are incapable, by temperament or mental equipment, of discharging the higher duties of their profession. For such men excuses will always be found, and the tendency will be to strain the rules in their favour and to appoint them to light out-of-the-way districts where their shortcomings will be overlooked, rather than face the odium of keeping them permanently in subordinate posts, and displaying in public the unedifying spectacle of a senior Civilian serving out his time for pension as a Joint Magistrate. These remarks apply more particularly to the initial stage of selection, when the question is whether a man is fit to be a District Officer or a Judge. There is a better prospect of principles being enforced at the later stage of promotion to a Commissionership, since the consequences of supersession are not so serious. On the other hand, the danger of incompetence leading to open scandal is greater in the case of a District Officer or a Judge, who has constantly to take specific action on matters that come before him, than in that of a Commissioner, who is to a great extent an appellate, revisional, or recommending authority. At the present day the evil effects of executive or judicial incapacity are so widespread that an effective remedy is imperatively called for. In my opinion, the only remedy that is likely to prove effective is that suggested by the Famine Commission in 1880, and by the Public Service Commission in 1887—that officers declared unfit for promotion to the substantive rank of District Officer or District Judge should be liable to compulsory retirement on pensions proportionate to the period of active service rendered by them. Whatever this might cost would be amply repaid by the rise in the general standard of efficiency which would directly and indirectly result. The proposal is limited to the stage of promotion specified. It is not required where promotion to a Commissionership is withheld. An officer passed over at that stage has usually served long enough to be able to retire on full pension. If he has not, there is no hardship in requiring him to wait.

45407°. Would it be possible to decrease transfers (a) by the alteration of the leave rules; (b) by paying less attention to seniority in acting appointments; (c) by distributing the leave and deputation reserve of officers over different grades, or otherwise?—The question of decreasing transfers was carefully considered by the Government of India in 1900-01. The

† Vide Appendix X.

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results of the discussion were embodied in the Home Department Resolution Nos. 224-240, dated the 25th January 1901, of which I hand in a copy. By that Resolution various measures were adopted, and various suggestions were made to the Local Governments and Administrations with the object of materially reducing the number of transfers. These may be summarised as follows:—

- (1) The leave rules were modified to the extent set forth in paragraph 4 of the Resolution.
- (2) It was suggested that the provisions of articles 197 and 211, Civil Service Regulations, should be strictly enforced.
- (3) It was laid down that transfers must not be made to meet the private wishes of officers.
- (4) The practice of giving acting promotions by seniority was condemned.
- (5) Local Governments were instructed to enforce more strictly the provision in article 98, Civil Service Regulations, that privilege leave vacancies should be filled as a rule by officers on the spot.

Heads (a) and (b) of the question are covered by the orders of 1901 to which I have nothing to add. As regards (c), according to the accepted method of calculation by which the India Civil Service is recruited, the reserve for deputation, leave and training is the difference between the actual number of superior and inferior posts and the strength of the Service as deduced from the number of superior posts. Thus supposing the number of superior and inferior cadre posts in Bengal to be (87+35=) 122 and the Service strength to be 175, the reserve for the above purposes is 175-122=53. These 53 officers are provided for in the lowest grade of the Service. It is not possible to distribute them over different grades. The only way in which the reserve can be increased is by adding to the number of superior posts. If for example a new grade of Joint Magistrates on Rs. 1,200 a month were created, and one such officer were posted to every district, the number of transfers arising from short leave vacancies might be greatly reduced. To increase the number of inferior appointments, without making a corresponding addition to the superior, would produce a serious block of promotion.

45408*. Are you in favour of any limitation of the present rights of appeal to the Government of India and the Secretary of State (a) on administrative matters; (b) on questions personally affecting officers of the Public Service?—I do not understand what is meant by head (a) of this question. As to (b), I agree with the proposals made in the note of 7th November 1907 by the preliminary Committee on Decentralization. The draft rules appended to that note would, in my opinion, save much waste of power on the part of highly placed officials, and would afford ample security against injustice. They would, of course, not debar the appellate authorities from intervening in particular cases of hardship.

45409*. Are you in favour of the enhancement of the powers of (a) Presidency Municipalities, (b) district municipalities, and (c) Sub-divisional Boards?—Looking to the important commercial and imperial interests liable to be affected by the administration of Presidency Municipalities, and the international obligations connected with their sanitary arrangements, I doubt whether there is much room for the enhancement of the powers of these bodies. Whatever may be the form of the municipal constitution, Government will, in the last resort, be held responsible for the administration of the great cities of India, and, therefore, must reserve to itself some right of intervention and control only to be exercised in grave emergency. In Calcutta and Madras, however, I think the provision requiring the previous sanction of the Local Government to any project costing one lakh or more might be relaxed and the Municipality allowed to sanction works up to a higher limit. On the other hand, I do not agree with the suggestion that the control of Government over the appointment of Health Officer should be surrendered. Experience both in India and in England seems to me to show that it is very necessary to strengthen the position of the Health Officer

† Vide Appendix XI.

and to give him adequate security against arbitrary dismissal.

In the case of most district municipalities, where the population does not approach the scale of a city, the interests at stake are not so important, and I think the committees might be given a freer hand than they have at present. Minute supervision destroys their sense of responsibility and detracts from the value of self-government as a test of the capacity of the educated classes to manage local business and to care for the interests of the uneducated masses. If the Commissioner of the division were given ample power to intervene in cases of gross mismanagement, I think it would be possible to dispense with the minute and rather vexatious supervision of municipal budgets which is exercised under sections 74 to 80 of Bengal Act III of 1884, and the powers of the committees under section 61 might be extended. This would be a very popular concession, and if it were made I think the powers conferred on the Local Government by section 9 need not be dependent on the recommendation of the committees themselves.

As regards Sub-divisional Boards, which I understand to mean the Local Boards of the Bengal Self-Government Act of 1885, my view is that the machinery of Local Government in the more advanced provinces ought to be remodelled so as to consist of—

- (1) Elective Committees for groups of villages.
- (2) Elective Committees for Sub-divisions.
- (3) A District Committee or Board of moderate dimensions consisting of delegates elected by the Local Boards with the District Magistrate as Chairman.

The District Committee should exercise only those general functions which cannot be delegated to the Local Boards, such as the distribution of funds among the Local Boards, the settlement of disputes between them, the allotment of the duties of the District Engineer, &c. The Local Board should be the chief working unit, and election to it should be arranged so as to secure the representation of important classes and interests.

45410*. Is it desirable to dissociate the Collector from the Chairmanship of the District Board or any other local body, and should such separation affect the contribution now made from Government revenues to District Board funds? Were the Collector so dissociated from the direct conduct of local affairs, what view would you take of a proposal to associate special representatives from municipalities and other local bodies in a Standing Committee to discharge, under the presidency of the Collector, functions of outside control over such bodies which are at present reserved to Government or its local agents?—In my opinion it is not desirable, in the interests of the development of local self-government, to dissociate the Collector from the Chairmanship of the District Board. Under modern conditions these Boards deal with very large revenues, and their administration extends to a wide range of public business affecting all parts of a considerable area and embracing a great variety of subjects. The head of their executive ought to be a good man of business, with considerable administrative experience, intimately acquainted with all parts of the district and familiar with the machinery of Government and the methods of official correspondence. He must in short be a professional administrator. Only an exceptionally gifted amateur would be capable of carrying on the work, and we cannot count upon finding such men in sufficient numbers to render it possible, as a general rule, to entrust the business of a District Board to an elected non-official Chairman which I presume is the change contemplated. To do so would be to invite conspicuous failure which would be liable to discredit the elective principle and would positively retard progress. It is one thing to make the Board largely or entirely an elective body, and to confer upon them very extensive powers; it is quite another thing to deprive them of their most capable adviser and to leave them without a competent executive. There is another point to which I attach considerable importance. If the Collector ceases to be Chairman of the District Board, official control over that body must be exercised, from outside, by him, or at his instance. This puts the Collector in what I consider entirely wrong relations to the leading people of his

district. It makes him a hostile critic where he ought to be a fellow-worker and a friend.

The case of municipalities is in my opinion entirely different. Here I would leave the elected bodies as far as possible to themselves, and let them learn by experience to manage their own affairs without the aid of an official Chairman. In most *mufassal* municipalities the area to be dealt with is small, the though involving a good deal of detail, is and there is no reason why an elected Committee should not perform it efficiently. Whatever they make will recoil upon themselves and, as in the case of a District Board, affecting at the other end of the district with the means of making their grievances heard.

Are the existing resources of Rural Boards adequate to the proper execution of the duties assigned to them?—Speaking generally, must be admitted that the resources of parganas and district municipalities are not sufficient to enable them to work up to modern standards of local administration. In municipalities it conspicuously the case in respect of water supply and drainage, the advantages pecuniary of the former, are now pretty well exhausted. Similarly in some rural areas in which the sources of water-supply have fallen and the District Boards are approached far beyond their financial resources. In parts of the same province the silting up of old channels and changes of levels are believed to cause malarial fever, and large schemes of drainage are advocated which the local bodies are unable to carry out.

45412*. Would it be desirable to establish District Boards in Burma?—I have not sufficient knowledge of Burma to be in a position to give a useful reply to this question.

45413*. Could further powers or functions be granted to village authorities?—For many years past I have held the opinion that in Bengal and Eastern Bengal and Assam it is both possible and desirable to develop self-government in villages or groups of villages by means of small elective Councils. I would entrust to such Councils the following powers:—(1) Small civil and criminal jurisdiction to be exercised by Benchmen. (2) Powers of permissive taxation with the sanction of the District Officer. (3) Power to borrow money on the security of the taxes, with the joint and several guarantee of the Council, for the purpose of water supply. (4) Simple municipal powers mainly for the purpose of sanitation. I do not include in these the administration of the *chaukidari* tax, because I think the village *chaukidar* ought to be paid from provincial revenues. I believe the people of Bengal are intelligent enough to be perfectly capable of working a scheme of this kind and that it would be a valuable mode of national education. I would not extend it to broadcast, but would try it in the first instance in a few selected areas. The proposal does not purport to be a revival of the ancient Indian village community, which has long been extinct in Bengal, if indeed it ever existed there. On the contrary, it seeks to create an entirely modern organization adapted to the requirements of advanced villages in a progressive province where the people are anxious to manage their own affairs and wish to be provided with suitable machinery for doing so. I make no attempt to elaborate the details here. That could best be done by a representative committee, which might be instructed to frame proposals suitable to different types of villages and different grades of education and intelligence.

45414*. What is the method of recruitment in England of officers of the Indian Educational Service, and what instruction is afforded to such officers, before arrival in India, in the language, literature, or history of the country?—The method of recruitment of officers of the Indian Educational Service in England is described in the statement relating to "educational appointments" published in the *India Office List* under the authority of the Secretary of State. Officers thus recruited are required to leave for India within three months, and no instruction is afforded them, before their arrival, in the language, literature, or history of the country.

45415*. What, generally speaking, are the relative spheres of educational work which might be entrusted

to—(a) local bodies; and (b) provincial Governments? Is it desirable to associate District Officers more closely with secondary education and normal training?—The following extracts from the Government of India Resolution of 11th March 1904, on educational policy, appear to me to furnish a sufficient reply to the first part of this question:—

"From the earliest days of British rule in India private enterprise has played a great part in the promotion of both English and Vernacular education, and every agency that could be induced to help in the work of imparting sound instruction has always been welcomed by the State. The system of grants-in-aid was intended to elicit support from local resources, and to foster a spirit of initiative and combination for local ends. It is supplemented by the direct action of Government, which, speaking generally, sets the standard, and undertakes work to which private effort is not equal, or for which it is not forthcoming. Thus the educational machinery now at work in India comprises, not only institutions managed by Government, by District and Municipal Boards, and by Native States, but also institutions under private management, whether aided by Government or by local authorities, or unaided. All of these which comply with certain conditions are classed as public institutions. They number, as already stated, 105,306 in all; and over 82,500 are under private management.

"The progressive devolution of primary, secondary, and collegiate education upon private enterprise, and the continuous withdrawal of Government from competition therewith was recommended by the Education Commission in 1883, and the advice has been generally acted upon. But while accepting this policy, the Government of India at the same time recognize the extreme importance of the principle that in each branch of education Government should maintain a limited number of institutions, both as models for private enterprise to follow and in order to uphold a high standard of education. In withdrawing from direct management, it is further essential that Government should retain a general control, by means of efficient inspection, over all public educational institutions.

"19. In so far as District or Municipal Boards are required to devote their funds to education, primary education should have a predominant claim upon their expenditure. The administration of primary schools by local bodies is already everywhere subject to the general supervision of the Education Department as regards tuitional matters; but the degree of control differs in different provinces, and where it is most complete, primary education is most advanced. It is impossible to extend that control to financial matters, as there are other objects besides education which have legitimate claims upon local funds. But it is essential, in order to ensure that the claims of primary education receive due attention, that the educational authorities should be heard when resources are being allotted, and that they should have the opportunity of carrying their representations to higher authority in the event of their being disregarded. In future, therefore, so much of the budget estimates of District or Municipal Boards as relates to educational charges will be submitted through the Inspector to the Director of Public Instruction before sanction."

As regards the second part of the question, my experience is that a District Officer who takes a genuine interest in education is in a position to exercise valuable influence on both high schools and colleges at his headquarters. The extent of his influence must of course depend to some extent on his personal qualities, but his experience in affairs and his administrative training will always be of use to these institutions and it seems desirable that some means should be devised of giving him a recognised status in relation to them. I suggest that this might be done by making him a member of the governing body of a college or of the managing committee of a high school. In the case of normal schools he would make occasional inspections, and would watch the effect of their working on the quality of the teachers in primary schools.

45416*. Is the influence of the educational codes too rigid and uniform? Might further discretion be allowed to local bodies in regard to school committees and managements?—The only educational code that I know of which aims at uniformity for the whole of

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India is the code for European schools. This arose out of the opinion recorded in September 1901 by a conference of the Directors of Public Instruction for Madras, Bombay, Bengal, the United Provinces, the Punjab and the Central Provinces, that it was desirable that there should be special rules for European education, that they should be, as far as possible, uniform throughout India, that the Bengal code should be taken as the basis of discussion for a uniform code, but that before being generally prescribed it should be revised by a committee of experts representing the provinces in which the subject is of most importance. This was accordingly done, and Local Governments were consulted on the draft. Their replies were duly considered, and in 1905 the revised code was brought into effect. The experience since gained tends to show that uniformity is unattainable in view of the varying conditions in the several provinces, and Local Governments have been permitted to modify the code to suit local circumstances.

45417*. Has the educational policy applied to Burma been modelled on that of India proper rather than on the indigenous institutions of the province?—My knowledge of Burma is not sufficient to enable me to answer this question.

45418*. What are the objections to giving provincial Governments complete control over the *personnel* of their Medical Services and distributing a proportion of the reserve among them?—This question has been exhaustively treated by the Director-General, Indian Medical Service, in his evidence, which was written in consultation with me and expresses my views.

45419*. Would it be advisable to appoint a committee to consider and report annually upon proposals for decentralization, as was suggested in the Legislative Council last year on the occasion of the Budget Debate?—If a well designed Delegation Act is passed on the lines suggested above, I doubt whether there will be any necessity for a committee of the kind suggested. Decentralization will then take its place as a normal process of administration, and will go on regularly as occasion requires at the instance of the Local Governments and the Heads of Imperial Departments. Nothing would be gained by storing up these proposals, most of them relating to matters of detail, for examination by a committee during the cold weather, and in my opinion it would be better to deal with them in the ordinary course of business.

45420. (Mr. Dutt.) You have given us some extracts from Home Department letters relating to the appointment of men in the Provincial Services. Do these rules contemplate that the Provincial Services should be recruited by the provincial Governments?—That is so, certainly.

45421. Should the orders about promotion and transfer of men in the Provincial Services be passed by the provincial Governments; with regard to the promotion and transfer of people like Deputy Collectors or Assistant Collectors or Assistant Surgeons should orders be passed by the Local Government?—Certainly; I do not see whom else they could go through.

45422. Not by Heads of Departments or by Commissioners of divisions?—You might possibly allow transfers within a division to be made by the Commissioner.

45423. But all orders for promotion should be passed by the Local Governments?—Yes; it would be impossible for a Commissioner to deal with promotion on a general list.

45424. Would you favour the idea of a Deputy Collector being transferred from one place to another within a division by the Commissioner without reference to the Secretariat?—I see no objection to that.

45425. Is it the fact that sometimes an officer of the rank of a Deputy Collector is sent to a particular district or a particular sub-division by the Secretariat for special reasons, which might conflict with the views of the Commissioner?—That would not happen if he was placed at the disposal of the Commissioner for the purposes of the division. It would involve a change of system. At present the Deputy Collectors are in direct touch with the Chief Secretary; a man comes and says he would like to go to such

and such a sub-division; he would like, for example, to be posted at Alipore, because it enables him to look after the education of his children, or he would like to be posted to Behar, because it is healthy, and so on. Under the system that is suggested he would be posted to the division, and the Commissioner would determine which districts in the division he was to go to from time to time.

45426. Do you prefer the system of Deputy Collectors being posted to divisions, leaving the Commissioner to post them in one place or another within the division, or do you prefer the present system?—I should prefer the Commissioner system, because it is within my experience that there are an enormous number of Deputy Magistrates in Bengal, and the question of their detailed transfers does certainly overburden the Secretariat; there is a great mass of demi-official correspondence which is not of very great importance. I believe ample justice would be done to the Deputy Collectors. Of course there would be little difficulties with regard to individual preferences for one district over another, but it could be arranged that each man had his turn in a good or healthy district. I should regard that as a more satisfactory state of things than the present.

45427. You would divide the work between the Secretariat and the Commissioner?—They would have to allot men to the division.

45428. But when a man was transferred from one division to another, the Secretariat would have to come in?—Yes.

45429. You have told us that in regard to Directors General and Inspectors General, it is necessary that the Government of India should have expert advisers of their own; does that remark apply to all the Directors General and Inspectors General?—I think the Government of India ought to retain all the Advisory Officers that it has got, so far as the Home Department, at any rate, is concerned.

45430. You consider that the expert advice of the Director-General of Education is desirable and absolutely necessary?—Most desirable; I think it has been very useful to Local Governments, and so far as my information goes, the Local Governments have found him very satisfactory.

45431. You speak of the functions of the Director of Criminal Intelligence; you tell us that the main functions of that officer are to collect and communicate information regarding the special forms of crime in different provinces. Does that take up the whole time of an officer of the rank and position of the Director-General of Criminal Intelligence?—It is much more than collecting and collating, and communicating information; it means a great deal of very intricate correspondence.

45432. You think that the work that he has to do is sufficiently important for an officer of his position and pay?—Certainly. I think the appointment is absolutely indispensable. It is not at all generally known to what extent crime is spread over the different provinces of India; crime in India is more organised, and reaches further, than most people believe.

45433. With regard to these experts, the Bombay Government have objected to their having direct correspondence with officials under the Local Government, and the Madras Government has also suggested that any correspondence that may be necessary should be conducted through the Secretariat of the Local Government; what is your opinion on that subject?—I quite realise that the position is a difficult one, and it has been recognised from the first that there is a good deal of tact and forbearance required to prevent friction with certain Local Governments. In my opinion, if the Director of Criminal Intelligence is to get information in time to be of any use, he must be allowed to correspond direct with local officers. But such precautions should be taken in the way of furnishing copies of correspondence and so on as may satisfy the Local Government.

45434. So that when he corresponds direct a copy of the correspondence should be furnished to the Local Government?—Yes. Suppose a gang of coiners or forgers operating in several provinces is being followed up, and the Director-General

has to correspond through the various Local Governments, it would often mean simply missing the clue.

45435. So that there are reasons for his corresponding direct with the officials under the Local Government, but you hold that in those cases the Local Government should be furnished with copies of the correspondence?—I think so, certainly. One of the main reasons for having as Director of Criminal Intelligence an officer of high standing and experience, who has had to deal with Local Governments and has had Secretariat experience, was that he would realise, more than any ordinary departmental man would, what the openings for friction are, and how desirable it is to avoid them; and the Local Governments also would realise that his intentions were good, and would exercise a certain amount of forbearance. I was Census Commissioner myself for three years, and I had occasion then to see very plainly what susceptibilities there were to be regarded, and how carefully one had to walk.

45436. You would allow that power not only to the Director of Criminal Intelligence but to all other Directors and Inspectors-General; you would allow them all to correspond with subordinates of the Local Governments, on condition of their furnishing copies of that correspondence to the Local Government?—Yes.

45437. (Chairman.) I understand that the practice hitherto has been to correspond unofficially; is that so?—That was arranged in the case of the Director-General of Education, but, as a matter of fact, ever since the year 1866, when the office of Sanitary Commissioner with the Government of India was created, the Sanitary Commissioner has corresponded officially with provincial Sanitary Commissioners.

45438. You propose now to change the system of unofficial to official correspondence?—I think so. I prefer official correspondence simply as a matter of convenience; unofficial correspondence comes to be practically demi-official letters; they are kept in an untidy fashion, they are extremely likely to be mislaid, and I do not see any force in the distinction. Moreover on the unofficial system there is greater opening for the impression that the Imperial Officer is going behind the Local Government.

45439. (Mr. Meyer.) What is the exact position now in regard to the Sanitary Commissioner; does he correspond unofficially or officially?—The exact position at present, I think, is that the Government of Bombay has demurred to a decision passed last year, reviving the original orders authorising him to correspond officially on certain subjects; but, curiously enough, at the time when those orders were passed, nobody knew about the earlier practice. All other Local Governments have accepted the decision that correspondence should be official.

45440. In deference to the representations of the Government of Bombay, and possibly of some other Local Governments, did you withdraw the official correspondence order and revert to the unofficial?—No; it is not quite like that. When the Sanitary Commissioner started originally, in 1866, he was on terms of corresponding officially with the provincial Sanitary Commissioners with a limitation as to certain subjects, departmental subjects, procedure, and so forth; he was warned off administrative questions. Then he was merged in the Surgeon-General, or Director-General of the Indian Medical Service. In 1904 the Sanitary Commissioner was revived as a separate officer, and then the question arose how his correspondence was to be worked, and we followed the precedent of the Director-General of Education, overlooking entirely the earlier precedent in the case of the man himself. That was why it was made unofficial.

45441. But at this moment is the correspondence unofficial or official?—It is official under protest from Bombay; I think that describes the position correctly. No other Government has objected to the correspondence being official.

45442. (Sir Frederic Lely.) Is there not a special danger of official references degenerating into instructions, or being taken as such?—If the position

is defined, it seems to me that official correspondence is less likely to degenerate into instructions than unofficial. If you are corresponding officially you know where you are; copies of the correspondence can be sent to anybody. The great thing, it appears to me, that you want to avoid is the suggestion that these Advisory Officers are in any way going behind the back of the Local Government, and that is far more likely to be avoided by plain straightforward official correspondence than by any unofficial or demi-official arrangement.

45443. (Mr. Dutt.) You are decidedly in favour of enlarging the powers of Commissioners, but you do not seem to approve of enlarging those powers on the lines on which the Commissioner in Sind exercises his powers?—That is so.

45444. You do not approve of a general Act of delegation under which the Government may, by Gazette notifications, transfer to the Commissioner, or to lower officers, any legal powers which they from time to time think advisable?—No, I do not.

45445. You think that when delegations are required they ought to be made by amending Acts, or a number of delegations might be made by one amending Act?—You would pass an Act, I take it, with a schedule attached to it. That Act with its schedule would dispose of all your delegations up to date. When you had cleared the ground in that way, it would be an instruction to all the legislating authorities and to the departments that had to do with them, that they were to consider in any particular Act what powers should be delegated and to whom. Having made your clean sweep by the original delegating Act, delegation would go on in the ordinary course of business in the usual way. That is my conception of it.

45446. But even if the Legislative Department did not do that, it would be possible in a subsequent year, say, two or three years after the first delegating Act, to pass a second one?—Exactly; and of course mistakes may be made. It may be necessary to delegate some further power, or it might be found that something had been delegated which ought not to have been; such mistakes may have to be corrected by a subsequent delegating Act.

45447. You say: "If the scheme for separating judicial and executive functions which is now under consideration proves a success when tried experimentally and is extended to the whole or the greater part of the advanced provinces of Bengal and Eastern Bengal and Assam, it will be necessary to re-model the present sub-divisional system, and to create executive sub-districts considerably more extensive than the existing sub-divisions"?—Yes.

45448. It has been suggested to us that the administration in Bengal is less in touch with the people than it is in Madras and other provinces, because we have no circle officers, as they have in Madras and Bombay, that is to say officers like *mamlatdars* and *tahsildars*; what do you say as to that?—Owing to the Permanent Settlement there is no subordinate revenue collecting agency in Bengal.

45449. Do you think it is necessary to appoint Revenue Officers in circles within a sub-division on the same lines as they are appointed in Madras and Bombay, so as to bring the executive administration more in touch with the people?—I think it is quite possible that the necessity for doing that may arise for independent reasons. When the survey and record of rights comes to be extended to the whole of Bengal and Eastern Bengal, it will be necessary to find some means of keeping that up to date, and the unit for keeping it up to date will most certainly have to be something considerably smaller than a sub-division, so that if, as I understand, it has been settled that the survey and record of rights is to be extended to the whole of those provinces, that of itself will necessarily give the opportunity of creating these subordinate circles. It will also bring the administration into closer touch with the people.

45450. You say that if the constitution of District Boards were improved they might serve a useful purpose as organised consultative bodies to district

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officers in the place of Advisory Councils. Do you suggest that District Boards might perform the functions of Advisory Councils?—That is my view, assuming the Board to be re-constructed.

45451. It is your opinion that the Act would have to be changed a little in order that a District Board might perform those functions?—Yes. My opinion is that the entire system of local government in Bengal requires re-construction from the bottom. I do not know whether that is relevant here, but the whole thing hangs together.

45452. If a District Board has to perform the functions of an Advisory Council would the present Act have to be modified in order to make that legally part of their duties?—The Act, I take it, would define their duties with reference to the subject-matter with which it deals; it would define their functions in relation to the Local Boards and such other units as there happened to be. My idea is that the District Board, having been created for the purposes of local government, might be used by the Collector for purposes somewhat beyond those functions, but it would not be possible at present to put these advisory functions into any Act; you could not define them; they would have to be worked out experimentally.

45453. So that at present you would utilize the members informally and without any sanction of law?—Exactly; when the size of the Board has been reduced and its composition made more representative.

45454. And after a certain degree of experience? Then would come the time for considering how far you should give them a legal status in respect of their advisory functions.

45455. With regard to the question of limiting the present rights of appeal you say that you agree with the proposals made in the note of the 7th November, 1907?—I am afraid I was out of order in referring to that note, which I supposed to be in the possession of the Commission.

45456. Would you prescribe some definite rules for all Local Governments or would you allow Local Governments to make their own rules? Some Local Governments have expressed the opinion that they do not urge any large alterations in the existing rights of appeal; if that be so, would you force these rules upon them or would you leave them to dispose of matters as they thought best?—I put in a copy of the rules as existing and as proposed. I think it might be open to Local Governments to mitigate the rules in any particular case.

45457. So that you would leave a certain amount of discretion to all Local Governments?—Yes.

45458. And you would not force rules upon Local Governments if they did not want them?—No.

45459. Then I think you want to tell us something with regard to your ideas as to District Boards and Local Boards?—In my view the grouping of villages in Bengal should be the basis of the whole scheme of local self-government, and I should like to see all the advanced districts divided into a number of unions—villages grouped into unions—each union to be governed by a small elected council, somewhat on the model of the old Indian panchayat (which was not necessarily five people) and that these councils should have the powers of permissive taxation, powers of borrowing, small sanitary powers, and small civil and criminal jurisdiction to be exercised by benches. You would not perhaps get all that way at once but you might begin with the Prussian system of village arbitrators (*Schiedsmänner*) or something of that sort. These unions would be grouped under the Local Board, and the Local Board would be the main governing unit, and do all the executive work. Over them again you would have a District Board elected from among the Local Boards, but not a large body; a small body of ten or twelve people would be sufficient to perform the general functions reserved for the District Board. They would settle the budget as

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between the Local Boards, they would decide questions of roads and bridges and things of that sort, which affected several Local Boards; they would also determine how the District Engineer's work was to be divided amongst the Local Boards. They would be merely a supervising and controlling authority. If started on those lines my hope is that in course of time those bodies will grow to be useful advisory bodies both for local purposes and other purposes as well. That is the general idea.

45460. (Mr. Hitchens.) You refer to a despatch from the Court of Directors to the Government of India dated the 10th December, 1834. That despatch, after pointing out that the superintendence, direction and control of the civil and military Government of all the said territories shall be vested in the said Governor-General in Council, goes on to point out that it would be incumbent upon the Government of India to draw, with much discrimination and reflection, the correct line between the functions which properly belonged to the Local and subordinate Governments, and those which belonged to the general Government; in other words may I take it that this despatch practically invites the Government of India to lay down a policy?—Yes, I think so.

45461. I do not want to bother about the policy which was laid down then, or the various successions of policy, but I should like to know what the policy of the Government of India is to-day?—On general lines that is the policy which the Government of India aims at now.

45462. But what is it? The Government of India were invited to lay down a policy; what policy did they lay down?—What I understand this despatch to mean is that in any particular case you should discriminate and reflect carefully as to the line which divides the functions of a Local and subordinate Government and a general Government.

45463. Then may I take it that to-day the position is that the Government of India have not laid down in general terms their policy in relation to the Local Governments, but they decide each question as it comes upon its merits?—Quite so. It is, I believe, impossible for anybody to lay down any general proposition which can be applied.

45464. You mean to say it is impossible really to put it in more specific terms?—There is no formula in the world that I am acquainted with which states what functions belong to a Local and subordinate Government, as such, and what belong to a general Government, as such. In dealing with any particular question, whatever it may be, police administration, education, or what not, you bear in mind that the Government of India is a general Government which wants to look at large questions of policy, and that the Local Government is dealing with details, and you endeavour to shape your orders accordingly.

45465. One must be content with a very broad definition, and that definition must be, of course, liable to exceptions; is the principle on which the Government of India goes that they deal with matters of principle and the Local Government deal with matters of detail?—Yes; but a particular detail may involve a principle, and may for that reason require the Government of India to intervene, however reluctantly.

45466. In other words the Government of India lay down the general principles, and the Local Government is responsible for carrying them out?—Yes; but I should like to point out that you have not here the guiding factor which you have in certain other cases of Federal Governments. Where you have a Federal Government, which consists of so many Sovereign States, those Sovereign States gave up this, that and the other defined functions and kept everything else, which makes the matter so much clearer. That is not the case in India. The Local Governments never were sovereign and independent. From 1833 up to the time of the Strachey decentralizations, the Government of India had everything in their own hands, and no Local Government could create the

smallest appointment without sanction. Since then the Government of India has surrendered many functions, but each surrender requires a separate order, since the residuary authority rests with the Government of India and not with the Local Governments, as is the case in most federations.

45467. I suppose that may be qualified by saying that there are certain details where uniformity is desirable, and that in such cases the Government of India would not leave the Local Governments uncontrolled or unfettered?—Yes; in such matters as travelling allowances, house allowances, and things of that sort, which are, on the face of them, mere details, but it has been always held hitherto that there must be a certain amount of uniformity in these matters, otherwise you have the conditions of service made very uneven as between different provinces.

45468. Can one say, generally speaking, that details are merely the expression of principles?—They ought to be merely the expression of principles, and in so far as the Government of India passes orders on matters of detail, it proposes and attempts to do so as the expression of some principle.

45469. Would the policy of the Government of India come to this, that they lay down general principles and are prepared to trust the Local Governments to give expression to them?—Yes, that is the theory. It is not so easy to apply it in practice.

45470. Without interfering in every detail of interpretation, would that be the position?—That is the difficulty. But the interference is only occasional.

45471. You say it is desirable that Local Governments should be given ample scope as regards giving effect to the policy, and you say that the principle itself is subject to certain necessary limitations. Why do you think that the growing solidarity of the educated classes throughout India postulates uniformity of conditions?—Taking the two provinces of Bengal and Eastern Bengal and Assam, and their Provincial Service, that is recruited on the basis of the Calcutta University examinations. They take for their Provincial Service what corresponds to first class men, and if the conditions of service as between those two provinces differed very materially, if one province gave very much higher pay and allowances and so on than the other, all the best men would go to one province. That is one of the things I have in my mind—that where two provinces recruit their Services from one University, the conditions offered must be fairly uniform, or not only will the province suffer, but the class of people will be discontented; they will say, "It is very unfair that our first class men who go to Bengal start at so much a month and get up to so much higher, but if they go to the other province they start at so much less and rise to so much less," and you will have the same complaint if there is any material difference in the way of promotion.

45472. As a matter of fact, is it the case that Provincial Services are usually recruited in the province itself, or do the provincial Governments habitually go outside their own province for recruits for the Service?—They are habitually recruited within the province. In the particular case I am taking, one University serves two provinces. The same holds good as between Bombay and the Central Provinces, and I think you will find that the Punjab draws men from both the Punjab University and Allahabad.

45473. I suppose the same thing might apply, for example, to the States in America, might it not; or to the municipal services in England? There, to some extent, aspirants for Government or municipal service go to common schools or common universities?—Yes; but you have not got to reckon, either in England or in America, with such a compact literate class as you have here.

45474. Do you mean the compactness of the literate class would in fact make them form

Trades Unions?—Yes. At any rate they would hang together, and so would their newspapers.

45475. Do you think the way to prevent that is by having uniformity of conditions rather than allowing each Government to settle matters for themselves?—I think there must be a reasonable uniformity of conditions. So far as I remember the pay of the Provincial Service, as it is at present, was settled by the Government of India in 1882 on the general ground that you were employing people of the same sort of intellectual calibre, and that you wanted to give them much the same pay and prospects everywhere.

45476. (Chairman.) You say "a reasonable uniformity," but is there not an absolute uniformity?—No, there is not an absolute uniformity.

45477. (Mr. Hitchens.) Do the local conditions differ very much in the different provinces?—For instance, Burma is a much more expensive province than any other.

45478. But apart from that, is there any particular similarity between Madras and the Punjab, for example, or between Bombay and Bengal?—There is a general similarity as regards standard of living and habits between the literate classes all over India now, and that similarity is constantly becoming stronger.

45479. Is there more similarity would you say than there is between Italy and France?—Much more; to begin with they have a common language which the Italians and Frenchmen have not, namely English, and that is a great factor.

45480. Is that the essential distinction you draw?—You will find at the present moment that the educated Madrassi and the educated Punjabi are closer to each other than the Frenchman and the Italian; they have in English a common medium of communication; they adopt very much the same sort of standards of living, they have at present no national rivalries and antagonisms such as exist between Frenchmen and Italians, their newspapers run on similar lines, and in respect of matters of pay and allowances they certainly will play each other's game.

45481. And therefore that is a strong case for prescribing uniformity?—Yes; if you do not prescribe it, you will have it forced upon you.

45482. What is your answer to the question—"Would it be administratively desirable to establish a Council Government in any province other than Madras and Bombay, and if so of how many members should each Council consist"?—I am instructed not to answer that question.

45483. (Chairman.) May I ask by whom you are so instructed?—By the Viceroy.

45484. By the Government of India or by the Viceroy?—I think I may say by the Government of India.

45485. Were those instructions passed in Council?—Orders were passed by the Viceroy and circulated.

45486. Orders passed under the hand of the Viceroy?—Orders passed under the hand of the Viceroy.

45487. But not, so far as you know, at a meeting of a Council of the Government of India?—Not formally passed in Council, but circulated to Members of Council and concurred in by them.

45488. Are you instructed to offer any opinion upon it personally?—I am instructed to offer no opinion upon it personally.

45489. (Mr. Hitchens.) I understood that the Secretaries to the Government of India were to give evidence on questions of fact. Would you be prepared to answer any question of fact with regard to this particular question?—I find it extremely difficult to draw the line between questions of facts and questions of opinion. My instructions are to have nothing whatever to do with this question, and you would place me in a very difficult position if you pressed me.

45490. (Chairman.) I would like to know whether the instruction was direct to you or whether you

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were simply told?—I was instructed not to answer the question, and I was further instructed not to give reasons.

45491. (*Mr. Hitchens.*) I should like to put this question to you: Has the question of extending Council Governments to other provinces been considered within recent years by the Government of India? That is a question of fact, but do not answer it if you do not want to.—Yes; it has been considered but the results are confidential.

45492. It has been considered, but you are not at liberty to tell us the conclusion which was arrived at by the Government of India?—No.

45493. With regard to Advisory Councils, do I understand that you are in favour of such Councils for Commissioners?—Yes.

45494. Would Advisory Councils deal with matters concerning local government in the sense in which the term is used in England; such as references from District Boards and municipalities, and so forth?—Yes.

45495. Would that be one of their primary functions?—Yes.

45496. Would they deal with other matters?—Yes. Take, for instance, the case of the Commissioner of a division in Bengal, who now controls all the various municipal budgets; I do not see why you should not turn these over to an Advisory Council; that is just the sort of thing, if I were a Commissioner, that I should set such a Council to do.

45497. Would the Advisory Council deal with other classes of matters outside those of purely local government interest?—It would be open to the Commissioner to ask their advice on other matters, and no doubt if the experiment were to be tried the Head of the Local Government would instruct the Commissioner to make very extensive use of it. That would be the natural policy; the thing would be on its trial, and you would experiment with it very freely.

45498. Would you not have some specific terms of reference for your Advisory Council, you could not appoint them without defining to some extent what their powers were to be; what class of matter outside purely local government questions would you refer to Advisory Councils?—Largely they would be local matters at first, I think. Let me take a case which is making a good deal of noise in Bengal, the question of village water-supply; that would be an excellent thing to refer to an Advisory Council of that kind, and it would be the best possible test of its practical worth and utility. There is a cry in Bengal now for a pure water-supply for the villages, a most difficult question and a large question involving infinite expense, and the people feel very strongly about it. I can understand a Commissioner going to his Advisory Council and saying, "Now gentlemen, here is what the people are saying, what would you do?"

45499. Should I be right in saying that a village water-supply is a matter which can be dealt with by a District Board to-day?—Yes. It could, if it had the money, which it has not.

45500. That is essentially a Local Government question?—It is in theory, but in practice the provincial Government, and not the local authority, is appealed to on the subject.

45501. I was asking whether there was anything outside local government matters with which they might deal?—I can think of such questions as rural police with which I have had to do myself, and in regard to which I should have been very glad to have had an opportunity of talking with people of that sort, but I would not bind myself to take their advice.

45502. Would the most important functions of this body be to consider matters of local importance rather than matters of general provincial importance?—I should think so certainly at first, and if they prove themselves useful with regard to that sort of matter it would be possible to extend the scope of their powers. There is, for instance, the whole range of education; they might be

associated to some extent with the secondary schools on the spot, and be made use of in that way.

45503. (*Mr. Meyer.*) Bearing upon the last question, would measures be taken to combat plague be a thing which might be referred to an Advisory Council?—Certainly, and dispensary management as well.

45504. Would that not be a matter in connection with Local Boards mainly?—Yes; Local Boards cover a wide range now.

45505. Every now and then Government sends down references to its District Officers as to questions of proposed legislation and so forth; would you put those before the Advisory Council?—Yes.

45506. But you would not have any uniform schedule; you would leave it to the discretion of the Commissioner?—I think you must start with that. You might hereafter come to greater precision, but in the first instance I think you must proceed experimentally; but no doubt all men will not proceed on the same lines, and some Commissioners would refer more than others.

45507. You would have material differences, but possibly out of that very diversity, you might get valuable experience as to the utility of these Councils?—That is what I look forward to.

45508. The creation of provincial Advisory Councils is now under consideration; would you be in favour of starting divisional Advisory Councils simultaneously, or would you wait until we have some experience of how the provincial Advisory Councils work?—I see no objection to starting them simultaneously.

45509. In regard to the question of centralization and decentralization, as you say, it is quite impossible to lay down any definite lines because things change from year to year?—Yes.

45510. And matters which you might safely leave in the hands of a Local Government at one time might, in a period of political excitement, be desirable for the Central Government to take up?—Exactly. I think I have mentioned in the list of reports that there are certain reports which we get now owing to purely temporary causes, and if those causes came to an end the reports would come to an end.

45511. In one way, do not the advance of railway communication, the spread of English, and the solidarity which you have spoken of amongst the educated classes tend to a certain amount of centralization which is inevitable?—It is unfortunately the case that those causes do make for centralization.

45512. On the other hand, you are perfectly convinced that in a number of other matters where the Local Governments have been hitherto restrained either by law or practice, the fetters might be taken off them?—Yes.

45513. As regards the question of recruitment, the Chairman asked you whether, as it was an actuarial matter, it might not be done entirely by the Finance Department, but is not recruitment a question of general administration?—Yes; that is so.

45514. And it is possible, that the Finance Department might look at it purely from the point of economy?—Yes. What I understood the Chairman to have in his mind was that the Finance Department should be used merely as a sort of calculating machine, and that the Home Department would say, "We want such and such a Service, and so on; these will be the grades; will you, the Finance Department, tell us whether those will produce a uniform rate of promotion or not?" and then the Finance Department would make out a kind of table.

45515. As a matter of fact, have we not in the Secretariat calculations which have been made out; for instance, you have very elaborate calculations for the Indian Civil Service?—Yes; one was made by Sir David Barbour in 1882, I think, and another was made two or three years ago by Mr. Barrow. I may mention incidentally that Mr. Barrow's calculations differed only by a small

decimal from Sir David Barbour's calculations as to the strength required to keep up the Service.

45516. So that really the possible point at issue between the Home and Finance Departments would not be so much the actuarial calculations, as the expediency of increasing a higher grade; the Finance Department might say that they thought the expense was unnecessary, and the Home Department might say it was desirable in order to encourage promotion?—Yes.

45517. (*Chairman.*) Would it be your opinion then that the Finance Department would consider the question not merely from the financial, but also from the administrative point of view?—The Finance Department would give in to the opinion of the Home Department on the administrative question.

45518. (*Mr. Meyer.*) You have officiated as Financial Secretary?—Yes.

45519. I put it to you that it is almost impossible to draw the line between purely financial and purely administrative considerations, and though, as you say, the Finance Department would give in to a spending department if they were convinced the thing was an administrative necessity, it is open to them to urge, and they frequently do, that they are not convinced that it is an administrative necessity?—There always must be a debatable zone, and it is in the debatable zone that the disagreements arise.

45520. I put it that no treasury can draw a hard-and-fast line between pure finance and administration?—Quite so. It depends very much on the temperament of the treasury. One treasury may be more assertive than another.

45521. As regards these monthly proceedings, do you get them from the Local Governments?—Yes; and they are examined in the office, and if there is any entry that is considered important enough for me to see, it is submitted.

45522. May I take it that they serve a useful purpose?—Yes.

45523. They enable you to see, not only what the Local Governments are doing, but occasionally to pull them up if you think they are acting *ultra vires*?—Yes; but only very occasionally. What we do find them useful for now is that when a Local Government writes a letter about some question or other, and in the course of the discussion an incidental issue is raised which the Local Government has not foreseen and consequently has not written about in the letter, then having got their proceedings volumes, we can find the complete correspondence. I have known that happen on several occasions.

45524. And I suppose the Government of India proceedings would be similarly useful in the India Office?—Yes.

45525. Have you had any instance in which the Secretary of State has written to the Government of India with reference to something contained in those proceedings?—Some years ago the Secretary of State drew attention officially to the scantiness of the information supplied to him, and to the Government of India, in the proceedings of the Bombay Government. I cannot think of anything else at the moment. I find in our records three cases in which the Secretary of State referred directly or indirectly to these proceedings. Further search would probably disclose more.

45526. It is sometimes made a reproach with regard to our system of Secretariat procedure that it involves a great deal of noting; in the Home Offices, I understand, noting is reduced to a minimum. You were on duty in the India Office at one time?—Yes; I know something about the system in the India Office and in the English Colonial Office, and there is exceedingly little noting there.

45527. Did you find that the India Office system of reducing noting to a minimum was convenient or not; you had to consult certain records there last year?—It appeared to me to be in some respects inconvenient. In the course of my work there last year an important constitutional question was raised by the Legal Adviser to the India

Office on the basis of a note of Sir Henry Maine, written while he was a Member of the Council of India. Of that note there was only one copy, namely, the original, which was bound up in an enormous volume, the size of a merchant's ledger. This volume had to be carried about, and on one occasion when we were working with it the marker slipped out and no one could find the place, and a clerk had to be sent for. There was also a difficulty in procuring copies of a certain despatch of Lord Lytton's Government.

45528. I understand that in the particular instance you mention there was a note, but unfortunately there was only a single copy of it; I was rather asking whether the system of disposing of a paper containing an important despatch, with no note, or hardly any note, to show the conclusions which had been built up, was, in your opinion, a convenient one, or whether you had any evidence on the point in connection with your own work?—I think in this country nothing is absolutely essential, owing to the frequent changes of officers. It is less so in England, where the staff is more permanent, and the clerks are of quality far superior to ours.

45529. I should like to know whether you, working at the India Office as you did last year, found any inconvenience from the system there of not noting?—It was impossible to tell the reason why important decisions had been arrived at unless there was somebody who had been present at the time, and who happened to remember the circumstances.

45530. Was that your actual experience?—Yes. I was shown an important despatch, the genesis of which was entirely obscure.

45531. (*Chairman.*) Did that result in any practical inconvenience?—The incident had only a remote bearing on what I was doing at the time, but I can conceive of cases in which it might be very inconvenient to be confronted with an important decision and to have no means of ascertaining the reasons for it. I can remember an actual case in Bengal where the Government of India asked for the reasons for a certain proposal which had been worked out by the Lieutenant-Governor and the Secretary in personal discussion. Both happened to be on leave, and the question could not be answered till one of them returned.

45532. (*Mr. Meyer.*) Where a Secretary is in personal disagreement with the opinions expressed by his Honourable Member, is he obliged to take the matter to the Viceroy in every case?—No.

45533. It is only when he considers that the matter is of very considerable importance and that the Member is gravely wrong, that he does so?—Yes, his duties in the matter are defined in a statutory rule.

45534. But as a matter of fact he would very rarely do it unless he thought it a big matter?—Quite so, and he would do it, of course, only after discussion with the Member.

45535. Naturally, and the member would again have his say after the case had come back from the Viceroy?—Yes, and he could ask for a reference to Council.

45536. So that there can be no question of a Secretary getting the Member's order upset behind that Member's back?—No, none whatever.

45537. (*Chairman.*) Can the Member issue an order as emanating from the Home, or any other, Department unless he obtains the concurrence of the Secretary to the Government of India in the department in question?—Yes; the orders of the Member are the orders of the Government of India, whether the Secretary concurs in them or not.

45538. (*Mr. Meyer.*) As regards the appointment of Director of Criminal Intelligence, is that precisely a new appointment?—There was a curiously ill-defined appointment called Superintendent of Thagi and Dakaiti, which had to do with the policing of Native States and with a certain amount of quasi-police intelligence outside the Native States, but I do not regard the Superintendent of Thagi and Dakaiti as really an exact precursor of the Director of Criminal Intelligence.

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45539. Still, he was to a certain extent doing work in connection with the co-ordination of crime, which the Director of Criminal Intelligence no doubt does in a more complete and scientific way now?—Not in the provinces, I think; only in the Native States. He was mainly under the Foreign Department, and I never had very much to do with him.

45540. There has been a good deal of complaint in the provinces with regard to the Director of Criminal Intelligence sending out requests for information of a more or less peremptory character, which impose a great deal of work upon the province or district staffs; have you anything to say upon that?—I have on one or two occasions pulled up the officiating Director of Criminal Intelligence, who I thought was asking for more than he ought.

45541. You say that you interfered with the officiating Director in regard to the matter; was that on a complaint from any Local Government or on your own motion?—There was a demi-official complaint from one Local Government, the United Provinces, but before that I had told him that he was sending in to me a great deal more information than I wanted, and I inferred from that that he must have been asking the Local Governments for a great deal more than I thought was necessary.

45542. Is the United Provinces the only Local Government which has complained, officially, demi-officially, or otherwise?—Two other Governments complained demi-officially.

45543. Speaking generally, do you think the complaints made by provincial Governments or their representatives before us, were justified?—I think the United Provinces complaint was justified. The other complaints were due to misapprehension.

45544. But as a general rule would you say the complaints were justified?—As a general rule I would say no.

45545. Have you thought of any means of checking the zeal of such an officer as you have mentioned, such as requiring reference to you before he starts calling for information?—No; I cannot say that I have. It is rather difficult in this case because these enquiries were enquiries about individuals, and their object was to complete *dossiers* or history sheets regarding those individuals, and it is not easy to lay down a general rule which will limit enquiries of that kind.

45546. As regards the other Inspectors-General, would it be possible to exercise any check on their enthusiasm for information?—I think so, certainly to the extent that they should not call for any returns without obtaining the consent of the department.

45547. Have you read the evidence given by Colonel Leslie, the Sanitary Commissioner of the Government of India?—Yes; I have, but it is some little time ago.

45548. He took rather a centralizing view, and his idea was that sanitary matters should be brought much more under the control of the Government of India, that they should appoint the principal Sanitary Officers in the provinces, and so forth—do you agree with that?—No; I do not, if it can be avoided. I am opposed on principle to these small centralized Services which are very troublesome to work. But it often happens that a Local Government has no qualified men. Some years ago, when I was in Bengal, we had to ask the Government of India for a Sanitary Commissioner. If you specialise sanitation, as is the modern tendency, that involves centralization. A Local Government cannot keep a stock of specialists.

45549. As regards imperial Inspectors-General, it has been suggested that one useful purpose they serve is that they can modify, if one may say so, any possibly doctrinaire tendencies on the part of the Member of Council or the Secretary to Government here, who thinks that because a thing has worked well in his own province it will work well elsewhere. That an Inspector-General can say, "I have been in this or that province and I can

assure you the plan will not work there for such and such reasons"; do you think there is much force in that?—Yes; I think for instance a Director-General of Education going round and seeing what the circumstances of the different provinces are, can give you a very useful general view of things. What I feel about an officer of that sort is that supposing I had not got any educational expert by my side I should have to be my own educational expert, and the chances are that I should take a much stronger, and probably much narrower, view than one does under present conditions. What one would have to go on in that case would be one's own experience (in my case, experience of Bengal), and one's own reading of English and foreign educational literature, and doubtless one would form a strong opinion.

45550. To take a purely hypothetical case, you might desire to enforce in the Punjab some system which you knew had answered well in Bengal?—Quite so.

45551. With regard to your remarks as to village autonomy, would it not be rather fatal to the popularity of any village autonomy scheme to give a village council powers of additional taxation?—Permissive taxation, I said.

45552. But suppose they exercised it?—That is their look out.

45553. Do you think that they would not become unpopular, and that there would not at once be appeals to Government to abolish these unions or to remit the tax at any rate?—My answer would be that local taxation is the main purpose of local self-government.

45554. You have had a great deal of experience with regard to local self-government in Bengal; was it the fact there that the extension of municipal institutions or Local Fund unions was unpopular by reason of its involving fresh taxation?—There is a great feeling now in Bengal in favour of sanitation, there is a great demand for improved water-supply and so forth, and it is absolutely impossible that those demands can be met without some system of local taxation by the villagers themselves, and I believe they are quite intelligent enough to work the system well.

45555. An alternative system has been suggested to us elsewhere, namely, that each village should receive a certain proportion of the land cess levied in that village for local employment—what would you say to that?—A certain proportion of the Road Cess?

45556. We will take it as land cess, as a generic term; the suggestion is not that the whole of the land cess should be given to the village in which it is levied, because that would leave no money at all for the superior Local Boards; but that each village should be assured of some definite proportion of the land cess levied there, and be allowed to spend it on small local works, wells, tanks, and so on?—I do not see why the unions should not be given a share. They cannot get the whole.

45557. Would you really trust these village Councils, who would be men quite inexperienced in finance, to borrow money?—I do not see why they should not borrow money just the same as the Co-operative Credit Societies, who are much the same kind of people, after all.

45558. (*Sir Steyning Edgerley.*) Will you please put in formally certain despatches which have been given to us, between 1903 and 1907, as regards the proposed increase of establishment in the Home Department?—I will do so.

45559. †From the statement of returns introduced since 1901 given by you, the Home Department appears to require both a fortnightly return from the Government of Eastern Bengal and Assam on the political situation, and also a weekly return as regards the particular district of Backarganj. Does not the first really cover the second; do you want them both?—The fortnightly return, if I remember right, was asked for some time in 1903.

† *Vide* Appendix XIV.
‡ *Vide* Appendix II.

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45560. That goes to the Secretary of State; you cannot help that report; but there is also a weekly one which you have for your own purposes?—Backarganj is rather a turbulent district; there are special reasons for wishing to know about that.

45561. You tell us that you do not think the weekly police and political abstracts from each province are necessary. If you abolish them how are you going to keep up the weekly report of the Director of Criminal Intelligence on the political situation in India?—I contemplate the abstracts going to the Director of Criminal Intelligence and being analysed and abstracted by him in his weekly report, so that the Home Department would get only the pith of it.

45562. At present the abstracts do not come to you; they go to the Director-General?—They go to me too.

45563. From which provinces?—I think from all of them.

45564. Not from Bombay?—Bombay sends a letter on Wednesday to the Director, and he then, I understand, prepares his weekly report.

45565. As regards the report on the working of the Dekkhan Agriculturists Relief Act, that Act has now been extended to the whole Presidency, and it all falls into the annual report on Civil Justice; do you still require this separate report?—I really do not know very much about the subject; one only hears about the subject at intervals when somebody proposes to make a change in the Act.

45566. But it is rather a troublesome report to write?—As far as the Home Department is concerned, I should not think it mattered very much; I do not know what the Revenue Department would say.

45567. What use do you make of the statement showing the state of the files of the Calcutta High Court?—It is analysed and abstracted and percentages are calculated from it; I have frequently known it referred to when there was a question of an Additional Judge.

45568. If a question of an Additional Judge comes up, surely the case has to be made out on its merits separately?—Yes; nevertheless the returns are used; I have known them used on several occasions.

45569. So far as the Home Department is concerned, could not the list of civil servants eligible for the High Court, the statement showing the recovery of cost in Privy Council appeals, the return of sittings of High Court Judges, the statement showing the state of the files in the Madras High and City Courts, and the similar statements for the Allahabad and Calcutta High Courts, all go subject to the consent of the Secretary of State where necessary?—I should think so, certainly, if the Secretary of State agrees.

45570. The Home Department gets a separate report about the accounts of the receipts and charges of the Administrator-General of Bengal, and you also get (which you send to the Secretary of State) the Auditor's report on those accounts; is that not sufficient?—The two reports deal with entirely different subjects and both must be retained. One relates to the management of the estates, and the other is a revenue and expenditure account of the Administrator-General's office.

45571. Will you examine (at your leisure) whether the report which you send to the Secretary of State, and which you, of course, receive under the Act, does not cover the same ground?—I will do so.

45572. You have introduced a report on the working of the Poisons Act. There has been a Poisons Act since 1868, and this annual report has not been considered necessary for over 30 years; there has been no particular change in the law; why is that wanted now?—A new Poisons Act, taking large powers, was passed in 1904. It is necessary to know how it works, especially as the control of arsenic might affect trade.

45573. That was merely an amendment of a previously existing Act which has been in force for

forty years without this annual report?—The previous Act extended only to Bombay, and had been of small effect owing to defects in its form and limitations in its scope. The Bombay Government described it in their letter of 16th May, 1902, as having been a dead letter in the City of Bombay, and as having shown no adequate results elsewhere.

45574. You call for a "Return showing the strength and armament of the police force"; you also have the "provincial Police Reports," one of the appendices to which (statement E, I think,) gives you practically the information which you require in this special police return?—I see no reason why the special return should not be embodied in the Police Report. But this will involve some expansion of columns 7-9 of Appendix E which do not give all the particulars required by the Army Department.

45575. You have also recently instituted a return of counterfeit coining. Of course that is an important subject, but the Local Government at present has to send one annual return to the Mint at Calcutta, one annual return to the Finance Department, and one annual return to you, all covering the same ground; why should not one do?—Clearly one ought to do; I do not remember the details; the Finance Department must have asked us to call for it.

45576. But they get their own return apparently?—There is no doubt we are not directly interested in counterfeit coining.

45577. So far as the Home Department is concerned, you care nothing about it?—That is so.

45578. What is the special interest of the return showing the "Annual operations of the Board of Examiners at Calcutta"?—The Board of Examiners at Calcutta is directly under the Home Department.

45579. You think you require an annual return?—Yes, we are bound to know something of what they are doing.

45580. (*Chairman.*) They are Examiners of what?—They run the examination in the Higher and Lower Standard, Hindustani High Proficiency Examinations, and so forth; they spend a good deal of money. We must have a report.

45581. (*Sir Steyning Edgerley.*) You give us some interesting figures about the frequent calls for information by the Secretary of State. May we take it that you could not possibly institute any system of information to the Government of India which would enable you to answer these inquiries without reference?—A good many of them are answered without reference.

45582. You are aware that in pursuance of the liberty reserved under paragraph 85 of the old despatch of 1831, the Secretary of State gets a certain amount of information for his purposes direct from the Local Governments?—From two Local Governments, by means of telegrams to the Governors of Bombay and Madras; I think that is what you are referring to.

45583. Do you get copies supplied, under the Standing Orders, of all the replies?—Not that I know of. All I have seen were some replies in 1897 relating to the plague troubles then.

45584. Do you see any objection to the system by which the Secretary of State answers questions in that way, getting the facts directly from Madras and Bombay?—No; I do not know that I do. I understand that the telegrams are private. The saving of time may be material.

45585. Is the "Imperial Gazetteer" at all authoritative?—The "Imperial Gazetteer" was examined in proof by the Government of India and the various departments; it was intended to be authoritative.

45586. Let me read you this extract from the "Imperial Gazetteer": "The actual work of administration is, however, divided between the Government of India and the Local Governments. The Government of India, that is to say, the Governor-General in Council, retains in his own hands all matters relating to foreign relations,

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the defence of the country, general taxation, currency, tariffs, posts and telegraphs, and railways. Ordinary internal administration, assessment and collection of revenues, education, medical and sanitary arrangements and irrigation, buildings and roads, fall to the share of the provincial Governments. But in all these matters the Government of India exercises a general and constant control." Can one take it in any sense that that subdivision of administrative functions is a modern-day compliance with this old instruction of 1834?—I can only say that I think the Government of India endeavours to act in accordance with paragraph 83 of the despatch of 1834.

45587. That is not the point; I do not wish to suggest any doubt but that they do. The point is that in two paragraphs of that despatch you are invited to consider "to what extent and in what particulars the powers of Government can be best exercised by the local authorities, and to what extent and in what particulars they are likely to be best exercised when retained in your own hands. With respect to that portion of the business of Government which you fully confide to the local authorities, and with which a minute interference on your part would not be beneficial," and so on. Have you ever tried to divide the functions of the two Governments in that way?—I think the "Gazetteer" statement is substantially correct, but the division cannot be carried to the point of eliminating control by the Government of India.

45588. You say "I believe that at the present time the Government of India endeavour to proceed upon this principle." What do you mean by "at the present time"; shall we say within the last ten years, or do you mean actually to-day?—I think that, let us say, three or four years ago the policy of the Government of India was directed rather more towards uniformity for its own sake than it is now; that is the implication suggested by the words "at the present time."

45589. May we take it that five years ago, in these despatches which I have asked you to put in, the Secretary of State was evidently rather uncomfortable as to whether you were not entirely going outside the sphere suggested for you in 1834?—You refer to the despatch in which he made observations about decentralization; that is so.

45590. May we take it that your last letter to Bombay of June, 1907, on the subject of the railway police reorganization, and your last letter, of December, 1907, on the subject of the district police reorganization, are an exemplification of your adherence to the principles of that despatch?—The Secretary of State refused to allow the Government of India to adopt a different method.

45591. I only ask you whether you consider that those letters are in accordance with the principles of this despatch of 1834 which, you say, is the guiding despatch?—I do not think you can consider that apart from the circumstances of the particular case; we had to deal there with a question in which we have to find the money, and it was for that reason that there was that minute examination of the Local Government's proposals.

45592. You say that "one of the limitations on the principle is because, when a Local Government has not to pay the bill itself, it is not unnaturally tempted to use the occasion to raise its standard of efficiency at the cost of the Government of India"; and you have put a note to that which purports to show that the ratio of expenditure to population in Bombay is considerably higher than in any other province in India. Now, what is the object of that note?—The note illustrates the suggestion that when a Local Government is not finding the money for a certain class of expenditure it is subjected to certain temptations.

45593. Is the suggestion that the Bombay Government is able to make its own reorganizations at the cost of the Government of India without control correct; is not the control of the Government of India over the Bombay Government exactly the same as it is over every other Local Government?—Yes.

45594. Then this is really a criticism of your Finance Department?—How so?

45595. Simply because you say that they have allowed the Bombay Government to be so extremely extravagant?—I fancy some of this dates back to very ancient times, before the decentralization of provincial finance.

45596. Then what is the object of putting it in now?—Simply to show that Bombay has a higher standard of expenditure.

45597. Has it not all been sanctioned by the Government of India and the Secretary of State?—Presumably.

45598. Then it means to say that, with regard to Bombay, either the expenditure was necessary or else your own Finance Department has adopted a different standard of treatment of that particular Local Government?—It was always suggested in the old days that the importunity of Bombay was such that it got more than other Local Governments out of the Government of India; that is a matter of tradition.

45599. Even so, it is no illustration of your point 1 (b)?—It is intended to show that the Bombay standard of administration is above the normal standard.

45600. And they have made out a good case for that to the Government of India and the Secretary of State?—They have succeeded in convincing the Government of India at any rate.

45601. Then how is it an illustration of your point 1 (b)?—Working up to a higher standard of administrative expenditure.

45602. With the consent of the Government of India and the Secretary of State?—That conclusion is irresistible.

45603. Therefore it is not an illustration of your point 1 (b)?—I think it is an illustration of asking too much.

45604. May I also point out that that statement is incomplete? Why is not the Burma Government put in; it is in British India and it existed in those years?—I do not know why the Finance Department took only these provinces.

45605. Is it because the Burma population is about half that of Bombay, and if it had been included the figures would not have been so favourable to the suggestion?—I cannot say without looking at the original papers.

45606. Will you kindly complete that statement as to Burma, and I should like the years 1907-08 added also. I should also like a statement of expenditure per square mile area with the same figures, and also a statement of revenue, provincial and imperial, per population and square mile area?—I will supply that.

45607. (Sir Frederic Lely.) With reference to your answer to the question whether it is feasible to grant larger powers to Local Governments after the Government of India has laid down general lines of policy, you refer in the early part I understand to the special grants made occasionally by the Government of India. Should those grants be regulated by the supposed requirements of the provinces or by their relative claims on general grounds?—By requirements I suppose; I do not quite know what is meant by "claims on general grounds."

45608. Suppose there is a surplus of half a crore, should it not be distributed on general grounds to the several provinces, and left to them to apply to their particular needs as estimated by themselves; would that not be the more correct policy?—I do not quite know how you would arrive at a conclusion on that basis.

45609. There are several conditions that might be taken into consideration in addition to the demands of each province. As I understand now, special grants are distributed practically according to the demands of the various provinces?—When it was decided that there was to be a special grant given for the purpose of education, my remembrance is that we tried various

† Vide Appendix XV.

tests—tests by population, tests by number of educated people, and so forth, and it was worked out in that way. The population test is *prima facie* a fair one.

45610. You arrived in that way at a certain sum to give to each province?—Exactly; we took all the circumstances we knew, and all the statistics we could get, and worked them in different ways, and if we found the different ways corresponded fairly, we assumed that we had got at an equitable distribution.

45611. What is the essential difference between a grant of that kind and the settled revenue which the province received; why should the Government of India have more claim to dictate and interfere in this grant than in the case of settled revenue; in each case does not the money come from public funds?—The Government of India determines on the strength of its own budget that it can spare, say, 35 lakhs for education; that 35 lakhs has to be distributed among certain provinces; I can understand its being distributed by population and by various other tests, but I do not understand how the provinces could automatically distribute it among themselves.

45612. Suppose a distribution is made, in what respect does that money differ essentially from the money which the province gets under its settlement?—It is merged in it. When once the grant has been made it merges in the provincial revenues of the province absolutely.

45613. Then on what ground does the Government of India claim to interfere in the details of that money more than in details of the other provincial revenue?—In the particular case that I have in mind it was for primary education. All the Government of India asked the Local Governments to do was to tell them how much they spent on primary education for a year or two, simply in order that the Government of India might be satisfied that the grant had been used.

45614. You say "The Government of India must have some control over details, because without particulars it could not know how much money will be required"; suppose that the grant has been made, on what ground does the Government of India further claim particulars as to its expenditure?—Take the other case; the Government of India say, "We are going to re-organise the police; we are prepared to spend 150 lakhs on it"; then they ask each Government for particulars, in order to show the precise sum that they will require to carry out the proposals of the Police Commission.

45615. But the assignment once made, it becomes part of the provincial revenue?—That is so, but it cannot be spent without the sanction of the Secretary of State, and the Secretary of State required detailed proposition statements to be sent him showing down to the last constable what had been sanctioned. It was out of that that there arose the necessity of asking for details; it was imposed upon the Government of India by the Secretary of State. The Government of India in sending their despatch Home asked him to permit them to give approval to the schemes of the Local Governments as they were sent; we sent Home a certain scale and we said, "Now, if you agree to this scale, allow us to sanction everything up to that scale, sending you Home statements showing what we have sanctioned." He would not agree to that, and he said, "You must send home first complete proposition statements." That has been the origin of all the trouble that there has been with the Local Governments; it has caused all the delay.

45616. (Chairman.) Did the Secretary of State also accept or did he query the numbers in each case?—The orders passed on these proposition statements, where they have been passed, are exceedingly short and simple.

45617. But did the Secretary of State in dealing with these questions ask as to the numbers or curtail the numbers of police required by the different Local Governments?—He asked for proposition statements showing every single man employed.

45618. Were the numbers curtailed?—He accepted our proposals in every case, to the best of my remembrance.

45619. (Sir Steyning Edgerley.) Did he order a different system of scrutiny and treatment in this particular case from that which is necessary in the case of every scheme costing over Rs. 25,000?—No, he did not, but my point is that he rejected a proposal of ours which would have simplified the whole thing.

45620. (Sir Frederic Lely.) As to these various points that you give us, I am not able to follow any principle running through them. You say as a ground for the interference in details by the Government of India that "when Services are recruited provincially the conditions must be fairly uniform." Now in the Bombay Presidency there are certain village accountants who are very lowly paid and not paid in accordance with the responsibilities they have to incur; it was proposed by the local officers that they should be given pensions on the superior service scale. That would have met the difficulty, it would have been entirely popular, it was strongly recommended by the local officers and supported by the Local Government. I understand that the Government of India refused to sanction it on the ground that similar village officers in other parts of India did not receive similar treatment. Do you think that that was justifiable?—I think the point of view of the Government of India was that if this was extended to village officers all over India, it would open a very large and indefinite prospect of expenditure. I am not acquainted with the case, which belongs to the Revenue Department, but I am not prepared to say that they were not justified in the attitude they took.

45621. Do you think it is such a matter of imperial interest that the *patwari* in the Central Provinces should get the same pension rates as the *talati* in Gujarat?—I think a large and indefinite addition to the pension charges may well be an imperial question.

45622. But it was not on that ground, I understand, that sanction was disallowed; it was on the ground of uniformity?—In writing this I was not thinking so much of the smaller Services; I was referring to the educated class; I was thinking of the two or three castes which form what is called the educated class, or the middle class.

45623. The reason given in this particular case for refusing to sanction the proposal was on the ground of uniformity. Then, you speak of "commercial interests"; do you really mean to suggest that wherever commercial interests are affected the Government of India should deal with the matter?—What I mean to suggest is that when the Home Department was dealing with the petroleum rules and the carbide of calcium rules, they had complaints from firms like Graham and Co., who were dealing with petroleum over a very large area, that it was absolutely intolerable that there should be different rules in the different provinces; and it was difficult not to sympathise.

45624. In both those articles is there not an element of danger involved, and also the element of expert knowledge, which is usually at the command of the Government of India? You would not go so far as to put all commercial matters under the Government of India, surely?—Either that, or that the rules should be made to a certain model, so that firms shall not find absolutely different sets of rules in force in the various provinces in which they sell petroleum.

45625. Would you have a model schedule of octroi duties in every municipality?—No, I do not think that arises here.

45626. Clearly the octroi schedule would affect the inland commerce of the country as much as anything?—I do not think the cases are parallel. If you take so much petroleum into a town you pay at a given rate; but here the whole sets of rules are different; they affect transport, storage, &c., over large areas. If they vary from province to province business men who take no account of administrative boundaries naturally

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have a grievance. They also complained about octroi becoming a transit duty, and the Government of India laid down general principles.

45627. I admit that petroleum may be on a special footing; I am asking you about your broad statement that where commercial interests are involved the Government of India ought to interfere?—I say administrative arrangements ought to be as uniform as possible.

45628. As regards jail manufactures, you imply that if any firm is likely to have a grievance, that is a sufficient reason for the Government of India to override the provincial Government; surely it would be a rather more correct statement that if any firm has a grievance it should go to the provincial Government?—No doubt it does go to the provincial Government in the first instance, but it does not invariably get satisfaction, judging from the correspondence which has come before us.

45629. People do not invariably get satisfaction even from the Government of India?—What I mean is that a question of this kind, the question of competition between jail manufactures and outside manufactures, has practically got to be dealt with on a larger basis than that of a single province.

45630. Do you mean, in plain words, that when any firm is likely to have a grievance the Government of India is entitled to interfere, even to fixing the price of a yard of carpet?—That sounds like a *reductio ad absurdum*, but I do not think it is. As a matter of fact, firms are very apt to come to the Government of India on matters of this kind. And whatever principles are laid down must hold good everywhere.

45631. I have a quotation here from the report of the Police Commission: "It is help and advice tactfully given that are required, and if the offer of advice and assistance be backed by the power of reference to the Government of India in case of obstinate or unintelligent rejection of it, such reference will rarely if ever require to be made. It is seldom that responsible officers will not do all they can to obviate the substitution of a peremptory order for advice or a request courteously tendered."—What is the appointment referred to?

45632. That is with reference to the appointment of the Director-General of Criminal Intelligence?—The provincial title is different; the provincial men are called Directors of Criminal Investigation.

45633. It is with reference to the question of a Director-General for the whole department, and it implies that this officer is to come with the power of the Government of India behind him, and with a practical threat that if his advice is not followed the Government of India will be down on the offending Government. Is that a view which is held now?—That, I think, misrepresents the entire position.

45634. But is there not a danger of the present position drifting into that?—Not in my opinion. If any impression to that effect has got formed, I think it is due to the Government of India having, with the approval of the Secretary of State, made use of the services of the Director of Criminal Intelligence for the purpose of advising them upon these very intricate questions of re-organization. That was done every bit as much in the interest of the Local Governments as of the Government of India. Here was an officer who had been round with the Commission, who had made up all the statements of strength, all the detailed estimates in communication with their men, and he was the one person who was in a position to put fully before us the Local Governments' point of view. We called him into council, not in the least with the object of over-ruling the Local Governments, but of understanding what actually was wanted. I quite see the impression to which it has given rise. Advising on police establishments was a purely temporary function, and the police re-organisation is very nearly over now.

45635. It is a view which you entirely repudiate?—Entirely.

45636. Is not the case of the Director-General of Criminal Intelligence as regards free intercourse with officials rather stronger than that of the others; he would be allowed freer intercourse with the officials of the province on certain matters than the other Directors-General?—I think not, if I understand your question correctly.

45637. I suggest that he may have a freer hand in intercourse with the provincial officers than the other Directors-General?—I should not think so, certainly; I should rather think that he would walk more gingerly than the others.

45638. You have certain proposals for a change in the system of appeals which you suggest should be sent to Local Governments for their acceptance or rejection. Suppose a Local Government does not wish to change the practice at all, on the ground that the people are much attached to the right of appeal and that no change is desirable?—I should be inclined to let the Local Government have its way. I quite realise that any restriction on the right of appeal is very unpopular in this country.

45639. It would be running counter to a certain feeling that is prevalent?—The natural idea of everyone in India is that he ought to have an appeal to the Privy Council at least.

45640. With reference to the resources of the Rural Boards and municipalities, you say emphatically that they are not able to meet all their responsibilities; how would you remedy that; would you reduce their liabilities or would you increase their funds?—That is a difficult question. In the face of modern requirements, I do not see how you are going to reduce their liabilities, and you can only increase their funds by taxing somebody.

45641. Do you think the tendency of recent days has been rather to impose too much work on them, such work as veterinary work, medical work, and many other miscellaneous duties?—The crucial case, of course, the real thing which has overburdened municipalities everywhere, is the water supply; there is nothing the people feel more strongly about than water supply.

45642. Do you not think that there are certain functions which have been imposed upon them of late which are not entirely appropriate to them?—I think that in Upper India, particularly in the Punjab, the departments have gone rather far in the way of compelling municipalities to spend particular proportions of their income on particular things. I think you will find there is a section in the Punjab Municipal Act which empowers the Lieutenant-Governor to determine that so much per cent. must be spent on this, and so much on that. I think that is wrong.

45643. You rather favour the formation of Advisory Councils?—For Commissioners.

45644. Do you not think that one serious objection to that would be that it would be a fifth wheel in the coach; have we not enough talking Councils already?—What are the other Councils?

45645. There are many others looming in the distance, but at present we have Local Boards and District Boards and Legislative Councils and municipalities; do you not think that they supply enough in the way of talk for public needs?—I did not contemplate that the Commissioner's Advisory Councils would be specially a talking body.

45646. If you get them together and introduce public topics, how are you to prevent talk?—There would not be much opening for public speaking; I presume the Commissioner would keep them to the point.

45647. What would be the size of your Council?—A dozen I should think at the outside.

45648. That would be almost as large as a rural municipality. Do you think it is advisable to add more to the existing machinery in preference to strengthening the present machinery; do you not think that the latter is the better course for reform to take?—I approve of this particular addition, because I think it will in course of time

help to associate the people more closely with public business, which is the main object at the present time.

45649. You would not rather connect the District Board more closely with public affairs by requiring the Collector to refer to them on occasions when advice was needed?—I think you might come to that in course of time, but you should not begin with it.

45650. With regard to the Director-General of Criminal Intelligence. In addition to the complaint which was demi-officially made by the United Provinces Government, the Chief Commissioner of Baluchistan told us that he had serious complaints in regard to the manner in which the Director-General of Criminal Intelligence was taking independent action in that province without his knowledge, and seriously hampering the work of the police and other criminal investigation agencies of the province for which he alone was responsible. Will you explain that matter to us?—The papers on the subject are confidential. All that can be said is that certain misunderstandings existed which have now been removed in a manner which meets the complaints of the Chief Commissioner.

45651. (Chairman.) The Finance Department told us yesterday that they did not require that separate accounts should be kept by provincial Governments, except the special grants which are made either for police or for education, and that when they applied to other departments of the Government of India, such as the Home Department, the replies which they got as to the information which they sought led them to believe that the Home Department did not require these separate accounts to be kept. Can you tell us what the state of the case is?—My remembrance is that we said the reports might be discontinued.

45652. It is not a question of reports; it is a question of whether you require separate accounts to be kept by the provincial Governments for the special grants made to them?—There was a special grant of 35 lakhs made for primary education, and statements were called for showing how it had been spent. The object is to guard against its diversion to secondary education. As soon as the grant has been fully allocated the necessity for the statements ceases.

45653. Were detailed statements required, or only bulk statements?—Merely bulk statements. The amount of detail given varied in the different Governments. Madras gave two figures, being the totals of direct and indirect expenditure. Other Governments gave more.

45654. Therefore any allegation by a provincial Government that it had to keep separate accounts for this purpose must have been due to a misunderstanding on their part?—No separate accounts were prescribed. The Local Governments were simply asked for statements showing how far the grants had been utilised.

45655. At all events, you think that whatever may have been the case in the past, the necessity for making any return or report as to the disposal of the sums connected with these special grants no longer exists?—Certainly. I should think that by now the grants must have been fully applied.

45656. (Mr. Meyer.) Would you put in one of these statements that you have been referring to as to education and police?—I will. I think the police statements were asked for partly in order to enable the Finance Department to tell how much more money the Local Governments wanted the next year; their purpose was entirely innocent.

45657. (Chairman.) We were told by the Secretary to the Government of Bombay that, while the relative positions of the Government of India and the Governments of Madras and Bombay were in theory different from those of other provinces, in practice they were identical. So far as your department is concerned, is that the case; do you give greater weight or greater consideration or

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greater latitude to those two Governments than you do to the other provincial Governments?—No; I do not think so.

45658. I gather from the despatches that the position was as follows: Under the despatch of 1834 the Governments of Madras and Bombay were told that they might correspond direct, as formerly, with the Secretary of State, but that they should immediately send copies of more important letters to the Government of India. Under the despatch of 1870 they were told that modifications of the general rules affecting the several Services (in addition to the limits as to new offices, salaries, gratuities, and allowances), were made which included all these subjects in the questions on which they were bound to address the Secretary of State through the Government of India?—That is so.

45659. And that was further extended under the despatch of 1877 by the Government of India to memorials concerning any legislative proceeding as to subjects upon which they could only communicate to the Secretary of State through the Government of India?—Yes.

45660. Would you agree that that has been a gradual extension of the control over the two Governments named, so far as correspondence with the Secretary of State is concerned?—I think so.

45661. And therefore there has been a gradual absorption of power by the Government of India as against the two Governments concerned?—Yes.

45662. Do you think that on the whole that increased control of the Government of India (I am only dealing with these two Governments) is a wise and a necessary step?—I think all the Local Governments ought to be on the same footing as regards their relations with the Government of India.

45663. Would you say that relaxations might be made in the case of the other Governments, or would you increase the control over Madras and Bombay?—I should like to put them all on the same footing as regards direct correspondence with the Secretary of State. I cannot see that this survival of direct correspondence in the case of the Madras and Bombay Governments serves any useful purpose, and it certainly on occasions gives rise to misunderstandings.

45664. I gather that you would rather centralize control as regards these two Governments than decentralize?—Decentralize everywhere as far as you can, but let all the Governments be in the same position.

45665. What I understand you to say is that you would further restrict the powers of these two Governments in the matter of correspondence?—Yes.

45666. Then you tell us that the demand upon Local Governments for information has no doubt been increased; do you differentiate between demands for information and demands for opinions? We were told in Baluchistan and in the North-West Frontier Province that the demand for opinion was circulated indiscriminately to all Governments whether they had any information to give on the subject or not—Do you mean when legislation is contemplated, for example?

45667. Yes; or even upon administrative points?—It is difficult to say *a priori* whether any particular Government is or is not affected. It seems to me that the proper procedure is to send the demand to all of them; then if they say, "This does not concern us," you are on safe ground; if, on the other hand, they have something to say, they would certainly have a grievance if general orders were passed without their being consulted.

45668. Has the demand for what is called opinions increased, as well as the demand for information; they may possibly, as you see, be two distinct things?—I can only say in a general way that as Government generally becomes more complicated the demand for opinions *prima facie* does increase. Greater activity, whether legislative or administrative, means more consultation.

45669. And it has increased of late years so far as the Home Department is concerned?—Yes.

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45670. We were told that there were certain cases, for example, the fees of medical officers, and one or two other instances like that in which the Government of India issued general orders to the provincial Governments without having first consulted them as to the advisability of the general orders so issued. Can you tell us anything about that?—I think there was a complaint from Bombay on that point.

45671. On the question of medical fees?—On the question of medical fees, I am not sure that the matter was thoroughly understood. There was a complaint, a reasonable complaint, that details regarding the ailments of Rajas and conspicuous people of that sort found their way into administrative offices, and the object of the procedure which has now been suggested is that in the first instance these questions of fees should be considered by the professional experts concerned. In the first place, taking fees for operations, it seems desirable that there should be some sort of general uniformity throughout India in cases of this kind, the uniformity being based upon what is the English practice. It was thought to be unreasonable that a given operation should earn a fee of, say, Rs. 1,000 in Bombay and Rs. 3,000 in Rajputana. If you have these variations, it comes to the notice of the doctors concerned; then the matter finds its way into the medical papers, and there are all the makings of a scandal. It was also felt to be desirable that the Local Government should have a full say in the matter at the appropriate stage, that is to say, after the professional officers have determined that such and such a fee was fair for such and such an operation, then the Local Government should come in and say, "But there are special circumstances connected with this case which we are cognizant of, and we therefore think so and so." That was the point of view of the Government of India. There was no desire to usurp any authority as against the Local Government. On the contrary, the object was to bring them in at an appropriate stage.

45672. But it was thought wise to issue general rules which, I suppose, were published under the Resolution of the Government of India, and these permitted the Local Governments to criticise that Resolution and to obtain an alteration of it?—The rules date from 1888, and the question was merely one of amending them.

45673. What do you think is the better mode of procedure?—It is clearly better to consult Local Governments first.

45674. But in this particular case it was thought wiser to issue the Resolution first and then get the criticisms of the Local Governments upon that Resolution?—My remembrance is that the Resolution was issued and criticism was not invited.

45675. Criticism came subsequently, and the Resolution had to be modified in consequence?—There was some obscurity in the Resolution which had to be explained.

45676. Taking the case of primary education, a statement was made by Mr. Taylor in the United Provinces that the Government of India first of all laid down the policy which ought to obtain with regard to primary education, and then proceeded to consult the provincial Governments as to the wisdom of their suggestion; do you recollect that case?—Yes; I think the explanation is that in 1901 a conference sat in Simla, upon which all the provincial Governments were represented by their Directors of Public Instruction, and that conference passed resolutions which covered the whole ground of education. Certain principles were then formulated, and letters were sent out to all the Local Governments saying, "These are the conclusions which the conference has come to on the matter of primary education; now we should like your views." That was the procedure in that case.

45677. Was a letter or a Resolution published?—Letters were written. It was just before I came in as Home Secretary. There was a general Resolution later on in 1904.

45678. Can you tell me whether the facts are as alleged by the witness in the United Provinces or

not?—I understand you are referring now to the later, and still unsettled, question of free primary education. As to that the facts are, as well as I remember, that the matter came up in debate in the Legislative Council, and the Finance Member made a speech in favour of free primary education; the subject was then examined in the Home Department, and a letter was written to the various Local Governments stating the case for free primary education, and asking them to examine it and see what difficulties there were in the way of giving effect to it.

45679. Were those letters to the provincial Governments made public or not?—They were.

45680. But it was in the form, not of the declared policy of the Government of India, but in the form of saying, "This is a matter which has attracted public attention, what are your opinions upon it?"—That is so. It is difficult of course to consult Local Governments upon policy without making some statement of it, and the form in which it is usually done is that we say, "The Government of India are disposed to think," "The Government of India as at present advised consider," and so on, and then make some specific proposals on which we consult the Local Governments instead of consulting them in the air.

45681. But in this particular case, did the Government of India say, "Such and such is our policy; we propose to carry it out"?—It more or less committed itself to the policy of free primary education assuming it to be feasible, and I imagine that several Local Governments will have shown, at any rate, that its feasibility is very doubtful.

45682. Would you prefer in a matter of that sort, that the Government of India should first of all say, "This is a matter which has attracted public attention, what are your opinions upon it?"—I think so; I think in the matter of free primary education the Government of India went too fast and too far.

45683. With regard to the question whether there are any general rules of the Government of India governing the recruitment of the Provincial and Subordinate Services, you give a lengthy history of the Provincial and Subordinate Services, and a question was asked you as to those Services, but you only answered it, as I understood, so far as relates to the Provincial Services?—The detailed rules cover both the Provincial and the Subordinate Services.

45684. Do the rules which you set out here govern both the Provincial and Subordinate Services?—Yes.

45685. (Mr. Dutt.) Are you quite sure that these rules govern the Subordinate Service also?—I said the detailed rules. The rules quoted here relate only to the Provincial Service. I did not reproduce the detailed rules here, because they are very long.

45686. (Chairman.) Does Rule 2, "Every person appointed to the Provincial Service by recruitment shall be subject to a period of probation or training," and so on, apply to the Subordinate Service?—Some of the rules relating to the Provincial Service apply to the Subordinate Service. Thus Rules I. (b) and II. apply to Sub-Deputy Collectors in Bengal. Others again are varied in their application. For instance, an officer serving in a department under the Board of Revenue may be nominated as a Sub-Deputy Collector up to the age of 40, although Rule I. for the Provincial Service fixes 25 for the Executive Branch.

45687. (Mr. Dutt.) With regard to primary education, in reply to the question as to the relative spheres of operations of local bodies and provincial Governments, you give an extract from a Government of India Resolution, dated 11th March, 1904, in which it is stated that primary education should have a predominant claim on the funds of District and Municipal Boards?—In so far as they are required to devote their funds to education.

45688. Quite so. Then further on, it is said, "That the educational authorities should be

heard when resources are being allotted, and that they should have the opportunity of carrying their representations to higher authority in the event of their being disregarded." Apart from that, do you think it desirable that local bodies, like District Boards, should generally manage their own schools, and have a free hand in establishing or disestablishing village schools, have their own staff, and generally do the whole of the work themselves?—The reference is to the Bombay system which was regarded with favour at the Simla Conference in 1901, and that system, as I understand, does not give the local authorities a very free hand in the matter.

45689. But, so far as this extract goes, the educational authorities are only to be heard when the resources are being allotted, but so far as the inspection and management and the establishment of schools is concerned, are you of opinion that the District Boards should have a free hand instead of delegating those duties to the Education Department?—I think the right principle is that the District Boards should have a perfectly free hand to establish and manage primary schools, but that the inspecting staff should be under the Education Department.

45690. Referring to your "schedule of proposals for decentralization," item 15 is, "power to appoint, fix the salaries of and remove, Deputy Collectors in Bengal and Eastern Bengal and Assam," and you propose that that power should be delegated from the Governor-General in Council to the Local Government; but is not that power now exercised by Local Governments?—It is rather a curious point. In practice it has always been so exercised, and it was only in a particular case where the Local Government had, as we thought, unjustifiably dismissed a Deputy Collector and made him an excise inspector, that we observed that under a certain section of this Regulation IX of 1833 the Local Government had no power to do so. The Government of India propose to amend the Regulation.

45691. With reference to item 39 of the same schedule, you propose that Local Governments should have the power of making alterations in the appointments included in the Provincial Educational Service, provided that the number of appointments in that Service is not altered without reference to the Government of India. Has not the Local Government now the power of making alteration in the appointments in the Provincial Educational Service?—No. This proposal was made in consequence of a reference from the Government of Madras. They pointed out that they had not the power, and that it was unreasonable that they had not got it; I think they should have it.

45692. Then as to item 56, "appointment of officials not natives of India," is there an order of the Secretary of State that in regard to certain classes of appointments, no persons, not natives of India, should be appointed without the sanction of the Government of India?—It is an order of the Government of India of the 18th April, 1879, which is quoted here. The object was to restrict the appointment of people who are not natives of India.

45693. And you propose to delegate that power to Local Governments subject to the control of the Government of India; each appointment is to be reported to them, and the Government of India may intervene if they consider the power is abused?—Yes.

45694. Do you not think that that might lead to friction and unpleasantness?—I do not think it ought to. If a particular Local Government made a number of such appointments, and it was courteously pointed out to them that they were departing rather from the accepted principle, that whenever possible natives of India should be appointed to certain posts, I think they might properly be asked to pull up.

45695. When a certain appointment has been made?—It is not suggested that any appointment should be cancelled.

45696. But if the appointment is to be maintained, is it not practically forcing the hands of the Government of India? The Government of India might not approve of the appointment, but as it has been made, they are bound to sanction it practically.—That appointment would not be meddled with, but what the Government of India would do would be to say, in most deferential language, "Please do not make any more appointments of that sort."

45697. Then you do not think there is any harm in certain appointments being made against the opinion of the Government of India, and the Government of India being forced to sanction them?—Some Local Governments thought the matter should be left absolutely to them; I think Burma wished this order of 18th April, 1879, to be withdrawn altogether, but it did not seem to me possible to go quite that length, and the suggestion here is made by way of compromise, so as, on the one hand, to have some security against abuse, and, on the other, to give the Local Government as much rope as possible.

45698. Do you agree that it practically amounts to forcing the hands of the Government of India in certain cases where appointments have already been made?—I do not see that it is forcing anybody's hand exactly. The Local Government would have a certain discretion. If it misused its powers it would be stopped.

45699. But with regard to a particular appointment which has been made, and which the Government of India has not approved, what would you say?—The Government of India would not disapprove of the individual appointment; they would say, "We observe in the last year or two years," or whatever it may be, "you have made so many appointments; having regard to the number of posts to be filled, we think this excessive, and no more such appointments should be made at present."

45700. As I understand, every such appointment now requires sanction?—Yes at present, and the object of my proposal is to relieve the Local Government of the necessity of procuring sanction in each case, and at the same time to leave a certain amount of security against the principle of the original orders being wholly set aside.

45701. We were told yesterday that when the approval of the Government of India is necessary, it is desirable to obtain previous sanction; do you generally approve of that opinion?—I generally approve of that, but I do not think the opinion applies to this case. Here there is no question of approval; the Local Government would have a free hand, subject merely to control.

45702. You have said in answer to the question whether further powers or functions could be granted to village authorities, that it is both possible and desirable to develop self-government in villages or groups of villages, and you have pointed out four different functions or powers which might be delegated to those groups of villages; do you mean that you would delegate all those powers at once?—Certainly not.

45703. I suppose that is the thing to be aimed at ultimately?—The whole thing would be tentative and experimental in the highest degree.

45704. And those powers should be given as the villages are supposed to be fit for them after experience?—Yes, I would try them with the simplest powers at first, and if they did well, I would confer more powers. Of course, the whole thing ought to be worked out in detail by a strong committee.

45705. (Mr. Hitchens.) You suggest, substituting "the control of the Government of India" for "the previous sanction." Do you think that that principle could be carried further in any other respects?—It is difficult to say without taking specific instances.

45706. Taking the case of travelling allowance, would it be possible to lay down a broad principle that it should cover the expenses of an officer when travelling, and then allow the Local Governments

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to make their own rules subject to the control of the Government of India, and then, as you said just now, the Government of India might courteously point out to the Local Government concerned if they were making excessive allowances, and bring it to their notice in that way?—From the point of view of the Government of India, and particularly of the Home Department, of course one would welcome any solution of that sort.

45707. You see no objection to it from the point of view of the Home Department?—No; whether it is feasible or not is quite another question, the simple reason being that the question of what are the expenses of a journey for a given individual at a given time or place, is a very intricate subject.

45708. It is usually a subject that admits of two opinions?—At least.

45709. And therefore is it not possibly a matter in which it is not desirable for the Government of India to dogmatise?—As to that it must be remembered that while the existing travelling allowance rules appear now in the form of a code, they are the result of infinite discussion of single instances spread over a very long series of years. Before the code was made all these questions were decided on the basis of a number of actual precedents, and there is a certain presumption in favour of rates and systems which are based on long experience.

45710. Speaking generally, do you think it is likely to cause less friction if you courteously point out to a Local Government that possibly they are going a little too far in this or that direction, than if you peremptorily said to them "You shall not do this"?—I should very much prefer that system. A great many years ago in Bengal I suggested that there should be a system of Commissioners' proceedings under which Commissioners would pass orders off their own bat on all sorts of things and send them up to Government. If they went wrong I proposed that Government should accept the decision in a particular case, but should point out that they must not do it again. Whether that could be adapted to the dealings of provincial Governments with the Government of India I cannot say off hand, but I think the suggestion worth considering.

45711. But it might be adopted, you think, in cases which were not of vital importance?—Yes; the principle underlying it is that the individual case does not matter so very much.

45712. But the principle does?—Yes; there is no doubt also that there would be very much less waste of power and correspondence and discussion than there would be where previous sanction has to be taken in every case. In a large proportion of references sanction is now purely formal. On the system proposed all those cases would give rise to no correspondence at all, and it would only be necessary to intervene occasionally.

45713. By substituting "control" for "previous sanction" you would deal more with questions of principle than with questions of detail?—Yes.

45714. Is it your experience that the discussion of questions of detail, and differences of opinion over questions of detail, produced more friction than discussions over matters of principle?—I should say so, certainly.

45715. It has been suggested that it would be desirable to give the Board of Revenue control over District Board and municipal affairs; what do you say to that?—I should say, in the first place, that it was outside their proper business, and secondly, that anything that the Commissioner cannot dispose of ought to come to the Government.

45716. But not through the Board of Revenue?—No; not through the Board of Revenue. The Board of Revenue have their hands very full of their own work—in Bengal at any rate.

45717. Are you acquainted, generally speaking, with the system of municipal Government in Bombay?—I have a slight acquaintance with the work of the Bombay Corporation. I was sent over to

look at it once, and regarded it with great admiration, but I do not know much about the district municipalities.

45718. You know that they have a Municipal Commissioner in Bombay, as opposed to the system, say, in Calcutta, and elsewhere, where they have a Chairman?—Yes.

45719. Which do you think is the best system?—The Bombay system is infinitely the best. I wished to introduce it when the Calcutta Act was amended in 1898, but the Lieutenant-Governor took a different view. I wanted to draft an Act on those lines for Calcutta; I wanted to have a large deliberative body of Commissioners which would discuss general principles and large schemes, which would elect their own President, with what they call in Bombay a Standing Committee, which would be an executive body of 12 or 15, with a Municipal Commissioner as the general administrator. The Municipal Commissioner, if I remember right, gets his budget, and has well-defined powers, which he exercises on the whole without interference from the Corporation in matters of detail.

45720. Would you think it advisable to substitute that system now in Calcutta?—Most certainly. The Calcutta Act will undoubtedly have to be amended soon, and those are the lines on which I should wish to amend it.

45721. It has been stated from time to time in the provinces that there is a very marked absence of continuity in provincial Governments; do you agree with that statement?—There might be a lack of continuity no doubt; there was a notable lack of continuity a good many years ago in Bengal, when a famous Lieutenant-Governor, Sir George Campbell, came in and changed the whole system, but the changes were very beneficial.

45722. Would you say, speaking from your experience, of the Government of India that the lack of continuity, say, in Bengal and the Lieutenant-Governor provinces was greater than in Bombay or Madras, or that there was no difference?—I should not think there was any difference.

45723. Would you say there was any difference between the lack of continuity between provincial Governments and the Government of India?—No.

45724. With regard to District Boards, at the present time are not their executive functions distinctly limited?—They deal with a very large range of executive business and they spend a great amount of money much of which comes from provincial revenues.

45725. In financial matters they have very little power of amending their revenues in any way?—That is so; of course they are tied hard and fast. They might let their pounds at a better rate perhaps, or something of that sort, but that is about all they can do.

45726. In administrative matters are there not many cases where they make contributions to the provincial Government and the work is carried out by the provincial Government, such as primary education and dispensaries, for example?—The amounts contributed are not large. In Bengal for example Rs. 42,000 was paid last year for establishments in offices of account and control, while the contributions from provincial revenues came to nearly seven lakhs. The Boards paid nothing on account of primary education. As to dispensaries the contribution only comes in in this way that the Board has a dispensary and wants a Medical Officer for it, and the Local Government supplies him at a certain average charge for pay and pension.

45727. It has been suggested in some quarters that a District Board might be given full responsibility and might be allowed to stand or fall by its success or failure. If they made a hopeless mess of things, it would be their fault and they would have to bear the penalty, but as against that the objection was raised that the District Boards were not really representative of the people and therefore you could not give them those

responsibilities. Would you say it was true that they were not really representative of the people and therefore could not be vested with full powers? No; I would not admit myself that they are not representative, but the difficulty with regard to a District Board, is to get people on it with administrative experience. The Chairman of the Board is the only person who is really qualified to carry on the intricate business they do; he is as a rule the only person who knows the whole of a district, or is acquainted with the machinery of administration.

45728. Do you think the vast majority of people in a district have the least idea of what the Board is doing?—I should think not, but they know that the Chairman comes round and says, "This road is in a very bad condition" and it gets mended, or they say they would like a well, and they get a well, if possible. He is the active Head under existing conditions, and it is difficult to see who else can be. But what you say, I think, would apply to municipalities. District municipalities might be cut loose to a much greater extent than they are. At present, in Bengal, every budget is definitely passed, and frequently altered in small items, by the Commissioner, and I do not see any reason for that.

45729. Would you give municipalities more power on the ground that public opinion has become more developed?—Partly for that reason, and partly because the matters in which they are concerned are matters which are at their own doors and with which they are intimately acquainted. With the District Board it is different. You cannot get people to interest themselves in something which is going on 50 miles away in a place they know nothing about.

45730. (Mr. Meyer.) We have had put before us various complaints on the part of Bombay as regards the action of the Government of India with reference to the police re-organization scheme, and it has been alleged that the Government of India has made quite undue insistence on detail and has blocked the scheme very much, and in fact, that the Government of Bombay has been made a martyr; will you give concisely the Government of India point of view as to that matter?—In the case of the general police force Bombay accepted the proposals of the Police Commission as regards the training and pay and discipline of the force; in particular they agreed with the Commission and the Government of India in thinking that Rs. 8 should be the minimum monthly salary of a constable, and they accepted our views on another point, which they now apparently dissent from, as to the system of increment of pay for constables as against grading. Where we proposed to give three increments, the Government of Bombay proposed only two, so that there they absolutely cut down the proposals of the Police Commission. They also agreed as to another vexed point, namely, that the number of sub-inspectorships to be filled by promotion from head-constables should be fixed in the first instance at 25 per cent., and should afterwards be reduced to 15 per cent. That went home in a despatch. The Secretary of State on the whole accepted our proposals, and agreed to 150 lakhs being spent on them, and then in March, 1905, we issued a Resolution, with a letter asking for proposition statements for revising the police establishment on these general lines, which had been approved by the Government of Bombay and the Government of India. That was in March, and in September, 1905, we got the proposition statements which we found a little difficult in understanding. We then suggested that it would facilitate matters if Sir Harold Stuart, who had been Secretary of the Commission, and who had drawn up all the proposals which the Commission made, and who had discussed the case with Mr. Kennedy, who was the delegate of Bombay, should go to Bombay and meet any officer the Bombay Government might depute to discuss things with him. The Bombay Government agreed to that in January, 1906, and in February Sir Harold Stuart went there and met Sir Steyning Edgerley, who was then Chief Secretary, and Mr. Stewart, the Inspector-General of Police, and

went into the whole question with them. The result of that discussion was embodied by Sir Harold Stuart in a note which was shown to, and accepted by, Sir Steyning Edgerley and Mr. Fulton, the member in charge of the department. The result was that in June, 1906, the Home Department wrote to the Government of Bombay giving sanction (thereby anticipating the order of the Secretary of State) to their recruiting inspectors, sub-inspectors and sergeants up to a certain scale. That did not touch the lower branches. As regards head-constables and constables the Government of Bombay were asked, in accordance with the proposals made in this note of Sir Harold Stuart's, to examine the recruitment of each district carefully, to submit revised proposals by groups of districts to the Government of India with full notes on the work to be done and the strength of the establishment to cope with it, the idea being that when we had settled for a group of districts what the establishment was to be we should see our way as to the other districts. In further letters in 1907 proposals for re-organization came in, and orders were about to issue on that just before I left India, but there was a point, I think, about relief of guards which was reserved, and the file got mislaid, with the result that the letter did not issue until I came back. Since then we have had a protest from the Government of Bombay entirely disowning their views of 1904. We have in the main accepted their present views, and sanctioned the raising of the minimum pay of constables throughout the Presidency, and authorised the recruitment of additional head constables and constables up to the numbers proposed by the Police Commission (so far anticipating the orders of the Secretary of State), and those are to be given effect to as far as funds are available from provincial revenues.

45731. The point is that the Bombay Government having at first accepted generally the proposals of the Police Commission have changed their minds and will not take them at all?—That is so.

45732. The 150 lakhs was calculated on the proposals of the Police Commission?—The 150 lakhs was calculated on the proposals of the Police Commission, which Bombay had before them when they made their proposals of 1904.

45733. And on that basis the Bombay Government got a certain amount?—Yes.

45734. The Bombay Government by changing their minds and asking for more expensive establishments, would obviously have got more out of the 150 lakhs, if the Government of India had agreed?—Yes; but of course the Bombay change of mind has come after the 150 lakhs has been distributed.

45735. Did the Bombay Government offer to pay for the extra cost over and above what was involved in the proposals of the Police Commission which their revised proposals entailed, or was their attitude, "We must have the extra men and pay, and you must pay for it out of the imperial funds"?—I do not know that they said anything quite so specific as that, but they said what had been sanctioned was inadequate, and I think they assumed that the Government of India were to pay for whatever might be required.

45736. They never said, "Anything over and above the original proposals on which the 150 lakhs distribution was made, we will pay for"?—No; therefore we said in telegram recently sent to the Bombay Government, "These orders are subject to the approval of the Secretary of State, and are to be given effect to as far as funds are available from provincial revenues, including subsidies already given by the Government of India." What it comes to is, that on the basis of the correspondence with the Local Governments, on the basis of Bombay's agreement, and the views of the Local Governments, we made a certain calculation which worked out to 150 lakhs, and what Bombay has now said will upset that calculation on grounds which certainly conflict most absolutely with their own proposals of 1904.

45737. Sir Steyning Edgerley asked you a question with regard to the statement of expenditure

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given by you according to population in certain provinces, and he put it to you that all this expenditure, working out in Bombay to so much per thousand of population, must have been sanctioned by the Government of India and the Secretary of State; but is that so; has not the Government of Bombay a certain amount of sanctioning power of its own?—The Bombay Government of course has the ordinary power up to Rs. 250.

45738. And up to Rs. 25,000 in the case of globular establishment?—Yes.

45739. And though those may not be in any particular case heavy, the action of the Bombay Government might have amounted on the whole to a good deal?—Quite so.

45740. Sometimes when you refuse a thing to the Bombay Government it is apt to be a little angry on the subject?—I think I can remember indications of annoyance.

45741. Do you get more friction as between the Government of Bombay and yourselves than as between yourselves and other Local Governments?—Yes, certainly.

45742. And in some cases, for the sake of peace, have the Home and Financial Departments conceded something to this Government that they would not concede to others which are not equally importunate?—I think that may be said.

45743. The administration of the Government of India is, of course, vested by statute in His Majesty's Government represented by the Secretary of State in Council, and the Government of India is practically a subordinate administration?—Yes.

45744. And the Government of Bombay is a subordinate administration in the second degree. Are the communications from the Government of Bombay to the Government of India always quite in accord with the tone which should be adopted by a Local Government in a subordinate position?—No, I should say certainly not, and I can give instances if necessary.

45744A. And there is a marked difference between the attitude, say, of Madras, and that of Bombay?—There is a marked difference of tone certainly.

45745. You expressed your admiration for the Bombay Presidency Municipality system; it has been suggested that in the case of large towns, especially with regard to the cities of the United Provinces where the Collector is Chairman, one method of relieving the Collector would be to disassociate him from the Chairmanship of these bodies; in the case of such cities as Agra or Cawnpore, would you be inclined to follow the Bombay system and have an executive Commissioner with a strong non-official Corporation?—Yes; I see no objection; you cannot, in a place like Cawnpore, dispense with a competent executive; you cannot leave it to be administered in a happy-go-lucky way, as some *mufassal* municipalities are administered. The Bombay system, I should think, would answer admirably.

45746. You speak of municipalities electing their own Chairmen; do you mean that that should be universal; do you think that would be safe in all municipalities?—They do it in Bengal proper in a great many municipalities.

45747. But a great many of the municipalities in Bengal are mere villages?—Yes, but places like Burdwan and Midnapur are fairly big; still there are a good many small municipalities which ought to be abolished and worked on a simpler system.

45748. Would you cut out from the municipal category, places which were really not fit to be municipalities?—Yes; but people are always very reluctant to be de-municipalized, and as the law now stands in Bengal, the Government has no power to abolish the smallest municipality without the consent of the Municipal Committee.

45749. On the question raised by Mr. Hichens as to subsequent check as against previous sanction, supposing the Government of Madras had done something which you thought wrong, and you

wrote pointing it out and they accepted your correction, without notification all round, might not Bengal do precisely the same thing the next month, and you would at once have to write to Bengal to the same effect?—Yes; when you gave a ruling, you would have to circulate it.

45750. That being so, would not your rulings gradually crystallize into a fresh code?—I daresay they would, but even so much correspondence would be saved.

45751. And would you not have to scan the monthly proceedings of all the Local Governments very carefully indeed?—You would, indeed.

45752. (Chairman.) Do you think it is necessary, because one Government or one officer, commits some *lâche*, to circularize all the provincial Governments?—What I had in my mind was that the decision would be in the nature of a ruling.

45753. But is it necessary to issue the ruling; would it not be better to pull up the officer for the fault, or point out to the Local Government that one particular officer had committed a fault? When a single case of that sort occurs, is it necessary to circularize all the provincial Governments?—It would entirely depend on the nature of the case; it is impossible to say unless you have a specific case before you, whether it involves a general ruling or does not.

45754. (Mr. Meyer.) You have been for a good many years connected with the Government of India; can you say whether in recent years the control of the Secretary of State in matters of detail has become more strict or less strict?—I should say certainly more strict of late years.

45755. Can you give any specific instances by way of example?—The cases are mostly financial. I have examined a number of Home Department cases and am not prepared to say that there is much ground for complaint of excessive interference in detail. On one occasion a Local Government was instructed not to take certain legal proceedings.

45756. And, I suppose, taking the line usually taken by what may be called provincialists, you would say it was entirely a matter for the Local Government to decide?—Yes; the provincialist view would be that Local Governments are entitled to exercise their own legal powers without interference from anybody. But, as I have said, the exercise by Local Governments of their statutory powers is subject to the control of the Government of India, and, *a fortiori*, of the Secretary of State.

45757. (Sir Steynning Edgerley.) With regard to the police reorganization scheme, were not the formulae worked out at Simla worked out on material supplied to the Inspector-General by the Secretary to the Commission; was not that the basis on which the figure of 150 lakhs was arrived at?—I am afraid I have no first hand knowledge of that. All I know is that the Inspectors-General were called up to Simla for that purpose.

45758. That is my information about it, at any rate. Was not that the only material on which you could possibly frame the preliminary estimate of what the reform would cost?—Yes.

45759. And the Finance Department said, "Very well, you can work it through, we will give you the money." Then you came down to the Local Governments, as you say, and nearly everything was gradually accepted; but there remained differences of opinion as to strength, and finally, Sir Harold Stuart came to Bombay to discuss the matter with us, and by June, 1906, whether willingly or unwillingly, with hesitation or without hesitation, every point had been settled except the strength of the head constables and constables throughout the districts; is that not so?—Yes; I think so.

45760. Is there a word in any letter of the Bombay Government, up to that date, which committed them to accepting a given number of head constables and constables, and not the number which examination in the districts would show to be required?—On examining the correspondence I find that in 1904 the Bombay Government sent

up an estimate which purported to be final, based in the case of the head constables and constables on a "very careful and detailed local enquiry" made in 1902, throughout the Presidency proper, but not in Sind. This estimate worked up to a total of Rs. 59,55,000 as against Rs. 54,73,000 estimated by the Police Commission. It was carefully considered by the Government of India, and was reduced by 4 lakhs, on the grounds that the guards provided were too numerous and the arrangements for relieving them excessive; that the reserves had been wrongly calculated; that too many head constables had been provided; that a staff for taking measurements of criminals was no longer required; that a district intelligence staff was unnecessary, and that the clerical staff was too large. They thus arrived at a total cost of Rs. 55,47,000, being an increase of Rs. 14,37,000 on the then existing cost. The Bombay share of the subsidy was primarily distributed in proportion to this increase.

45761. I put it to you that there is not a single word of any sort, accepting a given number of head constables and constables, except a number which, on inquiry on the ground, would appear to be necessary?—I always understood till now that the tables appended to the report of the Police Commission, which shewed at great length the present strength and the proposed strength under various heads, were worked out in consultation with the Bombay representative.

45762. On formulae supplied by the Commission as to which he had no discretion, not by examination on the ground, and in order merely to arrive at an estimate. I think you will find that that is so. Even so worked out, I believe the cost, speaking subject to correction, for the Bombay Presidency, worked out to about 26 lakhs. The help you could give never was intended to fully cover the cost of the reform. Were you not distributing a given sum in ratio to the demands?—We had to distribute 150 lakhs among the various Governments, and the point I wish to make is that whatever increase was shown for Bombay was the factor which determined the share Bombay got.

45763. When you began to receive what you considered to be a very excessive estimate of requirements from Bombay, was it not open to you to consider first of all, whether you should raise the estimate and, if you decided in the negative, to write and say, "You tell us all this is necessary, but we can only afford so much, and you must pay the balance yourselves"?—That is exactly what we have said.

45764. But not at the time. I suggest that the letters put in show that you took up the details of proposals, cut out constables here and there, and said, "You must not have this, and the other; we do not consider this necessary, therefore it is cut out"?—I was speaking of the fresh correspondence.

45765. When you got these excessive demands, was it not open to you to write and say, "You on the spot are responsible for law and order, and if you consider you must have this force, you must pay for anything in excess of what we can give"?—I think it is very likely that would have been the better solution; I have had no hesitation in recommending it now, and I think the Finance Department have accepted it.

45766. But that course was not taken, and instead, the whole of the requirements of the districts for inferior establishment were cut about at Simla?—Yes; on the basis of the consultation held with Mr. Fulton and yourself.

45767. As regards the question of delegation, you describe the proposal as one to "delegate in gross"; what do you mean by that?—Taking a general power to delegate anything and everything. Is not that what the Act of 1868 does?

45768. It gives the power to delegate in detail?—But it takes the power in gross, and contains no specification of the powers which are to be delegated. That is what I meant by that. The actual delegation takes place by notification.

45769. Then you say you do not think the precedent in Sind can be appealed to, but it can be

appealed to surely in the sense that they have had in force in Sind for 40 years past a very much more arbitrary Act than would now be considered necessary, and that there has been absolutely no complaint about it?—What is in my mind is that Sind is a case apart; that you have there a survival of ancient times. There are historical reasons for the position of the Commissioner there, Sind being what it is, and to cite the Commissioner in Sind to the people of Bengal would be perfectly futile.

45770. Would it surprise you to hear that the Local Government of Bengal, both Members of the Board of Revenue, the Chief Secretary, and many others are in favour of the general proposal?—I can only say I do not agree with them.

45771. Do you admit that, unless you are gifted with extraordinary prescience you would be continually having to go to the Legislative Council to correct omissions and to meet new points, on the system you propose?—No; I do not admit that. May I explain my reason for taking the view that I do? As long ago as 1892 I was in charge of a Municipal Bill in Bengal, a fairly big and rather contentious amendment of the Bengal Municipal Act, and I put into it a very comprehensive delegation section, taking power to delegate everything that could properly be delegated. I examined the cases sent up to the Secretariat and saw exactly how far they went, and if they went no further than the Under-Secretary it seemed to me that the Commissioner could properly deal with them. The delegation section was unpopular and was whittled down, partly in my time, and partly in my successor's time, to something very insignificant, so that I am rather conscious of the opposition delegation in general terms is likely to raise.

45772. Is not the proposal very much what was described in paragraph 10 of your letter No. 19 of May last to the Secretary of State, when you said: "Our system of legislation frequently takes the form of empowering Acts laying down general principles, leaving very wide powers of rule-making, or what has been called legislation by notification to the executive"? Is it not a question of that kind?—But the theory of rules is that they provide merely for executive details. That system of legislation has been borrowed, of course, from English legislation. Moreover the rule-making section always says what you may make rules for. Your delegating Act would not say what powers might be delegated. The two questions seem to me distinct.

45773. With regard to the question whether it would be desirable to appoint a Committee to report annually upon proposals for decentralization, you suggest that it is much better to trust to ordinary correspondence and have no special machinery to keep decentralization in view?—That is so.

45774. I should like to point out one instance of what may happen under your suggestion. In May, 1903, the Government of Bombay sent up to the Finance Department of the Government of India ten small proposals for the delegation of powers; the Government of India objected to one, and as to the rest they said the proposals were generally applicable to all Local Governments and they thought it inadvisable to relax them in the case of Bombay only; so that a refusal even to consider the case is the answer which might come when a Local Government moves in the course of ordinary correspondence?—Were those financial cases?

45775. Yes. Three of the proposals then made have now been suggested by Mr. Meyer in his memorandum on the Civil Service Regulations, another has been recommended to us by Bengal, another by Bengal and the Punjab, another by the Punjab and Madras, another by Burma and Madras, and another by Bengal. So that proposals of this sort might be entirely put aside, though if they were enquired into there would be a body of opinion among Local Governments in their favour behind them?—Yes; but I am not sure that the case is at all parallel. Delegation has not yet taken rank as a settled doctrine, but when it has been accepted, and each Local Government has got its own Delegation Act and the thing

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has been brought up to date, things will be different both as regards legislative and administrative delegation.

45776. But apparently the suggestion underlying the question was to cover executive and administrative, as well as legislative matters, and I have quoted one instance of what may happen if it is simply left to correspondence, and there is no machinery which will take things up as they arise. However, you still hold your own opinion?—Yes.

45777. (Chairman.) In answer to the question regarding the existence of general rules of the Government of India governing the recruitment of the Provincial and Subordinate Services, you give the general views which the Government of India have laid down for admission to the Provincial Service, and then you mention that detailed rules under those general rules are to be made by the Local Government with the previous sanction of the Government of India; is it necessary to require the previous sanction of the Government of India?—No I think not.

45778. (Sir Frederic Lely.) The Chairman asked you a question as to the increased demand for opinions as distinct from information; is it desirable to put any check on the demand for opinions, because you never know when you may find a good opinion even from an unexpected quarter?—But is it suggested there should be some rule as to the extent to which the Government of India should call for opinions? It would be extremely difficult to formulate, I think.

45779. It is suggested that the demand for opinions, as well as information is excessive, and it is alleged that a good deal of time is wasted in calling for and giving those opinions as sometimes they are utterly valueless, because the man who gives the opinion has no qualifications for giving it. Would it not be a good thing to have it understood, as a standard rule, to be added, in fact, to every call for an opinion, that no one is expected to give an opinion, or even to take any notice of any such demand, unless he has something valuable to say?—The difficulty we have to deal with is that different Local Governments follow different systems. One Local Government sends a matter to a certain number of selected officers, and then writes us a letter, appended to which are, not necessarily all the opinions it receives, but selected opinions; another Local Government, on the other hand, sends out an enquiry to all and sundry, and forwards us the whole pile of opinions, which I think admirably illustrates what you say. I think the principle of asking for information from selected officers is a good one, as a rule.

45780. But it should be left entirely to the option of the man to reply even?—Yes; of course he would have to send some reply.

45781. Why?—He would naturally say, "I have no opinion to offer"; otherwise how is the Government to know when the correspondence is complete?

45782. (Chairman.) We were told by witnesses in Burma, amongst other provinces, that the Government of India are in the habit, after an Act or a Resolution has been published, of over-riding that Act or Resolution by what are called Executive Instructions; is that so?—That is to say that a Local Government is told to exercise the powers conferred on it by a particular section of a particular Act in a particular way—that is so.

45783. Do you think that is a good principle?—I think it is a thing that should not be done oftener than can be helped, but it has to be done sometimes. I remember one case in which a Local Government had a certain power under a section of the Sea Customs Act (and has still) of exempting an article from duty, and they were told by the Government of India that they were on no account to exercise that power, but were always to apply for sanction. I happen to remember it well, because I once infringed the orders of the Government of India on my own authority. A man was sentenced to be executed at Chandernagore; but there was no guillotine in the place and they had to send to Pondicherry for one. It came up by sea, and I was asked by the French authorities at

Chandernagore to instruct the Collector of Customs to pass it in free of duty.

45784. Since you have been Home Secretary, how many times have you issued these executive instructions?—I could not say without referring, but I should say not more than three or four times in the course of my five years' service.

45785. With regard to detailed rules as to Subordinate Services, can the provincial Governments alter them?—Yes; within limits.

45786. Without reference to the Government of India?—No.

45787. But within very small limits?—These rules here are the general rules approved by the Secretary of State; of course they cannot alter those.

45788. I was asking about the detailed rules?—Those can be altered with the sanction of the Government of India.

45789. You suggest that there have been encroachments of the Director-General on the powers of local officers, and I gather that you think it is a serious danger?—There is a serious danger of friction.

45790. Taking the case of the multiplication of reports to which you refer, can the provincial Governments refuse to supply a Director-General with reports?—Yes. The Director-General would ask some subordinate of the Local Government, and the Local Government would instruct that subordinate not to give the information asked for, and at the same time, no doubt, would write to the Government of India protesting, and saying that it was unreasonable.

45791. Have you had any instance of that sort of thing? Is it not that an attempt has been made to multiply reports?—I am not aware of any such attempt. My suggestion is made with the object of guarding against friction in the future.

45792. With regard to your remarks as to Commissioners not doing revenue work, do you think it is undesirable that they should have that work to do, and that they are not capable of doing the work of the Board of Revenue?—What is meant is that there are a very large number of minor revenue orders which must be uniform all over Bengal; you cannot have a separate revenue system in each division, and there must be some central authority which will deal with the executive orders which are contained in the volumes known as the Board's Rules, and only the Board of Revenue could do that.

45793. What happens in the case of a Local Government where there is no Board of Revenue?—In the Central Provinces the Revenue Secretary issues orders to the Commissioners, but it is proposed to appoint a Financial Commissioner. In the Punjab and Burma the Financial Commissioner does the work of the Board of Revenue.

45794. You think there ought to be uniformity of practice throughout a province with regard to revenue matters which only the Board of Revenue can provide?—I certainly think if you abolish the Board of Revenue in Bengal, the Secretariat would be swamped.

45795. I gather there are some questions which you find it difficult to answer, because you tell us that you are confined somewhat to your Bengal experience; am I to understand that the experience which the Secretary in the Home Department gets does not enable him to deal with questions which come up from Burma or other provinces?—One does not feel so confident about it as if one had actually served in the province, and I rather thought that your questions relating to Burma were intended only for officers who belonged to Burma.

45796. It would not prevent you, as Secretary in the Home Department, from dealing with questions which came from Burma?—No. Then one has the papers of the case, and is in a position to form conclusions.

45797. With regard to seniority, do I gather that the Secretary of State and two Commissions have laid down recommendations as to the advisability of proceeding in regard to making appointments by selection instead of by seniority,

and that practically promotion by selection hardly exists except in regard to the very highest appointments?—It certainly exists in the case of Commissioners, Members of the Board of Revenue, and Secretaries.

45798. We were told yesterday that, with the exception of the provinces of Burma and Bengal the process of selection hardly existed; would you agree with that?—I should have said that above the rank of Collector, appointments were certainly made by selection.

45799. Am I to understand from the evidence you have given us in answer to the question whether the Government should have the power to retire officers considered unfit for promotion that the orders of the Secretary of State, and the recommendations of these Commissions, have not been observed generally. That I think is the fair inference—I do not wish to take any strained inference from it—as illustrating the difficulties, not necessarily the unwillingness, but the difficulties of proceeding by selection?—I think selection is a dead letter as regards District Officers; I have known one or two cases of men being passed over, but it is a long time ago, and they were very gross cases. There is selection for Commissioners; in their case I do not admit that selection is a dead letter.

45800. Is it necessary, in the case of an officer who, as I understand, can serve up to 35 years' service, to provide him upon his return from leave with a post and a salary commensurate with his length of service?—He holds a particular post; he is a Collector, let us say, or a Judge; when he comes back from leave he is appointed to be a Collector or a Judge.

45801. Is it a rule of the Civil Service that when an officer of long standing—that is, I understand, anything up to 35 years' service—returns from leave there is an obligation on the provincial Government to provide him with a post and a salary commensurate with his length of service?—Yes; he has under the Civil Service Regulations a lien on his substantive appointment, or on an appointment of similar character and pay.

45802. Does the existence of that rule practically do away with any possibility of proceeding by selection, or does it militate against the posting of officers to appointments by selection?—In my judgment the rule does not affect selection.

45803. Then what has been the reason why this rule has, as you told us just now, been practically a dead letter?—I think we are rather at cross purposes; in the case put by you the officer must, *ex hypothesi*, have been substantively appointed, by selection or otherwise, before he went on leave. The fact of his having a lien on his appointment appears to me irrelevant.

45804. (Mr. Meyer.) You say the Commissionerships are generally filled by selection. Do you mean simply that the senior man is put in—provided he is not absolutely unfit, in which case he is passed over—or that they do their best to find the best man out of half-a-dozen, though there may be some senior to him who are not absolutely unfit?—The practice in Bengal, as far as I know, has been that the senior man, unless he is absolutely unfit, would be given a trial as acting Commissioner; if he was a palpable failure, then he would be passed over for substantive promotion; if he was a doubtful case, he might be given another trial.

45805. So that the system might be called, selection by seniority, tempered by rejection of the unfit?—Just so.

45806. (Chairman.) When the Government of India sends down to the provincial Government for members of the Secretariat, is it done through the Home Department?—It depends on the department for which the officer is required; the Home Department does not select for other departments.

45807. Each department does it by itself?—Yes; it is usually done by the Viceroy and the Member in Charge.

45808. Is any care taken either to select, or not to select, a man who is at the moment in the Secretariat of the provincial Government in which

he is serving?—Out of 46 officers selected during the last ten years, 11 were serving at the time in the local Secretariat, and 35 elsewhere. It is of course desirable that a man should have had some Secretariat experience.

45809. Is not the whole of local self-government in this country the product of recent years?—Local Government in the English sense you mean?

45810. Yes; it has been the creation of the last 30 or 40 years?—Yes.

45811. (Mr. Dutt.) You have told us that the Board of Revenue is indispensable in Bengal. Do you hold the same opinion with regard to Eastern Bengal and Assam, the population of which is less than that of Madras?—Certainly. If you abolished it you would have to strengthen your Secretariat, and I do not know what you would do about appeals. It was brought out very strongly in certain published correspondence that the people of Eastern Bengal were much attached to the Board of Revenue and to the system of hearing appeals.

45812. In Madras they have a Board of Revenue; but they have not got Commissioners. Do you think both the Commissioners and the Board of Revenue indispensable in Eastern Bengal?—Yes; that is my opinion.

45813. With regard to the question about the creation or the development of self-government in villages and groups of villages which you quite approve of, do you think it would be a good plan to appoint special officers to foster or create them in advanced villages, in consultation with the Collectors of the districts concerned?—Certainly. If you are going to introduce a scheme of that kind, you would have to pick somebody who was specially qualified to do it. You would proceed, I suppose, experimentally in one district in the first instance, and your officer would work in communication with the Collector. Something of the kind was done in Bengal in connection with panchayats by Mr. Savage, and afterwards by Mr. Wheeler.

45814. And it is what is being done now in regard to Co-operative Credit Societies?—Certainly; you want to find somebody who will do for this kind of organisation what Mr. Gourlay has done for the Co-operative Credit Societies.

45815. (Mr. Hichens.) Do you attach importance to a Board of Revenue as opposed to single Commissioners?—As a matter of fact, the Board is not a Board; the work of the Board is divided between the two Members of the Board; they only sit together for the purposes of certain appeals.

45816. Then, as far as their deliberative functions are concerned, that is a matter of unimportance?—Yes.

45817. You attach no importance to deliberation by the Board?—No.

45818. Are you satisfied with the existing sources of revenue of the District Boards?—No; certainly not.

45819. What would you suggest to improve them?—I would suggest that the whole of the provincial Public Works Cess should be made over to the District Boards.

45820. You mean in Bengal, but generally speaking?—I do not remember what cesses other provinces have to make over.

45821. Would you say that the principle should be that the District Boards should reap the benefit of all cesses?—Certainly the local cesses should be controlled by the District Board, and ought to be spent locally.

45822. If that were done, there is no other amendment that you would suggest with regard to the financial reorganisation of District Boards?—I think a cess for light railways would be an excellent thing; I should be in favour of that.

45823. Over and above the cesses that exist to-day?—Yes. The provincial Public Works Cess in Bengal is now a provincial asset; but I would make it a local asset.

45824. When you speak of Local Boards, you mean the Boards subordinate to the District

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Boards?—I mean the Board for a sub-division of the district.

45825. Would you be prepared to give them any independent financial powers at all; that is to say, would you be prepared to ear-mark for them, as is done in Madras, a certain proportion of the cesses?—That is the basis on which I should like to reconstruct the system. I think the working bodies you ought to get are at the bottom, the village unions, or groups of villages, and the Local Board for a sub-division; then the headquarters body would be purely a small controlling and supervising body.

45826. With regard to municipalities, they get no contribution from the Government except for education and possibly for dispensaries?—Every now and then they get a subsidy for a water-supply or a drainage scheme; there is no regular contribution, such as there is in the case of District Boards.

45827. Are you satisfied with their financial position?—They all, of course, want more money if they are to work up to modern standards. The money must come from the people of the town—I see no other source—and taxation is not popular. One of the difficulties in these towns is to get any tax properly assessed and collected. I have inspected municipalities and discovered that the members of the municipality—well, they did not over-assess themselves, nor did they over-assess their friends.

45828. In some parts of the world there is a system of endowing municipalities with adjacent State lands where there are any. Is that a system which would appeal to you at all?—There are not enough adjacent State lands in Bengal, at any rate, to make the question a practicable one.

45829. But where it was a practicable question?—I think in Darjeeling some Government land has been made over to the municipality; I think it is a good thing to do; but it depends very much on the local circumstances. It is difficult to lay down as a general proposition that wherever there is a bit of State land in or near a municipality it should be made over to the municipality.

45830. There are exceptions to every rule, but broadly speaking would you be in favour of it?—Yes; in the only instance I can think of, in Darjeeling, it was actually done.

45831. (Mr. Meyer.) I think we are in possession of certain despatches which have passed between you and the Secretary of State with regard to the Home Department; you were allowed, I think, temporarily an additional Under-Secretary and certain increases of establishment?—Yes.

45832. Assuming that the labours of this Commission should result in a large increase of decentralization, would it be necessary to maintain the Home Department at its present strength?—It certainly ought not to be. Of course, the immediate result would be an enormous increase of work; the final relief will not come till some considerable time after the final orders have been passed on the orders of the Commission.

45833. And by that time it is possible that a re-action in the direction of centralization may have set in?—That is also possible.

45834. I think you have rather missed the point in your answer to the question "Is the influence of the Educational Code too rigid and uniform; might further discretion be allowed to local bodies in regard to school conditions and management?" You have spoken about the European Education Code. The point in our mind was really whether the rules in the provincial Education Codes which, of course, differ in provisions as to curricula, the hours of attendance, and scales of establishment and so on, are not too rigid in the case of schools which are supposed to be run by local bodies. We have had a certain amount of evidence that the District Board or municipality, even if it is disposed to take over the management of its own school, is hampered in regard to school hours, the strength of classes, and the curricula and so forth, by the provincial instructions?—The question being thus interpreted, the first thing I would

say is that there is no such thing as a provincial Education Code; a provincial Education Code is merely a compilation of so many separate orders.

45835. Is it not all uniform and departmental?—I was looking at the so-called Bengal Code in proof the other day; it consists of extracts from the orders of Government of India, extracts from the orders of the Government of Bengal, circulars by the Director of Education, and so on; it is a pure compilation.

45836. Surely, for instance, there are definite rules as to grants-in-aid and curricula? Take curricula: could a District Board, if it thought that it was not much use for its pupils to learn Indian history and geography and that they had better be employed in learning about agriculture, alter the curriculum?—I think it is very likely that the rules are too rigid. One of our objects in asking Local Governments to consider whether they should not have school final examinations was to make the courses more various. The tendency has been for them to be rigid and uniform, but I am not sure that you can blame the department for that; they work up to the matriculation examination of the university, and that is what governs many of the curricula.

45837. Down to the very lowest primary schools?—Not quite so far down as that.

45838. I think you have told us before that you are in favour of local bodies, District Boards and municipalities, having larger control over things they pay for. Should that not include these matters as to what is to be taught in their schools, the hours of attendance and so on? I think there is a rule which limits one master to so many boys.—The University Regulations do go into that very point, because they found that the tendency was to give professors and teachers such enormous classes that it was perfectly impossible for them to teach properly, so that there is now a hard-and-fast rule that one professor may not have more than 150 boys in a class.

45839. That does not apply to the village *guru*, does it?—Of course not. It applies only to colleges.

45840. Your position is that the Sub-Divisional Board should be the real working unit, of local self-government?—Yes.

45841. You know that in some cases the Local Board is the Board for the *taluka* or the *tahsil* only, and in other cases it is for the sub-division; you prefer the sub-division?—With us it is the sub-division.

45842. You are speaking simply of Bengal?—Simply of Bengal.

45843. Your scheme of an elective Sub-Divisional Board, and so forth, is simply for Bengal?—Yes.

45844. You do not prescribe it for Madras or the Punjab, or any other province?—No.

45845. You have laid stress on the Collector being Chairman of the District Board with reference to its diverse interests and the knowledge involved. If your Sub-Divisional Board is to be the real working entity, would not the same thing apply to the Chairmanship of that Board?—I think that is a tenable criticism, but you have a better chance in a sub-division of getting people who really know the local conditions and are disposed to take trouble about them. The business of the Local Board again would be comparatively simple, and they would have little outside correspondence, so that a locally elected Chairman might be able to do the work.

45846. You would have the Chairman elected?—Yes.

45847. And if they choose to elect the Sub-Divisional Officer?—If they choose to elect the Sub-Divisional Officer, good and well.

45848. (Sir Steynning Edgerley.) You suggest that the Inspector-General should supply the machinery whereby the Government of India can exercise its functions of control and of advising the Secretary of State; is that not rather an impossible task for an Inspector-General seeing that there are 8 or 9 or 10 provinces; can anybody get round

India sufficiently to do that?—I certainly have found that these Advisory Officers do give one a good deal of local colour.

45849. Is not the real orthodox machinery for that purpose your annual reports, your proceedings, your applications for sanction, and so forth?—I am not at all sure that the knowledge which one picks up on tour oneself is not worth all that put together. I should like to back that up by saying that I think an enormous advantage is to be derived by Members of Council and Secretaries to the Government of India going on tour and meeting provincial officers. I have certainly had that experience myself.

45850. You say an Advisory Officer may "ask officially for any information which may be necessary to enable him to keep the Government of India informed on matters of general importance relating to the branch of the administration with which he is associated." Are you not practically duplicating the channel of administration? Any requirement of that sort ought to go to the Local Government, surely not to the Inspector-General?—But what I contemplate here is the Advisory Officer, the Sanitary Commissioner, say, asking the provincial Sanitary Commissioner.

45851. And leaving the Local Government entirely on one side?—Leaving the Local Government out as a mere channel of correspondence. They can easily instruct their man to send them copies of letters, as, I think, is done in Madras.

45852. The duties of the Director-General of Criminal Intelligence as regards advice on police re-organisation, I understand, are temporary; they will cease when the re-organisation scheme is completed?—I should think so; yes. Of course it is not in the nature of things, if you have a man here who happens to have been an Inspector-General of Police, and you are in difficulties about something, not to apply to him. He is bound to be asked to advise.

45853. As regards his own particular duties as maintaining a Bureau, a co-ordinator of criminal investigation and so on, in which, of course, he has a splendid field, would that not be much better done from either Agra or Delhi, or from some more central station than Simla?—I do not think so. I suppose you are referring particularly to the finger-print business. I do not think it matters where you put the finger-print business. It must be central.

45854. If anyone has to write to him, for the purpose of replying, is he not fully 24 hours nearer at Agra than at Simla to any correspondent in India?—He ought to be in a position to be personally consulted by the Government of India, that is quite essential; there are branches of his work which render that absolutely indispensable.

45855. It has been suggested that it is very inconvenient that the old charters of the different High Courts should prevent the provincial Legislatures from passing any Act which affects the jurisdiction of the Courts and that it leads to extensive litigation and to validating legislation. Do you think it would be feasible slightly to amend the charter so that the local legislature could pass an Act even though it might incidentally affect the jurisdiction of the High Court?—That would be extremely desirable. As it is, the High Courts claim the right under their charter to intervene in all sorts of things.

45856. Does it not lead to subsequent legislation by the Government of India at present?—I think even legislation by the Government of India cannot affect the jurisdiction of the High Court under their charter. It would take legislation in Parliament I imagine.

45857**. (Chairman.) Do provincial Governments have to write a separate annual report on each subject? Could there be one General Administration Report?—Separate reports on each subject are written by the various departmental authorities and not by the provincial Governments. Each of these reports is based upon a number of reports by

various grades of subordinate officials—Sub-Divisional Officers, Superintendents of Police, District Officers, Commissioners, &c. The only report written by the Local Government is the General Administration Report, in which it describes its administrative acts in its various departments, and records the character and the chief events of the year. The matter of this report is necessarily drawn from the departmental reports of which it forms a highly condensed summary. The latter reports could not be dispensed with, nor would it be possible for the Local Government to write a general administration report containing the information now given in the departmental reports. That can only be done by the officers in actual administrative charge of the departments. It may be added that the departmental reports are required by the Secretary of State for the preparation of the Moral and Material Progress Statement.

45858**. Is it the practice for the Government of India often to require immediate telegraphic information or reports on individual occurrences? Could these demands be further limited or curtailed?—The matters upon which immediate reports are required are those relating to riots which involve a serious breach of the public peace, collisions, other than of an insignificant character, between Europeans of all classes and natives, outrages which have a political aspect, calamities such as floods or earthquakes which cause serious damage to life or property, and all other events which have a political or administrative importance. In the first reports all that is required is a mere statement of facts. These reports are required not only for the purposes of the Government of India, but, at the special request of the Home Government, are also transmitted to the Secretary of State. I do not consider it advisable further to limit or curtail them.

45859**. Is any principle laid down governing the delegation of powers as between a Lieutenant-Governor and a Chief Commissioner?—I do not think it can be said that any such principle has been laid down. Under the Indian General Clauses Act (X. of 1897, Section 3 (29)) "Local Government" is defined as including a Chief Commissioner.

45860**. What is the reason of permitting in some cases the provincial Government to constitute or disestablish municipalities, and in other cases requiring the sanction of the Government of India?—All Local Governments are empowered to constitute municipalities without reference to the Government of India. All of them also have the power of superseding a municipality for a specified period,† but in the case of the United Provinces, the Punjab, Burma and the Central Provinces this power can only be exercised with the previous sanction of the Government of India, while in Madras, Bombay and Bengal, the Local Government can take action on its own initiative. In May, 1882, the Government of India issued a Resolution on the subject of local self-government, in which the principle was laid down that the temporary supersession of a municipality would require in every case the consent of the Supreme Government. There is nothing to show why this restriction does not find a place in the Madras, Bombay and Bengal Acts.

45861**. Do you approve of the principle of the confinement of employment of natives of India to the provinces of which they are natives?—The Public Service Commission considered it inexpedient to lay down a rule restricting the recruitment for the Provincial Service to residents of the province concerned. They proposed that, as a general rule, recent residence of at least three years in the province should be an essential condition of admission to the Provincial Service. This recommendation was accepted by the Government of India and the Secretary of State, and has been embodied in the rules for admission to the Provincial Civil Services. The principle is applicable to other Services also.

† Under the Punjab Act no period need be specified.

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45862**. Could not power to sanction appointment of Europeans not statutory natives of India to appointments carrying salary of Rs. 200 and upwards be left to Local Governments?—I would propose that power to sanction appointments of Europeans in all cases may be delegated to Local Governments, but that it should be subject to the control of the Government of India; that each appointment should be reported to them, and that they should be at liberty to intervene if they considered that the power had been abused in any instance.

45863-4**. When the pay of an appointment does not exceed Rs. 50 per mensem, should not the Local Governments be empowered to sanction full pay being given to a temporary substitute when a competent man cannot be obtained for less?—The Secretary of State is about to be asked to authorise the delegation of this power to Local Governments.

45865**. Is there any objection to officers who are appointed to special posts, such as the Commissioner of Excise or Inspector-General of Police, being required, as a condition of appointment, to retain the post for a period of at least 5 to 10 years; and does not the constant vacation under the present system cause loss of efficiency?—The suggestion is generally sound, and the pay of the Inspector-General of Police in the larger provinces was recently fixed so as to secure permanence of tenure within reasonable limits. In the nature of the case no hard-and-fast rule is possible.

45866**. Does the exercise of patronage interfere with the utility of Government of India Heads of Departments by making the personal element too prominent? Does the absence of any power of appointment increase the usefulness of Inspectors-General, e.g., of Forests; and could the same principle be applied to other Departments, e.g., the Public Works Department, by placing the executive and administrative grades under provincial control?—The Heads of Departments under the Home Department have no patronage in the ordinary sense of the word.

45867**. Is there any objection to Local Government sanctioning the acceptance by their officers of a fee for outside work of over Rs. 500; Heads of Departments sanctioning where the fee is under Rs. 500, and District Officers when it is under Rs. 100?—In cases where the acceptance of a fee is admissible, I see no objection to the power of sanction being exercised in the manner suggested.

45868**. Should not the Local Government be empowered to make temporary appointments of outsiders to the Indian Educational Service provided that the pay does not exceed Rs. 250 a month?—I would suggest that the power to fill temporary vacancies in the Indian Educational Service by gentlemen other than members of the Provincial or Subordinate Educational Services should be delegated to Local Governments.

45869**. What are your views as to the allocation of control over education to municipalities and District Boards as regards primary, middle and secondary schools?—The Education Commission did not recommend the devolution of control over secondary education from provincial Governments to municipalities or Local Boards, and expressly abstained from making any such recommendation. Since then there have been some experiments in devolution of that kind. The experience gained has been decisive against such a measure, and the Governments which have abandoned control, or have failed to establish it, have now resumed, or are about to resume, the direct management of a sufficient number of secondary schools. The standard at present adopted is that Government should manage one secondary school in every district. I am in favour of this. I believe that the educational authorities and the Local Governments generally are agreed in it, and I believe that in the province where the acceptance of this principle involves the largest departure from present conditions, the Lieutenant-Governor has stated that the announcement of the intended change has been received with general approval. It is a

mistake to suppose public feeling to be on the side of municipal or District Board control over secondary education, as compared with control by the provincial Governments. The standard of one Government secondary school to a district is a minimum, and I do not consider it necessarily a maximum. This by no means completes the supply of secondary schools which are required, and there is plenty of room for municipal secondary schools in addition to the Government schools. These are managed by the municipalities and inspected by the Education Department, and I see no reason to suggest any change in this allocation of control. I include middle English schools in the category of secondary schools.

In primary, that is to say vernacular education, the only boys' schools which are, or need be, managed by provincial Governments are those existing in places where local self-government has not been established. The control over the remainder is vested in municipalities and Local Boards. Different degrees of control are exercised in different provinces by the Education Department over the local bodies entrusted with the management of primary schools. In my opinion, the general principle to be followed is that the management should rest with the local body and the inspection with the Education Department. The local bodies should not control the inspecting staff. But no Government can limit itself merely to inspection of schools; there must be some power to call upon the local bodies to put right the deficiencies which inspection reveals. That is to say, while the immediate responsibility for management rests with local bodies, there must be some controlling and supervising power, in addition to the inspecting power, residing in the Education Department. It is in the measures taken for securing this supervising power that the provinces differ. I do not consider uniformity necessary, and therefore do not advocate any one way of defining the manner in which this supervising control shall be exercised, to the exclusion of others. Middle vernacular schools I include with primary schools.

With respect to female education, the Education Commission recommended that "female schools be not placed under the management of Local Boards or of municipalities unless they express a wish to take charge of them." This recommendation has hardly been applied until recent years. There is now a tendency to transfer girls' schools to the management of Government from that of Local Boards and municipalities, especially where these are apathetic or have shown by experience that they cannot manage the schools properly. I see no reason for objecting to the substitution of direct Government control for local control in such cases.

45870-1**. Complaint is made that the Military Department has hedged the process of re-verting Medical Officers to Military Service with considerable difficulties. What are the facts?—The rules now in force were framed by the Home and Military Departments in consultation and received the approval of the Secretary of State. I believe them to represent a fair compromise between the conflicting interests involved. The summary of the Madras confidential reports for 1906 shows that, except in the cases of a few senior men, Surgeon-General Browne's opinion of his Indian Medical Service officers was generally favourable. Where it was unfavourable the Government of India either reverted the officer concerned or declined to promote him to administrative rank. I should further explain that it is not open to a Local Government to revert an Indian Medical Service officer to military duty before he is confirmed in civil employment. But if a Local Government refused on sufficiently good grounds to recommend an officer's confirmation, the Government of India would be prepared to consider the question of ordering his reversion or his transfer to another province. It is necessary to insist upon cause being shown, in order to guard against a Local Government refusing to recommend the confirmation of a particular officer on racial, personal, or altogether trivial grounds. It may

be added that by reason of his professional training every Indian Medical Service officer may be presumed to be fitted for employment as a Civil Surgeon, and it is stated in paragraph 22 of the "Memorandum regarding the position of officers appointed to His Majesty's Indian Medical Service," issued by the India Office, that a large number of such posts are ordinarily filled up from officers of that Service.

45872**. Should not the Bombay Government be empowered to grant privilege leave of one month to the Lady Doctor in temporary employ of the Bombay Health Trust?—Under Article 242 (a), Civil Service Regulations, privilege leave to an officer in temporary employ can be granted only on the condition that his (or her) duties can be provided for without additional expense to the State. In the case of the Lady Doctor in question additional expenditure was entailed because in addition to her full salary it was also necessary to pay for her substitute. As such an arrangement was outside the regular rules, the special sanction of the Government of India was necessary. I think the rules might properly be modified so as to empower the Local Government to deal with such cases.

45873**. Should not power to prohibit fairs in cases of cholera, under the Epidemic Diseases Act, 1897, be left to provincial Governments?—The danger of cholera infection has been considered by the Government of India on various occasions, and they have always held that interference with pilgrimages or religious gatherings should be resorted to only in extreme cases of proved necessity, for any coercive measures are likely to be regarded with distrust and dissatisfaction by the people. For this reason the Government of India are reluctant to delegate to Local Governments the power to prohibit fairs under the Epidemic Diseases Act in cases of cholera.

45874**. Are you of opinion that Indian Educational Officers are sufficiently acquainted with the current vernaculars?—I consider that their acquaintance with the vernaculars is imperfect. They have of course passed the prescribed examinations, but, as a rule, their mastery of the spoken language is insufficient, and this tends to impair their influence and to restrict their opportunities of gaining knowledge of Indian habits and ways of thought.

45875**. How far do the Government of India control the general medical policy of the provincial Governments, e.g., in the case of Hospital Assistants, Assistant Surgeons, and Apothecaries?—In order to preserve uniformity in the pay, status and prospects of Civil Assistant Surgeons and Civil Hospital Assistants the Government of India have, with the sanction of the Secretary of State, issued rules in regard to the matters referred to above. Subject to these rules the Local Governments have full powers in dealing with the subordinates serving under them. In the case of Military Assistant Surgeons the sanction of the Government of India is required only when such an officer is to be posted as Civil Surgeon to a station which is reserved for an officer of the Indian Medical Service. In regard to Civil Apothecaries, who are a class of officers intermediate between Civil Assistant Surgeons and Civil Hospital Assistants, and are employed at present only in Madras, the Government of India exercise no control.

45876**. Why did the Government of India resolution prescribe for all provinces a uniform bond for Hospital Assistants with a uniform penalty which was unsuited to Burma? Could the amount of penalty not be changed without reference to Government of India?—A uniform penalty was prescribed by the Government of India, because the amount of the penalty, namely, Rs. 400, represented the approximate average cost incurred by Government in the professional education of one Civil Hospital Assistant, and also because it was thought desirable that members of the same Service should as far as possible be treated alike. In 1905, Burma represented that,

so far as that province was concerned, the penalty of Rs. 400 was found from experience to be insufficient to deter Hospital Assistants from evading their obligations, and the Government of India therefore sanctioned its being raised to Rs. 1,000. The sanction of the Government of India was necessary because the Local Government's proposal involved a modification of general orders.

45877**. Why should the status of Hospital Assistants be the same in all provinces?—I see no reason why the status of Civil Hospital Assistants should be the same in all provinces.

45878**. As Hospital Assistants are paid wholly by the provincial Governments how are the Government of India justified in suggesting a general increase in their pay?—This question, it is understood, has reference to the representations submitted in 1906 by Hospital Assistants regarding their pay and prospects. It is not the case, as implied in the above question, that the Government of India have suggested a general increase in the pay of this class of subordinates. All that the Government of India have done up to the present is to inform the Local Governments that representations on the subject have been received from one province and to ask that, should similar representations have been submitted by the subordinates of the other provinces, they may be forwarded to them in due course. The replies from Local Governments have been received. They have all recommended that the pay of Hospital Assistants should be raised, and the matter is now under the consideration of the Government of India. If it is held that the conditions of service ought to be uniform throughout India the Government of India is obviously the only authority capable of deciding what those conditions should be.

45879**. Why did the Hospital Assistant scheme go up to Government of India? Was it a local scheme or a Government of India scheme?—The scheme has been sent up to the Government of India in accordance with a financial rule which requires that no class or grade of officers may be created or abolished, and the pay of no class or grade of officers may be raised or reduced without the previous sanction of the Government of India.

45880**. Why must the service of Medical Officers be recruited on the application of provincial Governments through the Government of India, Home Department, who refer the matter to the Director-General, who consults the Principal Medical Officer and these two conjointly nominate to provincial Governments?—Because they are recruited from the Indian Medical Service, an imperial military Service the members of which have at the time of entering the Service been allotted to particular provinces or groups of provinces with reference to the contingency of their taking civil employment.

45881**. Does the Sanitary Commissioner with the Government of India correspond with the officers of provincial Governments before the orders of the Government of India are issued? Are any Government of India orders on the subject of sanitation issued without consultation with the Sanitary Commissioner?—The Sanitary Commissioner with the Government of India is permitted to correspond with the provincial Sanitary Commissioners and the Heads of provincial laboratories regarding matters of departmental procedure, forms and statistics, and purely technical questions. These may or may not be connected with any scheme then under consideration or in contemplation. The Sanitary Commissioner is consulted by the Government of India on all cases of major importance before orders issue.

45882**. If provincial Medical authorities would have dismissed officers whom they cannot now revert to military employment or otherwise get rid of, should not the process of reversion be revised?—The rules which now govern the subject are the outcome of many years' discussion between the Government of India and the Secretary of State, and I see no sufficient reason for revising

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the existing procedure. The main ground of this is that the removal, for whatever cause, of a Military Officer from a line he has been permitted to adopt as his career, may be attended not only by serious consequences to himself, but of embarrassment to the State. The question of centralization, though remotely involved, is here only a subordinate factor.

45883**. Was the suggestion of the Director of Archaeology to the Epigraphist of Madras to ask the Government of Madras to engage a full-time photographer, practically equivalent to an order to the epigraphist to apply for a photographer?—No. The functions of the Director-General of Archaeology in India in respect of the provincial officers are only advisory in character. This has been very clearly laid down by the Government of India, and the provincial Governments have been furnished with a copy of the orders on the subject. It is left entirely to the discretion of the latter to adopt, or not to adopt, the suggestions of the Director-General of Archaeology in India.

45884**. Is it not necessary that archaeology which concerns temples about which there may be a local sentiment, should be under provincial control?—The existing system, under which the work of archaeological conservation is carried on by the Local Governments in consultation with the Government of India affords ample security against the disregard of local sentiment about any particular building. European opinion holds the Government of India, and not the provincial Governments, responsible for the preservation of ancient buildings in India. The Government of India therefore must exercise the ultimate control in such matters.

45885**. Should not the Inspectors-General place their views and observations before Local Governments who are on the spot, rather than keep them for the Government of India?—I think it might be worth while to consider whether an advisory officer, after making a prolonged tour in a province, should not record a note of the places he has visited and the questions he has discussed with provincial officers and submit a copy to the Local Government. This would let them know what he has been doing and would guard against the impression that he had been collecting information or disseminating opinions behind their backs.

45886**. Should not the power of Inspectors-General to call for figures and statistics be strictly limited? Do they now ascertain whether the labour entailed by their demands is commensurate with the value? Should they be limited to calling for statistics existing in published form?—I have already dealt with this matter. As to the second part of the question I have made no special enquiries, but the presumption is that the officers concerned do not ask unnecessary questions. No complaints on the subject have come to my notice.

45887**. When the Government of India overrule a provincial Government, is the special sanction of the Viceroy required? Do the provincial Governments have the same opportunity of putting their point of view before the Viceroy as the Government of India?—The answer is "Yes." The matter is regulated by statutory rules, and no proposal of a provincial Government (including a Chief Commissioner) is negatived, or its decision overruled, without the personal orders of His Excellency the Governor-General (to whom the entire papers are submitted for consideration), or except at a meeting of the Executive Council of the Governor-General. Exceptions to the rule are:—(1) cases in which a suggestion only is made to a Local Government; (2) cases in which the proposals of a Local Government contravene standing orders or accepted principles, and the reply of the Government of India merely refers to such orders (as in cases where the Local Government may wish to anticipate the sanction of the Secretary of State or to give retrospective effect to some financial sanction). Such cases are not, as a matter of course, submitted to His Excellency the Governor-General.

45888**. Why did the Government of India impose a uniform set of rules under the Poisons Act upon Local Governments in February, 1907?—Originally there was no desire on the part of the Government of India to impose uniformity of details in the rules framed in the different provinces, but merely that the same general lines should be followed throughout India. The draft rules prepared by the Local Governments revealed, however, a wide divergence in many matters of principle as well as of details. As examples of such divergence may be mentioned the list of poisons specified under section 2 of the Act. In some cases it included four varieties only, in others six or seven, and in one case 28. A similar diversity of opinion existed with regard to the amount of fee to be charged to the licence-holder, which was fixed as high as Rs. 50 in one province and at nil in another. The classes of persons to whom poisons may be sold were variously defined. In some cases sales were to be prohibited to anyone under 21 years; in other cases to anyone under 18 years, 16 years, and 14 years. Again, some of the draft rules related both to wholesale and retail sales, while other rules differentiated between the two. In some cases the maximum amount of poison which might be held by a licence-holder was prescribed, as well as the minimum quantity which might be sold at any one transaction; in other cases no such limits were fixed. Considerable divergence of opinion existed also as to the class and rank of officers who might inspect a licensed vendor's premises. It was upon a consideration of all these circumstances that the Government of India decided that the rules for each province should be drawn on uniform lines in respect to the matters above mentioned, and model rules were accordingly circulated to Local Governments for adoption if they saw no objection to them. Burma pointed out certain objections, and in so far as its suggestions tended to improve the rules, they were adopted. In the case of the sales of poisons administrative, as well as commercial, interests are involved, and where such interests are concerned, it is desirable that the arrangements should be as uniform as possible. If they vary widely, firms dealing in poisons will have cause for complaint.

45889**. Under the order of the Government of India, Ordnance Department—(1) the loss of a single cartridge case requires an enquiry and four signatures by the Inspector-General of Police, i.e., two committal proceedings and two sanctioning papers; (2) the loss of a dummy cartridge must be sanctioned by the Local Government. Is this necessary?—The procedure referred to is unnecessary. There appears to be some confusion in, and possibly some misunderstanding of, the orders on the subject. The matter will be looked into.

45890**. Why must Local Governments desiring to appoint a Deputy Collector to a listed post for more than six weeks obtain the leave of Government of India?—Under existing rules Local Governments have the power to nominate members of the Provincial Civil Service to listed appointments for three months without report to the Government of India, and for over that period with their previous sanction. This rule was made because it was considered that, as these posts involve very responsible duties and the principle of selection ought to be carefully observed in filling them, it was desirable that, at the beginning, the nomination of the Local Governments should come to the Government of India for scrutiny. The rules have been in force now for more than 15 years, and in my opinion it is right that they should be altered, and Local Governments empowered to sanction such appointments without reference to anyone.

The reference to appointments being made by Local Government for not more than six weeks without the sanction of the Government of India, suggests that the question relates not to listed posts but to scheduled or reserved posts. In respect of such appointments sanction is required under sections 3 and 4 of the Statute 24 and 25 Vict., Cap 54. But the previous sanction of

the Government of India was dispensed with in the case of appointments lasting for not more than six weeks, in order to facilitate the carrying out of the Government of India's instructions that in short leave vacancies up to six weeks, ordinarily, officers on the spot should be appointed to fill the vacancies. I file a statement showing the existing procedure and that which I would suggest.

45891**. Do the Government of India invariably call for men from provincial Secretariats? Would not this render nugatory the three years' rule?—I find from statistics which I have had collected that within the last ten years, 46 appointments (permanent and temporary) have been made in the

six civil Secretariats of the Government of India. Eleven of the officers selected to fill the appointments were at the time serving in the local Secretariats, and the remaining 35 were serving elsewhere. The fact therefore is that officers for the India Secretariat are not invariably obtained from the local Secretariats. In a small proportion of cases the three-year limit would of course be exceeded, but the opportunity enjoyed by an officer holding an appointment in the Government of India Secretariat of acquiring an insight into the administration of provinces other than his own more than counterbalances the disadvantages of his prolonged absence from district work.

(The witness withdrew.)

† Vide Appendix XII.

Adjourned.

Sir Herbert
Risley.

7 Apr., 1908.

APPENDICES I.—XVI.

APPENDIX Ia.

Memorandum on the constitution and duties of the Departments of Commerce and Industry (filed by Mr. B. Robertson, vide Q. 43693).

The Department of Commerce and Industry is constituted as an ordinary Department of the Government of India, and is under the charge of an Honourable Member of Council. It deals with all matters relating to the subjects enumerated below, which require a reference to the Government of India:—

All business throughout British India, and in all places in Native States administered by the Governor-General in Council, connected with—

- (i) Commerce:—
 - (a) Trade and Commerce;
 - (b) Merchandise marks;
 - (c) Merchant shipping;
 - (d) Ports, port dues and pilotage;
 - (e) The lighting of coasts.
- (ii) Customs, including Cotton Duty.
- (iii) Internal Land Trade.
- (iv) Commercial Exhibitions.
- (v) Weights and Measures.
- (vi) The Indian Factories Act, 1881 (XV of 1881).
- (vii) Economic Products.
- (viii) Arts and Museums.
- (ix) Geology and Minerals.
- (x) Government coal mines and iron works.
- (xi) Railway questions requiring reference to the Government of India.
- (xii) The commercial aspects of Railway Administration.
- (xiii) Telegraph and telephones.
- (xiv) The Post Office.
- (xv) The Indian Explosives Act, 1884 (IV of 1884).
- (xvi) The Indian Petroleum Act, 1899 (VIII of 1899).
- (xvii) Emigration.
- (xviii) Fisheries.
- (xix) Inventions and Designs.
- (xx) Stationery and Printing.
- (xxi) The supply of stores.
- (xxii) Statistics.

2. The principal Gazetted Officers in the Department are the Secretary, two Under Secretaries, and the Secretary under the Inventions and Designs Act, who has been appointed *ex-officio* Assistant Secretary to enable him to sign the orders of Government regarding the special subject (Patents) with which he deals. The office establishment consists of 58 clerks.

3. The work of the Department, excluding Patents work, is divided between the two Under Secretaries, and they submit to the Secretary all cases, except those of a very routine character, on which orders are required. Patents work, with the exception of cases involving matters of principle or in which it is proposed to refuse the application, is disposed of by the Patents Secretary. The Secretary in the Department disposes of intermediate references calling for further information and of minor matters according to the practice of the Department. All other work is submitted by him for the orders of the Honourable Member in charge.

4. The Special Departments with the business of which the Department of Commerce and Industry is directly concerned, and the principal gazetted appointments in them, are given below.

Name of Department.	Principal Gazetted Officers.
1. Railway Board ...	1. Chairman of the Board. 2. } Members of the Board. 3. } 4. Director of Railway Construction.
2. Post Office of India ...	1. Director General. 2. } Deputy Directors 3. } General. 4-10. Provincial Postmasters General.
3. Telegraph Department	1. Director General. 2. Deputy Director General. 3. Director of Traffic. 4. Director of Construction.
4. Commercial Intelligence Department.	1. Director-General.
5. Geological Survey of India.	1. Director.
6. Department of Mines...	1. Chief Inspector of Mines.
7. Printing, Stationery and Stamps.	1. Controller.
8. Department of Explosives.	1. Chief Inspector of Explosives.
9. Economic Products ...	1. Reporter.

APPENDIX Ib.

Memorandum of the constitution and duties of the Government of India, Department of Revenue and Agriculture, (filed by Mr. R. W. Carlyle, vide Q. 43997).

The Department was originally created in 1871, by Lord Mayo's Government as a Secretariat for Revenue, Agriculture and Commerce. It was temporarily abolished in 1879 owing to financial and other reasons, and its work was divided between the Home and Finance Departments. Two years later, in consequence partly of the recommendations of the Famine Commission of 1880, it was resuscitated in a modified form as a Secretariat for Revenue and Agriculture, Commerce remaining under the Finance Department. Upon the redistribution of work amongst the Imperial Secretariats in 1905, consequent on the formation of the Department of Commerce and Industry, the Revenue and Agriculture Department was further relieved of all subjects not directly connected with land revenue administration, agriculture and famine relief. At the present time it deals with the undermentioned branches of public business:—

1. Land Revenue.
2. Land Surveys.

3. Agriculture.
4. Civil Veterinary Administration.
5. Meteorology.
6. Famine.
7. Forests and Arboriculture.

2. The gazetted staff of the Department under the Member of Council in charge, who also holds the portfolio of Public Works (Civil Works and Irrigation) consists of the following officers:—(1) Secretary, (2) Deputy Secretary, (3) Under Secretary, (4) Registrar.

(The appointment of Deputy Secretary was created in July 1907 for three years only.)

3. Ordinarily the business of the Department is disposed of by the Member in charge of the Department or under his authority, and subject to report to him of the orders passed, by the Secretary or officers under him. All important cases are submitted for the orders of the Governor General, as well as cases relating to

certain specified appointments, and cases in which it is proposed to overrule proposals made by Local Governments.

4. The Secretary is responsible for the working of the Department, and it is his duty to submit every case which he is not, by the practice of the Department, competent to dispose of himself, in a complete form for the orders of the Member in charge. The Under-Secretary and Deputy Secretary are employed in noting on cases and in correcting drafts; the latter has been authorized to submit certain classes of cases direct for the orders of the Member. The duties of the Registrar relate to office management and routine.

5. The Inspector General of Forests expresses his opinion on business relating to Forest Administration before the papers are submitted to the Secretary.

6. The undermentioned Heads of Departments and Boards are under the Secretariat of Revenue and Agriculture:—

- Surveyor General of India.
- Inspector General of Forests.
- Inspector General of Agriculture.
- Inspector General, Civil Veterinary Department.
- Director General of Observatories.
- Director, Botanical Survey of India.
- Director General, Commercial Intelligence (for Agricultural Statistics only).

- Boards.
- Board of Scientific Advice.
- Board of Agriculture.

7. Over institutions and establishments maintained from Imperial funds Heads of Departments exercise such controlling and administrative functions as may be delegated to them by the Government of India. Apart from their administrative duties, and speaking generally, the Heads of Departments are advisers of Government in the technical branches of administration. They are freely consulted on questions relating to their respective departments, with the working of which they are expected to keep themselves fully informed by annual tours of inspections. They are permitted to correspond with Provincial Officers on technical matters, but are not authorized to issue instructions to them or to interfere in any way with provincial responsibilities. Further details of their position and duties will be found in the following paragraphs, which give a general description of the work falling under the several heads of business dealt with in the Department of Revenue and Agriculture.

8. Of these heads or branches of administration two, *viz.*, Land Surveys and Meteorology, are almost exclusively Imperial; three, *viz.*, Agriculture, Veterinary and Forests, are partly Imperial and partly Provincial, while Land Revenue and Famine Relief are, administratively, wholly Provincial.

9. *Land Surveys.*—All scientific and general surveys, and the publication of their results, are carried out by the Survey of India, a Department maintained wholly from Imperial funds of which the Surveyor General is the responsible Head. He has under him a large staff of officers comprising three distinct Services, *viz.*, a senior or Imperial Service recruited from Royal Engineers and the Indian Staff Corps; a junior or Provincial Service, and a Subordinate Service. First appointments to the Imperial Service are made by the Government of India upon the recommendation of the Surveyor General. The Government of India's approval is also required to his selection of officers for the higher appointments on the controlling and headquarters staff and to the highest grades of the Provincial Service. All other appointments and promotions (provided that, in the case of the Imperial Service, they do not depart from the order of seniority) rest with the Surveyor General, who is also invested with the powers of a Local Government under the financial codes in respect of the non-gazetted establishments under him, and the expenditure of the budget grants of his department.

10. *Meteorology.*—The whole cost of this Department is Imperial. A central weather bureau was established in 1875, under a Meteorological Reporter to the Government of India. In 1897, the astronomical and magnetic observatories in Madras and Bombay, which were in need of competent supervision, were imperialized with the concurrence of the Local Governments, and were placed under the Reporter whose designation was altered to Director General of

Observatories. As such, he controls, under the direct orders of the Government of India, all official observatories devoted to meteorology, astronomy, and physical research.

11. *Agriculture.*—On the reconstitution of the Secretariat for Revenue and Agriculture in 1881, Departments of Land Records, and Agriculture were created in all the larger provinces. For several years their attention was directed mainly to perfecting the system of village statistics. An Inspector General of Agriculture was appointed in 1901, but it was not till the Government of India, in 1905, made a special grant of 24 lakhs a year, that measures for the improvement of agriculture were taken in hand on a liberal scale in all provinces, though in some, especially Bombay and Madras, considerable progress had already been made. All but a small portion of the grant, which is reserved for imperial expenditure, has been distributed amongst Local Governments; and the past three years have been occupied in the work of recruiting and organizing the staff and erecting the necessary buildings. The general scheme provides for a central college and research station under the Inspector General, and agricultural colleges and schools, and experimental, demonstration and seed farms in the provinces. The central institution, which is located at Pusa in Bengal, will give a post-graduate education in agriculture to students from the provincial colleges, and carry out original investigations in co-operation with the provincial experts. The combined staff of Imperial and Provincial Experts has been constituted an "Indian Agricultural Service" and is being brought under a uniform set of rules as regards pay and conditions of service. All the officers are liable to be transferred from one appointment or province to another, and for the present they are borne on one list. This arrangement, however, does not affect the control of the Local Governments and Administrations over officers serving in their respective provinces.

12. The Inspector-General is the departmental Head of the Imperial Agricultural Institution and staff, the cost of which is met by the Government of India. He is not invested with any direct authority over provincial Departments of Agriculture, which, except in the United Provinces, have been separated from Land Records and are controlled by Civilian Directors; but he tours over the provinces and advises Local Governments on agricultural matters. The Imperial Experts are also authorized to tour, and their relations with officers of the provincial departments are governed by rules which have been drawn up in consultation with Local Governments. A copy of these rules is appended. To secure proper co-ordination in experimental work, the investigations to be undertaken each year by the Imperial and Provincial Departments, and the results of the previous year, are discussed annually by a Board of Agriculture consisting of the Heads and senior officers of the Departments, convened by the Inspector-General and over which he presides. The results of the Board's deliberations are submitted to the Government of India, who circulate them to Local Governments for consideration.

13. The Secretariat heading "Agriculture" also includes Botany and Agricultural Statistics. In 1887, in order to systematize the botanical survey of India, the foundation of which had been laid by Sir Joseph Hooker's 'Flora of British India,' the work was divided among the botanical officers independently employed under the Governments of Bengal, Madras, Bombay and the United Provinces, and the Bengal officer, as Head of the principal botanical institution in India, was designated Director of the Botanical Survey. Owing to the absorption of the provincial botanical appointments (except in Bengal) in the Agricultural Departments, the system is now out of date, and the arrangements to be made in connection with the study of purely scientific botany are now under consideration. The Director's substantive appointment is that of Superintendent of the Royal Botanic Gardens and Herbarium at Sibpur, an institution under the Bengal Government. He also has charge, under the Local Government, of the Government cinchona plantations in Sikkim. He is the adviser of the Government of India in botanical matters, and generally supervises the work of the gardeners imported from England, who are supplied to Local Governments for the charge of public gardens and parks after a preliminary training at the Royal Botanic Gardens.

14. Under instructions from the Secretary of State, the Agricultural Statistics of India collected by Local Governments are compiled and published in Imperial tables. The Government of India also publish general memoranda based on local reports of the prospects and outturn of the principal crops. As no proper agency existed in the Revenue and Agriculture Secretariat for dealing with these compilations, they were transferred in 1895 to the statistical officer of the Finance Department, who has been succeeded by the Director-General of Commercial Intelligence. This officer is under the Department of Commerce and Industry, but in regard to agricultural statistics he takes his instructions from the Department of Revenue and Agriculture. In matters of detail he can correspond with Directors of Land Records in whose offices the provincial returns are prepared, but he is not empowered to call for new returns or to modify the prescribed forms.

15. *Veterinary Administration.*—The Civil Veterinary Department, like the Agricultural Department, owes its inception to the Government of India. It was started in 1892 with the transfer of army horse-breeding, and the veterinary officers employed on it, from the Military, to the Agricultural, Secretariat. This arrangement proving unsatisfactory to both military and agricultural interests, it was altered in 1903, and since that date the Civil Veterinary Department's chief work has been the prevention of cattle disease and the care of agricultural stock. Under its original constitution the superior or gazetted staff of the department was recruited from the Army Veterinary Corps, but the system has now ceased, and candidates are selected by the Secretary of State direct from the veterinary colleges at home.

16. Out of a cadre of 32 superior appointments, 20 are allotted to the provincial departments and 12, including the Inspector-General, are under the Government of India. Three of these Imperial officers are employed at the Bacteriological Laboratory at Muktesar in the United Provinces, which is a central institution maintained from Imperial funds for the study of cattle diseases and the production of sera for protective inoculation. One officer is superintendent of the cattle farm at Hissar in the Punjab, which is also an Imperial institution. Another officer is employed on a special investigation into camel diseases, and the remaining six form a reserve to fill leave and other vacancies. Owing to the small number of veterinary officers and their liability to transfer from one province to another, the pay of the whole staff is an Imperial charge and the officers are graded on one list, but this arrangement does not affect provincial control. The Inspector-General is administrative Head of the Imperial institutions and staff, and exercises the usual inspecting and advisory functions in respect of provincial veterinary administration.

17. Provincial veterinary organization has received a considerable impetus from the agricultural grants made to Local Governments in 1905. Every major province is now provided, or in course of being provided, with a veterinary college or school, numerous veterinary dispensaries and a large staff of veterinary inspectors and assistants. Municipalities and Local Boards have been associated as far as possible in this work, and particularly in the establishment of veterinary dispensaries and hospitals. Provincial veterinary departments form a branch of the Agricultural Departments and are under the Directors of Agriculture. Local Governments are not interfered with where veterinary affairs are concerned except in some cases of major importance. These cases refer generally to questions affecting more than one province, to schemes which for financial reasons require the sanction of the Government of India, or to action in the matter of the repression of cattle disease which by law requires the previous approval of the Supreme Government.

18. *Forests.*—The Forest Department, like most other large departments of administration, is divided into an Imperial, a Provincial, and a Subordinate Service. The first is recruited in England, and successful candidates are allotted to the several provinces, including Madras and Bombay, in the same way as in the Civil Service. The two Southern Presidencies have each a distinct Forest Service, and all appointments within them are made by the Local Governments. Elsewhere, the appointment of the principal Provincial forest officers *viz.*, Chief Conservators and Conservators, is reserved to the Government of India.

These appointments are, therefore, borne on an "India" list and they are filled by selection from any provincial list (outside Madras and Bombay). There are also 17 other appointments on the India list, *viz.*, the Inspector-General of Forests, the Assistant Inspector-General, the principal of the Forest College and the college staff of 5 research officers, and 9 appointments reserved to meet demands from Native States and British Colonies for the loan of Indian forest officers.

19. The Inspector-General is the administrative head of the Central Forest Research Institute and College, an Imperial Institution located at Dehra Dun in the United Provinces. He is also the chief adviser of the Government of India and of Local Governments in the management of State forest property. He corresponds direct with local forest officers on purely professional matters on which he may require information or desire to make suggestions, copies of any important letters being communicated to the Government of India and the Local Governments concerned. During a large portion of the year he tours through the forests, and records inspection notes which are submitted to the same authorities. When a plan is drawn up for the working of any forest it is prepared in consultation with him, and submitted to the Local Government with his criticisms. He is also furnished with annual returns from all provinces excepting Madras and Bombay showing how far the prescriptions of the working-plans are being adhered to. He does not inspect and report on the forests of the Madras and Bombay Presidencies or criticize their working plans, unless specially invited by the Local Governments to do so. The Inspector-General's office is included in the Secretariat, and all forest matters coming up to the Government of India for orders pass through his hands.

20. The authority and procedure of Local Governments (other than Madras and Bombay) and their controlling forest officers in the management of forests and the control of forest establishments are governed by the rules embodied in the Government of India's Forest Department Code. Matters which the Local Governments cannot dispose of under these rules have to be referred to the Government of India. The sanction of the Government of India is also required under various provisions of the forest laws. Of these the more important relate to the disforestation of any reserved forests, or the excision of any area included within its boundaries, rules for the management of the "protected" class of forests, the levy of duty on imported timber or other forest produce, and the transit of forest produce.

21. *Land Revenue.*—This includes several groups of subjects of which the principal are :—

- (1) Rent and revenue legislation.
- (2) Revenue settlements.
- (3) Collection of the land revenue.
- (4) Disposal of lands which are the property of Government.
- (5) Relief of agricultural indebtedness.
- (6) State aid to landowners and agriculturists.

It is impossible within a brief compass to describe the numerous and varied references coming up to the Government of India in connection with agricultural interests and the occupation of the land; but, generally, it may be said that the great bulk of them arise from financial and statutory limitations on the powers of Local Governments, while the more important concern questions of general policy which can only be decided by the Supreme Government or the Secretary of State.

22. Proposals for legislation affecting the relations between landlords and tenants or the occupancy of land are developed in the ordinary course of revenue administration, or emanate from the recommendations of special Commissions of Enquiry. Under the statutory procedure relating to legislation, whether in the Supreme or Local Councils, they have all to be carefully examined and reviewed in the Revenue Secretariat of the Government of India, but they are rarely initiated there. In the case of revenue settlements the Government of India have reserved to themselves by legislation or rule the duty of laying down the principles on which the land revenue should be assessed, and in all provinces, except Madras and Bombay, their sanction is required before any new settlement can be undertaken. In provinces where the settlement system and practice are still in process of

evolution, or other special reasons exist, the proposed assessments and the term of the settlement have also to be reported for their approval. The principles to be followed in the collection of the revenue demand in cases of extensive failure of the crops or of agricultural deterioration are also questions of policy which require and have recently formed the subject of general orders by the Government of India.

23. In the disposal of State lands (other than reserved forests) Local Governments have unfettered discretion to permit their occupation by cultivators on the ordinary conditions of tenure and assessment; but where special terms are conceded to grantees or leaseholders, or large schemes of colonization are involved, the sanction of the Government of India is necessary. Restrictions have also been placed on the grant of land free of revenue, or on favourable terms, to private individuals, communities or public bodies for religious, public, or other purposes. The advisability of enlarging the powers of Local Governments in respect of such grants is now under consideration.

24. The difficult problem of agricultural indebtedness has been the subject of prolonged consultations with Local Governments for some years past; it is still under consideration in some provinces, and has led to important legislation in others. Closely associated with it is the question of providing capital to the agricultural classes on easy terms, and the Government of India have recently been occupied in concerting measures with the assistance of Local Governments for an expansion of the system of State loans and the institution of Co-operative Credit Societies. In the case of the former the law on the subject required the sanction of the Government of India to rules framed by Local Governments, but it has now been altered, and Local Governments are at liberty to make such rules as they consider necessary, subject only to the general control of the Government of India. In regard to Co-operative Credit Societies, which are still in an experimental stage, the Government of India determine the limits within which State funds may be advanced for their assistance; and to secure an interchange of views and experiences, and the discussion of the best means of promoting and managing these societies, they convene an annual conference of the supervising provincial officers.

25. *Famine.*—The subjects dealt with under the famine head fall into two classes, *viz.*, famine prevention, and famine relief. In its wider sense the former covers all measures which have for their object the material advancement of the people, but for the present purpose it is limited to protective measures which increase the security of cultivation against drought, or aid in the distribution of the food supply, such as irrigation and railway schemes. Though received and finally dealt with in the professional departments, all such famine protective measures have to be fully examined in the Revenue and Agriculture Department with reference to their protective value, and a very large number of protective irrigation projects have resulted from the enquiries of the Irrigation Commission of 1901.

26. For the actual administration of famine relief and the inception of relief operations, the responsibility and authority rest with Local Governments; but the principles and the system of relief are prescribed by the Government of India, whose approval is also required to the provincial famine codes. No important departure from the rules of these codes is permissible without reference to the Supreme Government. In regard to expenditure and establishments, the rules

allow a considerable relaxation of the ordinary financial restrictions, and in consequence of the scheme recently sanctioned for the apportionment of famine expenditure between Imperial and Provincial Revenues, they have, to some extent, been relieved of the necessity of making special applications to the Government of India for funds on the occurrence of distress.

27. The Government of India and the Secretary of State have to be kept fully informed of agricultural prospects, of impending scarcity, of the action which the Local Government proposes to take to meet it, and of the progress of relief measures and the condition of the people. But while the supply of full information is insisted upon, no interference is exercised so long as the Government of India are satisfied that the emergency is being properly met, and that the relief measures are neither inadequate nor extravagant.

28. *Board of Scientific Advice.*—The constitution and functions of this Board, of which the Secretary to the Government of India, Department of Revenue and Agriculture, is *ex-officio* president, are explained in the following extract from the Board's report :—“The Board of Scientific Advice for India was constituted in 1902, and consisted originally of the Heads of the Meteorological, Geological, Botanical, Forest, Survey, Agricultural, and Veterinary Departments; but the Government of India intimated their intention to invite from time to time to serve upon it other scientific officers in the service of the Imperial and Provincial Governments, whose special attainments might render their assistance desirable. The Board was declared to be a central authority for the co-ordination of official scientific enquiry, its object being to ensure that the work of research is distributed to the best advantage, that each investigator confines his researches to the subject with which he is most capable of dealing, and that energy is not dissipated by the useless duplication of enquiries, or misdirected by a lack of inter-departmental co-operation. It was also hoped that, while the claims of abstract science would continue to be recognized in the work of the scientific departments, the Board's advice would aid the Government of India in prosecuting practical research into those questions of economic or applied science, on the solution of which the progressive prosperity of the country, especially as regards its agricultural and industrial development, so largely depends.

“The Board advises generally upon the operations of the departments, with due attention to the economic side of their work, and serves as a referee on all matters connected with the organization of scientific enquiry in India. It annually discusses the proposal of each Departmental Head in regard to the programme of investigation in his department; and in cases where inter-departmental co-operation is necessary, it advises as to the lines on which mutual assistance should be given, and the department to which the enquiry should primarily appertain. It submits annually to the Government a general programme of research, embodying the proposals of Departmental Heads in so far as its subjects are to be exclusively dealt with in one department, and its own proposals in cases where two or more departments are to co-operate, and at the end of the year it presents a brief review of the results obtained during the year in all lines of scientific investigation controlled by its members. Its reports and programmes are communicated through the Secretary of State to the Royal Society who have appointed an Advisory Committee to consider them, and who from time to time furnish the Board and the Government of India with valuable suggestions and advice.”

APPENDIX.

Rules for the guidance of Imperial experts in the matter of inter-communication between provincial experts of the Agricultural Departments and themselves.

No. 188—12-16 (Agriculture), dated 26th January 1906.

From J. Wilson, Esq., C.S.I., Secretary to the Government of India, Department of Revenue and Agriculture, to the Inspector-General of Agriculture in India.

The Board of Agriculture at its meeting in January 1905, in paragraph 46 of its report, made some suggestions on the question of inter-communication between Imperial and Provincial experts and between experts of one province and those of another. Those suggestions were referred to Local Governments and have

been generally accepted by them. Each Local Government will, no doubt, issue instructions for the guidance of its provincial experts in the matter, and I am now directed to lay down the following principles for the guidance of the Imperial experts, and to ask that you will impress upon them the importance of their

paying due regard to the wishes of the provincial Governments in the matter :—

- (1) Each Imperial expert must bear in mind that he has no authority over the provincial experts, and that his functions in relation to them are purely advisory.
- (2) When an Imperial expert proposes to visit any province he should inform the provincial Director of Agriculture of his intention and of the objects and proposed programme of his tour. He should also report to him his actual arrival in the province. As soon as a tour in any province is completed, the Imperial expert should report its general results to the provincial Director, it being recognised that such reports may, on occasion, be for the information of the provincial Department only. A copy of each such report should be forwarded for information to the Inspector General of Agriculture.
- (3) Proposals which affect the working of the provincial Department, such as the starting of new investigations, the introduction or alteration of farm experiments, and the like, should be the subject of official correspondence addressed to the provincial Director.

(4) All matters of detail connected with lines of work already sanctioned should be dealt with direct between the experts concerned.

(5) If specimens for examination are received direct from a provincial expert, the report of the Imperial expert on the result of the examination should be sent direct to the officer concerned.

2. These principles have been accepted by all Local Governments with the following modifications :—

(a) The Government of Madras desire that direct correspondence between their Provincial Officers and the Imperial experts should be restricted to purely scientific matters, and that all other communications relating to the working of the Agricultural Department should be addressed to the Director.

(b) The Government of Bengal, while they agree that in all special questions the experts should hold direct communication with one another, desire that correspondence dealing with administrative matters should go through the Director.

3. Should any Imperial expert find himself engaged in a correspondence which appears to be contrary to the spirit of the above instructions he should desire that it be conducted through the provincial Director.

APPENDIX Ic.

Memorandum on the constitution and duties of the Public Works Department (filed by Mr. L. M. Jacob, vide Q. 44442).

The Public Works Department of the Government of India deals with all business throughout British India and in all places in Native States administered by the Governor General in Council connected with :—

- (i) Civil Buildings,
- (ii) Communications,
- (iii) Irrigation and Canals,
- (iv) Miscellaneous Public Works, including docks and harbours; and
- (v) Electricity.

Other Classes of Public Works such as Railways are dealt with by a Railway Board, which is directly under the Department of Commerce and Industry, and Telegraphs by the Director General of Telegraphs who is also under the Department of Commerce and Industry.

2. Thus the Public Works Department of the Government of India, as at present constituted, in addition to Electricity, administers only Public Works coming under the heads "Buildings and Roads" and "Irrigation"; and is under the charge of a Member

of the Government of India who also administers the Department of Revenue and Agriculture.

3. As regards Buildings and Roads, the delegation of powers to provincial Governments is very complete. Each Local Government has its own engineering staff, the Head of which acts as its Public Works Secretary, and is responsible for the upkeep and construction of its public buildings and the roads under its control. The functions of the Government of India as regards Buildings and Road Works are practically limited to the sanction of large and important projects beyond the powers of the sanction of the Local Governments and Administrations, and to the disposal of all such matters as are required by rule to be submitted for the sanction of the Government of India. The powers of Local Governments and Administrations in respect of sanction to buildings and roads projects classed as Imperial is given in tabular form below. In the matter of works classed as Provincial, Local Governments have power to sanction projects up to a maximum of 12½ lakhs of rupees inclusive of charges for establishments and tools and plant.

Table of Powers—ordinary works chargeable to Imperial.

Local Government or Administration.	Imperial works, maximum, including establishment and tools and plant.	Imperial repairs, maximum.
Governments of Madras and Bombay	Rs. 2,50,000	Any amount within the amount of the budget provision.
Governments of Bengal, United Provinces, Punjab, Burma, and Eastern Bengal and Assam.	62,500	
Chief Commissioners of Central Provinces and Coorg; the Resident of Hyderabad; the Governor General's Agents in Rajputana and Central India.	25,000	

4. In the matter of establishments connected with either the Buildings and Roads or the Irrigation Branch, the Government of India deal with all schemes of re-organization, with the appointment of permanent and temporary engineers to the various provinces, with the promotions of Superintending and Chief Engineers, and with all such matters which are, under the rules in the Public Works Code or the Civil Service Regulations, beyond the powers of sanction of the Local Governments.

5. As regards Irrigation the control of the Government of India is much closer, except in respect of

schemes classed under *Provincial 43—Minor Works and Navigation*, in regard to which Local Governments and Administrations have the same powers as for provincial Buildings and Road schemes. From the statement below of powers of sanction of Local Governments and administrations in respect of irrigation works, it will be seen that, except in the matter of works chargeable to the *Open Capital Account*, the Local Governments have no power whatever as regards works classed under *49—Protective Public Works*. These works are carried out from loans which are raised on the security of the general

venues of India, and it has been held that the administration of such funds should be entirely in the hands of the Government of India.

6. It will also be noticed that in the matter of *Protective Works* the Local Governments may sanction works chargeable to Open Capital within certain limits, but have no powers whatever to sanction signal projects. The Government of India is vitally interested in schemes classed under *35—Protective*.

They are met from a moiety of the Famine Insurance Grant, which is for the present limited to 150 lakhs per annum for both protective irrigation works and railways. This grant being very limited, and liable to material reduction in the event of famine declaring itself, it is essential that the power of disposing of it should be vested in a central authority, which is in a position to deal impartially with the claims of the several provinces for allotments from the grant.

Table of powers in respect of irrigation works.

Local Government or Administration.	49—PRODUCTIVE.		35—PROTECTIVE.		43—IMPERIAL MINOR WORKS.	
	Schemes.	Open Capital.	Schemes.	Open Capital.	Schemes.	Open Capital.
Governments of Madras and Bombay.	Nil.	Rs. 10,000 if unremunerative; Rs. 25,000 if remunerative.	Nil.	Rs. 2,50,000*	Rs. 2,50,000*	Rs. 2,50,000*
Governments of Bengal, United Provinces, Punjab, Burma, and Eastern Bengal and Assam.				62,500*	62,500*	62,500*
Local Administrations				25,000*	25,000*	62,500*

* Including charges for establishment and tools and plant.

7. As regards *Electricity*, all applications for licenses coming under Section 40 of the Indian Electricity Act require the orders of the Government of India, and here is at present under consideration the report of a Committee, which has, among other things, recommended that the administration of the Act should be vested entirely in the Government of India. The Local Governments and Administrations, who have been consulted on this point, have, with only two exceptions, approved of the proposal to imperialise the administration of the Act; and it is possible that the Act when amended will provide for this change. To assist the Government of India in disposing of all matters connected with electricity and the administration of the Act, they have an expert adviser, in the person of the Electrical Adviser, whose duties are outlined in paragraph 14 of this Memorandum.

8. The principal Gazetted Officers of the Public Works Department Secretariat are :—

- A Secretary with
- A Deputy Secretary who is also Accountant General in charge of the Accounts Branch,
- A Deputy Secretary in charge of the Establishments Branch,
- and
- An Under Secretary in charge of the Civil Works Branch.

The duties and functions of a Secretary to the Government of India are defined in the Rules of Business. In the case of the Public Works Department the Secretary, who is a member of the Indian Public Works Department, is also the *professional* adviser to the Government in all matters connected with the business of the department.

9. The Deputy Secretaries and the Under Secretary have placed upon them the complete responsibility to the Secretary for all business done in their respective branches, and they are responsible that all orders issued are in conformity with the instructions of the Government of India.

10. The Officers immediately subordinate to this Department are—

- (i) The Accountant General, Public Works Department, who is assisted by a Deputy Accountant General for Inspection and by two Assistant Accountants General.
- (ii) The Inspector General of Irrigation.
- (iii) The Consulting Architect and
- (iv) The Electrical Adviser.

11. *Accountant General*.—The Accountant General is Head of the Accounts Branch of the Public Works Department and is responsible for the financial regularity of the whole of the revenue and expenditure of Railways, Irrigation, other Public Works, Military Works and Telegraphs. To secure

this result, it is his duty to see that an efficient local audit is maintained at the headquarters of Local Governments and Administrations by his Examiners of Accounts, in the exercise of their functions as independent auditors on behalf of the Government of India and the Secretary of State.

The Accountant General also controls, and is responsible for, the discipline of a staff of 88 officers and 575 accountants. He scrutinizes proposals for the revisions of scales of the Superior and Subordinate Accounts Establishments including the clerical establishments of Examiners' offices, advises the Government of India on appointments, promotions, postings, etc., of the Superior Accounts Establishments, and controls those of accountants on the General and Railway Lists.

Although railways are no longer administered by the Public Works Department, yet the Accountant General is freely consulted by the Department of Commerce and Industry on important matters connected with railway accounts; and the Railway Accounts Officer is responsible to the Accountant General for the efficient discharge of his duties.

The Deputy Accountant General for Inspection is employed chiefly in making periodical inspections of the offices of all Examiners of Public Works and Railway Accounts including the audit offices of Company-worked lines. There are in all some 37 separate offices under inspection.

12. *Inspector General of Irrigation*.—Formerly the Secretary in the Department held the dual office of Secretary and Inspector General of Irrigation, but owing to the vast number of important irrigation projects which had been sanctioned or proposed in consequence of the report of the Irrigation Commission, the Secretary of State sanctioned the appointment as an experimental measure of a whole-time Inspector General for a period of three years from February 1906. The Inspector General is required to spend the cold weather on tour, inspecting the various projects and conferring with Local Governments on the subject. He is also required while on tour to take the opportunity of discussing with Local Governments the possible development of those waterways in India which, in the interests of commerce, it is considered desirable to maintain or improve. During the hot weather and the rains, the Inspector General is employed in scrutinizing the designs and estimates prepared by provincial Governments for irrigation schemes, and in advising on the professional, revenue, and financial aspects of irrigation projects which are submitted to the Government of India.

13. *Consulting Architect*.—The Office of Consulting Architect was sanctioned for a period of five years from November 1902. The term of office has expired, and the question of retaining it as a permanency now forms the subject of correspondence between the

Government of India and the Secretary of State. The following is a brief outline of the duties of the Consulting Architect :—

- I.—To advise the Government of India on all estimates and plans for public buildings which require the sanction of the Government of India or of the Secretary of State, and also to undertake the preparation of such plans and estimates, when called upon to do so.
- II.—To advise and assist Local Governments and Administrations in the preparation of designs and estimates for public buildings which are within their own powers of sanction.
- III.—To enter into direct communication with the Public Works Secretaries to Local Governments and Administrations and, when so authorized by them, with any of their subordinate officers, in regard to all matters of constructive or decorative detail relating to public buildings in course of design or construction.
- IV.—To inspect important public buildings while under construction, and to offer such advice or recommendations as may be necessary.

V.—To submit an annual report to the Government of India on the architectural work of the year in the different provinces, with brief descriptions of the more important public buildings sanctioned or completed during the year.

VI.—To prepare or edit occasional papers on professional subjects for the information and guidance of Public Works Officers employed on architectural work; and

VII.—Generally to advise and assist the Government of India in all matters relating to the architecture of public buildings.

14. *Electrical Adviser*.—The appointment of Electrical Adviser was created as recently as August 1904, and was found to be necessary in consequence of the development of electrical enterprise in this country. Generally, the Electrical Adviser is the expert adviser of the Government of India in all matters connected with electrical schemes and with the working of the Indian Electricity Act. He is also required to advise Local Governments and Administrations which might be in need of expert advice.

APPENDIX Id.

Memorandum on the constitution and organization of the Finance Department (filed by Mr. J. S. Meston vide Q. 44807).

1. The Finance Department of the Government of India deals with all questions of finance on both the Civil and the Military sides of the administration. It consists of a central Secretariat, which is divided into two branches,—the Ordinary (or Civil) branch and the Military Finance branch; and of a large executive staff of officers of account and audit. The whole department is in charge of the Finance Member of the Governor General's Council. The officers in immediate control of the Ordinary branch of the Secretariat and the Military Finance branch are a Secretary to Government and a Joint Secretary respectively; while the staff engaged on account and audit are under the immediate authority of the Comptroller and Auditor General. The only other executive establishments directly under the Finance Department are those of the Mints and the Commissioner, Northern India Salt Revenue; while the Inspector General of Excise and Salt is attached to the department as a consultative and advisory officer.

The relations of the different parts of the department to each other, and their methods of working, will now be briefly described.

I.—Secretariat—Ordinary Branch.

2. The heads of business dealt with in the Ordinary branch include :—

- (1) the public accounts and estimates;
- (2) the public expenditure;
- (3) the public Ways and Means, including loans to and from the public Treasury;
- (4) the management of the public funds;
- (5) Taxation;
- (6) Provincial and Local Finance;
- (7) the borrowing of public bodies;
- (8) Alienations of revenue and of land;
- (9) Opium;
- (10) Salt;
- (11) Stamps;
- (12) Excise;
- (13) Assessed taxes;
- (14) Currency and banking, including—
 - (15) the Mints;
 - (16) Coinage;
 - (17) Paper Currency;
 - (18) Presidency Banks;
- (19) Pay and allowances leave and pensions of public officers;
- (20) the Civil Account Department, including Treasuries

3. The Ordinary branch of the Finance Secretariat has a staff of five Gazetted Officers and a clerical establishment of 68 men, the annual cost of the branch being Rs. 3,38,700

The Gazetted Officers are :—		Rs.
(a) Secretary on ...	...	48,000 a year.
(b) Deputy Secretary on ...	...	27,000 "
(c) Under Secretary on ...	...	15,600 "
(d) Assistant Secretary on ...	...	13,200 "
(e) Registrar on ...	...	7,920 "

4. The clerical establishment is divided into 14 grades, the rate of pay varying from Rs. 30 to Rs. 600 a month.

5. The Secretary is responsible for the general working of the department. The office is divided into sections, a certain number of subjects being assigned to each section, and a Gazetted Officer is placed in charge of one or more sections whose duty it is to note on the cases dealt with in his particular branch or branches, and prepare them for the orders of the Secretary or Honourable Member in charge.

Routine and unimportant matters are finally disposed of by the officer in charge of a section on his own responsibility. But every case of importance must be placed before the Finance Member for orders with the Secretary's view recorded thereon. References of minor importance, which involve no new principle or departure from well established rule or custom, may be disposed of finally by the Secretary himself. The Deputy Secretary is authorized to submit a certain class of cases direct to the Member in charge for orders, but all really important references must be seen and considered by the Secretary, and his opinion recorded on the file before the case is submitted to the Member in charge. All cases submitted by the Deputy Secretary direct to the Honourable Member are seen by the Secretary after the Honourable Member's orders have been recorded on them, and he is thus able to keep in touch with all the work of the department.

6. Under the rules for the conduct of the executive business of the Government of India framed under section 8 of the Indian Councils Act, 1861, no proposal involving an abandonment of revenue for which credit has been taken in the budget, or involving expenditure which has not been provided for in the budget or which, though provided for, has not been specifically sanctioned, shall be brought forward for the consideration of the Governor General in Council without a previous reference to the Finance Department.

7. Exceptions to this rule are, however, permitted in a few instances.

In cases which, in the opinion of the Viceroy, require great secrecy and despatch, expenditure may be authorized under his Excellency's written orders

without a previous reference to the Finance Department, but every such order must be communicated to that Department; and the Departments of Commerce and Industry and Public Works in the cases mentioned in the following paragraph, and the Army and Military Supply Departments in the cases mentioned in paragraph 16, may sanction expenditure without a previous reference to the Finance Department.

8. The Department of Commerce and Industry may authorize expenditure which does not require the previous sanction of the Secretary of State in Council—

- (i) in the case of the maintenance and working expenses of railways,
- (ii) in the case of the Postal and Telegraph Departments, if the proposed expenditure does not involve outlay in excess of the budget grants of those departments, or a re-appropriation from one major head to another.

The Public Works Department may similarly authorize expenditure—

- (i) in the case of the maintenance and working expenses of irrigation works,
- (ii) in the case of civil works expenditure, if the expenditure proposed does not involve outlay in excess of the total grant under that head;

but in none of the cases enumerated above may any rule or order of the Finance Department be contravened, or any new principle or practice which is likely to lead to increase of expense be introduced.

9. Under the instructions quoted in paragraph 6, other Departments of the Secretariat of the Government of India are bound to consult the Finance Department on all references received by them which involve financial considerations before a decision is arrived at. References from Local Governments, Administrations and Heads of Departments to the Government of India are addressed to, and received in, that Department of the Secretariat which deals with administrative questions relating to the particular branch of the public service from which the reference emanates. When the points at issue have been discussed in the Administrative Department,* the complete file of papers with the notes and opinions recorded upon it, is forwarded to the Finance Department for consideration. Such inter-departmental references are termed unofficial communications. The official form of correspondence is employed only in—

- (a) cases which personally concern an officer in another branch of the Secretariat, and
- (b) proposals involving expenditure by another department of the Government of India.

The following figures show the number of references received and dealt with in the department (exclusive of those dealt with in the Military Finance branch) during the past few years :—

1903 ...	...	...	25,528
1904 ...	...	...	27,439
1905 ...	...	...	24,493
1906 ...	...	...	24,996
1907 ...	...	...	25,714

II.—Secretariat.—Military Finance Branch.

10. The Military Finance branch deals with :—

- (1) All cases falling under the heads of business cited in paragraph 2 above which originate in the Army Department or the Department of Military Supply, i.e., broadly all proposals involving military expenditure.
- (2) Army finance generally, including the preparation of the military budget and the compilation of the military schedules.
- (3) The Military Accounts Department.

11. The Military Finance branch has a staff of four Gazetted Officers and a clerical establishment of 23†

* The Finance Department is itself the Administrative Department for the classes of business described in paragraph 2 above. If any of the other Departments of the Secretariat are interested in a particular reference addressed direct to the Finance Department or in any points arising out of the reference, they are consulted unofficially before final orders are issued.

† Including one Superintendent, who is borne on the establishment of the Military Accountant-General.

men, the annual cost of the Branch being Rs. 1,71,000.* The Gazetted Officers are :—

(a) A Joint Secretary on ...	Rs. 36,000 a year.
(b) A Deputy Secretary on ...	20,400 "
†(c) An Assistant Secretary on ...	17,400 "
‡(d) " " " " " "	9,600 "

12. The clerical establishment is divided into nine grades, the rates of pay varying from Rs. 50 to Rs. 500 a month.

13. The Secretariat proper also receives Secretariat assistance from the Military Accountant General and Deputy Military Accountant General (who are respectively *ex officio* Deputy and Assistant Secretary in the Military Finance branch) and their office.

14. As regards the functions of the Joint Secretary within the Military Finance branch and the disposal of work by that branch, the procedure corresponds to that stated in paragraph 5 above, except that the Deputy Secretaries in the Military Finance branch do not submit cases direct to the Honourable Member.

15. In ordinary practice the two branches work independently of one another; but the Rules of Business recognise only the undivided department, and the relations between the two branches are, therefore, governed by such orders as the Honourable Member in charge of the whole department may pass from time to time. In particular :—

(a) Any orders affecting the department as a whole are communicated to the Military Finance branch through the Secretary in the Ordinary branch.

(b) Particular cases or classes of cases, which would ordinarily be dealt with by an officer of the Ordinary branch, are sometimes made over, under the orders of the Honourable Member, to the Joint Secretary in the Military Finance branch and dealt with by him.

(c) Cases which appertain to the Military Finance branch, in that they originate with the Army Department or the Department of Military Supply, but which also specially concern the Ordinary branch, are dealt with by the Military Finance branch in the first instance, but referred unofficially to the Ordinary branch on the analogy of the procedure explained in the foot-note to paragraph 9 above.

16. The Army Department and the Department of Military Supply can issue orders sanctioning expenditure which :—

- (1) does not require the sanction of the Secretary of State in Council;
- (2) does not involve any outlay in excess of the total sanctioned budget provision under any major head of account, and
- (3) does not involve re-appropriations from one or more grants or minor heads of account to any other such grants or minor heads exceeding in the aggregate Rs. 3 lakhs in any one financial year.

These powers are subject to the proviso mentioned in the last three lines of paragraph 8 above.

17. The Joint Secretary in the Military Finance branch is *ex-officio* Secretary to the Government of India in the Army Department (Finance), and is consulted in that capacity on all questions involving military expenditure. Accordingly the powers referred to in paragraph 16 can only be exercised in the Army Department after he, or a junior officer of the Military Finance branch on his behalf, has advised on the case, and has had an opportunity for requiring a reference to the Finance Department in the Military Finance branch if he considers such a reference necessary

* This is the proposed budget figure for 1908-09. It does not include the pay of the Superintendent (Rs. 400-20-500) mentioned in the preceding foot-note.

† Draws grade pay as a member of the Military Account Department *plus* a local allowance of Rs. 250 per mensem. The actual salary drawn by the present incumbent has been entered.

‡ The pay of the appointment is Rs. 750-30-1,000. The actual salary of the present incumbent has been entered.

§ *E.g.*, when the Finance Department (Ordinary branch) is the Administrative Department for the subject in question, as in cases relating to excise or assessed taxes.

He does not occupy a similar special relation towards the Department of Military Supply.

18. The Joint Secretary in the Military Finance branch is also an *ex-officio* member of His Excellency the Commander-in-Chief's Advisory Council and, when financial matters are under consideration, of the Mobilisation Committee also, and is thus in a position to advise on such measures involving military expenditure as come before these bodies at a comparatively early stage.

19. The procedure referred to in paragraph 9 above applies *mutatis mutandis* to the Military Finance branch.

20. The following figures show the number of references received and dealt with in the Military Finance branch since the date on which it was constituted (13 April 1906) :—

1906	...	...	8,845
1907	...	...	18,289

III.—Civil Account and Audit.

21. The officers who record the accounts and conduct the audit of the whole of the public revenues and expenditure are ultimately responsible to the Government of India in the Finance Department. But the executive control over them and their establishments is not uniform. The officers who audit the Military (including Marine), the Public Works and the Railway and Telegraph accounts are administratively subordinate to the Military Finance, the Public Works and the Commerce and Industry Departments of the Imperial Secretariat respectively. All the other Account and Audit Officers (including the Comptroller, Post Office) form a definite Service, of which the Comptroller and Auditor General is the Departmental Head, and which is directly under the administrative control of the Finance Department.

22. The duties and procedure of the Civil Offices of account and audit are fully described in an appendix, for which I am indebted to Rai Nriya Gopal Basu Bahadur, Assistant Comptroller General. The cost of the Civil offices of account and audit in salaries is roughly 27 lakhs a year; this includes charges in connection with the management of the offices for the issue of currency.

IV.—Mint.

23. There are two Mints, at Calcutta and Bombay, each with an Assay office attached to it. There are two Mint Masters—officers of the Royal Engineers—on Rs. 3,000 and Rs. 2,000 a month, and one Deputy Master on Rs. 1,250–50–1,500. The pay of the Assay Masters is Rs. 1,750–100–2,250. There is a Gazetted staff of seven officers in all, and the permanent establishment numbers about 293; the total cost in salaries being Rs. 4,21,380 a year. The Mints are under the direct administrative control of the Finance Department; the Local Governments are in no way concerned with them, and no devolution of the central authority would be practicable. The two Mints do not serve separate areas; the rupee coinage is divided among them in such proportions as may be found convenient from time to time; the small silver coins and bronze are mostly struck at Calcutta, and the nickel wholly at Bombay.

V.—Excise.

24. The administration of Excise in India is carried on directly by Local Governments, and is subject only to the general control of the Government of India for the reasons, and to the extent, explained in paragraph 7 *et seq.* of Mr. Meyer's Memorandum on Excise, Opium, Salt, etc., prepared for the use of the Royal Commission. The control of the Government of India is exercised through the Financial Department. Out-

side the Secretariat, the only Imperial officer directly concerned with Excise is the recently appointed Inspector General of Excise and Salt (salary Rs. 3,000 per mensem). His functions have been laid down to be as follows :—

- (a) to keep the Government of India informed on matters relating to excise and salt;
- (b) to furnish Local Governments in the provincial departments concerned with advice and information; and
- (c) to bring the experience of one province to bear upon the problems of another so as to secure such co-ordination as may be possible of the systems of the different provinces.

His duties are thus purely advisory and consultative. He exercises no authority of any sort over provincial Excise and Salt Departments, and does not call for any returns or reports from them. It is intended that he will correspond and confer informally with the Heads of these Departments and with Local Governments; and it is anticipated that the assistance which he will thus be able to afford will tend to a considerable decrease in the number of references and in the extent of control in matters of detail which has hitherto been exercised by the Government of India.

25. In the case of excise opium the position is somewhat similar, it being administered by provincial departments, though the control exercised by the Government of India extends into somewhat greater detail than in the case of other exciseable articles, especially in the case of Burma.

VI.—Salt.

26. In Madras, Bombay, Bengal, Eastern Bengal* and Assam, and Burma the salt revenue is subject to the control of the Government of India in the Finance Department in matters relating to changes of general policy and system.

27. In the whole of Upper India, however, comprising the North-West Frontier Province, the Punjab, the United Provinces, the Central Provinces, Ajmir-Merwara, and the Rajputana salt sources, the salt administration, consisting of the manufacture of salt on behalf of Government, the prevention of private manufacture and the control of saltpetre refineries, is carried on by the Northern India Salt Revenue Department. This department is under the direct administrative control of the Government of India in the Finance Department. It is administered by the Commissioner, Northern India Salt Revenue, who is assisted by a Deputy Commissioner. The executive of the department is divided into seven divisions, each in the charge of an Assistant Commissioner, under whom are superintendents, assistant superintendents and inspectors in charge of circles, with the necessary clerical and subordinate staff. The appointment of Commissioner is reserved for a member of the Indian Civil Service and carries a salary of Rs. 2,500 a month. The Deputy Commissioner and Assistant Commissioners are appointed by the Government of India, and officers of lower rank by the Commissioner. The total fixed establishment charges of the department amounted to Rs. 5,35,907 during 1906–07.

28. The Inspector General of Excise and Salt has been assigned the same functions in respect of salt as in excise matters. In the case of the areas under the Commissioner, Northern India Salt Revenue, he will treat with that officer on the same lines as with a Local Government, and has been authorized to inspect and advise on the operations of the department in order to ensure, among other matters, co-ordination between the Northern India Salt Revenue Department and the provincial Salt Departments.

* In the Eastern Bengal districts the preventive operations are at present controlled from Bengal.

APPENDIX.

Civil Offices of Account and Audit.

The audit of the public accounts is an important part of the Financial Administration, and the Civil Offices of Account and Audit are directly subordinate to the Finance Department. The Comptroller and Auditor General is the highest Audit and Account officer in India, and is the authority on all questions relating to classification and adjustment in the public accounts. The work of audit and accounting of the revenue and expenditure of the Empire is performed under the supervision of the Comptroller and Auditor General by seven Accountants General and Comptrollers under him, assisted by some 40 officers of the Finance Department and the necessary staff of clerks and examiners.

The Comptroller General's Office is permanently situated in Calcutta. An Accountant General is attached to each of the Governments of the seven larger provinces, and is posted at the permanent headquarters of the province; and there is a Comptroller of the Central Provinces at Nagpur, and one at Calcutta for the Government of India administrations comprising Ajmer, Baluchistan, Indore, Coorg, and other districts directly under the Government of India.

The principles of audit and classification in the accounts are practically the same in India as they are in England; but, owing to the vastness of territory and the special system of administration in India by provincial Governments, the audit arrangements in India are to a great extent local and decentralized. In a highly centralized system in England. Accordingly, the Accountants General and Comptrollers, though representing the Finance Department of the Government of India, are, as above stated, posted at the headquarters of the provincial Governments.

1. The most important principle of effective audit is that the audit power should be independent of the executive power, and this principle is acted upon as far as possible in the constitution and organization of the Accounts Department in India. The Accountant General, although considered as adviser to the provincial Government upon the application of financial rules and orders, upon the correctness and sufficiency of estimates prepared by the Local Government, and upon the progress of provincial revenue and expenditure as compared with the budget estimates, is in immediate subordination to the Comptroller and Auditor General in all matters connected with audit and account, and refers to him all questions bearing on the classification of receipts and charges and other matters of account. In matters relating to the appointment and control of the officers, gazetted and non-gazetted, working under him and the administration of his office generally, the Accountant General is subject to the direct control of the Government of India in the Finance Department and is not in any way subordinate to the provincial Government; and even all correspondence with the Government of India on matters connected with the administration of his office pass through the Comptroller General.

5. The main functions of audit are those of verification, and the duty of auditors is to see that any expenditure incurred is on *bona fide* public service; that it is sanctioned by competent authority; that the expenditure is not greater than the occasion demands; that there are formal grants for the expenditure; and, lastly, that the expenditure is verified by vouchers as having been incurred in the manner in which it is entered in the accounts. As regards receipts, the audit office is required to watch them as far as possible, and to see that under every head Government receives all its dues. In performing these duties, the Accountants General and Comptrollers work as officers of the Comptroller and Auditor General and work independently of the executive Government, and they are aided and bound in their work by a minute and exhaustive code of regulations. Whenever an Accountant General is of opinion that any proceeding of a provincial Government transgresses any prescribed financial rule or order, it is his duty to advise the Local Government accordingly; and the Local Government, if it does not accept the view of the

Audit Officer, is required to refer the question to the Supreme Government. Again, if an Audit Officer considers that any expenditure sanctioned by the Government of India requires the sanction of the Secretary of State, he should place it under objection and submit a report with a statement of reasons to the Government of India in the Finance Department. The Government of India reports all such objections to the Secretary of State for information if the objection is over-ruled, or for the required sanction if it is not over-ruled. Thus, both by constitution and by departmental regulations, the Audit Department is allowed a full measure of independence in the discharge of its legitimate functions.

6. The district treasury is the unit of the financial system in India, and the accounts of the district treasury form the basis of the Finance and Revenue Accounts of the Government of India presented to Parliament. The dues of Government are all lodged in the district treasury, and the funds for the services are supplied from it. In matters of accounts of receipts and disbursements, and the management of the cash balances, the Revenue Officers in charge of district treasuries are wholly under the orders of the Civil Accountant General. The ordinary routine of the audit and account work of the Accountant General is as follows :—

- (a) Officers in charge of district treasuries furnish the Accountant General after the close of each month with cash accounts embracing all the receipts and disbursements in the treasury during the month, with vouchers and schedules, and with statements of cash balances at the end of the month;
- (b) the accounts are audited in detail in the office of the Accountant General in accordance with prescribed regulations, except as regards monetary transactions with non-civil departments, such as Military, Public Works, etc., having separate Audit and Account Officers of their own, and the necessary record of audit is made in prescribed registers;
- (c) a balanced account of the financial transactions of the whole district is then prepared in which the audit figures are classified in detail under prescribed heads of account;
- (d) when the accounts of all the districts in the province have been compiled in the above manner, a consolidated account for the whole province is prepared in detail of the heads of account (including heads showing in lump the transactions with non-civil departments) and recorded in the office of the Accountant General;
- (e) an abstract of the monthly account for the province is submitted to the Comptroller General, and copies of the consolidated accounts for the eight months ending November and for the whole year, are also submitted to him;
- (f) to enable the Comptroller General to watch the work of the Accountant General's Office, a monthly "State of Audit and Account work" is sent, giving in a tabular form the dates of completion of all the prescribed accounts and returns;
- (g) a half-yearly report on arrears of work in each Accountant General's Office is also furnished to the Comptroller and Auditor General;
- (h) the objections raised on audit are embodied in registers prescribed for the purpose; the balances on these registers are carefully reviewed by the Accountant General, and an annual report is made to the Comptroller General on the progress of clearance of the balances under objection;
- (i) an annual report is made to the Local Government bringing to notice delays and other irregularities on the part of Treasury Officers in complying with the requirements of the Audit Department;

- (j) an annual Appropriation Report of the revenue and expenditure under his audit is prepared by the Accountant General at the end of the year for submission to the Government of India through the Local Government ;
- (k) a review of the balances of debt heads in his accounts at the end of the year is also prepared by the Accountant General and submitted to the Comptroller General.

7. As regards the audit and account work of the Comptroller and Auditor General, the work is generally a work of direction and supervision, and of compilation, review, or examination of figures and statements on behalf of the central Finance Department.

In the first place, the Comptroller General by combining the monthly or annual accounts received from the several Civil and Departmental Account Officers prepares one consolidated account for the whole Empire for submission to the Government of India.

Secondly, the report on Objection Book balances and the state of audit and account work, and the report on arrears of work are intended for a review of the progress of work for the information of the Government of India.

Thirdly, the provincial and departmental Appropriation Reports are reviewed by the Comptroller and Auditor General who prepares one Appropriation Report for the whole of India for submission to the Government of India and publishes it in the *Gazette of India*.

The local departmental Reviews of Balances are also examined by the Comptroller and Auditor General, who satisfies himself how far the balances represent the admitted assets and liabilities of the Government, and submits his separate review to Government.

Finally, as Auditor General, he, through his deputies, inspects and conducts a test audit of all offices of account, both Civil and Departmental, so as to satisfy the Government that the detailed audit conducted by the local and departmental account offices is efficient, that the regulations and orders of the Government are duly enforced, and that the procedure in those offices is in accordance with the Codes and suitable for the efficient performance of their duties.

8. In the above enumeration of the audit and account work of the Comptroller and Auditor General, reference has been made to the accounts and reports of departmental or non-civil Audit and Account Officers. These are the separate Audit and Account Officers of the Postal, Public Works (including Telegraph and Railways) and Military (including Marine) Accounts Departments. One peculiarity of the routine of the audit and account work of these departments, as compared with the civil account system, is that, while in the case of civil revenue and expenditure the officers of the treasury are generally the disbursers and accountants and render accounts with vouchers to the Civil Accountant General, in the case of the non-civil departments the monetary transactions with the treasury are treated originally as imprests or receipts on account like the Exchequer Account in England, and the Audit Officers get proper accounts with vouchers from their own disbursers and accountants different from the treasury staff.

9. The relations of the Comptroller, Post Office, with the Comptroller and Auditor General are in every respect the same as those of a Civil Accountant General. He is an officer of the Finance Department, and in relation to him the Director General of the Post Offices in India takes the place of a Local Government in the Provinces. The Officers of the Military and Public Works Accounts departments are under the administrative control of the respective Secretaries of the Government of India, but in all matters of account they are in immediate subordination to the Comptroller and Auditor General and refer to him direct all questions affecting changes in audit procedure and classification in the public accounts. Like the Civil Accountants General, they also render to him classified accounts of their departments or circles of audit, as well as the Appropriation Reports and Reviews of Balances for the compilation of the consolidated accounts or reviews of the Empire. As already stated, the Comptroller General also conducts a test audit of the non-civil account offices. Thus, although the Comptroller and Auditor General is an officer of the Finance Department, he is the central authority in

audit and account matters irrespective of the Department to which the local audit and account officers belong.

10. Besides compiling for the Government of India a complete monthly account of the receipts and expenditure of the whole Empire, the Comptroller and Auditor General prepares at the end of the year the Finance and Revenue Accounts for submission to Parliament. He also keeps the Government of India informed of the progress of Revenue and Expenditure and the state of Ways and Means throughout the year. Thus he submits to the Government in the last week of every month an estimate of the probable receipts and payments and the cash balances of that month and of the two following months, comparing his estimates with the budget forecasts made at the beginning of the year. On the 9th of the following month he reports to the Finance Department the approximate receipts and issues in the month from treasuries in detail of departments, and fuller details of the chief heads of civil revenue and expenditure follow on the 16th. He also publishes on the 9th the cash balances in the treasuries for the information of the public. An approximate account of the monthly financial transactions of the Government of India in India and England is also compiled by the Comptroller and Auditor General and published in the *Gazette of India* about the last week of the second month.

In all the work of compilation, the Comptroller and Auditor General gets his materials from the civil and departmental Account Officers, and the figures are checked and corrected by him on the basis of information available to him.

11. In addition to the ordinary account and audit work, the Civil Accountant General compiles and reviews the annual budget estimates of the Local Government and prepares budget notes for the Financial Secretary to the Government of India, bringing to notice the salient features in the new estimates of civil revenue and expenditure. The Accountant General gives advice to the Local Government in the preparation of the budget estimates, but the responsibility lies with the Government without whose authority he cannot enter or alter any figures. The revision of the estimate for the current year, however, which is made concurrently with the budget estimate, is on the sole responsibility of the Accountant General.

The Comptroller and Auditor General is also associated with the Financial Secretary in the work of compiling the figures of the budget estimates for the annual Financial Statement. He makes for comparison with the budget prepared in the Financial Department of the Government of India, an independent compilation of the estimates of the various Accountants General (Civil, Military, Public Works) and submits it to that department with his own estimates of the debt heads, interest on debt, exchange, and ways and means, reviewing the other estimates with special reference to the state of the cash balances.

12. In addition to his audit and account work, the Comptroller and Auditor General undertakes as an executive officer of the Finance Department many duties which would be discharged in England by the Secretary to the Treasury. He is responsible for the ways and means, for the management of the national debt, and he is also the Head of the Department of Issue of Paper Currency and he regulates the rate and amount of coinage at the Government Mints.

13. In India, as already stated, the revenues are collected and held in local civil treasuries throughout the country under the supervision of the Accountant General in each province, acting under the general direction of the Comptroller and Auditor General. The funds are not, as in England, remitted to one great central banking account, nor are the disbursements of the Military, Civil, Public Works or other Services met from one central source, but they are supplied from the civil treasuries. At the same time a considerable portion of the expenditure of the Government of India is incurred in England, and funds for this expenditure are drawn by means of weekly allotments at the India Office by bills on Calcutta, Madras and Bombay according to trade demands. It is an important part of the duty of the Comptroller and Auditor General to see that the surplus of district treasuries is collected as quickly and as economically

is possible at the Presidency towns to meet the drawings of the Secretary of State, and also to arrange for such an internal distribution of the cash balances in India at any time as would ensure that money sufficient, but not more than sufficient, for the public service is in hand at the numerous district treasuries throughout the Empire.

14. As Head Commissioner of the Paper Currency Department, the Comptroller General has the several Accountants General (except the two Accountants General in Bengal) as his deputies in the provinces. They are either the Commissioners or Deputy Commissioners of the particular Circle of Issue with which they are connected, and the currency work is done by them with the help of a Gazetted Assistant in immediate charge of the work. In Calcutta, the Head Commissioner himself supervises the currency work with an Assistant Comptroller General in immediate charge. The ordinary work of supply, issue, withdrawal and cancellation of currency notes is done under local supervision at the offices of issue, but it is the special duty of the Comptroller General as Head Commissioner to collect, examine, and compile the periodical returns prescribed by the Paper Currency Act for publication and submission to Government, and also to submit an annual review of the working of the department. The Head Commissioner also sees that the coin reserve in gold and silver held as security under the

Paper Currency Act for the free encashment of notes is sufficient at any time for immediate requirements, that it is distributed among the different offices of issue in the proper proportion, and that early steps are taken to remove any excess in the proportion of gold as compared with silver coin, if necessary, by arrangements for new coinage.

15. As regards coinage at the Mints, not only is the coinage of new rupees required in connection with the composition of the Currency Reserve watched and regulated by the Comptroller General, but he is responsible also for ensuring a sufficient supply of the fractional and subsidiary coinage at all times.

16. According to the above statement of the organization of the civil offices of account and audit and the distribution of work among the provincial offices, the work is sufficiently decentralized and that done in the provinces pertains almost entirely to the provinces. But a central authority is still required partly for purposes of uniformity and efficiency in audit, partly on account of the mutual interdependence among the various provinces in the matter of resource and remittance, and mainly because the provinces are components of one unified Empire, the revenues of which are vested in the Secretary of State, and of which the Finance and Revenue Accounts are by Statute required to be submitted to the British Parliament.

APPENDIX I.

Note on the constitution and duties of the Home Department (filed by Sir H. Risley, vide Q. 45337).

PART I.

BRIEF DESCRIPTION OF THE GOVERNMENT OF INDIA, ITS RELATIONS TO LOCAL GOVERNMENTS AND ITS METHODS OF WORKING.

The superintendence, direction, and control of the civil and military government of British India is vested in the Governor-General of India in Council and he is required to pay due obedience to all such orders as he may receive from the Secretary of State.

2. The Governor-General of India is appointed by His Majesty by warrant under the Royal Sign Manual.

3. The Council of the Governor-General of India, as constituted for executive purposes, consists of six ordinary members, and of the Commander-in-Chief as an extraordinary member. The ordinary members are appointed by His Majesty by warrant under the Royal Sign Manual.

4. All orders and other proceedings of the Governor-General in Council must be expressed to be made by the Governor-General in Council, and must be signed by a Secretary to the Government of India, or otherwise as the Governor-General in Council may direct.

5. The Governor-General may make rules and orders for the more convenient transaction of business in his Council, other than the business at legislative meetings, and every order made or act done in accordance with such rules and orders must be treated as being the order or the act of the Governor-General in Council.

PART II.

BRIEF DESCRIPTION OF THE HOME DEPARTMENT AND THE WORK THAT IT DOES.

8. The work of the Government of India is distributed among nine departments in the manner shown in Part I of the Rules of Business. The main heads of business with which the Home Department is concerned are given below.

All business connected with the administration of—

- (i) The European Vagrancy Act, 1874 (IX of 1874) ;
- (ii) The Indian Civil Service ;
- (iii) Ecclesiastical matters and the Ecclesiastical Service ;
- (iv) The Census ;
- (v) Gazetteers ;

- (vi) Oriental languages ;
- (vii) Archaeology, and Epigraphy ;
- (viii) Internal Politics ;
- (ix) Escheats and intestate property ;
- (x) Jails, Reformatory Schools, and Penal Settlements ;
- (xi) Police (except as regards the Border Military Police in the North-West Frontier Province) ;
- (xii) Education (except as regards Chiefs' Colleges) ;
- (xiii) Public health and sanitation ;

- (xiv) Municipalities and Local Boards ;
 (xv) Examinations (except as regards Pashtu, Baluchi, and any other Frontier language in the North-West Frontier Province) ;
 (xvi) Registration ;
 (xvii) Copyright ;
 (xviii) The naturalization of aliens ;
 (xix) Law and Justice (except as regards petitions in jirga cases in the North-West Frontier Province) ;
 throughout British India, except British Baluchistan and Ajmer-Merwara ; and in Berar.
 (xx) The Indian Arms Act, 1878 (XI of 1878) ;
 (xxi) The Civil Medical Service ;
 (xxii) Judicial and administrative establishments ; throughout British India, except the North-West Frontier Province, British Baluchistan, and Ajmer-Merwara ; and in Berar.
 (xxiii) The nomination of Members of the Legislative Councils of the Lieutenant-Governors of Bengal, the United Provinces of Agra and Oudh, the Punjab, Burma, and Eastern Bengal and Assam.

9. In respect of all these subjects, except one, the functions of the Government of India are limited to control and supervision. The exception is the administration of the penal settlement of Port Blair in the Andaman Islands, in regard to which the Home Department exercises the powers of a Local Government and passes orders on all sorts of questions from the provision of a fire engine to the building of a new jail or the revision of the system of discipline. As the department responsible for general administration and internal politics a very large range of subjects comes before it, and the scope of its duties is only imperfectly indicated by the list cited above. Whenever another department of the Government of India has before it a question affecting the general administration of the country or its internal politics, it is bound by the Rules of Business to refer the case to the Home Department for criticism and advice. The number of such references is very large, and they relate to a great variety of subjects. I may mention, by way of illustration, the re-organization of the Political Service, the Public Works Department Engineering Staff, the Telegraph Department, the Survey of India, the Imperial Customs Service, and the Forest Service, the recruitment for the Opium Department, the amendment of the Cantonment Code, the supply of English stores, the re-organization of the Indian Museum, the re-organization of police in Native States, the development of Chiefs' Colleges and various points arising from the report of the Excise Commission. Where the constitution of a service or any material addition to its strength is in question the main points which the Home Department has to consider are (1) whether the principles laid down by the Public Service Commission are observed and (2) whether the proposed constitution is actuarially sound.

10. The Home Department is assigned to the special care of an Ordinary Member of the Governor General's Council, but at the head of it is a Secretary to the Government of India. Besides him the principal gazetted officers are one Deputy Secretary, and two Under Secretaries. The Officer in charge of the Records of the Government of India is also *ex-officio* Assistant Secretary in the Home Department, but his duties, so far as the departmental work is concerned, are confined to the minor head of business relating to books and publications. Below them is the Registrar of the department (also a Gazetted Officer) and 68 clerks, who (excluding the three shorthand writers), are employed in the 12 sections into which the office is divided. In four of these sections the men are employed on work of a purely routine nature, such as typing, and despatching correspondence, registering the receipt of letters in the office, recording, and preparing the volumes of proceedings of the department which have to be transmitted to the Secretary of State. The clerks attached to the remaining sections do the more important clerical portion of the work of the office. The practice is for these sections to put up with each reference the papers which are required for its disposal, and then to submit the files with notes on them bringing out briefly the points on which orders are required. On the return of the files to office, letters are drafted for approval, giving effect to the

orders which may have been passed. The duties of the Registrar are to exercise a general control over the office establishment and to deal with all matters in the first instance, affecting the proper working of the office. He also disposes of some of the minor cases, such as requests for papers from other departments of the Government of India, replies to requests for rules relating to examinations for the public service and similar matters.

11. By an arrangement approved by the Secretary of the department, certain classes of work are allotted to each of his junior officers, viz., the Deputy Secretary, the two Under Secretaries and the *ex-officio* Assistant Secretary, and cases requiring the orders of the Government of India are submitted to them in the first instance. These officers dispose on their own authority of such cases of minor importance as by the practice of the department they are competent to do. Of the remaining cases, some are submitted by the Under Secretaries to the Secretary, and others (including all the work from the *ex-officio* Assistant Secretary) to the Deputy Secretary. These two officers in turn dispose of such files as in their opinion are not of sufficient importance to be laid before the Honourable Member in charge of the Department or His Excellency the Governor-General—the rest of the cases are submitted by the Deputy Secretary and Secretary to the Honourable Member. The files which are eventually submitted to His Excellency for orders are ordinarily of the following descriptions :—

- (a) Cases relating to certain specified appointments which are in His Excellency's patronage.
 (b) Correspondence with the Secretary of State which by the practice of the Department neither the Secretary of the Department nor the Honourable Member in charge of it is competent to deal with himself.
 (c) Cases in which proposals emanating from provincial Governments are being rejected.
 (d) Cases affecting questions of importance or matters of policy.

His Excellency passes orders on all such files, either disposing of them himself, or directing that they shall be brought up before a meeting of his Executive Council for final decision.

12. It will be observed from the system briefly described above that in order to cope with the enormous volume of business which comes before the Home Department, measures are taken which enable a considerable number of cases to be disposed of at the initial stages by the several officers, according to their standing, so as to enable those higher in authority to give their attention to the more difficult problems. But whatever may be the internal arrangements for the disposal of matters of minor importance, the Secretary is solely responsible for the entire business of the department and is apprised in one way or another of all that is taking place. As regards work which is disposed of on their own responsibility by the officers junior to him, tabular statements are compiled which give a brief substance of the reference and the orders passed on it. Such statements are submitted weekly both to the Secretary and Honourable Member, and it is open to them, if they think it necessary, to call for the files and revise the orders. The Secretary, in turn, submits a similar weekly list of cases disposed of by himself to the Honourable Member in charge of the department. A further scrutiny is exercised by the Secretary over such portion of the work of the Deputy Secretary as is submitted by the latter direct to the Honourable Member, through an arrangement which requires that all cases returning from the Honourable Member shall be submitted to him before any orders issue. These are the means by which the Secretary is enabled to keep in complete touch with the entire working of the office.

13. Besides the officers mentioned in the preceding portion of this note, the officers closely associated with the Home Department are the Director-General Indian Medical Service, the Sanitary Commissioner with the Government of India, the Director-General of Education, the Director-General of Archaeology, and the Director Criminal Intelligence. These officers aid the Home Department with their advice on the class of work falling within their respective spheres of duty.

APPENDIX IIa.

Statement of Returns dealt with in the Commerce and Industry Department, with an expression of opinion as to their necessity (filed by Mr. B. Robertson, vide Q. 43746).

Name of the Return.	Is the Return called for from Local Governments?	Is the Return furnished to the Secretary of State?	Is the Return necessary?
COMMERCE, ETC.			
<i>Quarterly.</i> List of corrections to the Sea Customs, Ports, Commercial Marine Rules, and other Manuals of the Local Governments.	Lists of corrections are received from Local Governments as they are published.	Yes	This Department must receive copies of the corrections, but they might be sent direct to the Secretary of State by Local Governments, instead of being accumulated here for a quarter.
<i>Six-monthly.</i> Nil.	...	...	...
<i>Annual.</i> Confidential Reports on Officers of the Imperial Customs Service.	Yes	No	Yes.
Reports from each Maritime Province on the trade, Customs administration, and the working of the Merchandise Marks Act.	Yes	Furnished by the Local Governments concerned.	Yes.
Administration Reports of the various Port Trusts.	Yes	By the Government of India in the case of the Calcutta and Rangoon Reports. By Local Governments in other cases.	Yes.
EXPLOSIVES AND FACTORIES.			
<i>Quarterly.</i> Nil.	...	...	...
<i>Six-monthly.</i> Nil.	...	...	...
<i>Annual.</i> Statements showing the quantity of dangerous and non-dangerous petroleum produced in and imported into British India.	Yes ; from the Governments of Burma, Bengal, Bombay, Madras, and Eastern Bengal and Assam.	No	Yes.
Reports on the working of the Indian Factories Act, 1881 (XV of 1881), in the different provinces.	Yes ; all Local Governments and Administrations.	Yes	Yes.
Return showing the minimum wages paid to different classes of labour in factories in India.	Yes	Yes	Probably unnecessary. Its abolition is under consideration.
GEOLOGY AND MINING.			
<i>Quarterly.</i> Returns of mineral concessions from all provinces.	Yes	No	Yes. These statements were prescribed with the object of preventing any tendency to unnecessary delay in the disposal of concessions and of affording a check on the working of the rules. Yearly or even half-yearly reports would not serve this object and would probably lead to additional trouble in compilation.
<i>Six-monthly.</i> Nil.	...	...	...

Statement of Returns dealt with in the Commerce and Industry Department, with an expression of opinion as to their necessity—concluded.

Name of the Return.	Is the Return called for from Local Governments?	Is the Return furnished to the Secretary of State?	Is the Return necessary?
GEOLOGY AND MINING.—cont.			
<i>Annual.</i>			
Report on Colonial Emigration from the Port of Calcutta.	Orders prescribing the report are not traceable.	Yes	Yes.
Report on Colonial Emigration in Madras...	Do.	Not sent by the Government of India. It is not known whether the Government of Madras sends a copy to the Secretary of State.	Yes.
<i>Annual Report on Inland Emigration—</i>			
Madras	Yes	Yes	Yes.
Bengal	Yes	Yes	Yes.
Eastern Bengal and Assam	Yes	Yes	Yes.
United Provinces	Yes	Yes	Yes.
Central Provinces	Yes	Yes	Yes.
Monographs on Art Industries from all provinces.	Yes	No	Yes.
Report on the working of the Indian Mines Act from all provinces	Yes	A consolidated report prepared by the Chief Inspector of Mines is sent to the Secretary of State.	Yes.
Report on the Lucknow Museum	No	No	Can be dispensed with.
<i>Periodical.</i>			
Copy of mining leases as issued by Local Governments.	Yes	No	Not necessary.
GENERAL, STATIONERY, AND STORES.			
<i>Quarterly.</i>			
List of memorials withheld by Local Governments.	Yes	As regards memorials addressed to His Majesty the King or the Secretary of State for India, a list of such memorials withheld is submitted to the Under Secretary of State quarterly.	Yes.
List of unanswered despatches from the Secretary of State.	No	Yes	A proposal is under circulation in the Government of India Secretariats that the list should be forwarded half-yearly in future.
<i>Six-monthly.</i>			
Nil.			
<i>Annual.</i>			
Stationery Statistics	Yes; called for from the Governments of Madras and Bombay.	No	Yes.
Accounts of Indian Law Reports	Yes; called for from Madras, Bombay, United Provinces, and Bengal.	No	Yes.
Stores Returns	Yes	Yes	Yes; for the Secretary of State's purpose.

APPENDIX IIb.

Statement of periodical reports and returns received in the Department of Revenue and Agriculture from Local Governments and Administrations (filed by Mr. R. W. Carlyle, vide Q. 44,039).

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	EXISTING REPORTS AND RETURNS REQUIRED.		From what Local Governments required.	Remarks.
			(1) By Government of India.	(2) By Secretary of State.		
1. Provincial Land Revenue Administration Reports.	...	...	Provincial Land Revenue Administration Reports.	*Provincial Land Revenue Administration Reports.	All Local Governments except Ajmer, Coorg and Baluchistan.	Bombay Report introduced since 1905.
Provincial Reports on Land Records and Agriculture.	Abolished	...	...	...	...	Prescribed at the instance of the Finance Department.
Review of the Survey and Settlement Report, Madras.	Do.	...	Provincial Reports on Court of Wards Administration.	*Provincial Reports on Court of Wards Administration.	All Local Governments except Burma, Ajmer, Coorg and Baluchistan.	The calendar is maintained by the Government of India for its own information. Extracts are sent annually to each Local Government in order that necessary corrections may be made.
2. Provincial Reports on Court of Wards Administration.	...	...	Provincial Returns of alienations of State lands.	...	Do.	
3. Provincial Returns of alienations of State lands.	...	...	Provincial Returns of assignments of Land Revenue.	...	Do.	
4. Provincial Returns of assignments of Land Revenue.	...	...	Provincial Calendars of Land Revenue Settlements showing dates of expiry of current settlements.	...	...	
5. Provincial Calendars of Land Revenue Settlements showing dates of expiry of current settlements.	...	...	Talukdari Settlement Officer's Report on encumbered and attached estates, Bombay.	*Talukdari Settlement Officer's Report on encumbered and attached estates, Bombay.	Bombay	
Land Revenue Administration Report (Sind).	Abolished	...	...	...	...	
Report on Land Records and Agriculture (Sind).	Do.	...	...	...	...	
Progress Report of the Surveys in the Bombay Presidency.	Do.	...	...	...	...	
Report of the progress made in the completion of the Survey and Settlement operations in Bombay Presidency.	Do.	...	...	...	...	
Report of the Talukdari Settlement Officer's Report on encumbered and attached estates, Bombay.	...	...	...	...	...	

* The reports marked with an asterisk in column 4 (2) are forwarded to the Secretary of State direct by Local Governments and Administrations for the Moral and Material Progress Reports, Statistical Abstract relating to India, and for other purposes in accordance with Home Department general orders regarding direct transmission to the India Office of all Government Publications (Home Department Resolution, No. 10—438-60, dated 6th March, 1880).

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	EXISTING REPORTS AND RETURNS REQUIRED.		From what Local Governments required.	Remarks.
			(1) By Government of India.	(2) By Secretary of State.		
1.	2.	3.	4.	5.	6.	
ANNUAL—cont.						
7. Report on the Administration of encumbered estates in Sind.	...	...	Report on the Administration of encumbered estates in Sind.	*Report on the Administration of encumbered estates in Sind.	Bombay	...
Statement of increases of revenue due to revision of settlement.	Abolished	...	Land Revenue Administration Report, Bombay Collectorate.	*Land Revenue Administration Report, Bombay Collectorate.	Bombay	...
8. Land Revenue Report of the Bombay Collectorate.	...	...	Provincial Survey and Settlement Reports.	*Provincial Survey and Settlement Reports.	Bombay and Eastern Bengal and Assam.	...
9. Provincial Survey and Settlement Reports.	...	...	Estimate of Survey and Settlement charges.	...	Do.	Required for budget purposes, the charges being Imperial in the first instance.
10. Estimate of Survey and Settlement charges.	...	1. Provincial Reports of Land Records Departments.	Provincial Reports of Land Records Departments.	*Provincial Reports of Land Records Departments.	All Local Governments except Madras, Bengal, Central Provinces, Ajmer, Coorg, Baluchistan and North-West Frontier Province.	
...	...	2. Reports on Land Records and Settlement Departments.	Reports on Land Records and Settlement Departments.	*Reports on Land Records and Settlement Departments.	Madras and Central Provinces.	
...	...	3. Report of the Settlement Department, Punjab.	Report of the Settlement Department, Punjab.	*Report of the Settlement Department, Punjab.	Punjab.	
...	...	4. Canal Colonization Report, Punjab.	Canal Colonization Report, Punjab.	*Canal Colonization Report, Punjab.	Punjab.	
...	...	5. Report on the working of the Bundelkhand Alienation of Land Act, 1903, United Provinces.	Report on the working of the Bundelkhand Alienation of Land Act, 1903, United Provinces.	*Report on the working of the Bundelkhand Alienation of Land Act, 1903, United Provinces.	United Provinces	Due to recent legislation
...	...	6. Report on the working of the Punjab Alienation of Land Act (XII. of 1900).	Report on the working of the Punjab Alienation of Land Act (XII. of 1900).	*Report on the working of the Punjab Alienation of Land Act (XII. of 1900).	Punjab	Do.
...	...	7. Report on the working of the Co-operative Credit Societies Act, 1904.	Report on the working of the Co-operative Credit Societies Act, 1904.	*Report on the working of the Co-operative Credit Societies Act, 1904.	All Local Governments except Baluchistan.	Do.

APPENDIX :

ROYAL COMMISSION UPON DECENTRALIZATION.

11. Provincial Reports on Botanical Gardens and Parks.	...	8. Report of the Land Records Department (Sind).	Report of the Land Records Department (Sind).	*Report of the Land Records Department (Sind).	Bombay.	
12. Provincial Reports on Cinchona Plantations.	...	...	Provincial Reports on Cinchona Plantations.	*Provincial Reports on Cinchona Plantations.	Madras, Bengal, United Provinces, Punjab and Central Provinces.	
13. Statistics of Coffee	...	...	Statistics of Coffee	*Statistics of Coffee	Madras and Bengal.	
14. Statistics of Tea	...	...	Statistics of Tea	*Statistics of Tea	Madras, Coorg, and Burma.	
15. Statistics of Cinchona	...	...	Statistics of Cinchona	*Statistics of Cinchona	Madras, Bengal, Eastern Bengal and Assam, United Provinces, and Punjab.	
Report on the working of the Experimental Farm, Poona.	Abolished	...	...	...	Madras and Bengal	I think that these are no longer required, and would abolish the return.
Report on the Experimental Farm, Poona.	Do.	...	...	...	...	
Report on the Experimental Farm, Caon-pore.	Do.	...	...	...	...	
Report on the Experimental Farm, Nagpur.	Do.	...	...	...	...	
Report on Arboriculture	...	9. Provincial Reports on the operations of Departments of Agriculture.	Provincial Reports on the operations of Departments of Agriculture.	*Provincial Reports on the operations of Departments of Agriculture.	All Local Governments except Ajmer, Coorg and Baluchistan.	
...	...	10. Provincial Season and Crop Reports.	Provincial Season and Crop Reports.	*Provincial Season and Crop Reports.	Do.	
...	...	11. Provincial Reports on Agricultural Stations.	Provincial Reports on Agricultural Stations.	*Provincial Reports on Agricultural Stations.	Do.	This is a continuous record of experimental work at each Agricultural Station. The report was suggested by the Government of India, but is sent to them merely for information.
16. Provincial Abstracts of Programmes of Relief Works.	...	...	Provincial Abstracts of Programmes of Relief Works.	...	All Local Governments except Coorg and Baluchistan.	
17. Provincial Reports on Forest Administration.	...	...	Provincial Reports on Forest Administration.	*Provincial Reports on Forest Administration.	All Local Governments.	
18. Provincial Confidential Reports on Forest Officers eligible for advancement to the class of Conservator.	...	...	Provincial Confidential Reports on Forest officers eligible for advancement to the class of Conservator.	...	All Local Governments except Madras, Bombay, Coorg, Ajmer and Baluchistan.	
19. Nomination of Extra-Assistant Conservators for a Special local allowance of Rs. 50 a month under section 24 (c) of the Forest Department Code (6th Edition).	...	...	Nomination of Extra-Assistant Conservators for a special local allowance under section 24 (c) of the Forest Department Code (6th Edition).	...	All Local Governments except Madras, Bombay, Coorg, Baluchistan and North-West Frontier Province.	

* The reports marked with an asterisk in column 4 (2) are forwarded to the Secretary of State direct by Local Governments and Administrations for the Moral and Material Progress Reports, Statistical Abstract relating to India, and for other purposes in accordance with Home Department general orders regarding direct transmission to the India Office of all Government Publications (Home Department Resolutions, No. 10—138-00, dated 6th March, 1980).

Statement of periodical reports and returns received in the Department of Revenue and Agriculture from Local Governments and Administrations—cont.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	EXISTING REPORTS AND RETURNS REQUIRED.		From what Local Governments required.	Remarks.
			(1) By Government of India.	(2) By Secretary of State.		
1.	2.	3.	4.	5.	6.	
ANNUAL—cont.						
<i>Classified list of Forest Officers and Rangeros, Summary of Forest Revenue and Expenses.</i>	Abolished. Do.	...	...	...	...	
<i>Report on the effect of Conservancy on the fauna in the Sahyanpur Division.</i>	Do.	...	...	...	...	
20. Provision Reports on the Administration of the Civil Veterinary Department.	...	...	Provincial Reports on the Administration of the Civil Veterinary Department.	*Provincial Reports on the Administration of the Civil Veterinary Department.	All Local Governments except Coorg (Eastern Bengal and Assam, North-West Frontier Province and Ajmer reports after 1901), Bombay Government.	This report is required for transmission to the Observatories' Committee of the Royal Society. Prescribed by Secretary of State.
21. Returns of Agricultural Statistics.	...	12. Report of the Maharaja Takhta Singhji Observatory, Poona.	Report of the Maharaja Takhta Singhji Observatory, Poona.	Report of the Maharaja Takhta Singhji Observatory, Poona.	Do.	Do.
22. Forecasts of Crops (wheat, cotton, oil, seeds, rice, etc.)	...	...	Returns of Agricultural Statistics. Forecasts of Crops (wheat, cotton, oilseeds, rice, etc.)	Returns of Agricultural Statistics. Forecasts of Crops (wheat, cotton, oilseed, rice, etc.)	All Local Governments.	
HALF-YEARLY.						
23. Return of Settlement appointments sanctioned by the Government of India and Local Governments.	...	...	...	Return of Settlement appointments sanctioned by the Government of India and Local Governments.	Do.	
QUARTERLY.						
24. List of memorials to the Government of India withheld by the Government of India and Local Governments.	...	...	List of memorials to the Government of India withheld by Local Governments.	...	All Local Governments except Baluchistan.	
25. List of memorials to the Secretary of State withheld by the Government of India and Local Governments.	...	...	...	List of memorials to the Secretary of State withheld by the Government of India and Local Governments.	Do.	
26. List of unanswered despatches	...	...	...	List of unanswered Despatches.	Government of India.	

APPENDIX :

ROYAL COMMISSION UPON DECENTRALIZATION.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	EXISTING REPORTS AND RETURNS REQUIRED.		From what Local Governments required.	Remarks.
			(1) By Government of India.	(2) By Secretary of State.		
1.	2.	3.	4.	5.	6.	
WEEKLY.						
27. Telegrams on crop prospects	...	...	Telegrams on crop prospects	...	All Local Governments except Baluchistan.	In the case of Bengal and Eastern Bengal the correspondence is forwarded for the information of the Secretary of State.
OCCASIONAL.						
28. Proposals for the inception of Revenue Settlement operations and forecast of financial results.	...	...	Proposals for the inception of Revenue Settlement operations and forecast of financial results.	...	All Local Governments except Madras and Bombay.	
29. Provincial Reports of proposed assessment of Land Revenue.	...	...	Provincial Reports of proposed assessment of Land Revenue.	...	Burma and Central Provinces.	
30. Provincial Reports on final completed Revenue Settlement operations.	...	...	Provincial Reports on completed Revenue Settlement operations.	*Provincial Reports on completed Revenue Settlement operations.	All Local Governments.	
31. Return showing average outturn of principal crops under irrigated and unirrigated cultivation. (Quinquennial.)	...	...	...	Return showing average outturn of principal crops under irrigated and unirrigated cultivation. (Quinquennial.)	Do.	
32. Weekly telegram on crop prospects, relief measures, and condition of people during prevalence of famine.	...	...	...	Weekly telegram on crop prospects, relief measures and condition of people during prevalence of famine.	Do.	Based on weekly weather and crop reports received from all Local Governments and Administrations.
33. Provincial telegraphic reports on agricultural prospects in connection with the presentation of the India budget estimates to Parliament.	...	...	...	Provincial telegraphic reports on agricultural prospects in connection with the presentation of the India budget estimates to Parliament.	Do.	A consolidated summary embodying the information contained in these reports, is telegraphed to Secretary of State.
34. Provincial preliminary reports on tracts threatened with famine and measures of relief proposed.	...	...	Provincial preliminary reports on tracts threatened with famine and measures of relief proposed.	Provincial preliminary reports on tracts threatened with famine and measures of relief proposed.	Do.	
35. Provincial monthly reports on progress of relief measures in tracts suffering from scarcity and conditions of population.	...	...	Provincial monthly reports on progress of relief measures in tracts suffering from scarcity and conditions of population.	Provincial monthly reports on progress of relief measures in tracts suffering from scarcity and conditions of population.	Do.	
36. Provincial weekly telegraphic reports of number of people on relief and general conditions in distressed tracts.	...	...	Provincial weekly telegraphic reports of number of people on relief and general conditions in distressed tracts.	...	Do.	

* The reports marked with an asterisk in column 4 (2) are forwarded to the Secretary of State direct by Local Governments and Administrations for the Moral and Material Progress Reports, Statistical Abstract relating to India, and for other purposes in accordance with Home Department general orders regarding direct transmission to the India Office of all Government Publications (Home Department Resolution, No. 10—458-60, dated 6th March, 1889).

Statement of periodical reports and returns received in the Department of Revenue and Agriculture from Local Governments and Administrations—concluded.

1. Required before 1901, the year of issue of general orders for curtailment.	2. Abolished since 1901.	3. Introduced since 1901.	EXISTING REPORTS AND RETURNS REQUIRED.		5. From what Local Governments required.	6. Remarks.
			(1) By Government of India.	(2) By Secretary of State.		
OCCASIONAL.— <i>cont.</i>						
37. Provincial weekly returns of number of persons relieved in famine-stricken tracts.	..	..	Provincial weekly returns of number of persons relieved in famine-stricken tracts.	..	All Local Governments.	A general statement of numbers on relief is prepared from the weekly returns and forwarded to India Office weekly.
38. Provincial reports of grain riots in tracts suffering from scarcity or famine.	..	..	Provincial reports of grain riots in tracts suffering from scarcity or famine.	Provincial reports of grain riots in tracts suffering from scarcity or famine.	Do.	
39. Provincial final reports on Famine Relief Operations.	..	..	Provincial final reports on Famine Relief Operations.	Provincial final reports on Famine Relief Operations.	Do.	
40. Forest Working-Plans ..	..	..	Forest Working-Plans ..	..	Do.	
41. Provincial reports on the economic progress and condition of the people (for the decennial issue of the Moral and Material Progress Report).	..	..	..	Provincial reports on the economic progress and condition of the people (for the decennial issue of the Moral and Material Progress Report).	Do.	
Total number = 56 (including number abolished).	15	12	46	39		Total number 53.

APPENDIX IIc.

List of periodical returns dealt with in the Public Works Department with an expression of opinion as to their necessity (filed by Mr. L. M. Jacob, vide Q. 44476).

(a) Called for from provincial Governments.

No.	Return.	Remarks.
	1.— <i>Monthly.</i>	
1	List of changes in the Upper Subordinate and Accounts Establishments.	These might be done away with. Local Governments could send us the information collectively each half-year for purposes of the Classified Lists.
2	Abstract of Proceedings of Local Governments, etc.	Necessary.
3	Statements of allotments from Postal and Telegraph Minor Works Reserves.	Do.
	2.— <i>Quarterly.</i>	
1	List of Memorials addressed to the Secretary of State withheld by the Government of India and Local Governments, etc.	Necessary for submission to Secretary of State.
2	List of Memorials addressed to the Government of India withheld by Local Governments, etc.	Necessary in order to see that the memorial rules are complied with and that no memorials are irregularly withheld.
	3.— <i>Half-yearly.</i>	
1	Recommendations for promotion of Lieutenant-Colonels to Colonel.	Might go direct from Local Governments to Army Head-quarters.
	4.— <i>Annual.</i>	
1	Return of Officers who at the age of 50 years have not attained the rank of Superintending Engineer and are liable to be called upon to retire from service.	Might be dispensed with. When a Local Government desires to retire an officer under the rules in Resolution No. 1885 G. of 1887, the matter can be reported to Government.
2	Promotion roll of Chief and Superintending Engineers and Executive Engineers, 1st grade.	Necessary.
3	Promotion roll of Executive and Assistant Engineers on the Minor Administrations List.	Will be done away with if the new reorganization scheme introducing a time scale is accepted by Secretary of State.
4	Confidential reports on Royal Engineer Officers	Necessary for submission to the War Office.
5	Roll of Upper Subordinates recommended for promotion to the Provincial Engineer Establishment.	Necessary as the Government of India select three men each year for promotion to the Provincial Engineer Service.
6	Administration Reports affecting the Buildings and Roads Branch.	Sent to the Government of India for information. Should be retained.
7	Return of works done to Government vessels by private firms.	Not necessary so far as Public Works Department is concerned, but required by Military Supply (Marine) Department.
8	Return of expenditure on stores	Required for the information of the Secretary of State.
9	Irrigation Administration Reports	Necessary.
10	Note by the Accountant-General, Public Works Department, upon the accounts of Revenue and Expenditure on Irrigation Works in India.	Do.
11	Statements of Irrigation Operations of <i>fasl rabi</i> and <i>khari</i>	This information is supplied by Local Governments to the Statistical Bureau, and copies are also sent to Government of India. This information is not very necessary, but the submission of a few extra printed statements gives no extra trouble to the Local Governments, etc.
12	Statistical Statement No. III. E, showing quantity and value of crops irrigated.	Necessary with reference to the irrigation projects which the Government of India have to examine.
13	Statistical Statement No. IV. E. Comparative Statement of Irrigation and Rainfall.	Necessary.
14	Return giving certain data for the determination of the supplies of water available for proposed irrigation works.	Required for Secretary of State.
15	Statement showing mileages of irrigation canals and distributaries and areas commanded and irrigated by them.	Necessary.
16	Programme of outlay on productive irrigation works	Required for Secretary of State.
17	Capital and Revenue Accounts of Government residential buildings.	Necessary.
18	Promotion recommendation rolls of superior accounts officers.	Do.
19	Abstract of revised and budget estimates	Do.
20	Estimate of Income tax recoveries	Do.
21	Estimate of Exchange Compensation Allowance	Do.
22	Preliminary Issues of revised and budget estimates	Do.
23	Final Issues of revised and budget estimates	Do.
24	Abstract estimates of the value of stores likely to be indented for from England for Buildings and Roads, Irrigation and Telegraph Departments.	Necessary to comply with the requirements of the Secretary of State.

(a) Called for from Provincial Governments—concluded.

No.	Return.	Remarks.
4.—Annual—cont.		
25	Statement of financial results of irrigation operations in India.	Necessary to comply with the requirements of the Secretary of State.
26	Six months Estimate	Necessary.
27	Schedules of Demands for Imperial Civil Works and Irrigation Works.	Do.
5.—Triennial.		
1	Triennial Irrigation Revenue Reports	Do.
6.—Occasional.		
1	Return of deaths of European officers and pensioners ...	Necessary for report to the Secretary of State.

List of periodical returns which the Public Works Department (b) furnishes to the Secretary of State.

1.—Monthly.		
1	Abstract of Monthly Proceedings	Necessary.
2.—Quarterly.		
1	List of memorials addressed to the Secretary of State with-held by Government of India, Local Governments, etc.	Do.
2	Tables of unanswered despatches and references	Necessary. Required by the Secretary of State.
3	Return of payments on account of deferred pay to soldiers serving in the Public Works Department.	Necessary. Received through the Accountant General, Public Works Department.
3.—Half-yearly.		
1	List of Chief and Superintending Engineers granted extension of service after 55 years of age.	Necessary. Required by the Secretary of State.
2	Statement showing the financial position of irrigation works under construction.	Do. do.
4.—Annual.		
1	History of services of officers of the Public Works Department.	Do. do.
2	Annual statement of temporary appointments in the Public Works Department over Rs. 500 per mensem, which have been in existence for over two years.	Required for report to the Secretary of State.
3	Irrigation Administration Reports	Necessary.
4	Note by the Accountant General, Public Works Department, upon the Accounts of Revenue and Expenditure of Irrigation Works in India.	Do.
5	Return of expenditure on stores... ..	These returns are received in this Department, but are transmitted to the Secretary of State by the Department of Commerce and Industry.
6	Programme of outlay on productive irrigation works ...	Necessary.
7	Statement of financial results of irrigation operations in India.	Necessary. Required by the Secretary of State.
8	Abstract estimate of stores likely to be indented for from England for Buildings and Roads, Irrigation and Telegraph Departments.	Do. do.
5.—Triennial.		
1	Triennial Irrigation Revenue Reports	Necessary.
6.—Occasional.		
1	Return of deaths of European Uncovenanted Officers ...	Necessary. Required by the Secretary of State.

APPENDIX III.

Periodical Reports and Returns called for in the Finance Department from Provincial Governments (filed by Mr. J. S. Meston, vide Q. 44813).

Serial No.	Subject of Report or Return.	Period.	From whom received.	REMARKS.
1	Local loans and advances	Annual ...	All Local Governments.	These statistical returns are submitted annually and reviewed in a triennial report. Do.
2	Statement of counterfeit coin	Do. ...	Do.	
3	Local Fund Reports	Do. ...	Do.	
4	Statement of excess expenditure in previous financial year.	Do. ...	Do.	
5	Excise Administration	Do. ...	Do.	
6	Opium Administration	Do. ...	Bengal and Bombay.	
7	Salt Administration	Do. ...	Six Local Governments.	
8	Stamp Administration	Do. ...	All Local Governments.	
9	Income-Tax Administration	Do. ...	Do.	
10	Probates, Letters of Administration, etc.	Do. ...	Do.	
11	Recoveries in India of cost of Privy Council Appeals.	Do. ...	Do.	
12	Coinage of Native States	Do. ...	Bombay, Madras, and Punjab Governments and Agents to the Governor General, Rajputana and Central India, and Resident, Hyderabad.	
13	Settlement appointments sanctioned by Local Governments and the Government of India under the powers conferred by Secretary of State's despatch No. 121 (Revenue), dated the 31st October, 1895.	Half-yearly	All Local Governments.	Required by the Secretary of State.
14	Opium smuggling	Do. ...	Do.	The Government of Madras recently suggested that these statements might be shortened by the omission of cases in which less than 20 tolas of opium are concerned. I think this proposal might reasonably be accepted. This statement may be dispensed with in future.
15	Sanctions to revisions of Imperial establishments by Local Governments.	Quarterly	Do.	This also may be discontinued.
16	Sanctions to items of petty expenditure under Article 278 (A), Civil Account Code.	Do. ...	Do.	This return may be discontinued.
17	Irrecoverable advances to cultivators	Do. ...	Chief Commissioner of Ajmer-Merwara.	Do.
18	Remission and suspension of revenue	Do. ...	Do.	Do.

Periodical Reports and Returns submitted to the Secretary of State.

Serial No.	Subject of Report or Return.	Period.	REMARKS.
1	Mortality among pensioners	Quinquennial.	This statement shows the expenditure on wound or injury pensions and on pensions of the families of officers who die of plague while on plague duty. I am not aware for what purpose it is used, but I would suggest that its discontinuance be considered.
2	Mint Administration	Annual.	
3	Paper Currency Administration	Do.	
4	Working of the Bengal Opium Agency	Do.	
5	Administration of the Northern India Salt Revenue Department.	Do.	
6	Recovery in India of cost of Privy Council Appeals	Do.	
7	Total of Pensions and Gratuities granted under Part VI of the Civil Service Regulations.	Do.	
8	Compassionate allowance granted to officers removed or dismissed from the service for misconduct or inefficiency.	Do.	
9	Opium Revenue	Monthly.	
10	Salt Revenue and Issues	Do.	
11	Imports and Exports of gold and silver and receipt and coinage of silver at the Mints.	Do.	
12	Receipts, issues and balance of gold	Weekly.	
13	Receipts, issues and balance of gold, and silver balance in the currency reserve.	Do.	
14	Affairs of the Presidency Banks	Do.	

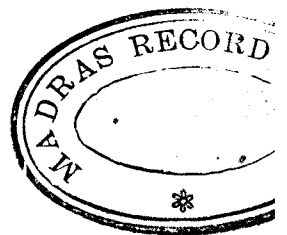
APPENDIX II.

List of periodical reports and returns received in the Home Department (filed by Sir H. Risley, vide Q. 45387).

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	EXISTING REPORTS AND RETURNS.		REMARKS.
			(i) Which stop with the Government of India.	(ii) Which are furnished to the Secretary of State [i.e., required by him for (a) Moral and Material Progress Report, (b) Statistical Abstract relating to British India, (c) other purposes].	
1	2	3	4		5
1. Provincial General Administration Reports.	—	—	—	Provincial General Administration Reports [(a) and (b)].	
2. Registration reports (Annual Notes and triennial Reports).	—	—	—	Registration Reports (Annual Notes and triennial Reports) [(a) and (b)].	
3. Annual Reports on newspapers.	—	—	—	Annual reports on newspapers [(b) and (c)].	
4. Weekly selections from native-owned newspapers.	—	—	—	Weekly selections from native-owned newspapers [(c)].	
5. Reports on destruction of wild animals and venomous snakes.	—	—	—	Reports on destruction of wild animals and venomous snakes [(b)].	
6. Returns of certificates of identity and passports granted to natives of India proceeding to Europe.	—	—	—	Returns of certificates of identity and passports granted to natives of India proceeding to Europe [(c)].	
7. Lists of petitions to the Government of India withheld by Local Governments.	—	—	List of petitions to the Government of India withheld by Local Governments.		
8. Lists of memorials to the Secretary of State withheld by the Government of India and Local Governments.	—	—	—	Lists of memorials to the Secretary of State withheld by the Government of India and Local Governments [(c)].	
Returns under the European Vagrancy Act.	Abolished.	—	—	—	
Return of dismissed Government servants in Coorg.	Do.	—	—	—	
Returns of rifles imported into Indian forts.	Do.	—	—	—	
		1. Weekly report on the political situation in the district of Backerganj (received through the Government of Eastern Bengal and Assam).	Weekly report on the political situation in the district of Backerganj (received through the Government of Eastern Bengal and Assam).		Nos. 1 to 4 in column 3 were introduced in connexion with the recent unrest.
		2. Weekly report on the political situation in the Punjab.	Weekly report on the political situation in the Punjab.		

List of periodical reports and returns received in the Home Department—cont.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	EXISTING REPORTS AND RETURNS.		REMARKS.
			(i) Which stop with the Government of India.	(ii) Which are furnished to the Secretary of State [i.e., required by him for (a) Moral and Material Progress Report, (b) Statistical Abstract relating to British India, (c) other purposes].	
1	2	3	4		5
		3. Weekly report of the Director, Criminal Intelligence, on the political situation in India.	Weekly report of the Director, Criminal Intelligence, on the political situation in India.		
		4. Fortnightly reports from the Governments of Bengal and Eastern Bengal and Assam on the political situation in those provinces.	Fortnightly reports from the Governments of Bengal and Eastern Bengal and Assam on the political situation in those provinces [(c)].		
		5. Weekly Police and Political Abstracts from each Province.	Weekly Police and Political Abstracts from each Province.		Unnecessary.
9. Provincial Civil Justice reports.	—	—	—	Provincial Civil Justice reports [(a) and (b)].	
10. Provincial Criminal Justice reports.	—	—	—	Provincial Criminal Justice reports [(a) and (b)].	
11. Report on the working of the Dekkan Agriculturists Relief Act.	—	—	Report on the working of the Dekkan Agriculturists Relief Act.		
Report on Legal Affairs, Bengal.	Abolished.	—	—	—	
Report on Legal Affairs, North-Western Provinces and Oudh.	Do.	—	—	—	
Report on the working of Part I. of the Criminal Tribes Act in the United Provinces.	Do.	—	—	—	
12. Returns of baptisms, marriages and burials and marriage certificates.	—	—	—	Returns of baptisms, marriages and burials and marriage certificates [(c)].	Unnecessary. Vide No. 25 in Appendix III.
13. List of Civil Servants eligible for a seat in the High Courts.	—	—	—	List of Civil Servants eligible for a seat in the High Courts [(c)].	The Punjab and Burma returns were discontinued in 1903.
14. Statement showing the recovery of costs in Privy Council appeal cases.	—	—	—	Statement showing the recovery of costs in Privy Council appeal cases [(c)].	This is apparently sent on by Finance Department.
15. Return of sittings of High Court Judges.	—	—	—	Return of sittings of High Court Judges [(c)].	
16. Statement showing the state of the files of the High Court and City Civil Court, Madras.	—	—	—	Statement showing the state of the files of the High Court and City Civil Court, Madras [(c)].	



List of periodical reports and returns received in the Home Department—cont.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	EXISTING REPORTS AND RETURNS.		REMARKS.
			(i) Which stop with the Government of India.	(ii) Which are furnished to the Secretary of State [<i>i.e.</i> required by him for (a) Moral and Material Progress Report, (b) Statistical Abstract relating to British India, (c) other purposes].	
1	2	3	4		5
17. Statement showing the state of the files of the Allahabad High Court.	—	—	—	Statement showing the state of the files of the Allahabad High Court [(c)].	
18. Statement showing the state of the files of the Calcutta High Court.	—	—	Statement showing the state of the files of the Calcutta High Court.	—	
19. Auditor's report on the accounts of the Administrator General, Bengal.	—	—	—	Auditor's report on the accounts of the Administrator General, Bengal [(c)].	This report is prescribed by section 46 of Act II. of 1874.
		6. Accounts of the receipts and charges of the Administrator General, Bengal.	Accounts of the receipts and charges of the Administrator General, Bengal.	—	No report has yet been received.
		7. Report on the working of the Poisons Act, 1904.	Report on the working of the Poisons Act, 1904.	—	It is understood that the Army Department has ordered the discontinuance of this return.
Quarterly return of Chaplains of the Bengal Establishment absent on furlough or leave.	Abolished.	—	—	—	
Monthly return of allowances paid to clergymen for ministering to Presbyterian troops.	Do.	—	—	—	
20. Provincial Jail Reports.	—	—	—	Provincial Jail Reports [(a) and (b)].	
21. Port Blair Administration Report.	—	—	—	Port Blair Administration Report [(a) and (b)].	
Report from the Government of Bengal of the deportation of convicts from the Alipore Jail.	Abolished.	—	—	—	
Report from the Superintendent, Port Blair, of the arrival in the Andamans of life-convicts from Madras.	Do.	—	—	—	
22. Return showing strength and armament of the police force.	—	—	Return showing the strength and armament of the police force.	—	
23. Provincial Police Reports.	—	—	—	Provincial Police Reports [(a) and (b)].	
24. List of unanswered despatches from the Secretary of State.	—	—	—	List of unanswered despatches from the Secretary of State [(c)].	
		8. Return of counterfeit coining.	Return of counterfeit coining.	—	
25. Provincial Education Reports.	—	—	—	Provincial Education Reports [(a) and (b)].	

List of periodical reports and returns received in the Home Department—cont.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	EXISTING REPORTS AND RETURNS.		REMARKS.
			(i) Which stop with the Government of India.	(ii) Which are furnished to the Secretary of State [<i>i.e.</i> required by him for (a) Moral and Material Progress Report, (b) Statistical Abstract relating to British India, (c) other purposes].	
1	2	3	4		5
		9. Quarterly returns of certificates of identity granted to Indian students proceeding to Japan.	Quarterly Returns of certificates of identity granted to Indian students proceeding to Japan.	—	These returns are sent to the British Minister in Japan. Local Governments have been told that blank returns need not be submitted to the Government of India.
		10. Annual report of the operations of the Board of Examiners, Calcutta.	Annual report of the operations of the Board of Examiners, Calcutta.	—	Unnecessary.
26. Reports on Reformatory Schools.	—	—	Reports on Reformatory Schools.	—	
27. Archaeological reports and programmes.	—	—	—	Archaeological reports and programmes [(a)].	
		11. Report of the Director-General of Archaeology.	—	Report of the Director-General of Archaeology [(a)].	
28. Report on epigraphy in the Madras Presidency.	—	—	—	Report on epigraphy in the Madras Presidency [(a)].	
29. Municipal reports.	—	—	—	Municipal reports [(a) and (b)].	
30. Local and District Boards reports.	—	—	—	Local and District Boards reports [(a) and (b)].	
Quarterly return showing cases of transfer of officers from other districts to fill short leave vacancies.	Abolished.	—	—	—	
31. Provincial Sanitary Reports.	—	—	—	Provincial Sanitary Reports [(a) (b) (c)*].	*For the preparation of the report on sanitary measures in India which is annually presented to Parliament.
32. Provincial Vaccination Reports.	—	—	—	Provincial Vaccination Reports [(a) (b) (c)*].	
33. Report of the Sanitary Commissioner with the Government of India.	—	—	—	Report of the Sanitary Commissioner with the Government of India [(a) (b) (c)*].	
34. Report on the Haj.	—	—	Report on the Haj.	The Consul at Jedda also sends these reports direct to the India Office.	
35. Report on the quarantine station at Camaran.	—	—	Report on the quarantine station at Camaran.	—	
Report on the pilgrim camp at Pir Pau.	Abolished.	—	—	—	Unnecessary.
		12. Report on the pilgrim camp at Perim.	Report on the pilgrim camp at Perim.	—	

List of periodical reports and returns received in the Home Department—cont.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	EXISTING REPORTS AND RETURNS.		REMARKS.
			(i) Which stop with the Government of India.	(ii) Which are furnished to the Secretary of State [i.e., required by him for (a) Moral and Material Progress Report, (b) Statistical Abstract relating to British India, (c) other purposes].	
1	2	3	4	5	6
36. Weekly reports of the Board of Health at the principal ports; also health reports of minor ports when disease is epidemic.	—	—	—	Weekly reports of the Board of Health at the principal ports; also health reports of minor ports when disease is epidemic [(c)].	
Quarterly report of the Health Officer of the town of Calcutta on the vital statistics and sanitary condition of the town.	Abolished.	—	—	—	
Report of the Health Officer of the port of Calcutta.	Do.	—	—	—	
Returns showing the prevalence of venereal diseases in the three Presidency towns.	Do.	—	—	—	
37. Returns showing sickness and mortality among the children in the Lawrence Institutions at Mount Abu, Murree and Sanawar.	—	—	Returns showing sickness and mortality among the children in the Lawrence Institutions.	—	Unnecessary.
38. Report on the working of the Puri Lodging House Act.	—	—	Report on the working of the Puri Lodging House Act.	—	Unnecessary.
		13. Report on the King Institute of Preventive Medicine, Madras.	Report on the King Institute of Preventive Medicine, Madras.	—	
		14. Annual report of the Bombay Bacteriological Laboratory.	Annual report of the Bombay Bacteriological Laboratory.	—	
Weekly telegraphic plague report to Secretary of State.	Abolished.	—	—	—	
		15. Monthly telegraphic plague report.	Monthly telegraphic plague report [(c)].	Monthly telegraphic plague report [(c)].	
39. Monthly plague returns.	—	—	—	Monthly plague returns [(a) and (b)].	
40. Weekly statement of reported plague seizures and deaths in India.	—	—	—	Weekly statement of reported plague seizures and deaths in India [(c)].	
41. Reports showing extension of plague to uninfected places.	—	—	Reports showing extension of plague to uninfected places.	—	Nos. 41—43 are rendered necessary by the Paris Convention.
42. Daily plague report for Bombay, Karachi, Calcutta, etc.	—	—	Daily plague report for Bombay, Karachi, Calcutta, etc.	—	
43. Reports showing freedom of places from plague.	—	—	Reports showing freedom of places from plague.	—	

List of periodical reports and returns received in the Home Department—concluded.

Required before 1901, the year of issue of general orders for curtailment.	Abolished since 1901.	Introduced since 1901.	EXISTING REPORTS AND RETURNS.		REMARKS.
			(i) Which stop with the Government of India.	(ii) Which are furnished to the Secretary of State [i.e., required by him for (a) Moral and Material Progress Report, (b) Statistical Abstract relating to British India, (c) other purposes].	
1	2	3	4	5	6
44. Dispensary reports	—	—	—	Dispensary reports [(a) (b) and (c)*].	* For the preparation of the report on sanitary measures, which is annually presented to Parliament.
45. Reports on lunatic asylums.	—	—	—	Reports on lunatic asylums [(a) (b) and (c)*].	
46. Reports of the Chemical Examiners.	—	—	—	Reports of the Chemical Examiners [(c)].	
Reports on civil medical institutions in Madras, Bombay and Calcutta.	Abolished.	—	—	—	
47. Report on the working of the Eden Sanatorium, Darjeeling.	—	—	Report on the working of the Eden Sanatorium, Darjeeling.	—	Unnecessary.
48. Report on the Medical College, Madras.	—	—	—	Report on the Medical College, Madras [(c)*].	
		16. Report on the working of the Medical College, Calcutta.	—	Report on the working of the Medical College, Calcutta [(c)*].	* For the preparation of the report on sanitary measures, which is annually presented to Parliament.
		17. Reports on the working of the medical schools in Bengal.	—	Reports on the working of the medical schools in Bengal [(c)*].	
		18. Report of the Pasteur Institute, Kasauli.	Report of the Pasteur Institute, Kasauli.	—	
		19. Report of the Walker Hospital, Simla.	Report of the Walker Hospital, Simla.	—	
49. List of official publications (other than confidential).	—	—	—	List of official publications (other than confidential) [(c)].	
50. Catalogues of books registered under Act XXV. of 1867.	—	—	—	Catalogues of books registered under Act XXV. of 1867 [(c)].	
51. Confidential report on books and publications registered under Act XXV. of 1867.	—	—	—	Confidential report on books and publications registered under Act XXV. of 1867 [(a) and (b)].	
List of works of scientific, historical or antiquarian interest published in India.	Abolished.	—	—	—	
Total number = 69 (including the number abolished.)	18	19	27	43	3 [(a)] 1 [(b)] 12 [(a) and (b)] 21 [(c)] 1 [(b) and (c)] 5 [(a) (b) and (c)].

APPENDIX III.

Schedule of certain detailed proposals for delegation made by various Local Governments before the Royal Commission on Decentralization to which objection may be taken on various grounds (filed by Mr. B. Robertson, vide Q 43750).

Delegation proposed. 1.	Proposed by 2.	Remarks. 3.
Power to Local Governments to fix the rates at which coast light dues are leviable without the reference to the Government of India prescribed by section 3 (2) of the Madras Coast Lights Act of 1904.	Madras.	The Indian law is contained in the Burma Coast Lights Act, IX. of 1879, and in the Madras Coast Lights Act of 1904. Section 6 of the former empowers the Governor General in Council alone to reduce or raise the rates leviable within the maximum prescribed by section 4. Section 3 (2) of the latter empowers the Government of Madras to fix the rates leviable within the maximum prescribed by the schedule, subject to the previous sanction of the Governor General in Council. There can be no question as to the necessity of keeping in the hands of the Government of India the control over those dues which affect shipping in provinces other than those of Burma and Madras—and this being so the most convenient form in which this control can be effectively exercised is by reserving to the Government of India its power under the law as it stands. There is no suggestion that the control now exercised has been exercised in a manner not in accordance with the advice of Local Governments. The amount of correspondence involved is restricted to an annual report which in any case could not be dispensed with.
Proposal that the provisions of the various Acts which call on Local Governments to submit rules for the approval of the Government of India before issue might be relaxed as far as possible, as in many cases such references to the Government of India are unnecessary.	Punjab. United Provinces.	The following Acts require the Local Governments to submit rules for the approval of the Government of India before issue :— (1) Indian Petroleum Act, 1899 (VIII. of 1899). Section 9 empowers the Local Governments to issue rules with the previous sanction of the Governor General in Council. Uniformity of procedure throughout India is essential, and a uniform, set of rules, which has been prepared by the Government of India and is at present under consideration, will shortly be issued to the Local Governments for adoption. (2) Indian Explosives Act, 1884 (IV. of 1884). (3) Indian Mines Act, 1901 (VIII. of 1901). Under sections 5 and 20 of these Acts, the Governor General in Council may make rules for the whole of British India, and each Local Government, with the previous approval of the Governor General in Council, for the whole or any part of the province. For the sake of uniformity the Government of India issue rules for all provinces. No relaxation is desirable in the provisions of the Acts mentioned above.
Suggestion that where power to make rules is conferred by law on Local Governments, and the sanction of the Governor General is not prescribed, it is unconstitutional to limit the powers of Local Governments by executive order, or to require them to submit, for the previous approval of the Government of India, a draft of the rules which they propose to frame. Nor should the Local Governments be asked to adopt rules drafted by the Government of India on a general model.	Burma. United Provinces.	There has been no case in this department in which the powers conferred by law on Local Governments have been restricted by an executive order. Nor have the Local Governments been asked to submit rules for previous sanction when this is not required by law.
Suggestion that the proposal to appoint an Inspector General of Factories should not be carried out.	His Honour the Lieutenant-Governor of the United Provinces.	The question whether the appointment should be created is under the consideration of the Factory Commission which is now sitting. No opinion can be expressed on the point at this stage.
The restriction as to areas given in Schedule A to Rule 19 of the Mining Rules might be removed, and no maximum area should be prescribed, the proviso to the rule being omitted.	Burma. United Provinces.	The schedule of maximum area for blocks might be abolished, but the power to grant a mining lease over areas greater than the maximum now prescribed should not be delegated to Local Governments. The area of 10 square miles is large enough for the proper working of most minerals. The powers granted to Local Governments in the matter of areas for mining leases are greater than those allowed in most self-governing Colonies.

Schedule of certain detailed proposals for delegation, &c.—concluded.

Delegation proposed. 1.	Proposed by 2.	Remarks. 3.
To fix royalties to be paid under all mining leases.	United Provinces.	The rates of royalties laid down in Schedule C of the Mining Rules are liberal, and it is not advisable to grant further power to the Local Government.
The fixing of rents provided in Schedule B of the Mining Rules might be left to the discretion of the Local Government.	Burma. United Provinces.	The schedule of rents is already about as lax as it can possibly be, and discretion in the matter should not be left to the Local Government.
Local purchase of articles of foreign manufacture, which are not actually in the country at the time of order from local agents or firms in India.	Bombay.	It is for the Secretary of State to pass a decision on this proposal, which is opposed to his present orders. Any relaxation in favour of the Local Governments that may be considered desirable or possible would doubtless be agreed to.

APPENDIX IV.

Statement of Matters requiring the sanction or control of the Government of India under the Forest Laws (filed by Mr. R. W. Carlyle, vide Q. 44057).

- (A).—*The Indian Forest Act VII. of 1878.*
1. Section 26.—The disforestation or exclusion of any area included in a reserved forest (previous sanction).
2. Section 27.—Rules for the management of village forests (previous sanction).
3. Section 31.—Rules for protected forests including hunting, shooting and fishing therein, and the extraction of forest produce (previous sanction).
4. Section 39.—Levy of duty on timber or other forest produce (previous sanction).
5. Section 41.—Rules to regulate the transit of forest produce (previous sanction).
(B).—*Burma Forest Act IV. of 1902.*
6. Section 23.—Grant of any rights in reserved forests (previous sanction).
7. Section 29.—Disforestation of any portion of a reserved forest (previous sanction).
8. Section 35.—Levy of duty on imported forest produce (previous sanction).
(C).—*Madras Forest Act V. of 1882.*
9. Section 24.—Exclusion (disforestation) of any area once included within a reserved forest (previous sanction).
(D).—*The Garo Hills (Assam Regulation I. of 1882).*
10. Section 2.—The regulation of hunting and collection of forest produce by other than natives of the Garo Hills (control).
(E).—*Assam Forest Regulation VII. of 1891.*
11. Section 28.—Disforestation of any portion of a reserved forest (previous sanction).
12. Section 37.—Levy of duty on imported forest produce (previous sanction).
(F).—*Ajmer Forest Regulation VI. of 1874.*
(G).—*Ajmer and Merwara Private Forests Preservation Regulation I. of 1892.*
Nil.
(H).—*British Baluchistan Forest Regulation V. of 1890.*
13. Section 9.—Rules for the extraction of forest produce from, and hunting and fishing in State forests, and the levy of fees, royalties on timber, etc. (previous sanction).
14. Section 10.—Disforestation of any area included in a reserved forest (previous sanction).
(I).—*Baluchistan Agency Forest Law, 1890.*
15. Section 9.—Identical with section 9 of Regulation V. of 1890.
16. Section 10.—Identical with section 10 of Regulation V. of 1890.
(J).—*Berar Forest Law, 1886.*
17. Section 10.—Rules for the extraction of forest produce from, and hunting and fishing in State forests, and the levy of fees and royalties on timber etc. (previous sanction).
18. Section 11.—Disforestation of any area included in a reserved forest (previous sanction).
(K).—*Hazara Forest Regulation VI. of 1883.*
19. Section 9.—Disforestation of any portion of a reserved forest (previous sanction).
20. Section 25.—Revised rates of seigniorage fees (previous sanction).
(L).—*Punjab Land Preservation Act (Punjab Act II. of 1900).*
Nil.

APPENDIX Va.

Memorandum of remarks on the proposals of Local Governments regarding decentralization in the Public Works Department (filed by Mr. L. M. Jacob, vide Q. 44486).

Public Works Department Code.

Paragraph 25.—My personal opinion is that if this matter is to be efficiently supervised the Accountant General should be invested with the power of granting these special increments; but, if this cannot be done, the Examiner seems to be the best person to be given this authority.

Paragraph 36.—In Madras and Bombay there would be no objection to the present rule requiring the sanction of the Local Government in each case being cancelled. It is not a question of delegation of powers to the Examiner, but merely of an alteration of the present rule, so as to admit of every officer entitled to

the allowance drawing it as a matter of course, without a specific sanction in each case. I may mention that in the case of the house-rent allowance in Calcutta once an appointment has been admitted as coming within the scope of the scheme no further specific sanction is necessary. It is the appointment which carries the title to the allowance, and not the particular individual holding it.

Paragraph 40.—Both in the case of Upper Subordinates and in that of accountants the scale of pay is fixed by the Government of India, and the distribution of the total number in the various grades is regulated by the rules in the Public Works Code (paragraph 66 for Upper Subordinates and paragraph 70 for accountants). At present every revision of the numbers in these two classes of men has to be submitted to the Government of India for sanction. I see no reason why Local Governments should not be given full powers to decrease or increase these establishments to meet their requirements within certain money limits. The Secretary of State has now given the Government of India the power to deal with such establishments up to a total of Rs. 50,000. Local Governments might be given full power to increase the number of men in these establishments provided the extra expenditure involved does not exceed Rs. 25,000. They would, of course, have no power to alter the scale of pay or to disturb the distribution of the men in the various grades as laid down in the rules referred to above. The money limit proposed would, to all practical purposes, give Local Governments full powers to increase these establishments as necessity arises without reference to the Government of India.

Paragraph 55.—This is a matter which rests entirely with Local Governments, who can issue what orders they choose on the subject.

Paragraphs 58 and 59.—I see no reason to object to the first appointment of accountants, 4th grade, being made by Examiners from men who have qualified by passing the test for such appointments.

Paragraphs 60 and 61.—Please see my reply to question 44484.

Paragraph 65.—Please see my remarks on paragraph 40 above.

Paragraph 68.—The Department is an Imperial one. It consists of a body of independent auditors whose promotion must be regulated by a central authority, namely, the Government of India. It is practically impossible to give to the Local Government, to whom some of these officers happen for the time being to be attached, the power to deal with their promotion, etc.

Paragraph 69.—Please see my remarks on paragraph 40 above.

Paragraph 101.—I understand that the Accountant General intends shortly to submit to the Government of India proposals for placing all 1st and 2nd grade accountants on a general list in order to equalize promotion and for certain other reasons. I think, therefore, that the existing orders may stand for the present, pending the orders of the Government of India on the Accountant General's proposals.

Paragraph 174.—I see no objection to the delegation of the power proposed. We have lately submitted a scheme* to the Secretary of State for the reorganization of the Executive and Assistant Engineer grades, and, if this scheme is accepted, some alteration in the present rules for examination will be necessary.

Paragraphs 251-272.—The Chief Engineer is, as a rule, also the Secretary to the Local Governments in the Public Works Department, and I can see no objection to the Local Governments delegating its powers in respect of Subordinate Engineering establishments to the Chief Engineer and Secretary.

Paragraphs 301, 311, 339, 347.—The question of giving considerably increased powers to Superintending and Executive Engineers has been referred by the Government of India to Local Governments and Administrations for opinion, and when all replies are received the matter will be disposed of. I think that, judging from the fact that the proposals for giving these classes of officers enhanced powers were initiated

by the Government of India, it is evident that the latter authority views favourably decentralization in this matter.

Paragraph 311 (c).—There seems no objection to the powers of Superintending Engineers in this respect being increased, but as there must be some limit to financial liability the limit might be raised from 5 to 10 per cent.

Paragraph 371.—The proposal apparently is to give Superintending Engineers powers even if the amount is over Rs. 500. If this is so, I see no objection to it.

Paragraph 382.—This is a very necessary rule and is a wholesome check on Examiners, who might otherwise unnecessarily increase the work of the offices of disbursing or executive officers.

Paragraph 409.—The insertion of the words "to be delegated to Examiner, Public Works Accounts" opposite this paragraph is, I imagine, a mistake. The proposal made by the Madras Government is apparently that the power of granting leave to officers of the Superior Accounts Department should be delegated to the Local Government. I am afraid this is impracticable. The officers of the Account Branch are on one Impersal list for all India, and it may sometimes happen that although one Local Government may be able to spare an officer and to arrange for his work locally, yet it may be necessary to meet an urgent demand from another province for an officer to replace one who has broken down in health or to carry out some specially urgent work: and, all things considered, I am of opinion that the present rule should stand.

Paragraph 724.—I see no objection to Superintending and Executive Engineers being authorised to transmit their indents direct to the Stationery Office.

Paragraph 909.—The Local Governments may have full powers within the amount of the estimate sanctioned by competent authority. As regards Superintending Engineers they might also certainly have higher powers, but the limits to be imposed in their case will depend on the limits it is decided to fix in respect of their powers to sanction estimates for the execution of work—a matter which, as I have stated in my remarks on paragraphs 301, etc., is at present under the consideration of the Government of India.

Paragraph 907.—The present rule is, generally speaking, a wholesome one, but Chief Engineers might be given the power of deciding whether tenders should be called for publicly or not.

Paragraph 925.—I see no objection to Superintending Engineers being given the power of making advances within suitable limits to be fixed by Local Governments, but they (the Superintending Engineers) should be held responsible that proper safeguards are adopted to save Government from loss.

Paragraph 927.—The Madras proposal is apparently not intended to refer to this paragraph, the question of contracts for Public Works being referred to in paragraph 900, *supra*. If, however, the proposal has been wrongly worded, and if the proposal does refer to paragraph 927, then I can see no objection to the Governments of Madras and Bombay and the major Local Governments and the Chief Commissioner, Central Provinces, being given the same powers as the Government of India possess in respect of contracts and agreements involving liabilities on the part of the State.

Paragraph 945.—I see no objection to the Madras proposal to raise the limit to Rs. 500.

Paragraph 1011.—I see no objection to the proposal made by the Government of Bengal.

Paragraph 1057.—The question of framing new rules in the matter of the disposal of State lands and buildings is at present engaging the attention of the Government of India; and the propriety of raising the limit of Rs. 1,000 referred to in Rs. 5,000 is under consideration.

Paragraph 1066, I. to IV. and note.—For my opinion on the question of increasing the powers of Local Governments in respect of expenditure on residential buildings please see my reply to question 44803.

Paragraph 1068 I. (g).—If full power is given to Local Governments in the matter of expenditure on residential buildings no reference to the Government of India will, in future, be necessary under this paragraph. In any case, the alteration of this rule depends on how far it is decided to increase the Local Governments' powers in respect of the provision of residences at the cost of the State.

1068 I. (h).—The report to the Government of India may certainly be abolished in any case.

1068 II. (c).—Please see my remarks on paragraph 1066, *supra*.

1068 V. B.—This ruling is based on an order issued in the Home Department which is the administrative Department in this matter. I am not prepared to express any opinion on the subject.

Paragraph 1079 V.—I see no objection, as far as Public Works Department is concerned, to the Madras Government's proposal.

Paragraph 1143.—I think that Local Governments may be given power to sanction imprests at their discretion.

Paragraph 1391.—I see no objection to Local Governments sanctioning whatever rate of auctioneer's commission they choose.

Paragraph 1393.—I consider that the present rule which requires a reference to the Government of India when Imperial Funds are concerned should remain.

Paragraph 1685.—My opinion is that the present restriction in respect of irrigation or other works for which Capital and Revenue Accounts are maintained should be retained.

Paragraphs 1765-1767.—I understand that the proposal of the Madras Government refers to accountants. If this is so, I think that the Local Government may certainly be relieved of these cases, the power to grant extensions of service in the Accounts Branch of the Public Works Department being invested in the Accountant General.

Paragraph 2107.—I see no objection, but instead of the submission of a quarterly statement, I would suggest that the transfers be reported as soon as they are sanctioned, particularly as such transfers are very few.

Paragraph 2155.—Before expressing an opinion on this proposal it is necessary to explain that in Bengal all the productive works sanctioned as such are no longer productive, and that, consequently, under the ruling in paragraph 2155 VIII., all subsequent outlay on open capital works which are unremunerative in themselves is met from ordinary revenues and charged to "Provincial 43.—Minor Works and Navigation," although subsequently dealt with as an addition to the "Capital outlay on Irrigation works not charged to Revenue" in the Finance and Revenue Accounts of the Empire. I consider that the proposal made by the Bengal Government is objectionable, because, although the provincial Government would pay for the further expenditure under 43.—Minor Works and Navigation, it is exempted from the interest charges on this outlay which have to be borne by the Imperial Irrigation Department under paragraph 2127, Public Works Department Code, and Statement No. 63,

Finance and Revenue Accounts of the Government of India.

Paragraph 2167.—Please see my reply to questions 44478-78a which expresses my views as regards the enlargement of the powers of sanction of Local Governments and Administrations in respect of works chargeable to Imperial Funds. As regards the 10 lakh limit, if the powers of the Government of India are raised beyond 10 lakhs as regards Imperial works, there would presumably be no objection to a similar enhancement of the powers of sanction of Local Governments in respect of provincial works. The proposals made by Bengal in regard to increasing the powers of Superintending and Executive Engineers are hardly relevant in considering this paragraph of the Code. The powers of Superintending and Executive Engineers are dealt with in my reply to question 44804; and in this connection please see also my remarks on paragraphs 301, etc., *supra*.

Paragraph 2174.—As will be seen from my reply to question 44482 I can see no objection to the restriction imposed in this paragraph in respect of expenditure on Government Houses being removed.

Paragraph 2207.—Please see my reply to question 44477 on this subject.

Appendix 10, Part IV., Rule X., note 4.—The rules relating to the provision of churches are, I understand, under revision in Home Department, which is the administrative Department in matters ecclesiastical; and the rules in the Public Works Department Code are merely a reproduction of orders promulgated in the Home Department.

Appendix 10, Part IV., Rules XVI. and XXVIII.—I can see no objection to the Madras proposal that the Local Government may be empowered to deal finally with all such cases, but the matter is one for the Home Department.

With regard to the general proposal made by the Madras Government that "the Local Government should be invested with the power to re-delegate under such conditions as they consider proper any power the delegation of which has not been restricted," I am afraid that the proposal is of too general a nature to enable me to express any opinion on it.

Burma's proposals.—I am afraid I cannot agree that the rule which requires the Local Government to submit to the Consulting Architect to the Government of India the plans of any building, the estimated cost of which exceeds Rs. 50,000 should be abrogated. This is a ruling of recent date which was introduced on the appointment of a Consulting Architect to improve the architecture of the country, and I consider that it should remain.

2. If the second proposal refers to contingent expenditure governed by the rule in paragraph 371 of the Code, I can see no objection to the Local Governments giving their Superintending Engineers whatever powers they choose in this respect.

3. With regard to the remark that, in the matter of the delegation of powers to subordinate officers, there is much room for improvement, I think that this is evidently more a matter for the Local Governments to look into than the Government of India.

APPENDIX Vb.

Supplementary memorandum of remarks on the proposals of Local Governments regarding decentralization in the Public Works Department (filed by Mr. L. M. Jacob, vide J. 44486).

Public Works Department Code.

Since the memorandum of remarks on the proposals of the Governments of Madras, Bengal, Punjab and Burma was written, the proposals of the Bombay and United Provinces Governments and of the Central Provinces have been received, and the following are the only additional points which call for remarks from me:—

Paragraph 900.—Please see my remarks on this paragraph in the memorandum (page 220).

Paragraph 1063 IV.—The remarks of the Bombay Government are somewhat misleading. Formerly Local Governments had power to sanction the provision of residences only in cases governed by clauses (i), (ii) and (iv), and from a perusal of these clauses it will be seen that their powers in respect of the provision of residences were very limited indeed. Under clause (iv), which was inserted in the 8th edition of the Code, the powers of Local Governments were actually

* Since sanctioned.

enlarged and not restricted; and the effect of this new clause was that it was practically left to the Local Governments to sanction, at their discretion, the provision of residences for officials in any case in which they considered it to be necessary—a money limit of Rs.10,000 being laid down only in the case of quarters the cost of which was chargeable to Imperial funds which are at the disposal of the Government of India.

*Paragraphs 1065 II. and IV. and 1068 I. (g).—*Please see my remarks on these paragraphs in the memorandum (pages 220-1).

*Paragraph 1068 VI.—*If full power is given to Local Governments in the matter of expenditure on residential buildings, there would appear to be no objection to the present restrictions under this paragraph being removed; but for my general opinion on the subject of the relaxation of the rules regulating the provision and the rents of official residences please see my answer to question 44481.

*Paragraph 1068 XII.—*I have no objection to this restriction being removed if Local Governments are given full powers in the matter of the provision of residences, but my personal opinion is that the existing rule is sound.

*Paragraphs 2132, 2134 and 2138.—*Local Governments have no powers in respect of revised or supplementary estimates for productive Public Works, and as it is essential that the Government of India should have complete control over the loan funds from which these works are financed, there does not appear to be any necessity to give Local Governments any powers in respect of such estimates. In the matter of protective works, Local Governments are being given powers to sanction revised or supplementary estimates for this class of works subject to the limits in Public Works Code, paragraphs 2170 and 2167.

*Paragraph 2155.—*With regard to the suggestion made by the Lieutenant-Governor of the Punjab, the powers of Local Governments in respect of works chargeable to the open capital account of productive Public Works are limited to Rs. 10,000 in the case of works which are necessary for the full development of the project, but which are not in themselves directly remunerative, and to Rs. 25,000 in the case of works which are directly remunerative in themselves. The cost of these works being met from loan funds, the powers of Local Governments have been restricted to comparatively small estimates, but I see no strong reasons why the limits in question should

not be doubled, viz., to Rs. 20,000 and Rs. 50,000 respectively.

*Paragraphs 2155 VI. and 2209 VI.—*There seems no objection to Local Governments extending the date fixed for the completion of works chargeable to open capital account, but a report should be sent to the Government of India.

*Paragraphs 2167, 2174, 2207.—*Please see my remarks on these paragraphs in the memorandum of remarks (page 221).

*Presidency allowance to Temporary Engineers.—*There is no great objection to Temporary Engineers stationed in Presidency towns, whose pay has not been fixed with regard to residence in a Presidency town, being admitted to Presidency house rent and Presidency allowance admissible to permanent Engineers.

*Concessions to Subordinates on Famine Relief Works.—*I see no objection to giving the Local Government powers to sanction recognised concessions during famine.

*Appointment of Chief Engineers.—*This subject has been dealt with in my reply to question 44484 very fully, but with reference to the remarks made by the Lieutenant-Governor of the United Provinces it may be added here that Local Governments are invariably freely consulted, and every possible consideration is given to their wishes, as far as is consistent with the fact that all Administrative Officers are on one list, and that the claims of senior officers in other provinces have to be considered. Regarding privilege leave vacancies, as the appointments have been in the hands of the Government of India, all Superintending Engineers' appointments to such vacancies have been submitted for the approval of the Government of India, but as the nominations of Local Governments in such cases are never objected to, appointments to privilege leave vacancies might well be within the powers of Local Governments.

*Position of Public Works Officers in relation to Civil Officers.—*Please see my reply to question 44489.

*Appointment of Temporary Officers and Subordinates.—*Please see my reply to question 44486.

*Charge allowance to Temporary Engineers.—*If the suggestions made in my reply to question 44486 are approved, this objection will disappear. I there proposed that Local Governments might be given full powers up to Rs. 1,000 a month.

APPENDIX VI.

Summary of Powers of Local Governments and Administrations in connection with the Estimates for Works (filed by Mr. L. M. Jacob, vide Q. 44801).

Local Governments or Administrations.	IMPERIAL.						PROVINCIAL.		
	45—Civil Works.	Irrigation.			Remarks.	45—Civil Works.	43—Minor Works and Navigation.		Remarks.
		49—Productive.	35—Protective.	43—Minor Works and Navigation.			Schemes.	Open Capital.	
Government of Madras ..	Rs. (a) 2,00,000		Rs. (a) 2,00,000	Rs. —	(a) These powers were conferred in 1891. The Government of India were also invested either in 1891 or before with the power of sanctioning ordinary public works up to a limit of 10 lakhs—though the phrase actually used in Sir C. Wood's despatch No. 8-P.W., dated the 24th January, 1891, to His Excellency the Governor-General in Council is "£100,000."	Rs. (m) 10,00,000	Rs. (m) 10,00,000	(A) A divided head:—Imperial and Provincial. Local Government can sanction so that the debit to Imperial does not exceed 2 lakhs, and therefore a total of 4 lakhs in all.	
Do. Bombay ..	(a) 2,00,000		(b) 2,00,000	—	(b) Conferred in 1897, when Burma was raised to a Lieutenant-Governorship.	(b) 4,00,000	(b) 4,00,000		
Do. Bengal ..	(a) 50,000		—	—	(c) Conferred in 1895, when the Province of Eastern Bengal and Assam was created.	(m) 10,00,000	(m) 10,00,000		
Do. United Provinces	(a) 50,000		—	—	(d) Conferred in 1897.	(m) 10,00,000	(m) 10,00,000		
Do. Punjab ..	(a) 50,000		(a) 50,000	(a) 50,000	(e) Conferred in 1889.	(m) 10,00,000	(m) 10,00,000	(m) Conferred in 1874.	
Do. Burma ..	(a) 50,000		—	—	(f) Conferred in 1892.	(m) 10,00,000	(m) 10,00,000		
Do. Eastern Bengal and Assam.	(c) 50,000		—	—	(g) Conferred in 1894.	(m) 10,00,000	(m) 10,00,000		
Administration of Central Provinces.	(d) 20,000		—	—	(h) Conferred in 1870.	(m) 10,00,000	(m) 10,00,000		
Administration of Coorg ..	(e) 20,000		—	—	(i) Conferred in 1890.	—	—		
Do. Hyderabad ..	(d) 20,000		—	—	(k) Conferred in 1889.	—	—		
Do. Rajputana ..	(d) 20,000		—	—	(l) Conferred in 1892.	—	—		
Do. Central India	(d) 20,000		—	—	(m) Conferred in 1894.	—	—		
Do. North West Frontier Province.	(f) 20,000		—	—	(n) Conferred in 1890.	—	—		
Do. Baluchistan ..	(g) 20,000		—	—	(o) Conferred in 1892. There was no open capital rules prior to 1890, for irrigation works.	—	—		
Director-General, Military Works Services.	50,000		—	—		—	—		
Superintendent, Port Blair	(h) 5,000		—	—		—	—		
Chief Engineer	—		—	—	When detached from the head-quarters of the Local Government may sanction as Chief Engineer urgent works up to Rs. 2,500.	—	—		

Summary of Powers of Local Governments and Administrations, &c.—concluded.

Local Governments or Administrations	IMPERIAL.							PROVINCIAL.			Remarks.
	45—Civil Works.	Irrigation.				43—Minor Works and Navigation.	45—Civil Works.	43—Minor Works and Navigation.			
		49—Productive.	35—Protective.	43—Minor Works and Navigation.							
				Schemes.	Open Capital.			Schemes.	Open Capital.		
Superintending Engineer ..	Rs. (p) 10,000	•	—	•	—	Rs. (q) 10,000	Rs. (p) 10,000	Rs. (r) 10,000	Rs. (r) 10,000	(p) Ordinarily the limit is Rs. 500, but specially selected officers are empowered to sanction up to Rs. 10,000. (r) Ordinarily the limit is Rs. 500, but specially selected officers have powers up to Rs. 10,000 for works chargeable to a general estimate, which has been sanctioned by competent authority.	
Executive Engineer ..	(a) 500	—	—	—	—	(a) 500	—	(s) 500	(t) 500	(s) Ordinarily the limit is Rs. 200, but specially selected officers are empowered to sanction up to Rs. 500. (t) Ordinarily the limit is Rs. 200, but specially selected officers have powers up to Rs. 500 for works chargeable to a general estimate.	

* Please see reply to question 44894. Superintending Engineers have the same power in respect of subsidiary works and detailed estimates chargeable to "43—Imperial Minor Works and Navigation."

Summary of Powers of Local Governments and Administrations, etc., in connection with contracts for works whether chargeable to Imperial or Provincial.

Authority.	Powers.	Remarks.
Local Governments and Administrations, etc.,—Chief Engineers personally or as Secretary to a Local Government.	Tenders—within the amount of the sanctioned estimate for the work, provided the amount of the tender is also within the limits up to which a Local Government or Local Administration can sanction estimates for works (for limits regarding works see powers in respect of sanctions to estimates).	This power was conferred about 1878.
Superintending Engineers	Tenders—up to a maximum of Rs. 20,000.	Ordinarily the limit is Rs. 10,000, which was fixed about 1866, but in the case of specially selected officers Local Governments were authorized in 1884 to increase this limit up to Rs. 20,000.
Executive Engineers	Tenders—up to a maximum of Rs. 5,000.	Ordinarily the limit is Rs. 2,000, which was fixed about 1860, but in case of specially selected officers Local Governments were authorized in 1892 to increase this limit up to Rs. 5,000.

APPENDIX VII.

Table illustrating the tendency of Local Governments to under-estimate their revenue and over-estimate their expenditure (filed by Mr. J. S. Meston—vide Q. 44863).

CENTRAL PROVINCES.

Provincial figures only.]

REVENUE.

[In thousands of Rs.]

	1904-05.				1905-06.				1906-07.			
	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	44,90	—40	44,50	43,65	44,00	—	44,00	42,93	86,44	+1,00	87,44	85,37
Do. Adjustment	+9,37	—	+9,37	+9,37	+11,57	—	+11,57	+11,57	—	—	+27,17	+27,31
IV.—Stamps	11,25	—	11,25	11,59	11,44	+28	11,70	12,24	11,65	+78	12,43	11,98
V.—Excise	6,25	+37	6,62	7,94	7,63	+62	8,25	9,59	32,04	+5,46	37,50	41,62
VI.—Provincial Rates	2,46	—	2,46	2,41	2,48	—	2,48	2,49	48	—	48	48
VIII.—Assessed Taxes	1,49	+1	1,50	1,55	1,55	+2	1,57	1,51	2,88	—	2,88	2,98
IX.—Forest	6,63	+32	7,00	6,76	7,33	—	7,33	8,66	11,05	+45	11,50	12,01
X.—Registration	43	—	43	48	48	—	48	54	2,20	+15	2,35	2,10
XII.—Interest	1,16	—	1,16	80	74	—	74	67	86	—	86	88
XIII.—Post Office	17	—	17	15	15	—	15	13	—	—	—	—
XVIA.—Courts of Law	1,17	+8	1,25	1,26	1,28	+4	1,32	1,22	1,70	—	1,70	1,80
XVIB.—Jails	1,83	—	1,83	1,57	1,55	—	1,55	2,25	2,54	+16	2,70	1,97
XVII.—Police	17	—	17	16	23	—	23	13	94	—	94	91
XIX.—Education	43	—	43	38	40	—	40	40	93	—	93	80
XX.—Medical	17	—	17	15	17	—	17	18	18	—	18	9
XXI.—Scientific, &c., Departments.	24	+2	26	34	29	+5	34	42	37	—	37	53
XXII.—Superannuation	20	—	20	16	20	—	20	17	21	—	21	20
XXIII.—Stationery, &c.	17	+2	19	26	21	—	21	33	34	—	34	49
XXV.—Miscellaneous	95	—	95	1,06	1,04	—	1,04	1,35	1,92	—	1,92	2,17
XXX.—Minor Irrigation	1	—	1	2	—	—	—	4	8	—	8	4
XXXII.—Civil Works	63	—	63	95	71	—	71	1,16	1,01	—	1,01	1,40
Contributions from Local	1,68	—	1,68	1,68	1,59	—	1,59	1,76	2,00	—	2,00	1,78
Net figure for special adjustments made by the Government of India and special grants sanctioned from Imperial to Provincial.	91,81	+42	92,23	92,69	95,04	+99	96,03	99,74	1,86,99	+8,00	1,94,99	1,96,91
Total Revenue	91,81	+29,24	1,21,47	1,16,52	95,04	+34,05	1,30,08	1,60,45	1,86,99	+18,65	2,05,64	2,07,56

EXPENDITURE.

1. Refunds and Drawbacks	22	—	22	33	25	—	25	27	39	—	39	44
2. Assignments, &c.	4	—	4	4	4	—	4	4	17	—	17	19
3. Land Revenue	14,67	-22	14,45	13,95	15,36	-15	15,21	14,28	26,29	-24	26,05	24,82
6. Stamps	49	—	49	55	56	—	56	51	65	—	65	54
7. Excise	14	—	14	14	31	-4	27	24	1,50	-13	1,37	1,19
10. Assessed Taxes	—	—	—	—	—	—	—	—	6	—	6	5
11. Forest	5,77	-2	5,75	5,33	6,19	-44	5,75	5,28	7,60	-40	7,20	6,72
12. Registration	30	-2	28	26	29	—	29	28	1,11	—	1,11	1,03
13. Interest	1,07	—	1,07	60	58	—	58	56	71	-2	69	62
15. Post Office	80	—	80	76	80	—	80	71	—	—	—	—
18. General Administration	6,27	—	6,27	6,61	7,11	—	7,11	6,67	7,66	—	7,66	7,68
19A. Courts of Law	13,36	-20	13,16	12,25	13,66	-16	13,50	12,94	21,84	-34	21,50	20,25
19B. Jails	5,61	-11	5,50	4,45	5,08	-8	5,00	5,23	6,48	—	6,48	5,12
20. Police	15,71	-15	15,56	15,78	15,79	—	15,79	13,10	26,65	-1,00	25,65	23,34
22. Education	7,20	-23	6,97	5,83	7,36	-40	6,96	4,39	10,59	-21	10,38	8,68
24. Medical	4,49	—	4,49	4,24	4,16	—	4,16	3,86	5,95	-30	5,65	5,41
25. Political	46	—	46	46	45	—	45	43	46	—	46	41
26. Scientific, &c., Departments	1,62	-10	1,52	1,53	1,99	—	1,99	2,20	3,10	—	3,10	2,58
29. Superannuation	4,48	—	4,48	4,29	4,38	—	4,38	4,24	5,99	—	5,99	5,82
30. Stationery, &c.	2,21	—	2,21	3,18	2,42	—	2,42	2,39	3,08	—	3,08	30,3
32. Miscellaneous	1,70	—	1,70	2,95	1,03	—	1,03	1,23	1,54	—	1,54	87
43. Minor Irrigation	3,00	—	3,00	2,73	3,00	—	3,00	3,68	4,00	—	4,00	3,38
45. Civil Works	34,79	—	34,79	32,21	39,12	-9,00	30,12	33,85	47,13	—	47,13	49,27
Contributions to Local	3,63	—	3,63	3,57	3,72	—	3,72	4,99	9,17	—	9,17	8,77
Net figure for special adjustments made by the Government of India, and special grants sanctioned from Imperial to Provincial	1,28,03	-1,05	1,26,98	1,22,04	1,33,65	-10,27	1,23,38	1,21,40	1,92,12	-2,64	1,89,48	1,80,21
Total Expenditure	1,28,03	+45	1,28,48	1,23,54	1,33,65	-3,57	1,30,08	1,28,10	1,92,12	+7,20	1,99,32	1,90,05

BURMA.

Provincial figures only.]

REVENUE

[In thousands of Rs.]

	1904-05.				1905-06.				1906-07.			
	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	1,82,10	—	1,82,10	1,85,42	1,96,82	—	1,96,82	1,91,46	2,06,45	—	2,06,45	1,93,02
Do. Adjustment	+57,99	—	+57,99	+58,70	+58,67	—	+58,67	+58,67	+71,17	—	+71,17	+71,17
III.—Salt	9,45	-1,45	8,00	8,19	8,12	+25	8,37	8,74	8,87	+13	9,00	8,65
IV.—Stamps	21,33	+1,87	23,25	24,86	24,37	+1,88	26,25	28,04	27,94	+52	28,46	28,48
V.—Excise	25,37	+96	26,33	24,27	25,33	+3,34	28,67	27,67	29,40	—	29,40	25,55
VII.—Customs	99	—	99	1,06	93	—	93	86	99	—	99	85
VIII.—Assessed taxes	6,00	+25	6,25	6,83	7,06	—	7,00	7,66	7,75	+35	8,10	7,71
IX.—Forest	39,00	—	39,00	44,80	45,50	—	45,50	51,65	53,00	+1,50	54,50	49,06
X.—Registration	85	+10	95	93	1,00	—	1,00	1,01	1,08	—	1,08	1,07
XII.—Interest	38	—	38	49	50	—	50	56	60	—	60	62
XVIA.—Courts of Law	5,15	—	5,15	4,88	4,90	—	4,90	4,90	4,90	+10	5,00	5,05
XVIB.—Jails	4,00	—	4,00	4,28	4,00	—	4,00	4,31	4,50	+20	4,70	4,12
XVII.—Police	2,05	+30	2,35	2,41	2,15	+6	2,21	2,42	2,18	—	2,18	1,93
XVIII.—Marine	4,57	+18	4,75	5,26	5,10	+10	5,20	5,64	5,60	+10	5,70	5,02
XIX.—Education	84	—	84	74	83	—	83	89	82	—	82	99
XX.—Medical	52	—	52	57	60	—	60	53	59	—	59	56
XXI.—Scientific, &c., Departments.	8	—	8	3	4	—	4	3	4	—	4	2
XXII.—Superannuation	38	—	38	33	35	—	35	31	35	—	35	28
XXIII.—Stationery, &c.	39	+6	45	49	50	—	50	52	50	—	50	64
XXV.—Miscellaneous	4,92	-1,59	3,33	2,87	4,86	—	4,86	1,97	2,59	—	2,59	1,89
XXX.—Minor Irrigation	1,30	—	1,30	1,34	1,35	—	1,35	1,71	1,70	—	1,70	2,30
XXXII.—Civil Works	3,14	—	3,14	2,87	3,05	—	3,05	3,25	2,95	—	2,95	3,00
Contributions from Local	4,33	—	4,33	4,33	4,79	—	4,79	4,79	5,18	—	5,18	5,18
Net figure for special adjustment made by the Government of India and special grants sanctioned from Imperial to Provincial	3,75,18	+68	3,75,86	3,85,95	4,00,76	+5,63	4,06,39	4,07,65	4,39,25	+2,90	4,42,15	4,17,16
Total Revenue	3,75,18	+68	3,75,86	3,85,95	4,00,76	+17,13	4,17,89	4,20,45	4,39,25	+8,07	4,47,32	4,72,55

EXPENDITURE.

1. Refunds and drawbacks ..	92	—	92	1,15	1,03	—	1,03	1,36	1,32	—	1,32	1,51
3. Land Revenue	59,33	-63	58,70	57,25	62,97	-1,30	61,67	60,46	63,12	-97	62,15	62,59
5. Salt	13	—	13	12	16	—	16	14	15	—	15	14
6. Stamps	78	—	78	95	92	—	92	88	95	—	95	84
7. Excise	3,72	—	3,72	3,41	3,85	-8	3,77	3,58	4,77	-27	4,50	3,73
9. Customs	4,14	—	4,14	3,95	4,16	—	4,16	4,00	4,36	—	4,36	4,14
10. Assessed Taxes	18	—	18	18	18	—	18	18	18	—	18	19
11. Forest	19,00	-1,00	18,00	17,23	19,50	-50	19,00	19,69	20,40	-90	19,50	18,47
12. Registration	30	—	30	29	32	—	32	32	32	—	32	35
13. Interest	32	—	32	25	34	—	34	28	48	-2	46	40
15. Post Office	1,63	—	1,63	1,85	2,01	-3	1,98	2,04	2,09	—	2,09	—
18. General Administration ..	11,35	—	11,35	11,73	11,67	—	11,67	12,37	11,93	—	11,93	12,31
19A. Courts of Law	35,44	-1,94	33,50	32,09	35,75	-1,00	34,75	36,65	38,27	—	38,27	39,62
19B. Jails	11,26	—	11,26	10,18	11,31	-31	11,00	11,36	11,50	-20	11,30	11,91
20. Police	1,02,26	-2,62	99,64	1,00,83	1,06,00	-1,40	1,04,60	99,79	1,08,94	-50	1,09,44	1,05,09
21. Marine	10,07	—	10,07	10,18	9,83	—	9,83	9,34	11,37	—	11,37	10,99
22. Education	12,62	-1,39	11,23	11,05	13,37	-1,92	12,35	12,40	16,00	-75	15,25	16,55
24. Medical	11,17	-20	10,97	10,59	11,95	—	11,95	12,76	14,69	-22	14,47	17,56
26. Scientific, &c., Departments	2,47	—	2,47	1,76	2,66	-23	2,44	2,20	3,49	-67	2,92	1,24
29. Superannuation	4,86	—	4,86	5,18	5,47	—	5,47	5,50	6,08	—	6,08	6,07
30. Stationery, &c.	7,53	—	7,53	6,47	8,00	-20	7,80	6,73	7,40	—	7,40	7,18
32. Miscellaneous	4,21	—	4,21	4,45	4,41	—	4,41	5,28	4,32	—	4,32	4,33
33. Famine Relief	—	—	—	—	—	—	—	2	—	—	—	—
41. Miscellaneous Railway Expenditure.	40	—	40	78	50	—	50	20	10	—	10	—
43. Minor Works	16,50	—	16,50	14,81	16,50	—	16,50	13,90	16,50	—	16,50	13,81
45. Civil Works	94,16	—	94,16	92,21	1,10,24	—	1,10,24	1,14,53	1,15,24	—	1,15,24	1,05,63
Contributions to Local	30	—	30	24	37	—	37	32	5,90	—	5,90	6,42
Net figure for special adjustments made by the Government of India and special grants sanctioned from Imperial to Provincial ..	4,15,05	-7,78	4,07,27	3,98,87	4,43,47	-6,06	4,37,41	4,36,58	4,70,87	-4,40	4,66,47	4,50,14
Total Expenditure	—	+3,00	+3,00	+3,00	—	+10,00	+10,00	+10,00	—	+3,50	+3,50	+3,50
	4,15,05	-4,78	4,10,27	4,01,87	4,43,47	+3,04	4,47,41	4,46,58	4,70,87	-90	4,69,97	4,53,64

ASSAM.
REVENUE.

[In thousands of Rs.]

Provincial figures only.]

	1904-05.				1905-06.				1906-07.			
	Local Govern- ment's Esti- mate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Govern- ment's Esti- mate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Govern- ment's Esti- mate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	32.53	—	32.53	31.69	—	—	—	—	95.71	—35	95.36	95.84
Do. Adjustment	+12.00	—	+12.00	+12.00	—	—	—	—	+1.80	—	+1.80	+1.80
IV.—Stamps	5.09	—	5.09	4.99	—	—	—	—	42.32	+1.63	43.95	44.79
V.—Excise	14.00	+1.00	15.00	15.27	—	—	—	—	30.55	+1.08	31.63	31.87
VI.—Provincial Rates	—	—	—	—	—	—	—	—	16.57	—	16.57	16.12
VIII.—Assessed Taxes	1.27	+3	1.30	1.24	—	—	—	—	4.52	+28	4.80	5.12
IX.—Forest	3.43	—	3.43	4.08	—	—	—	—	6.70	—10	6.60	6.60
X.—Registration	35	—	35	36	—	—	—	—	7.75	—15	7.60	8.31
XII.—Interest	3	—	3	4	—	—	—	—	32	—	32	42
XVIIA.—Courts of Law	82	—	82	77	—	—	—	—	3.44	—14	3.30	3.31
XVIIB.—Jails	1.05	—	1.05	78	—	—	—	—	2.88	—	2.88	3.38
XVII.—Police	1.07	—	1.07	1.02	—	—	—	—	1.38	—10	1.28	1.20
XVIII.—Marine	—	—	—	1	—	—	—	—	25	—	25	34
XIX.—Education	69	—	69	73	—	—	—	—	2.31	—	2.31	2.17
XX.—Medical	11	—	11	7	—	—	—	—	16	—	16	18
XXI.—Scientific, &c., Depart- ments.	—	—	—	9	—	—	—	—	2	—	2	6
XXII.—Superannuation	6	—	6	7	—	—	—	—	13	+5	18	11
XXIII.—Stationery, &c.	2	—	2	2	—	—	—	—	18	—	18	18
XXV.—Miscellaneous	13	—	13	11	—	—	—	—	2.68	+38	3.06	2.78
XXVI.—State Railway Receipts..	85	—	85	76	—	—	—	—	82	—	82	86
XXXII.—Civil Works	94	—	94	1.10	—	—	—	—	1.75	—	1.75	2.45
Contributions from Local	15	—	15	16	—	—	—	—	10	—	10	1
Net figure for special adjustments made by the Government of India and special grants sanc- tioned from Imperial to Pro- vincial	74.69	+1.03	75.62	75.36	—	—	—	—	2,22.34	+2.58	2,24.92	2,27.90
Total Revenue	74.69	+1.03	75.62	75.36	—	—	—	—	2,22.34	+4.33	2,26.67	2,34.77

EXPENDITURE.

1. Refunds and Drawbacks	12	—	12	15	—	—	—	—	40	—	40	39
2. Assignments, &c.	—	—	—	—	—	—	—	—	61	—	61	57
3. Land Revenue	6.11	—11	6.00	5.76	—	—	—	—	26.60	—	26.60	26.81
6. Stamps	22	—	22	21	—	—	—	—	1.73	—	1.73	1.91
7. Excise	18	—	18	19	—	—	—	—	1.03	—	1.03	1.00
8. Provincial Rates	—	—	—	—	—	—	—	—	33	—	33	10
10. Assessed Taxes	1	—	1	1	—	—	—	—	13	—	13	14
11. Forest	2.39	—	2.39	2.52	—	—	—	—	4.05	—15	3.90	3.54
12. Registration	20	—	20	20	—	—	—	—	4.92	—12	4.80	5.15
13. Interest	2	+1	3	2	—	—	—	—	23	—	23	33
18. Administration	3.06	—	3.06	3.12	—	—	—	—	9.53	—	9.53	10.03
19A. Courts of Law	7.78	—18	7.60	7.45	—	—	—	—	38.56	—1.00	37.56	39.60
19B. Jails	2.21	+4	2.25	1.88	—	—	—	—	9.33	+83	8.50	11.59
20. Police	16.77	—	16.77	15.58	—	—	—	—	37.36	—76	36.60	35.45
21. Marine	1.08	—	1.08	1.23	—	—	—	—	2.14	—	2.14	1.70
22. Education	3.38	—	3.38	3.23	—	—	—	—	14.23	—1.50	12.73	10.99
24. Medical	3.06	—	3.06	3.25	—	—	—	—	7.34	—10	7.24	7.74
25. Political	85	—	85	84	—	—	—	—	77	—	77	80
26. Scientific, &c., Departments ..	56	—	56	53	—	—	—	—	3.44	—65	2.79	2.05
29. Superannuation	1.50	—6	1.44	1.41	—	—	—	—	6.48	—	6.48	6.40
30. Stationery, &c.	1.27	—4	1.23	1.25	—	—	—	—	2.43	—	2.43	2.66
32. Miscellaneous	86	—	86	1.13	—	—	—	—	1.46	—	1.46	1.23
33. Famine Relief	—	—	—	—	—	—	—	—	—	—	—	81
38. State Railways, Working Ex- penses.	75	—	75	82	—	—	—	—	76	—	76	89
40. Subsidised Companies	12	—	12	—	—	—	—	—	—	—	—	—
41. Miscellaneous Railways, Ex- penditure.	—	—	—	—	—	—	—	—	—	—	—	9
43. Minor Irrigation Works	—	—	—	—	—	—	—	—	47	—	47	64
45. Civil Works	22.66	—	22.66	21.43	—	—	—	—	55.93	—	55.93	48.19
45A. Construction of Railways, &c.	—1	—	—1	—	—	—	—	—	4	—	4	13
Contributions to Local	3.29	—	3.29	4.34	—	—	—	—	11.92	—	11.92	12.43
Net figure for special adjustments made by the Government of India and special grants sanc- tioned from Imperial to Pro- vincial	78.44	—34	78.10	76.55	—	—	—	—	2,42.20	—6.11	2,37.09	2,33.41
Total Expenditure	78.44	+1.16	79.60	78.05	—	—	—	—	2,42.20	—1.75	2,40.45	2,36.77

BENGAL.
REVENUE.

[In thousands of Rs.]

Provincial figures only.]

	1904-05.				1905-06.				1906-07.			
	Local Govern- ment's Esti- mate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Govern- ment's Esti- mate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Govern- ment's Esti- mate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	1,06.47	+6	1,06.53	1,06.96	—	—	—	—	1,60.49	—	1,60.49	1,62.06
Do. Adjustment	+49.03	—	+49.03	+49.03	—	—	—	—	+10.02	—	+10.02	+10.02
IV.—Stamps	1,00.00	+1.00	1,01.00	1,04.30	—	—	—	—	69.15	+1.00	70.15	71.18
V.—Excise	71.32	+87	72.19	73.46	—	—	—	—	78.85	—35	78.50	80.41
VI.—Provincial Rates	50.01	+24	50.25	52.04	—	—	—	—	37.00	+20	37.20	36.18
VIII.—Assessed Taxes	12.75	+12	12.87	12.58	—	—	—	—	23.25	—	23.25	24.34
IX.—Forest	3.00	—12	2.88	2.92	—	—	—	—	5.00	—	5.00	5.33
X.—Registration	16.50	+50	17.00	16.89	—	—	—	—	10.30	+20	10.50	12.26
XII.—Interest	3.70	—4	3.66	2.86	—	—	—	—	3.90	—23	3.67	2.62
XVIIA.—Courts of Law	7.97	—	7.97	7.98	—	—	—	—	5.60	—	5.60	5.73
XVIIB.—Jails	12.00	—	12.00	13.87	—	—	—	—	12.50	—	12.50	12.08
XVII.—Police	1.94	+11	2.05	1.86	—	—	—	—	1.67	—	1.67	1.39
XVIII.—Marine	12.66	+14	12.80	15.20	—	—	—	—	15.95	+55	16.50	15.39
XIX.—Education	7.14	+16	7.30	7.28	—	—	—	—	6.40	—	6.40	5.60
XX.—Medical	2.15	—	2.15	2.53	—	—	—	—	2.60	—	2.60	2.43
XXI.—Scientific, &c. Depart- ments.	2.67	—	2.67	2.75	—	—	—	—	2.94	—	2.94	2.82
XXII.—Superannuation	76	+11	87	67	—	—	—	—	57	—	57	63
XXIII.—Stationery, &c.	1.41	—	1.41	1.46	—	—	—	—	1.29	—	1.29	1.35
XXV.—Miscellaneous	8.96	+17	9.13	7.91	—	—	—	—	5.76	—	5.76	6.50
XXIX.—Major Irrigation Works..	18.77	—	18.77	20.46	—	—	—	—	20.72	—	20.72	22.98
XXX.—Minor Works	6.65	—	6.65	8.44	—	—	—	—	7.76	+5	7.81	7.79
XXXII.—Civil Works	4.59	—	4.59	6.38	—	—	—	—	4.53	—	4.53	5.01
Contributions from Local	63	—	63	70	—	—	—	—	50	—	50	2.79
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial ..	5,01.08	+3.32	5,04.40	5,18.53	—	—	—	—	4,86.75	+1.42	4,88.17	4,96.89
Total Revenue	5,01.08	+3.35	5,04.43	5,18.99	—	—	—	—	4,86.25	+59	4,92.72	5,03.57

EXPENDITURE.

1. Refunds and Drawbacks	1.26	—	1.26	1.23	—	—	—	—	1.15	—	1.15	1.17
2. Assignments	1.70	—	1.70	1.51	—	—	—	—	83	—	83	69
3. Land Revenue	44.61	—61	44.00	42.93	—	—	—	—	37.65	—	37.65	34.91
6. Stamps	3.90	—	3.90	3.46	—	—	—	—	1.85	—	1.85	2.04
7. Excise	3.59	—	3.59	3.58	—	—	—	—	3.66	—	3.66	3.72
8. Provincial Rates	1.04	—	1.04	84	—	—	—	—	61	—	61	56
10. Assessed Taxes	41	—	41	39	—	—	—	—	72	—	72	75
11. Forest	1.90	—	1.90	1.72	—	—	—	—	3.45	—20	3.25	3.16
12. Registration	9.70	—	9.70	9.71	—	—	—	—	6.92	—	6.92	6.43
13. Interest	2.24	—1	2.23	1.96	—	—	—	—	2.61	—39	2.22	2.36
18. General Administration	18.56	—	18.56	19.27	—	—	—	—	17.32	—	17.32	18.41
19A. Courts of Law	1,01.50	—1.50	1,00.00	98.63	—	—	—	—	75.99	—1.99	74.00	74.10
19B. Jails	27.54	—74	26.80	25.75	—	—	—	—	22.71	—	22.71	26.63
20. Police	65.50	—	65.50	67.46	—	—	—	—	63.67	—4.00	59.67	65.06
21. Marine	17.40	—	17.40	18.46	—	—	—	—	10.97	—	10.97	11.74
22. Education	36.44	—	36.44	37.57	—	—	—	—	43.98	—2.98	41.00	38.51
24. Medical	23.98	—98	23.00	23.08	—	—	—	—	21.89	—	21.89	21.97
25. Political	23	—	23	21	—	—	—	—	10	—	10	41
26. Scientific, &c., Departments	6.80	—	6.80	7.90	—	—	—	—	13.06	—2.30	10.76	9.74
29. Superannuation	26.57	—	26.57	27.07	—	—	—	—	25.37	—	25.37	24.86
30. Stationery, &c.	13.83	—	13.83	11.04	—	—	—	—	10.29	—	10.29	12.85
32. Miscellaneous	2.72	—	2.72	3.43	—	—	—	—	2.77	—	2.77	3.47
33. Famine Relief	—	—	—	—	—	—	—	—	—	—	—	7.11
40. Subsidized Companies	3	—	3	4	—	—	—	—	—	—	—	—
42. Major Works	11.74	—	11.74	9.88	—	—	—	—	10.75	—	10.75	11.89
Do. Interest	24.52	—	24.52	24.52	—	—	—	—	24.52	—	24.52	21.21
43. Minor Works	13.86	—	13.86	16.93	—	—	—	—	21.95	—	21.95	19.17
45. Civil Works	50.20	—	50.20	43.57	—	—	—	—	99.55	—15.00	84.55	68.80
Contributions to Local	15.29	—	15.29	14.53	—	—	—	—	19.11	—	19.10	26.26
	5,27.06	—3.84	5,23.22	5,17.77	—	—	—	—	5,43.44	—26.86	5,16.58	5,17.98
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial	—	+13.75	+13.75	+13.75	—	—	—	—	—	+4.36	+4.36	+4.36
Total Expenditure	5,27.06	+9.91	5,36.97	5,31.52	—	—	—	—	5,43.44	—22.50	5,20.94	5,22.34

UNITED PROVINCES.

Provincial figures only.]

REVENUE.

[In thousands of Rs.]

	1904-05.				1905-06.				1906-07.			
	Local Govern- ment's Esti- mate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Govern- ment's Esti- mate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Govern- ment's Esti- mate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	1,71,26	—	1,71,26	1,69,54	1,58,18	—	1,58,18	1,57,70	1,65,46	—	1,65,46	1,64,62
Do. Adjustment	+4,00	—	+4,00	+4,00	+4,02	—	+4,02	+4,91	+40,32	+1,50	+41,82	+41,82
IV.—Stamps	41,00	+1,00	42,00	42,24	43,00	+50	43,50	44,79	42,25	+1,55	43,80	45,41
V.—Excise	23,12	+1,38	24,50	25,56	26,25	—	26,25	24,94	25,25	—25	25,00	23,01
VI.—Provincial Rates	13,20	—	13,20	13,16	15,02	—	15,02	16,13	24,27	—	24,27	23,93
VIII.—Assessed Taxes	5,14	+6	5,20	5,13	5,12	—	5,12	5,19	5,12	—	5,12	5,30
IX.—Forest	5,35	—10	5,25	5,99	5,21	+54	5,75	6,08	6,03	—	6,03	6,26
X.—Registration	1,14	+2	1,16	1,14	1,19	—	1,19	1,27	1,16	+11	1,27	1,25
XII.—Interest	4,07	—	4,07	3,50	4,11	—	4,11	4,08	4,94	—	4,94	5,49
XVIA.—Courts of Law	4,88	—	4,88	4,81	5,00	—	5,00	5,23	4,92	+8	5,00	5,02
XVIB.—Jails	3,74	—	3,74	3,40	3,80	—	3,80	3,59	3,68	—13	3,55	3,66
XVII.—Police	1,39	—	1,39	1,59	2,49	—	2,49	2,56	1,00	—	1,00	1,06
XIX.—Education	1,25	—	1,25	1,38	1,39	—	1,39	1,46	1,46	—	1,46	2,29
XX.—Medical	35	—	35	41	38	+2	40	44	30	—	30	29
XXI.—Scientific, &c., Depart- ments.	1,03	+3	1,06	91	1,36	—	1,36	1,74	1,05	—	1,05	1,41
XXII.—Superannuation	23	—	23	23	21	—	21	63	74	—	74	76
XXIII.—Stationery, &c.	1,37	+7	1,44	1,59	1,51	—	1,51	1,90	1,67	+8	1,75	1,24
XXV.—Miscellaneous	2,16	—	2,16	3,14	2,45	—	2,45	3,75	2,77	—	2,77	2,30
XXIX.—Major Irrigation Works..	79,00	—	79,00	84,21	76,30	+12	76,42	69,15	88,90	—	83,90	1,04,87
XXX.—Minor Works	2,20	—	2,20	2,55	1,70	—	1,70	1,73	2,39	—	2,39	2,50
XXXII.—Civil Works	2,71	—	2,71	3,21	3,01	—	3,01	3,16	3,09	—	3,09	3,09
Contributions from Local	2,92	—	2,92	2,50	2,57	—	2,57	76	—	—	—	7
Net figure for special adjustments made by the Government of India and special grants sanctioned from Imperial to Provincial ..	3,71,51	+2,46	3,73,97	3,80,19	3,64,27	+1,18	3,65,45	3,61,19	4,26,77	+2,94	4,29,71	4,45,05
Total Revenue	3,71,51	+96	3,72,47	3,80,08	3,61,27	+21,34	3,85,61	3,85,66	4,26,77	+14,02	4,40,79	4,82,67

EXPENDITURE.

	1	2	3	4	5	6	7	8	9	10	11	12
1. Refunds and Drawbacks ..	71	—	71	64	71	—	71	75	74	—	74	87
2. Assignments, &c.	2,54	—	2,54	2,44	2,54	—	2,54	2,46	78	—	76	73
3. Land Revenue	27,31	—	27,34	25,90	28,22	—70	27,52	26,89	27,99	—20	27,79	26,70
6. Stamps	1,14	—	1,14	1,17	1,27	—	1,27	1,23	1,24	—	1,24	1,14
7. Excise	27	—	27	23	27	—	27	24	25	—	25	25
8. Provincial Rates	3	—	3	—	—	—	—	—	—	—	—	—
11. Forest	3,25	—	3,25	3,48	3,28	—	3,28	3,51	3,48	—	3,48	3,25
12. Registration	57	—	57	58	60	—	60	62	60	—	60	63
13. Interest	3,51	—7	3,47	3,36	3,02	—	3,62	3,77	4,74	—8	4,66	4,87
18. General Administration ..	14,82	—	14,82	14,55	15,63	—	15,63	16,43	15,94	—	15,94	16,42
19A. Courts of Law	56,40	—	56,40	55,31	56,55	—44	56,11	55,76	57,66	—45	57,21	57,74
19B. Jails	16,41	—91	15,50	14,54	16,00	—	16,00	16,76	17,55	—	17,55	18,31
20. Police	56,59	—	56,59	52,85	57,99	—	57,99	55,97	59,19	—2,00	57,19	58,01
22. Education	13,62	—1,00	12,62	11,68	12,43	—	12,43	7,87	17,75	—	17,75	21,57
24. Medical	11,12	—30	10,82	8,87	11,50	—50	11,00	9,81	10,50	—20	10,30	10,54
25. Political	6	—	6	4	6	—	6	9	6	—	6	75
26. Scientific, &c., Departments	2,98	—	2,98	3,57	3,89	—	3,89	4,90	8,87	—1,00	7,87	6,28
29. Superannuation	24,26	—	24,26	24,77	25,66	—	25,66	25,39	26,61	—	26,61	26,19
30. Stationery, &c.	8,42	—	8,42	7,70	8,68	—	8,68	7,45	8,53	—	8,53	7,78
32. Miscellaneous	1,08	—	1,08	88	1,04	—	1,04	99	1,05	—	1,05	1,06
33. Famine Relief	—	—	—	—	—	—	—	8,94	20,00	—	20,00	19,28
40. Subsidized Companies	1,40	—	1,40	—	1,40	—	1,40	99	1,50	—	1,50	86
42. Major Works	29,44	—	29,44	30,68	29,44	—	29,44	30,04	30,35	—	30,35	32,65
Do. Interest	33,48	—	33,48	33,27	33,90	—	33,90	33,65	34,19	—	34,19	29,48
43. Minor Works	5,05	—	5,05	5,53	6,05	—	6,05	6,01	6,37	—	6,37	7,11
45. Civil Works	59,23	—	59,23	59,16	45,71	—	45,71	50,31	49,41	—	49,41	54,39
Contributions to Local	22,60	—	22,60	24,58	22,48	+2,30	24,78	24,88	26,95	+1,69	28,64	29,14
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial ..	3,96,35	—2,28	3,94,07	3,85,78	3,89,12	+66	3,89,78	3,95,66	4,62,28	—2,24	4,60,04	4,66,01
Total Expenditure	3,96,35	+72	3,97,07	3,88,78	3,89,12	+21,16	4,10,28	4,14,46	4,62,28	+6,40	4,68,74	4,74,71

PUNJAB.

Provincial figures only.]

REVENUE.

[In thousands of Rs.]

	1904-05.				1905-06.				1906-07.			
	Local Govern- ment's Esti- mate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Govern- ment's Esti- mate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Govern- ment's Esti- mate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	1,01,78	+80	1,02,58	1,05,57	95,62	—	95,62	90,57	98,24	—	98,24	1,01,98
Do. Adjustment	+8,03	—	+8,03	+8,03	+3,04	—	+3,04	+8,06	+27,23	—	+27,23	+27,23
IV.—Stamps	30,75	—	30,75	30,27	21,34	—34	21,00	19,60	17,69	+1,44	19,13	20,24
V.—Excise	7,21	—	7,21	7,91	15,50	+75	16,25	17,83	18,07	+43	18,50	19,95
VI.—Provincial rates	6,04	+25	6,29	6,53	6,81	—	6,81	5,90	19	—	19	94
VIII.—Assessed taxes	5,75	+25	6,00	6,10	6,25	—	6,25	6,19	6,23	+10	6,33	6,66
IX.—Forest	7,84	+16	8,00	9,37	7,53	+1,47	9,00	8,91	8,62	+48	9,10	6,66
X.—Registration	1,17	—	1,17	1,16	2,60	—	2,60	2,59	2,46	+4	2,50	2,73
XII.—Interest	2,65	—	2,65	2,68	2,63	—	2,68	2,79	2,65	—	2,65	3,06
XVIA.—Courts of Law	3,06	+14	3,20	3,35	3,34	—	3,34	3,44	3,34	+4	3,38	3,64
XVIB.—Jails	1,59	—	1,59	1,80	1,67	—	1,67	1,86	1,78	+22	2,00	3,64
XVII.—Police	6,49	+11	6,60	6,76	6,56	—	6,56	6,17	5,77	+24	6,01	6,09
XIX.—Education	1,32	—	1,32	82	1,93	—	1,93	2,34	2,14	+10	2,24	2,44
XX.—Medical	40	+3	43	50	48	—	43	54	44	—	44	55
XXI.—Scientific, &c., Depart- ments.	36	—	36	43	42	—	42	47	53	—	53	63
XXII.—Superannuation	75	—	75	66	63	—	63	52	54	—	54	61
XXIII.—Stationery, &c.	84	—	84	92	85	—	85	85	82	—	82	97
XXV.—Miscellaneous	1,60	+15	1,75	2,43	2,31	—18	2,13	2,31	2,27	—	2,27	2,06
XXIX.—Major Works	—	—	—	—	65,82	+23	66,05	62,80	69,83	—	69,83	74,77
XXX.—Minor Works	59	—	59	59	52	—	52	47	56	—	56	56
XXXII.—Civil Works	2,62	+12	2,74	3,78	2,85	—	2,85	3,13	3,16	—	3,16	3,63
Contributions from Local	7,42	—	7,42	7,85	10,04	—	10,04	10,00	—	—	—	—
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial ..	1,98,26	+2,01	2,00,27	2,07,50	2,58,77	+1,93	2,60,70	2,57,34	2,72,56	+3,09	2,75,65	2,83,99
Total Revenue	1,98,26	+2,43	2,00,69	2,09,81	2,58,77	+16,43	2,75,20	2,77,42	2,72,56	+23,78	2,96,34	3,07,04

EXPENDITURE.

1. Refunds and Drawbacks ..	61	—	61	63	49	—	49	50	49	—	49	50
2. Assignments, &c.	—	—	—	—	—	—	—	—	32	—	32	33
3. Land Revenue	31,72	-1,10	30,62	30,86	35,06	-1,00	34,06	32,43	33,38	-1,00	32,38	32,28
6. Stamps	1,35	—	1,35	1,28	88	—	88	70	68	—	68	75
7. Excise	17	—	17	16	41	-3	38	39	39	—	39	35
10. Assessed taxes	6	—	6	7	8	—	8	5	7	—	7	5
11. Forest	5,33	—	5,33	5,06	5,35	—	5,35	6,32	6,18	-18	6,00	5,72
12. Registration	50	—	50	47	1,04	+2	1,06	97	1,13	-8	1,05	1,10
13. Interest	2,53	-11	2,42	2,24	2,39	-4	2,35	2,39	2,76	-19	2,57	2,47
15. Post Office	1,49	—	1,49	1,45	—	—	—	—	—	—	—	—
18. General Administration ..	9,76	—	9,76	10,06	10,52	—	10,52	11,16	10,18	—	10,18	10,40
19A. Courts of Law	34,19	-19	34,00	34,30	36,56	-56	36,00	36,64	37,64	—	37,64	38,56
19B. Jails	11,88	-63	11,25	9,50	11,31	-31	11,00	10,37	11,08	-93	10,75	10,50
20. Police	36,90	-17	36,73	37,58	37,80	—	37,80	37,88	51,09	-3,33	47,71	44,31
22. Education	13,30	-1,04	12,26	12,39	16,24	-1,50	14,74	15,32	18,13	-63	17,50	18,02
24. Medical	12,35	-50	11,85	10,94	12,05	-13	11,92	11,61	14,08	-1,08	13,00	11,64
26. Scientific, &c., Departments ..	2,46	-22	2,24	2,38	2,24	—	2,24	3,01	3,85	-25	3,60	4,07
29. Superannuation	13,72	—	13,72	13,93	14,49	—	14,49	14,52	15,11	-13	14,98	14,74
30. Stationery, &c.	5,11	—	5,11	4,84	5,31	—	5,31	5,15	5,24	—	5,24	6,03
32. Miscellaneous	71	—	71	1,01	58	—	58	2,45	78	—	78	1,15
33. Famine Relief	—	—	—	-3	—	—	—	5	2,36	—	2,36	94
42. Major Works	—	—	—	—	20,44	—	20,44	23,39	21,83	—	21,83	24,91
Do. Interest	—	—	—	—	16,08	—	16,08	15,93	16,63	—	16,63	14,60
43. Minor Works	61	—	61	68	55	—	55	97	51	—	51	61
45. Civil Works	40,00	—	40,00	20,02	67,59	-25	67,34	53,04	61,81	—	61,89	65,03
Contributions to Local	—	—	—	—	1,30	—	1,39	5,25	2,01	—	2,01	67
	2,24,65	-3,96	2,20,69	1,99,87	2,93,85	-3,80	2,95,05	2,90,49	3,18,41	-7,85	3,10,56	3,09,73
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial ..	—	+22,00	+22,00	+22,00	—	+14,50	+14,50	+14,89	—	+11,25	+11,25	+3,91
Total Expenditure	2,24,65	+13,04	2,42,69	2,21,87	2,98,85	+10,70	3,09,55	3,05,38	3,18,41	+3,40	3,21,81	3,13,64

MADRAS.

Provincial figures only.]

REVENUE.

[In thousands of Rs.]

	1904-05.				1905-06.				1906-07.			
	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	1,47,55	+1,16	1,48,71	1,39,30	1,52,03	-73	1,51,30	1,46,42	1,53,52	-1,25	1,54,27	1,57,22
Do. Adjustment	+59,66	—	+59,66	+59,66	+60,75	—	+60,75	+60,75	+1,05,77	—	+1,05,77	+1,05,77
IV.—Stamps	41,25	+1,25	42,50	44,22	43,00	+85	43,85	46,94	45,75	+50	46,25	+47,76
V.—Excise	40,00	+4,12	44,12	46,88	44,87	+88	45,75	47,78	47,00	+1,25	48,25	51,40
VIII.—Assessed taxes	5,94	+31	6,25	6,33	6,38	+12	6,50	6,51	6,70	+5	6,75	6,88
IX.—Forest	6,76	-1	6,75	7,07	7,10	—	7,10	7,42	7,72	—	7,72	8,23
X.—Registration	15,30	+30	15,60	16,08	15,45	+35	15,80	16,69	15,50	+50	16,00	17,44
XII.—Interest	2,35	—	2,35	2,27	2,38	—	2,38	2,32	3,20	—	3,20	2,59
XVII.—Courts of Law	7,77	—	7,77	7,47	8,16	+9	8,25	7,76	7,80	—	7,80	7,31
XVIII.—Jails	5,45	—	5,45	5,66	5,27	—	5,27	5,39	5,40	+20	5,60	5,19
XIX.—Police	5,77	+13	5,90	5,06	4,95	—	4,95	4,78	4,61	—	4,61	4,27
XX.—Education	2,15	+10	2,25	2,31	2,32	—	2,32	2,29	2,38	—	2,38	2,28
XXI.—Medical	1,14	—	1,14	1,30	1,21	—	1,21	1,14	1,26	—	1,26	1,26
XXII.—Scientific, &c., Departments	4,72	+18	4,90	5,27	4,91	—	4,91	4,28	5,09	-50	4,59	4,31
XXIII.—Superannuation	72	—	72	45	43	—	43	44	38	—	38	35
XXIV.—Stationery, &c.	93	—	93	93	91	—	91	96	95	—	95	1,02
XXV.—Miscellaneous	2,35	—	2,35	2,79	2,46	—	2,46	2,56	2,46	—	2,46	2,31
XXX.—Minor Irrigation	1,36	—	1,36	1,68	1,65	—	1,65	1,75	1,61	—	1,61	1,68
XXXII.—Civil Works	1,89	—	1,89	1,72	1,87	—	1,87	1,78	1,73	—	1,73	1,92
Contributions from Local	3,05	—	3,05	3,53	3,96	—	3,96	4,72	5,36	—	5,36	4,87
	3,56,11	+7,54	3,63,65	3,59,98	3,76,06	+1,56	3,77,62	3,78,68	4,26,19	+75	4,26,94	4,34,06
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial	—	—	—	+7,24	—	+30,00	+30,00	+38,87	—	+51,16	+51,16	+56,68
Total Revenue	3,56,11	+7,54	3,63,65	3,67,22	3,76,06	+31,56	4,07,62	4,17,55	4,26,19	+51,91	4,78,10	4,90,74

EXPENDITURE.

1. Refunds and Drawbacks	96	-8	88	94	96	—	96	1,07	96	—	96	96
2. Assignments	—	—	—	—	—	—	—	—	1,26	—	1,26	1,22
3. Land Revenue	60,99	-3,03	57,96	54,11	61,35	-75	60,60	60,15	60,40	—	60,40	60,85
6. Stamps	1,65	—	1,65	1,76	1,80	—	1,80	1,89	1,83	—	1,83	1,89
7. Excise	2,54	—	2,54	2,50	2,56	-3	2,53	2,55	2,59	-2	2,57	2,52
10. Assessed Taxes	7	—	7	7	8	—	8	8	8	—	8	8
11. Forest	5,29	-16	5,13	4,97	5,78	-27	5,51	5,67	6,57	-20	6,37	6,20
12. Registration	9,20	—	9,20	9,23	9,46	—	9,46	9,47	9,54	—	9,54	9,72
13. Interest	2,00	-5	1,95	1,83	2,42	-30	2,12	2,02	2,94	-33	2,61	2,04
18. General Administration	10,46	-22	10,24	10,74	10,53	—	10,53	11,60	10,77	—	10,77	10,97
19A. Courts of Law	50,29	-69	49,60	49,40	49,99	—	49,99	49,51	49,87	—	49,87	50,36
19B. Jails	13,01	—	13,01	12,64	12,66	—	12,66	13,37	13,15	+15	13,30	14,02
20. Police	50,91	-38	50,53	51,37	51,42	—	51,42	41,48	60,10	-4,10	62,00	56,67
21. Marine	16	—	16	14	16	—	16	15	16	—	16	16
22. Education	24,00	—	24,00	21,88	24,33	-65	23,78	23,18	33,03	-3,00	30,03	22,83
24. Medical	15,00	-62	14,38	15,50	16,19	—	16,19	15,64	16,68	—	16,68	16,37
25. Political	79	—	79	80	79	—	79	76	77	—	77	84
26. Scientific, &c., Departments	8,21	-40	7,81	7,88	9,35	—	9,35	8,95	11,44	-1,72	9,72	7,74
29. Superannuation	18,39	+41	18,80	19,53	19,70	+24	19,94	20,69	21,62	—	21,62	21,26
30. Stationery, &c.	10,68	-1	10,67	11,46	11,81	—	11,81	12,31	12,05	—	12,05	12,62
32. Miscellaneous	2,07	—	2,07	3,41	2,42	—	2,42	3,25	2,44	—	2,44	2,74
33. Famine Relief	—	—	—	—	15,00	—	15,00	97	10,00	-7,00	3,00	—
3. Minor Irrigation	41,80	—	41,80	48,01	44,00	—	44,00	48,73	41,25	—	41,25	42,42
5. Civil Works	36,72	—	36,72	26,69	50,07	—	50,07	43,58	54,88	—	54,88	49,79
Contributions to Local	7,18	—	7,18	7,33	6,04	—	6,04	6,32	20,18	—	20,18	27,58
	3,72,40	-5,23	3,67,17	3,61,99	4,08,87	-1,66	4,07,21	3,83,39	4,50,56	-16,22	4,34,34	4,21,89
Net figure for special adjustments made by Government of India and special grants sanctioned from Imperial to Provincial	—	+13,00	+13,00	+19,26	—	+30,88	+30,68	+37,96	—	+56,67	+56,67	+56,67
Total Expenditure	3,72,40	+7,77	3,80,17	3,81,25	4,08,87	+29,02	4,37,89	4,15,35	4,50,56	+40,45	4,91,01	4,78,56

BOMBAY.

Provincial figures only.]

REVENUE.

[In thousands of Rs.]

	1904-05.				1905-06.				1906-07.			
	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.	Local Government's Estimate.	Government of India corrections.	Estimate as passed by Government of India.	Actuals.
I.—Land Revenue	1,95,18	—	1,95,18	1,75,82	2,84,72	—	2,84,72	2,67,75	2,86,64	-4,75	2,81,89	2,98,34
Do. Adjustment	+92,68	—	+92,68	+92,68	+43,58	—	+43,58	+53,70	+60,41	—	+60,41	+60,41
III.—Salt	90	—	90	1,28	—	—	—	—	—	—	—	—
IV.—Stamps	45,75	+38	46,13	48,03	30,85	+65	31,50	32,40	31,50	-50	31,00	29,66
V.—Excise	28,50	+1,50	30,00	34,91	65,50	—	65,50	71,34	72,25	—	72,25	74,18
VII.—Customs	98	—	98	94	—	—	—	—	—	—	—	—
VIII.—Assessed Taxes	16,89	+1,53	18,42	18,19	17,89	+27	18,16	18,85	19,50	+6	19,56	23,10
IX.—Forest	12,65	—	12,65	15,10	14,00	—	14,00	17,42	14,28	+72	15,00	17,11
X.—Registration	2,80	—	2,80	2,98	5,95	—	5,95	6,74	6,40	+15	6,55	6,55
XII.—Interest	5,56	—	5,56	5,40	5,90	—	5,90	4,70	5,61	—	5,61	5,38
XVII.—Courts of Law	3,90	—	3,90	4,35	4,36	—	4,36	4,78	4,80	+20	5,00	5,08
XVIII.—Jails	2,25	—	2,25	1,93	2,35	—	2,35	1,92	2,07	—	2,07	2,21
XIX.—Police	4,20	—	4,20	4,91	4,14	+16	4,30	4,13	3,71	+16	3,87	4,46
XX.—Medical	67	—	67	81	77	+3	80	79	83	—	83	84
XXI.—Scientific, etc., Departments	3,06	—	3,06	3,20	3,22	—	3,22	3,57	3,38	+46	3,84	3,73
XXII.—Superannuation	2,17	—	2,17	2,14	2,11	—	2,11	2,20	2,10	+10	2,20	2,23
XXIII.—Stationery, etc.	26	—	26	28	36	—	36	50	45	+5	50	53
XXIV.—Miscellaneous	1,90	—	1,90	1,98	2,08	—	2,08	2,06	2,10	—	2,10	2,06
XXV.—Major Works	66	—	66	86	73	+3	76	84	81	—	81	79
XXX.—Minor Works	66	—	66	95	58	—	58	1,00	1,10	—	1,10	61
XXXII.—Civil Works	—	—	—	—	5,29	—	5,29	5,10	4,72	—	4,72	4,60
Contributions from Local	45	—	45	34	1,45	—	1,45	1,57	1,43	—	1,43	1,51
	6,36	—	6,36	6,53	6,04	—	6,04	6,68	6,23	—	6,23	7,38
Net figures for special adjustments made by the Government of India and special grants sanctioned from Imperial to Provincial	1,07	—	1,07	41	38	—	38	42	61	—	61	53
Total Revenue	4,29,52	+3,41	4,32,93	4,24,15	5,02,25	+1,14	5,03,39	5,10,46	5,30,93	-3,35	5,27,58	5,51,29
	—	+29,57	+29,57	+86,55	—	+16,94	+16,94	+14,18	—	+8,60	+8,60	+19,34
Total Revenue	4,29,52	+32,98	4,62,50	5,10,70	5,02,25	+18,08	5,20,33	5,24,64	5,30,93	+5,25	5,36,18	5,70,63

EXPENDITURE.

1. Refunds and Drawbacks	1,81	—	1,81	1,99	2,39	—	2,39	2,99	2,53	—	2,53	2,56
2. Assignments, etc.	99,26	—	99,26	94,59	96,83	—	96,83	94,97	88,38	—	88,38	87,69
3. Land Revenue	66,90	—	66,90	69,12	70,00	-32	69,68	69,28	72,83	-61	72,22	69,99
6. Stamps	1,77	—	1,77	1,76	1,31	—	1,31	1,19	1,30	—	1,30	1,05
7. Excise	1,25	-6	1,19	1,18	3,19	-31	2,88	2,61	2,80	—	2,80	2,69
10. Assessed Taxes	36	—	36	39	40	—	40	39	40	—	40	42
11. Forest	9,40	—	9,40	9,52	9,97	-27	9,70	10,63	9,86	—	9,86	9,95
12. Registration	1,41	—	1,41	1,42	3,16	-6	3,10	3,09	3,09	—	3,09	3,12
13. Interest	6,84	-8	6,76	6,19	6,25	-24	6,01	6,11	6,53	-17	6,36	6,30
15. Post Office	1,03	—	1,03	1,03	—	—	—	—	—	—	—	—
18. General Administration	14,74	—	14,74	14,65	14,78	—	14,78	15,43	15,19	—	15,19	14,57
19A. Courts of Law	47,92	+40	48,32	49,20	49,51	-4	49,50	50,00	51,00	—	51,00	50,92
19B. Jails	8,24	—	8,24	7,74	8,34	-9	8,25	8,26	8,37	—	8,37	8,93
20. Police	64,42	—	64,42	63,25	64,66	-26	64,40	59,79	63,37	-81	67,56	68,53
21. Marine	40	—	40	45	44	—	44	41	43	—	43	45
22. Education	23,45	—	23,45	22,93	24,00	—	24,00	19,35	31,57	-2,67	28,90	26,96
24. Medical	23,88	-1,00	22,88	20,74	23,57	-67	22,90	22,04	23,61	-10	23,51	22,02
25. Political	4,22	—	4,22	3,75	4,33	—	4,33	3,94	4,32	—	4,32	4,29
26. Scientific, etc., Departments	2,96	—	2,96	2,94	4,25	-25	4,00	6,95	4,86	—	4,86	5,23
29. Superannuation	22,90	—	22,90	23,45	24,00	—	24,00	24,08	24,85	—	24,85	25,09
30. Stationery, etc.	11,35	—	11,35	11,16	11,17	—	11,17	10,60	10,85	—	10,85	11,74
32. Miscellaneous	2,73	—	2,73	2,50	2,72	—	2,72	2,89	2,47	—	2,47	3,56
33. Famine Relief	—	—	—	—	16,76	—	16,76	2,63	42,00	—	42,00	9,38
42. Major Works	—	—	—	—	5,20	—	5,20	5,32	5,21	—	5,21	5,13
Do. Interest	—	—	—	—	8,97	—	8,97	8,94	9,08	—	9,08	7,86
43. Minor Works	15	—	15	11	16,90	—	16,00	15,64	17,29	—	17,29	13,70
45. Civil Works	45,50	—	45,50	43,03	53,45	—	53,45	55,07	48,53	—	48,53	62,53
Contributions to Local	10,12	—	10,12	10,37	10,50	—	10,50	12,78	20,71	—	20,50	20,71
	4,73,01	-74	4,72,27	4,63,74	5,36,18	-2,51	5,33,67	5,15,38	5,76,22	-4,36	5,71,86	5,45,54
Net figures for special adjustments made by the Government of India and special grants sanctioned from Imperial to Provincial	—	+3,00	+3,00	+3,00	—	+17,10	+17,10	+9,69	—	+7,57	+7,57	+7,57
Total Expenditure	4,73,01	+2,20	4,75,27	4,66,74	5,36,18	+14,59	5,50,77	5,25,07	5,76,22	+3,21	5,73,43	5,53,11

APPENDIX VIII.

List of applications made by Local Governments for additional expenditure grants, during 1903-04 to 1907-08, (filed by Mr. J. S. Meston, vide Q. 44864).

Year.	Province.	Nature of application.	Whether necessary or not.
1903-04	Central Provinces	Rs. 11,00,000 for writing off agricultural loans (mostly famine) which were found to be irrecoverable.	Necessary.
	Do. ...	87,000 for forest expenditure ...	Do.
	Do. ...	75,480 in connection with the amalgamation of Berar.	Do.
	Burma ...	6,00,000 for special expenditure on "Civil Works."	Unnecessary; actuals fell short of budget by 9 lakhs.
1904-05	Do. ...	39,00,000 for special expenditure on "Civil Works."	Unnecessary; actuals fell short of budget by over 8 lakhs.
	Assam ...	8,150 for forests ...	Unnecessary; actuals fell short of budget by 1½ lakhs.
	United Provinces...	25,000 for forests ...	Unnecessary; actuals in defect by 8 lakhs.
	Bombay ...	62,500 for forests, and Rs. 50,000 for "Civil Works" in connection with famine.	Unnecessary; defect of about 8 lakhs.
1905-06	Assam ...	1,50,000 for "Civil Works" ...	...
	United Provinces...	7,75,000 for famine relief ...	Necessary.
	Bombay ...	83,325 for forests ...	Unnecessary; defect of over 25 lakhs.
1906-07	Bengal ...	1,65,000 for general purposes ...	Unnecessary; defect of about 5 lakhs.
	Do. ...	12,500 for forests ...	
	United Provinces...	9,86,000 for expenditure against a windfall in the shape of the balances of an abolished local fund which lapsed to the Local Government.	Necessary.
	Punjab ...	50,000 for forests ...	Do.
1907-08	Central Provinces...	1,68,577 for the purchase of stores belonging to a colliery taken over by Local Government.	Not known yet.
	Do. ...	10,00,000 in connection with famine ...	Do.
	United Provinces...	2,00,000 in connection with plague ...	Do.

APPENDIX IX.

(Filed by Sir H. Risley, vide Q. 45389.)

Extract from the despatch accompanying the Government of India Act, 1833, from the Court of Directors to the Government of India, No. 44, dated the 10th December 1834.

"76. We have now completed all that we deem it necessary to say at present regarding the legislation to be exercised and the laws to be made in India. We will proceed to consider the new relation in which you will be placed with reference to the subordinate Governments, not by means of your legislative supremacy, but in other respects.

"77. The words of the 39th clause are very comprehensive: 'The superintendence, direction, and control of the whole civil and military government of all the said territories and revenues in India shall be vested in the said Governor-General in Council.'

"78. The powers here conveyed, when the words are interpreted in all their latitude, include the whole powers of Government. And it is of infinite importance than you should well consider and understand the extent of the responsibility thus imposed upon you. The whole civil and military Government of India is in your hands, and for what is good or evil in the administration of it, the honour or dishonour will redound upon you.

"79. With respect to the exercise of your legislative powers in the several Presidencies, what we have adduced of a general nature on that subject will, for the present, suffice.

"80. With respect to the other powers which you are called upon to exercise, it will be incumbent upon you to draw, with much discrimination and reflection, the correct line between the functions which properly belong to a local and subordinate Government and those which belong to the general Government ruling over, and superintending, the whole.

"81. When this line is improperly drawn, the consequence is either that the general Government interferes with the province of the local Government, and

enters into details which it cannot manage, and which preclude its consideration of more important objects; or that it withdraws its attention from the evidence of many things which may be right or wrong in the general course of the local administration, and thus partially deprives the State of the benefit of its superintendence and control.

"82. It is true that the former Acts of Parliament which made the local Government of Bengal a supreme Government gave the Governor-General in Council a control and superintendence over the other Presidencies as complete and paramount as it was possible for language to convey, and this we must assume to have been the intention of the Legislature. In practice, however, the Supreme Government made little exercise of its superintending authority, and the result has been that even that little exercise of it has been generally made when it was too late to be made with real effect, namely, after the subordinate Government has taken its course; thus losing the character of control and responsibility, and retaining only that of *ex post facto* intervention—a sort of intervention always invidious, and in most cases nothing but invidious, because what was already done, however open to censure, was beyond the reach of recall or correction.

"83. It is evidently the object of the present Act to carry into effect that intention of the Legislature to which we have alluded. Invested as you are with all the powers of Government over all parts of India, and responsible for good government in them all, you are to consider to what extent, and in what particulars, the powers of Government can be best exercised by the local authorities, and to what extent, and in what particulars, they are likely to be best exercised when retained in your own hands. With respect to that

portion of the business of Government which you fully confide to the local authorities, and with which a minute interference on your part would not be beneficial, it will be your duty to have always before you evidence sufficient to enable you to judge if the course of things in general is good, and to pay such vigilant attention to that evidence as will ensure your prompt interposition whenever anything occurs which demands it.

"84. In general it is to be recollected that in all cases where there are gradations of authority the right working of the system must very much depend on the wisdom and moderation of the supreme authority and also of the subordinate authorities. This is especially true of a system so peculiar as that of our Indian Empire. It was impossible for the Legislature, and it is equally so for us in our instructions, to define the exact limits between a just control and a petty, vexatious, meddling interference. We rely on the practical good sense of our Governor-General in Council, and of our other governors, for carrying the law into effect in a manner consonant with its spirit, and we see no reason to doubt the possibility of preserving to every subordinate Government its due rank and power, without impairing or neutralizing that of the highest.

"85. The subordinate Governments will correspond directly with us as formerly, but we think that you should immediately receive copies of all their more important letters to us, both as part of the evidence of their proceedings which you should have before you, and that we may have the benefit of the observations which you may have to make, and which we desire that you will always despatch to us with the smallest possible delay.

"86. It will be for you to determine what part of their records, or what other documents, it will be necessary for you regularly to receive as evidence of the general proceedings of the subordinate Governments, and as an index to the other documents which you will have occasion to call for when anything occurs which you desire to investigate."

Extract from the despatch from the Court of Directors to the Government of India, No. 3, dated the 28th March 1838.

"By the 65th clause of the Act 3 and 4 Wm. IV., Cap 85, the Governor-General in Council is invested with full power to superintend and control the subordinate Governments in all points relating to the Civil and Military Administration of their respective Presidencies, and those Governments are required to obey the orders and instructions of the Governor-General in Council in all cases whatsoever, and, in order to enable you to exercise with effect the control and superintendence thus devolved on you, the subordinate Governments are required by the 68th section to transmit regularly to the Governor-General in Council true and exact copies of all the Orders and Acts of their respective Governments, and to give intelligence of all transactions which they may deem material to be communicated, or as the Governor-General in Council shall from time to time require. Although a minute interference on your part in the details of the local administration of the subordinate Presidencies is neither desirable nor practicable, yet we should hold you but ill acquitted towards those whose interests are committed to your charge, if you should allow to pass without comment and, if necessary, without effective interference, any measures having, in your opinion, an injurious tendency either to one Presidency or to the Empire at large."

Home Department letter to the Governments of Madras and Bombay, Nos. 2546-2547, dated the 17th June 1872.

The correspondence noted below* having been referred to Her Majesty's Secretary of State for India for consideration, I have now to communicate his orders as follows. The Duke of Argyll deems the

* For Madras—
Letter to Government of Madras, No. 3683, dated 6th August 1870.

Letter from Government of Madras, No. 1035, dated 12th July 1871.

For Bombay—
Letter to Government of Bombay, No. 3686, dated 6th August 1870.

Letter from Government of Bombay, No. 2438, dated 15th October 1870.

statement of the existing law and practice contained in paragraphs 2, 3, 6 and 7 of my letter No. 3685-6, dated 6th August 1870 (which for convenience are extracted below), to be correct. Under those statutes and orders the Governments of Madras and Bombay are precluded from corresponding directly with Her Majesty's Government upon the subjects of the creation of new offices and the grant of salaries, gratuities, and allowances; and His Grace desires that all correspondence on those subjects, and, by consequence, on all modifications of existing orders on those subjects, shall proceed through the Government of India. With regard to other subjects, His Grace directs that all references by the Governments of Madras and Bombay to the Secretary of State on important questions of general principle relating to the army and the relations of the Government with Foreign Princes and States, shall be made through the Government of India.

His Grace does not deem it advisable to lay down any new rule as to correspondence upon other questions, because to do so might tend to impair the authority of the Governors of Madras and Bombay; but His Grace entertains no doubt that on every subject of real importance a reference would in the first instance be made to the Government of India, and he observes that if it were not, Her Majesty's Government would pronounce no decision without previously obtaining an expression of the opinion of the Governor-General in Council.

2. These orders dispose of all questions as to the mode of conducting the ordinary correspondence between the Governments of Madras and Bombay and the Secretary of State. If, however, the Government of Madras or Bombay should be unable to acquiesce in a decision pronounced by the Government of India, and should desire to refer the matter for the final orders of Her Majesty's Government, the following procedure is to be observed. The Local Government should not only move the Supreme Government to refer the point at issue to Her Majesty's Government, but should state its views fully in a despatch, and should send that despatch through the Government of India to the Secretary of State. The Supreme Government will, in transmitting such despatch, have an opportunity of explaining, simultaneously with the transmission of the appeal, the reasons which have led to the decision impugned. This course should not, however, be regarded as precluding the Local Government from sending a copy of its despatch direct to the Secretary of State, if it so chooses; but the fact that the appeal has also been sent through the Government of India should invariably be stated.

3. His Excellency the Governor-General in Council, in communicating this decision of Her Majesty's Government, desires to express a confident hope that a close adherence to the rules now laid down will obviate any possibility of a misunderstanding as to the relative position of the Supreme Government and of the Governments of Madras and Bombay in regard to correspondence with Her Majesty's Secretary of State.

Extract paragraphs 2, 3, 6 and 7, from the Home Department letter No. 3685-6, dated the 6th August 1870.

Paragraph 2.—The Statute 3 and 4 William IV., Cap 85, section 59, expressly precluded the Governments of Madras and Bombay from making any new office, or granting any salary, gratuity, or allowance, without the previous sanction of the Governor-General in Council; and when the late Honourable Court of Directors in the 85th paragraph of their despatch to the Government of India (Public), No. 44, dated 10th December 1834, authorised the Governments of Madras and Bombay to correspond direct with the Court, the authority was evidently granted subject to the above proviso.

3. The Statute 33 Geo. III., Cap. 52, section 22, authorised any of the Governments or Presidencies in India to address the Secret Committee of the Court of Directors, and the Statute 21 and 22 Victoria, Chapter 106, section 19, enacted that "all despatches from Governments and Presidencies in India, and other despatches from India, which, if this Act had not been passed, should have been addressed to the Court of Directors or to their Secret Committee, shall be addressed to the Secretary of State." Again, in section 28 of the same Statute, the word "Authorities" (not authority) is used to indicate the Governments in India who may send despatches to England, marked "Secret."

6. The Statute 3 and 4 William IV., Cap. 85, section 59, as stated above, provides that no Governor or Governor in Council shall have the power of creating any new office, or granting any salary, gratuity, or allowance without the previous sanction of the Governor-General of India in Council. In many cases the Governor-General in Council has not the power of granting salaries, gratuities, or allowances without the sanction of the Secretary of State. From this it would seem to follow that in all such cases any representation to the Secretary of State should be referred by the Governments of Madras and Bombay to the Government of India in the first instance.

7. Moreover, any modifications of general rules affecting the several services in India, and any claims to pension or gratuity, leave, or allowances while on leave, otherwise than under the recognized rules, should, according to existing practice, be referred through the Government of India. The Governor-General in Council thinks it essential to maintain this rule very strictly, in order to secure the proper control of the Financial Department in matters which have obviously an important financial bearing.

The Home Department letter to the Governments of Madras and Bombay, Nos. 1190-1191, dated the 19th June 1877.

In Home Department letter No. 2546, dated the 17th June 1872, it was laid down that if the Government of Madras should be unable to acquiesce in a decision declared by the Government of India, and should desire to refer the matter for the final orders of Her Majesty's Government, the following procedure was to be observed. The Local Government should not only move the Supreme Government to refer the point at issue to Her Majesty's Government, but should state their views fully in a despatch, and should send that despatch through the Government of India to the Secretary of State. It was stated that the Supreme Government would in transmitting such despatch have an opportunity of explaining simultaneously with the transmission of the appeal the reasons which had led to the decision impugned. And it was added that this course should not be regarded as precluding the Local Government from sending a copy of their despatch direct to the Secretary of State, if they should so choose; but the fact that the appeal had also been sent through the Government of India should invariably be stated.

2. Doubts having recently been raised whether the rules then prescribed apply to cases in which the Government of Madras entertain objections to a law made by the Governor-General in Council, or when they forward petitions addressed to the Secretary of State for the disallowance of such a law, the Government of India have arrived at the conclusion that the same principle should apply to every case in which it is sought to modify any order issued by the Governor-General in Council, whatever the nature of that order may be.

3. I am therefore to request that in future, whenever His Excellency the Governor in Council dissents from the policy of an Act passed by the Governor-General in Council, and desires to refer the matter for the final orders of Her Majesty's Government, the Governor in Council will not only move the Government of India to refer the point at issue to Her Majesty's Government, but will state his views fully in a despatch, and send that despatch through the Government of India to the Secretary of State. If the Local Government also send a copy of their despatch direct to the Secretary of State, the fact that the dissent has also been sent through the Government of India should invariably be stated.

4. I am also to request that all memorials concerning any legislative proceeding of the Governor-General in Council addressed by residents in India to Her Majesty or to the Secretary of State, which the Government of Madras think should be forwarded to their destination, may in future be transmitted through the Government of India, the Secretary of State being simultaneously informed that this has been done.

5. I am further to take this opportunity of inviting the attention of the Government of Madras to the necessity of strictly adhering to the orders of 17th June 1872, as any departure from those orders results in inconvenience and delay.

6. The orders contained in this letter have received the approval of Her Majesty's Secretary of State for India.

Extract from the despatch from the Government of India to the Secretary of State for India, No. 108, dated the 14th December 1877.

5. * * * We understand the spirit of the rules of June 1872 to be that in all cases in which the orders of the Secretary of State are needed, whether the question is raised by a memorial to his address or otherwise, and which involve questions of pensions, gratuity, allowance and the like, the matter shall first be submitted to the Government of India, and that the Secretary of State should only be addressed through the Government of India in case of appeals from the orders of the Government of India.

6. If Your Lordship is of opinion that we have correctly interpreted the rules in question, the system adopted by the Government of Madras of addressing the Secretary of State direct under flying seal through the Government of India, in cases in which they ought to address the Government of India and not the Secretary of State, should, we represent, be in future interdicted.

Despatch from the Secretary of State for India to the Government of India, No. 16 (Public), dated the 13th February 1879.

I have had under my consideration in Council the despatch of Your Excellency in Council No. 108 of 1877, and that of the President in Council No. 112 of 1878, on the question of the procedure adopted by the Government of Madras of addressing the Secretary of State direct under flying seal through the Government of India in cases in which they are required by the rules to address the Government of India and not the Secretary of State.

2. In reply, I have to state that I consider that you have rightly interpreted the orders of the Secretary of State of the 29th February 1872 to mean that in all cases involving questions of pension, gratuity, allowance and the like, in which the orders of the Secretary of State are needed, whether the question is raised by a memorial to his address or otherwise, the matter shall first be submitted to the Government of India, and that the Secretary of State should only be addressed in respect of such questions through the Government of India in case of appeals from the orders of the Government of India.

3. I request, therefore, that you will give instructions to the Madras, and of necessity the Bombay, Government, in accordance with the above interpretation.

Extract from the Home Department letter to the Government of Madras, No. 894, dated the 8th May 1879.

5. I am to observe that the spirit of the rules of June 1872 is, that in all cases in which the orders of the Secretary of State are needed (whether the question is raised by a memorial to his address or otherwise), and which involve questions of pension, gratuity, allowances, and the like, the matter shall first be submitted to the Government of India; and that the Secretary of State should only be addressed through the Government of India in the case of appeals from the orders of the Government of India. The Secretary of State, to whom the Government of India referred the matter, concurs* in this interpretation of the orders of 1872, and I am to request that in future the prescribed procedure may be followed by the Government of Madras.

No. 895.
Copy, with copy of enclosure, forwarded to the Government of Bombay in continuation of Home Department letter No. 2547, dated 17th June 1872, with the remark that the prescribed course is already ordinarily followed by the Government of Bombay.

* See copy of despatch No. 16, dated the 13th February 1879, appended to this letter.

APPENDIX X.

Schedule of Proposals for Decentralisation made by various Local Governments, with remarks thereon (filed by Sir H. Risley, vide Q. 45391.)

Nature of power.	Existing rule or authority governing its exercise.	Proposed delegation "from whom" "to whom."	REMARKS.
1.	2.	3.	4.
1. Power exercised by the Governor General in Council to exempt any person by name or in virtue of his office, and to withdraw any part of British India from the operation of any prohibition or direction contained in the Indian Arms Act, 1878.	Section 27 (a) of the Indian Arms Act, XI of 1878) (power to exempt).	From the Governor General in Council to Local Governments.	Legislation in the Governor General's Council required.
2. Review by the Government of India of the Local Government's reports on the measures adopted by them for the destruction of wild animals and venomous snakes.	Secretary of State's despatch No. 5 (Public), dated the 9th January, 1890, in which he observed that the review by the Government of India should not be discontinued.	It is proposed to abolish the reviews by the Government of India.	Secretary of State's permission necessary.
3. Submission to the Secretary of State of amalgamated quarterly returns of certificates of identity granted to natives of India visiting England and other foreign countries.	Home Department Resolution Nos. 2831—2842, dated the 8th December, 1899, directing the submission of the returns to the Government of India for transmission to the India Office.	It is proposed that the quarterly return for each province should be sent by the Local Government to the India Office direct.	Do.
4. Submission to the Secretary of State of amalgamated quarterly returns of passports of identity granted to natives of India visiting England and other foreign countries.	Home Department Circular, Nos. 228—237, dated the 28th January, 1907, directing that passports returns should be added to the returns of certificates of identity.	Do.	Do.
5. Power to regulate the number of holidays given in Government offices in the different provinces.	Home Department letters to Local Governments, Nos. 5232—5241, dated the 16th September, 1901. These orders were issued with a view to secure uniformity as regards the number of holidays which are given in the different provinces.	Subject to the observance of the general principles laid down by the Government of India, each Local Government may be authorised to regulate the holidays in the province under its control.	—
6. Power to approve proposals to commemorate buildings in which distinguished public men have resided by means of memorial tablets.	Home Department Resolution, Nos. 234—242, dated the 29th January, 1904, publishing lists of such buildings in the different provinces.	Some Local Governments submit proposals to commemorate additional buildings of this class to the Government of India for approval. It is proposed to leave it to the Local Governments themselves to sanction such proposals.	—
7. Power to regulate the supply of furniture for the residences of Heads of Provinces and the grant of furniture allowance.	Home Department Resolution, Nos. 490—499, dated the 1st March, 1904, laying down rules on the subject.	It is proposed to authorise Heads of Provinces to deal with this matter direct, subject to the observance of the principles laid down by the Government of India and a fixed maximum limit of expenditure.	Secretary of State's approval required.
8. Power to sanction draft rules on the subject of smoke-nuisances framed by the Government of Bengal.	Section 10 of Bengal Act, No. III of 1905. (Making rules under the Act.)	From the Government of India to the Local Government.	Legislation in the Bengal Council required.
9. Submission to the Secretary of State of applications for the award of the Royal Humane Society's medals.	Secretary of State's despatch No. 11 (Public) dated the 26th January, 1888, and Home Department Circular No. 1964—1973, dated the 21st October, 1889.	Local Governments might be empowered to send such applications direct.	Secretary of State's approval required.
10. Control exercised by the Government of India in respect of the acceptance of gifts and testimonials by Government	Rules 2 and 3 of the Government Servants Conduct Rules, 1904. (Gifts and demonstrations in honour of Government servants.)	From the Government of India to Local Governments.	Do.

Schedule of Proposals for Decentralization, &c.—cont.

Nature of power.	Existing rule or authority governing its exercise.	Proposed delegation "from whom" "to whom."	REMARKS.
1.	2.	3.	4.
11. Control exercised by the Secretary of State in respect of the promotion and management of companies by Gazetted Officers.	Rule 13 of the Government Servants' Conduct Rules, 1904 (promotion and management of Companies).	From the Secretary of State to Government of India.	Secretary of State's approval required.
12. Power exercised by the Governor General to sanction nominations of Additional Members of provincial Legislative Councils.	Section 45 of the Indian Councils Act, 1861 (Constitution of provincial Legislative Councils).	From the Governor General to the Lieutenant-Governors.	Parliamentary legislation required.
13. Power exercised by the Governor General in Council to approve tables of fees payable for registration, searches, and copies.	Section 78 of the Indian Registration Act, III of 1877. (Fees to be fixed by Local Government.)	From the Governor General in Council to the Local Government.	Legislation in Governor General's Council required.
14. Requests for loans of Sanskrit and other manuscripts for the use of scholars in Europe and India.	At present a scholar in Europe desiring the loan of a manuscript from India has to apply to the Secretary of State, who communicates the request to the Government of India, which then ask the Local Governments or the Foreign Department, as the case may be, to procure the manuscript which has to go through the same circuitous channel before reaching the applicant. Similarly, an application from an Indian scholar for the loan of a manuscript in Europe must pass through the Local Government concerned, the Government of India, and the Secretary of State.	Proposed that applicants in Europe should apply direct to Local Government concerned, and in case of Native States to the Foreign Department of the Government of India, after having their applications countersigned by the Secretary to the Embassy or other Diplomatic Officer; and, in the case of the United Kingdom by, say, the Under Secretary of State for India. In the case of applicants in India for manuscripts in libraries in Europe, Local Governments concerned should submit applications direct to institutions concerned.	Change in procedure will require Secretary of State's sanction.
15. Power to appoint, fix the salaries of, and remove Deputy Collectors in Bengal and Eastern Bengal and Assam.	Sections 17, 18, and 25 of Regulation IX of 1833.	From the Governor General in Council to the Local Government.	Bengal, United Provinces, and Eastern Bengal and Assam (the only Local Governments concerned), have been told to legislate in their local Councils for the repeal of sections 18 and 25, and section 17 (save the first sentence). Legislation in Governor General's Council required.
16. Power to sanction rules made for the destruction of records.	Section 5 of the Destruction of Records Act, 1879 (III of 1879).	Do.	Do.
17. Power to appoint and remove Notaries Public.	Section 138 of the Negotiable Instruments Act, 1881 (XXVI of 1881), as amended by Act II of 1885.	Do.	Do.
18. Power to declare a tribe, gang, or class of persons to be a criminal tribe.	Section 5 of the Criminal Tribes Act, 1871 (XXVII of 1871).	Do.	Do.
19. Power to sanction the establishment of sub-courts and district munsifs' courts.	Section 4 of the Madras Civil Courts Act, 1873.	Do.	Do.
20. Power to sanction rules for the payment of expenses of complainants and witnesses attending criminal courts.	Section 544, Criminal Procedure Code.	Do.	Do.
21. Power to sanction rules framed by the Local Government with respect to establishments to be maintained for the service and execution of processes issued by criminal, civil and revenue courts and authorities.	Section 32 of the Upper Burma Civil Courts Regulation, 1896, section 41 of the Lower Burma Courts Act, 1900.	Do.	Do.
22. Increase of grants to churches at stations where abnormal building rates prevail.	Rule X, Part IV, of the Ecclesiastical Rules of 1897.	Do.	—
23. Renting of buildings for divine service.	Rules XVI and XXV, Part IV of the rules of 1897.	Do.	—

Schedule of Proposals for Decentralization, &c.—cont.

Nature of power.	Existing rule or authority governing its exercise.	Proposed delegation "from whom" "to whom."	REMARKS.
1.	2.	3.	4.
24. To authorize the payment of compensation for sittings.	Rule XXXIV <i>et seq.</i> , of the rules of 1897.	From the Government of India to Local Governments.	—
25. To transmit ecclesiastical returns of baptisms, marriages, and burials and marriage certificates (of other than those of the Madras and Bombay Presidencies) to the India Office.	Section 81 of Act XV of 1872 as regards returns relating to marriages, and Home Department Resolution, dated 5th April 1865, as regards the other returns.	From the Government of India to provincial Registrars General of Births, Deaths and Marriages.	—
26. To confirm probationary chaplains and promote junior chaplains.	Articles 576 and 577, Civil Service Regulations (Article 577 has been cancelled but the ten years' rule still remains.)	From the Government of India to Local Governments.	—
27. To include out-stations in charge of Presbyterian and Wesleyan Ministers for the purposes of capitation and travelling allowances.	Army Regulations, Volume I, paragraphs 386 and 388.	From the Secretary of State to the Government of India.	—
28. Power to determine the strength and pay of the police forces under the control of Local Governments.	Section 2 of Act V of 1861 Section 4 of Bombay Act IV of 1890. Section 4 of Bombay Act IV of 1902. Section 8 of Bengal Act IV of 1866. Section 9 of Burma Act IV of 1899.	From the Government of India to Local Government.	—
29. Power to transmit to the India Office correspondence with officials in the United Kingdom.	Secretary of State's despatch No. 49, dated 17th August, 1906.	Do.	—
30. Power to sanction the issue of blankets and cardigan jackets to military police in Burma.	Home Department letter No. 934, dated 5th November, 1902. Article 278-A of Civil Account Code.	Do.	—
31. Power to make free issue of warm clothing and waterproof capes, etc., to men of Burma military police.	Home Department letter No. 934, dated 6th November, 1902.	Do.	—
32. Power to compensate the men of the Burma military police for the loss of their kits while on escort duty.	—	Do.	—
33. Power to compensate the men of the Burma military police for wear and tear of clothing when engaged on escort duty.	—	Do.	—
34. Power to issue free rations to the men of the Burma military police while serving on escort duty on the frontier.	G. O. C. C., dated 27th January and the 27th May 1887 and Home Department letter No. 44, dated the 24th March, 1888.	Do.	—
35. Power to sanction rewards to the men of the Burma military police for meritorious service.	Article 74, Civil Service Regulations.	Do.	—
36. Power to indent on the military authorities for signalling lamps and heliographic apparatus for the use of the Burma military police.	—	Do.	—
37. Power to grant rewards to members of the Burma civil police exceeding Rs. 500.	Home Department letter No. 563, dated the 25th July, 1902.	Do.	—
38. The sanction of the Governor General in Council is required for the transfer from the Andamans to Burma or elsewhere of life-convicts, the unexpired portion of whose life-sentence the Local Government proposes to remit under section 401 of the Criminal Procedure Code.	The sanction is required under section 29 (1) (b) of the Prisoners Act 1900 (III of 1900), as amended by Act I of 1903.	From the Governor General in Council to the Local Government.	This apparently can be effected by a general order under section 29 (1) (b) of the Act, empowering Local Governments to sanction the re-transfer from the Andamans of transportation convicts the unexpired portion of whose sentence the Local Government may propose to remit under section 401 of the Criminal Procedure Code.

Schedule of Proposals for Decentralization, &c.—cont.

Nature of power.	Existing rule or authority governing its exercise.	Proposed delegation "from whom" "to whom."	REMARKS.
1.	2.	3.	4.
39. Making alterations in the appointments included in the Provincial Educational Service, provided that the number of appointments in that Service is not altered without reference to the Government of India.	Government of India Resolution of 23rd July, 1896 reorganizing the Educational Services. Article 76, Civil Service Regulations.	From Government of India to the Local Government.	—
40. Provision of quarters for more than two professors in a Government College.	Paragraph 3 (b) of the Home Department resolution No. 319-331 of the 16th May, 1906.	From Government of India to the Local Government (Madras).	—
41. Changes in the rules relating to the grant of rewards to officers for passing in examinations in vernacular and frontier languages.	Article 277 (3) of the Civil Account Code, and Article 70 of the Civil Service Regulations.	Do.	Secretary of State's approval required.
42. Appointment of natives of India (whether of the Provincial Service or not) to posts scheduled by 24 and 25 Vict., Cap. 54, or reserved for members of the Indian Civil Service or of a Commission by executive orders for periods not exceeding three months. (Both regulation and non-regulation provinces).	Statute 24 & 25 Vict., Cap. 54, sections 3 and 4. Home Department letter No. 347, dated the 15th May, 1901.	From the Secretary of State to Local Governments.	Detailed proposals under Nos. 42-45 are made in Appendix XII. which compares the existing arrangements with those proposed.
43. Permanent appointments in non-regulation provinces to reserved posts.	Paragraph 13 of Secretary of State's despatch No. 81, dated 13th July, 1876.	From the Secretary of State to the Government of India.	
44. Appointment of natives of India (whether of the Provincial Service or not) to all listed posts.	Home Department notification No. 2159, dated 2nd November, 1892.	From the Government of India to Local Governments.	
45. Appointments under Statute 24 and 25 Vict., Cap. 54, a certain number of which have by general order of the Secretary of State been made over to non-civilian members of Government.	Statute 24 and 25 Vict., Cap. 54, section 4.	From the Secretary of State to the Government of India.	
46. Appointment of Members of the Board of Revenue, Bengal.	Section 4, Regulation III of 1822.	From the Governor General in Council to Local Government.	—
47. Appointment of Members of the Board of Revenue, United Provinces.	Section 6 of North-Western Provinces Act III 1901.	Do.	—
48. Appointment of Members of the Board of Revenue, Eastern Bengal and Assam.	Section 4, Regulation III of 1822, as applied to Eastern Bengal and Assam, by section 4 of the Bengal and Assam, Laws Act, VII of 1905.	Do.	—
49. Appointment of Financial Commissioner, Punjab.	Section 7 of Act XVII of 1887.	Do.	—
50. Appointment of Financial Commissioner, Burma.	Section 2(1) of Act XVIII of 1888.	Do.	—
51. Appointment of Commissioner of Settlements, Central Provinces (when vacancy exceeds three months.)	Home Department letter No. 46-2944-46, dated 13th September, 1873. Home Department Resolution No. 219, dated 20th May, 1882.	From the Government of India to the Chief Commissioner, Central Provinces.	—
52. Appointment of Commissioners of Divisions, Central Provinces (when vacancy exceeds three months.)	Do.	Do.	—
53. Appointment of Secretaries to the Chief Commissioner, Central Provinces (when vacancy exceeds three months).	Do.	Do.	—

Schedule of Proposals for Decentralization, &c.—concluded.

Nature of power.	Existing rule or authority governing its exercise.	Proposed delegation "from whom" "to whom."	REMARKS.
1.	2.	3.	4.
Making of other appointments in the Central Provinces Commission which involve the supersession of officers.	Home Department letter No. 46-2944-46, dated 13th September 1873. Home Department Resolution No. 219, dated 20th May 1882.	From the Government of India to the Chief Commissioner, Central Provinces.	Delegation to be subject to the control of the Government of India; each appointment to be reported to them; Government of India to intervene if they consider the power is abused.
Appointment of the Commissioner of Berar.	Section 8, Berar Land Revenue Code, 1896.	Do.	
Appointment of officials not "natives of India."	Home Department letter No. 21-746-753, dated the 18th April 1879.	From the Government of India to Local Governments.	
Appointment of the Surgeon - Superintendent of the Presidency General Hospital, Calcutta.	Home Department Resolution No. 1822, dated the 23rd April 1871.	From the Government of India to Local Government.	—
Appointment of the Director of Public Instruction, Central Provinces.	Home Department Resolution No. 219, dated 20th May 1882.	From the Government of India to the Chief Commissioner, Central Provinces.	—
Appointment of the Inspector - General of Police, Central Provinces.	Do.	Do.	—
Power to define the limits of a cantonment.	Section 4(2) of the Cantonments Act, 1889 (XIII of 1889).	From the Governor General in Council to the Local Government.	The Government of Burma recommends the delegation to local Governments of the power to define the boundaries of a cantonment without reference to the Government of India. The Army Department is not in favour of giving Local Governments this power, which would enable them to modify the actual boundaries of a cantonment. It is prepared only to give them the power, subject to the control of the Government of India, to publish the description of the boundaries of a cantonment, which is prepared by a mixed Committee representing the local civil and military authorities and which is now submitted by the Local Governments to the Government of India for sanction.
61. Power to impose and revise taxes within cantonments.	Section 17 of the Cantonments Act, 1889 (XIII of 1889).	Do.	The Government of Burma recommends the delegation to Local Governments of the power to impose and revise taxes within cantonments without reference to the Government of India. It has recently been decided to delegate this power to Local Governments subject to the control of the Government of India, and a draft bill to give effect to this decision is at present under the consideration of the Government of India.
62. Appointment of officers other than members of the Provincial or Subordinate Educational Service to fill temporary vacancies in the Indian Educational Service.	Appointments to the Indian Educational Service are made by the Secretary of State. (Home Department resolution Nos. 204-215, dated 23rd July 1896.)	From Secretary of State to Local Governments.	The filling of temporary vacancies in the Indian Educational Service by outsiders has to be reported for the Secretary of State's sanction.

APPENDIX XI.

Extract from the Proceedings of the Government of India in the Home Department (Public), Nos. 224-240, dated the 25th January 1911 (filed by Sir H. Risley, vide Q. 45407).

Read—Despatch to the Secretary of State, No. 64, dated the 25th October 1900, Despatch from the Secretary of State, No. 6, dated the 4th January 1901.

RESOLUTION.

The Governor General in Council has had for some time under his consideration the question of the frequent transfer from one charge to another of officers employed in the different branches of the civil administration. The extent to which the members of the different civil departments have been transferred in recent years is universally recognized to be detrimental to the proper discharge of public duties in every branch of the administration. The evil effects of frequent transfers are, however, especially manifest in the case of the chief civil officer of the district, who is the direct representative of the Government in the eye of the community. Continuity in the charge is most essential to the proper administration of a district in India, since a district officer's influence must in the main depend upon the extent to which he is known and trusted by the people.

2. It is an inherent condition of the different services in India that transfers of officers should be more frequent than is desirable in the interests of the administration. The number of European officers in the administrative services is limited to strict working requirements. Every time that leave is given, on every occasion on which a promotion is made, and in every instance in which an officer retires, a vacancy is created. It is impossible, therefore, to prevent transfers; the utmost that can be done is to reduce their frequency as much as possible.

The question of such a reduction does not come before the Government of India for the first time. It was the subject of correspondence between the Secretary of State and Lord Ripon's Government in 1882. It had been asserted that the change in the furlough rules of 1868, whereby officers absent on leave retain a lien on their appointments, had resulted in a largely increased number of acting appointments, and in frequent transfers or changes in the personnel of the administrative staff, to the detriment of the public interests. The Government of India made an inquiry from the Local Governments and Administrations as to whether the change in the rules had caused practical inconvenience. The replies to this inquiry disclosed a very general opinion among the local authorities that the supposed effect of the rule in question had been much exaggerated and misunderstood, and that the statistics from the different provinces did not, when carefully analyzed, justify the withdrawal of the rule whereby an officer on furlough retains a lien on his substantive appointment or on a substantive appointment of like character and not less pay. Lord Ripon's Government were nevertheless of opinion that changes among the administrative, and especially among the district staff, had been too frequent in some provinces. This result appeared to be in some measure due to the Local Governments being too ready to defer to the personal wishes and inclinations of officers returning from leave. The Government of India therefore directed that, unless some special circumstances rendered it desirable to replace an acting officer by a returning incumbent, an officer in the regular line of district administration should, on return from furlough, be posted to such actually vacant office as might be suited to his rank and pay, and that, in determining where he should be posted, the only consideration which should be allowed to weigh should be the question how his services could best be utilized with the least possible disturbance of existing arrangements. The Local Governments were also directed to pay more attention to regulating the time of an officer's return to duty with reference to the convenience of the public service. Directions upon these two points were issued in the Home Department Resolution No. 33—Public of 7th September 1882.

3. The Governor General in Council agrees with the decision come to by Lord Ripon's Government regarding the concession made in 1868, but is of opinion that the number of transfers has been greatly increased by the custom, which has grown more frequent as communication with Europe has become more rapid, of taking

accumulated privilege leave followed, after a short interval of duty by furlough—a practice not contemplated at the time when the furlough rules, which were designed to enable officers to visit England at reasonable intervals, and not oftener, were framed. Under article 891 of the Civil Service Regulations, an officer applying for privilege leave is required to record a declaration that he has no intention of taking leave of any other kind for three months after his return to duty. An officer under the European leave rules, who has accumulated three months' privilege leave, can enjoy it during one hot season, revert to duty the cold weather, and then apply for furlough in the ensuing hot season. So long as the aggregate number of furloughs is not exceeded, it is difficult to refuse his request except on special grounds, since he has rendered more than the continuous service required under article 340 of the Civil Service Regulations before furlough can be granted to him. His two periods of leave, which may have commenced within a period of just over six months, involve three changes,—a result which is most prejudicial to the proper conduct of any office in the civil administration.

4. The Government of India have been in communication with the Local Governments and Administrations and the Secretary of State as to the best means of checking the evils which result from frequent absences due to the enjoyment of leave under these conditions. They are of opinion that the right to accumulate privilege leave, as such, should be retained, but that, in the interests of the administration, it is essential to put an end to the practice of taking accumulated privilege leave and furlough separately without the interposition of a sufficient interval. The Government of India have therefore determined, with the sanction of the Secretary of State, to require that an officer shall, after return from accumulated privilege leave of over six weeks in duration, render eighteen months' active service between the return to duty and departure on ordinary furlough. As a compensation for the restriction on the present conditions under which leave can be taken, the Governor General in Council has recommended to the Secretary of State, who has approved the proposal, that an officer who has earned privilege leave shall be permitted to take it up to the maximum of three months in combination with another leave. To this concession will be attached a limitation of the total period of the combined leave, so that it shall not exceed two years when furlough is taken, or six months when special leave is taken, and, on the other hand, that it shall not be less than six months. His Excellency in Council is therefore pleased to announce that, with effect from January 21st, 1901, the date of the receipt of the Secretary of State's sanction, the rules in Chapter XIII. (leave rules for European Services) and XIV. (leave rules for Indian Services) will be modified in respect of all the officers to whom these rules respectively apply, in the following particulars:—

- (i) privilege leave to the amount due will be allowed to be taken as privilege leave either (a) by itself or (b) combined as privilege leave, with furlough, leave on medical certificate, special leave, leave on urgent private affairs and extraordinary leave, the maximum period in each case, for which full salary can be drawn, being three months;
- (ii) when privilege leave of over six weeks in duration is taken by itself, an interval of eighteen months must elapse between the return to duty and departure on furlough, other than furlough on medical certificate;
- (iii) the restriction defined in (ii) will not apply to leave on medical certificate, furlough on medical certificate, special leave on urgent private affairs, leave on private affairs, or extraordinary leave;
- (iv) when privilege leave is combined with furlough, the amount of the combined leave must not exceed two years;

- (v) when privilege leave is combined with special leave on urgent private affairs, or with leave on private affairs, the amount of the combined leave must not exceed six months;
- (vi) when privilege leave is combined with any other kind of leave, the combined leave must be for not less than six months;
- (vii) the periods mentioned in (iv), (v) and (vi) will count from the beginning of the leave to the end (under the ordinary rules) of the leave with which it is combined;
- (viii) officers to whom privilege leave under the ordinary rules and conditions is inadmissible under article 308, Civil Service Regulations, will be allowed to combine vacations with long leave (either at the beginning or end thereof) on the same conditions as those on which other officers are allowed to combine privilege leave;
- (ix) the rule that privilege leave allowances are not payable out of India will apply in the case of privilege leave combined with other leave.

5. The effect of these changes will be, the Governor General in Council anticipates, to cause a material reduction in the number of transfers, and His Excellency in Council trusts that the manner in which it has been determined to give compensation for the imposition of the restriction of the taking of furlough after the enjoyment of accumulated privilege leave will be appreciated by the members of the different Services. The concessions now sanctioned in regard to privilege leave are of an important character, and the Governor General in Council notifies that, should it at any time be found undesirable to continue them, they may be withdrawn without claims to compensation being recognized. It is unlikely that the introduction of the new rules will affect many members of the services injuriously, but, should a Local Government or Administration consider that the restriction that furlough may not be taken until the expiry of eighteen months after return to duty will operate with hardship or with inconvenience to the public interests in respect of any particular officer who takes accumulated privilege leave by itself before October 1st, 1901, the Governor General in Council will be prepared to consider a proposal to relax the restriction in the individual case.

6. While the Government of India consider that these changes in the leave rules must operate to reduce the number of transfers which at present take place, they are convinced, as Lord Ripon's Government were in 1882, that many unnecessary transfers are caused by the manner in which the rules regarding the grant of leave are worked. The Governor General in Council therefore desires to supplement the announcement regarding the changes in the leave rules by directions to the Local Governments and Administrations as to other methods of reducing transfers. The Governor General in Council has already referred to the instructions in the Resolution of 7th September 1882, which have not, His Excellency in Council regrets, been always fully regarded. In accordance with the decision come to in 1882, it was provided in article 220 (b) of the Civil Service Regulations that the Local Government may refuse to grant the full amount of leave applied for in any case, and should, by the exercise of this power, so regulate the date of an officer's return from leave as to cause as little change as possible in administrative arrangements. In the opinion of the Government of India, unnecessary transfers can be reduced if Local Governments and Administrations generally will show less hesitation, whenever they anticipate difficulty in providing an officer with a suitable appointment on return from the full amount of leave for which he asks, in requiring him to return after the interval which may best suit the interests of the public service. The provision of the rules that an officer returning from ordinary furlough or special leave retains a lien, not on the actual appointment held by him before departure on leave, but on an appointment of like character and not less pay, and that he retains no lien on an acting appointment (article 240, Civil Service Regulations), should also be steadily kept in view.

7. The Governor General in Council also considers it essential that Local Governments and Administrations should follow more fully in practice the principle that transfers must not be made to meet the private wishes of officers. The removal of an officer from one charge to another at his own request should only be allowed when it can be made with the certainty that the public interest will not suffer therefrom.

8. Another cause, in the opinion of the Government of India, of increase in the number of transfers is the rigid and unjustifiable adherence to the principle that every vacancy, for however short a time, must be given to the next senior officer unless he is unfit for promotion. The application of this rule multiplies transfers in several ways. An officer is often brought from a long distance to the exclusion of one on the spot who may be only his junior by a short period of service. Again, the supposed claim of a senior officer holding a less eligible appointment of similar duties to be transferred to a more eligible charge in place of a junior is constantly recognised, with the result that two transfers are made when one only is necessary. A third way in which this practice increases transfers is by the appointment (which is not in accordance with the principle laid down in article 240, Civil Service Regulations) of an officer to act in a higher appointment on return from leave in place of a competent junior appointed to officiate in that appointment when he himself was absent on leave. The Government of India cannot approve of transfers made in circumstances such as these, and trust that no countenance will be given to them in future.

9. Article 119, Civil Service Regulations, provides that, as a general rule, the duties of an officer absent on privilege leave should be discharged by another officer in the same station, and that the transfer of an officer from another station to act in consequence of the absence of an officer on privilege leave will only be allowed in exceptional cases. This article is constantly disregarded in practice, owing to the difficulty of making adequate local arrangements when the amount of privilege leave taken amounts to three months or nearly three months. As a measure supplementary to the above instructions, the Government of India will amend this article so as to make the requirement as regards the appointment of an officer, who is serving in the same station, to officiate in a vacancy caused by the departure of an officer on privilege leave of not more than six weeks stricter than it is at present. The Governor General in Council is of opinion that, except in the case of officers for which special qualifications are required, such as those of Heads of Departments, the Secretariat and the higher Judicial offices and certain Medical appointments, it should rarely be necessary to appoint an officer to officiate, during a privilege leave vacancy of not more than six weeks, who is not already serving in the same district either at head-quarters or at some sub-divisional outpost. In the case of appointments held by members of the Indian Civil Service or of a Commission, if a member of that Service or Commission is not available, an officer of the Provincial Service on the spot can hold charge for this short period, in accordance with the rules published under Home Department Notification No. 2159, dated the 2nd November 1892. To ensure compliance with this regulation, His Excellency in Council directs that quarterly lists showing and explaining all cases in which the above principle has not been followed in respect of absences on privilege leave of not more than six weeks shall in future be submitted to the appropriate department of the Government of India. The Government of India further direct that, when a vacancy is caused by the absence of an officer on privilege leave of more than six weeks, his place should also, if possible, as the rule already provides, be filled by an officer serving in the same district. The Government of India admit that this is not always feasible, but it should be done oftener than has hitherto been the case. By these means the Governor General in Council hopes that transfers on account of vacancies due to privilege leave will be substantially reduced, and that it will become a general practice for members of the Indian Civil Service and the better paid officers under the European Service Leave Rules to accumulate their privilege leave and combine it with furlough. By this process the vacancies in important offices should gradually cease to be for less than six months.

ORDER.—Ordered that a copy of this resolution be communicated to the Departments of the Government of India; and to Local Governments and Administrations for information and guidance.

Ordered also that the resolution be published in the Supplement to the *Gazette of India*.

[True extract.]

J. P. HEWETT,

Secretary to the Government of India.

APPENDIX XII.

(Filed by Sir H. Risley, vide Q. 45890.)

Procedure now in force for making appointments of gentlemen who are not members of the Indian Civil Service or of a Commission to posts reserved for such officers and to "listed" posts.

Nature of Province.	Class of appointments.	Class of officers.	Procedure of sanction.		REMARKS.
(1)	(2)	(3)	(4)	(5)	(6)
Regulation.	I. Scheduled II. Reserved ...	Europeans or Natives.	Up to six weeks sanction by Local Government, subject to report to the Government of India, who are to report to the Secretary of State.	Above six weeks previous sanction by the Government of India and then report to the Secretary of State.	"Scheduled"=appointments actually entered in the schedule attached to 24 and 25 Vict., Cap. 54. "Reserved"=appointments reserved for members of the Indian Civil Service or Commission by executive orders.
	III.—Listed— (1) Headships of districts and District and Sessions Judgeships or any administrative office of higher rank.	Natives— (a) Members of the Provincial Service.	Sanction by Local Government without report to the Government of India up to three months in cases falling under (1) of column (2) and for all cases irrespective of time falling under (2) of the same column.	Over three months previous sanction by the Government of India without report to the Secretary of State.	"Listed"=appointments specially declared or listed as thrown open to the Provincial Service.
	(2) Other appointments of lower status.	(b) Who are not members of the Provincial Service.	Previous sanction by the Government of India in all cases without report to the Secretary of State.		
Non-Regulation.	I. Scheduled II. Reserved ...	Europeans or Natives.	Up to six weeks same procedure as in Regulation Provinces.	Above six weeks same procedure as in the first entry above in this column (5) in cases of all temporary appointments. Previous sanction of the Secretary of State in case of permanent appointments.	
	III. Listed— (1) as above ... (2) as above ...	Natives— (a) as above ... (b) as above ...	Same procedure as in Regulation Provinces.		

Procedure proposed for making appointments of gentlemen who are not members of the Indian Civil Service or of a Commission to posts reserved for such officers and to "listed" posts.

(1)	(2)	(3)	(4)	(5)	(6)
Regulation.	I. Scheduled II. Reserved ...	Europeans ...	Up to six weeks Local Government to sanction, subject to report to the Government of India, who are to report to the Secretary of State.	Above six weeks previous sanction of the Government of India, and then report to the Secretary of State.	"Scheduled"=appointments actually entered in the schedule attached to 24 and 25 Vict., Cap. 54. "Reserved"=appointments reserved for members of the Indian Civil Service or Commission by executive orders.
		Natives ...	Local Governments to sanction up to three months without reference or report to any one.	Above three months previous sanction of the Government of India, and then report to the Secretary of State.	
	III. Listed ...	Natives ...	Local Governments to sanction without reference or report to any one.		"Listed"=appointments specially declared or listed as thrown open to the Provincial Service.
Non-Regulation.	I. Scheduled II. Reserved ...	Europeans and Natives.	As in Regulation Provinces.		In case of permanent appointments sanction of the Secretary of State will be required.
	III Listed ...	Natives ...	As in Regulation Provinces.		

APPENDIX XIII.

Government of India Petition Rules, (Filed by Sir H. Risley, vide Q. 45456).

Existing.	Proposed.
NOTIFICATION. The following rules regarding the submission of petitions to the Government of India are published for general information in supersession of the rules published with the Home Department Notification No. 1812, dated the 11th October, 1889, as amended by subsequent notifications:— RULES REGARDING THE SUBMISSION OF PETITIONS TO THE GOVERNMENT OF INDIA. NOTE 1.—In these rules the words "Local Government" include a Local Administration and the Commander-in-Chief in India and also, except as regards petitioners under rules 11 (7) whose salary was more than Rs. 30 a month, the Head of a Department directly under the Government of India, and Divisional and Independent Brigade Commanders. NOTE 2.—These rules do not apply to non-pensionable subordinate, clerical and menial establishments employed in the construction and working of State Railways, to whom Circular No. VI-Railway, Public Works Department, dated 1st June 1888, applies. NOTE 3.—These rules apply, so far as may be, to all memorials, letters and applications, etc., addressed to the Governor General in Council. NOTE 4.—These rules apply also to petitions by persons no longer in military employ who have served in the Army or the Royal Indian Marine, or have been attached to regiments or batteries, or the staff, or departments of the Army in any capacity. SECTION I. <i>As to the submission of petitions to the Government of India by private persons or public bodies.</i> 1. Every petition to the Government of India should be forwarded through the Local Government having jurisdiction in respect of the subject-matter of the petition. In cases where no Local Government is in a position to deal with the subject-matter of the petition, it should be forwarded through the Local Government within whose jurisdiction the petitioner is, or has last been, residing or employed. 2. A petition may be either in manuscript or in print, but must, with all accompanying documents, be properly authenticated by the signature of the petitioner, or, when the petitioners are numerous, by the signatures of one or more of them, and it must conclude with a specific prayer. 3. Every petition should be accompanied by a letter addressed to the Local Government requesting its transmission to the Government of India, and when any order of a Local Government is appealed against, by a copy of such order, as well as of any orders passed in the case by subordinate authorities. 4. Communications on matters connected with any bills before the Council may be addressed either in the form of a petition to the Governor-General in Council or in a letter to the Secretary in the Legislative Department, and must in either case be sent to the Secretary in the Legislative Department. Ordinarily such communications will not be answered. Except in the case of the High Court at Fort William, such communications from courts, officials or public bodies should be sent through the Local Government. SECTION II. <i>As to the submission of petitions by officers in civil employ.</i> 5. Every officer wishing to petition the Government of India should do so separately. 6. Every petition should be submitted through the head of the office or department to which the petitioner belongs, and should be forwarded by him through the usual official channel. 7. No officer may submit a petition in respect of any matter connected with his official position unless he has some personal interest in the matter.	NOTIFICATION. The following rules regarding the submission of petitions to the Government of India are published for general information in supersession of the rules published with the Home Department Notification No. 1812, dated the 11th October, 1889, as amended by subsequent notifications:— RULES REGARDING THE SUBMISSION OF PETITIONS TO THE GOVERNMENT OF INDIA. NOTE 1.—In these rules the words "Local Government" include a Local Administration and the Commander-in-Chief in India, and also, except as regards petitioners under rules 13 (14) whose salary is more than Rs. 100 a month, or such other limit as the Government of India may from time to time prescribe, the Head of a Department directly under the Government of India, and Divisional and Independent Brigade Commanders. NOTE 2.—These rules do not apply to non-pensionable subordinate, clerical and menial establishments employed in the construction and working of State Railways, to whom Circular No. VI-Railway, Public Works Department, dated 1st June 1888, applies. NOTE 3.—These rules apply, so far as may be, to all memorials, letters and applications, etc., addressed to the Governor General in Council. NOTE 4.—These rules apply also to petitions by persons no longer in military employ who have served in the Army or the Royal Indian Marine, or have been attached to regiments or batteries, or the staff, or departments of the Army in any capacity. SECTION I. <i>Procedure for the submission of petitions.</i> 1. Every petition to the Government of India should be forwarded through the Local Government having jurisdiction in respect of the subject-matter of the petition. In cases where no Local Government is in a position to deal with the subject-matter of the petition, it should be forwarded through the Local Government within whose jurisdiction the petitioner is, or has last been, residing or employed. 2. A petition may be either in manuscript or in print, but must, with all accompanying documents, be properly authenticated by the signature of the petitioner, or, when the petitioners are numerous, by the signatures of one or more of them, and must conclude with a specific prayer. 3. Every petition should be accompanied by a letter addressed to the Local Government requesting its transmission to the Government of India, and, when any order of a Local Government is appealed against, by a copy of such order, as well as of any orders passed in the case by subordinate authorities. 4. Communications on matters connected with any bills before the Council may be addressed either in the form of a petition to the Governor-General in Council or in a letter to the Secretary in the Legislative Department, and must in either case be sent to the Secretary in the Legislative Department. Ordinarily such communications will not be answered. Except in the case of the High Court at Fort William, such communications from courts, officials or public bodies should be sent through the Local Government. 5. Every officer wishing to petition the Government of India should do so separately. 6. Every petition from an officer should be submitted through the head of the office or department to which the petitioner belongs, and should be forwarded by him through the usual official channel. 7. No officer may submit a petition in respect of any matter connected with his official position unless he has some personal interest in the matter.

Existing.	Proposed.
8. No notice will be taken of a petition relating to any matter connected with the official prospects or position of an officer still in the public service unless it is submitted by the officer himself.	8. No notice will be taken of a petition relating to any matter connected with the official prospects or position of an officer still in the public service unless it is submitted by the officer himself.
SECTION III. <i>As to the transmission or withholding of petitions by Local Governments.</i>	SECTION II. <i>As to the transmission or withholding of petitions.</i>
9. Every petition to the Government of India should be forwarded by the Local Government concerned with a concise statement of the material facts and (unless there are special reasons for not doing so) an expression of opinion.	9. <i>In the absence of any special provision of law or of rule having the force of law, to the contrary, and in cases not specifically provided for in the following rules, the general principle governing appeals from Government servants, or employes of a local authority, against orders of dismissal, removal, reduction or other punishment, is that the aggrieved official has the right of one appeal. Where the decision of the authority inflicting the punishment is upheld on appeal, and unless the punishment is enhanced by the appellate authority, no second appeal lies as of right against the appellate decision. When the appellate authority, confirming the decision, enhances the penalty, the order in appeal, for the purposes of these rules, should be regarded as an original punitive order.</i>
If the petition is an appeal against an order of dismissal from Government service, the papers submitted by the Local Government should show whether the charge against the petitioner was reduced to writing; and whether his defence was taken and reduced to writing; and whether the decision was in writing. Where service or character books are maintained these also should be submitted.	10. <i>If the petition is an appeal of the class referred to in rule 9, the papers submitted by a Local Government should show whether the charge against the petitioner was reduced to writing; whether his defence was taken and reduced to writing; and whether the decision was in writing. Where service and character books are maintained these also should be submitted.</i>
10. When the petition is not in English, the Local Government should transmit a translation with it.	11. Every petition to the Government of India should be forwarded by the Local Government concerned with a concise statement of the material facts and (unless there are special reasons for not doing so) an expression of opinion.
11. Local Governments are vested with discretionary power to withhold petitions addressed to the Government of India in the following cases:—	12. When the petition is not in English, the Local Government should transmit a translation with it.
(1) When a petition is illegible or unintelligible.	13. Local Governments are vested with discretionary power to withhold petitions addressed to the Government of India in the following cases:—
(2) When a petition contains language which, in the opinion of the Local Government, is disloyal, disrespectful, or improper.	(1) When a petition is illegible or unintelligible.
(3) When a previous petition has been disposed of by the Secretary of State for India or the Governor-General in Council, and the petition discloses no new facts or circumstances which afford grounds for a re-consideration of the case.	(2) When a petition contains language which, in the opinion of the Local Government, is disloyal, disrespectful, or improper
(4) When a petition is an application for pecuniary assistance by a person manifestly possessing no claim.	(3) When a previous petition has been disposed of by the Secretary of State for India or the Governor-General in Council, and the petition discloses no new facts or circumstances which afford grounds for a re-consideration of the case.
(5) When a petition is an application for employment from a person not in the service of Government; or is a request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of Government or by persons engaging in any profession or employment.	(4) When a petition is an application for pecuniary assistance by a person manifestly possessing no claim.
(6) When a petition is an appeal from a judicial decision with which the executive has no legal power of interference.	(5) When a petition is an application for employment from a person not in the service of Government; or is a request for exemption from the provision of any law or rule prescribing the qualifications to be possessed by persons in the service of Government or by persons engaging in any profession or employment.
NOTE 1.—In the following cases, namely:—	(6) When a petition is an appeal from a judicial decision with which the executive has no legal power of interference.
(a) When a petition is an appeal from a judicial decision in a case in which the Government has reserved any discretion of interference, or	NOTE 1.—In the following cases, namely:—
(b) When a petition is an appeal from a judicial decision in a suit to which the Government was party, or	(a) when a petition is an appeal from a judicial decision in a case in which the Government has reserved any discretion of interference, or
(c) When a petition is practically a prayer for mercy or pardon, or contains such a prayer,	(b) when a petition is an appeal from a judicial decision in a suit to which the Government was a party, or
the petition must be transmitted to the Government of India, unless it falls under clause (13) of this rule.	(c) when a petition is practically a prayer for mercy or pardon, or contains such a prayer
NOTE 2.—When a petition of the kind referred to in clause (c) of Note 1 is addressed to the Government of India after a previous petition has been rejected by the Local Government, the petition must be transmitted, unless the case is one of which the Local Government is competent to dispose on its own responsibility under the	the petition must be transmitted to the Government of India, unless it falls under clause (12) of this rule.
	NOTE 2.—When a petition of the kind referred to in clause (c) of Note 1 is addressed to the Government of India, after a previous petition has been rejected by the Local Government, the petition must be transmitted, unless the case is one of which the Local Government is competent to dispose on its own responsibility under the

Existing.	Proposed.
orders contained in the Resolution of the Government of India in the Home Department No. ²⁰ / ₁₄₀₃₋₁₃ , dated the 4th October 1885.	orders contained in the Resolution of the Government of India in the Home Department, No. ²⁰ / ₁₄₀₃₋₁₃ , dated the 14th October 1885.
(7) When a petition is an appeal against an order of the Local Government upholding on appeal the dismissal, removal, reduction or other punishment of a Government servant or an employé of a local authority whose salary was not more than Rs. 100 a month.	(7) When a petition is an appeal against a decision which by any law or rule having the force of law, is declared to be final.
(8) When a petition is an appeal against a decision which by any law or rule having the force of law, is declared to be final.	(8) When a petition is addressed by an officer still in the public service, and has reference to his prospective claim for pension, except as provided in Article 915 of the Civil Service Regulations.
(9) When a petition is addressed by an officer in the public service, and has reference to his prospective claim for pension, except as provided in Article 915 of the Civil Service Regulations.	(9) When a petition is an appeal against the non-exercise by the Local Government of a discretion vested in it by law or rule.
(10) When a petition is an appeal against the non-exercise by the Local Government of a discretion vested in it by law or rule.	(10) When a petition is an appeal in a case for which the law provides a different or specific remedy, or in regard to which the time limited by law for appeal has been exceeded.
(11) When a petition is an appeal in a case for which the law provides a different or specific remedy, or in regard to which the time limited by law for appeal has been exceeded.	(11) When a petition is an appeal against an order or decision of the Local Government, and is made more than six months after the communication of such order or decision to the petitioner without satisfactory explanation of the delay.
(12) When a petition is an appeal against an order or decision of the Local Government, and is made more than six months after the communication of such order or decision to the petitioner without satisfactory explanation of the delay.	(12) When a petition relates to a subject on which the Local Government is competent to pass orders and no previous application for redress has been made to the Local Government.
(13) When a petition relates to a subject on which the Local Government is competent to pass orders, and no previous application for redress has been made to the Local Government.	(13) When a petition makes a proposal regarding legislation which the Local Government is not prepared to support.
(14) When a petition makes a proposal regarding legislation which the Local Government is not prepared to support.	(14) When a petition is an appeal against the appellate order of a Local Government upholding a decision which directed the dismissal, removal, reduction or other punishment of a Government servant or an employé of a local authority whose salary was not more than Rs. 250.
	<i>Provided that clause (14) shall not apply to the case of Gazetted Officers.</i>
	14. Local Governments are authorized, in regard to cases where the rights of appeal are not already circumscribed as contemplated by rule (7), to make rules for the guidance of their Heads of Departments and other officers subordinate to them, enabling them to withhold second appeals to the extent described below:—
	(a) when the petition of second appeal is from a Government servant or employé of a local authority whose salary was not more than Rs. 50, in all cases;
	N.B.—If an officer has been punished in consultation with an authority superior to the authority passing the penalty, there should in every case be an appeal beyond the authority which was consulted. This principle should be of general application in all cases.
	(b) When the petition of second appeal is from a Government servant or employé of a local body whose salary was more than Rs. 50 but not more than Rs. 100, when the petition of first appeal was decided and the original decision confirmed by the Head of a Department.
	Note.—For purposes of this rule a Commissioner is the Head of a Department in the case of the revenue establishment subordinate to him.
	15. If a petition is withheld, the petitioner should be informed of the fact and the reason for it.
	16. A list of petitions withheld under rule 13, with the reasons for withholding them, shall be forwarded quarterly to the Government of India in the proper department; and a list of those withheld under rule 14 shall be forwarded quarterly by the Local Governments concerned.

Secretary of State's Memorial Rules.

Existing.	Proposed.
NOTIFICATION.	NOTIFICATION.
The following rules for the submission, receipt and transmission of memorials and other papers of the same class to His Majesty the King, Emperor of India, or to the Right Hon'ble the Secretary of State for India are published for general information in supersession of the rules published with the Home Department notification No. 707, dated 29th March 1878, as amended by subsequent notifications:—	The following rules for the submission, receipt and transmission of memorials and other papers of the same class to His Majesty the King, Emperor of India, or to the Right Hon'ble the Secretary of State for India, are published for general information in supersession of the rules published with the Home Department notification No. 707, dated 29th March 1878, as amended by subsequent notifications:—
RULES REGARDING THE SUBMISSION OF MEMORIALS AND OTHER PAPERS OF THE SAME CLASS TO HIS MAJESTY THE KING, EMPEROR OF INDIA, OR TO THE RIGHT HON'BLE THE SECRETARY OF STATE FOR INDIA.	RULES REGARDING THE SUBMISSION OF MEMORIALS AND OTHER PAPERS OF THE SAME CLASS TO HIS MAJESTY THE KING, EMPEROR OF INDIA, OR TO THE RIGHT HON'BLE THE SECRETARY OF STATE FOR INDIA.
<i>N.B.</i> —These rules do not in any way affect or supersede orders issued on the same subject by the military authorities for the guidance of the army.	<i>N.B.</i> —These rules do not in any way affect or supersede orders issued on the same subject by the military authorities for the guidance of the army.
I. —No memorial will be received or attended to unless forwarded as hereinafter prescribed.	I. —No memorial will be received or attended to unless forwarded as hereinafter prescribed.
II. —Every memorial to His Majesty or to the Secretary of State for India should contain all material statements and arguments relied upon by the memorialist and be complete in itself; and it should be accompanied by a letter requesting its transmission to the authority to which it is addressed.	II. —Every memorial to His Majesty or to the Secretary of State for India should contain all material statements and arguments relied upon by the memorialist and be complete in itself; and it should be accompanied by a letter requesting its transmission to the authority to which it is addressed.
III. —Every memorial to His Majesty or to the Secretary of State for India should be presented through the Local Government having jurisdiction in respect of the subject-matter of the memorial. In cases where no Local Government is in a position to deal with the subject-matter of the memorial, it should be presented through the Local Government within whose jurisdiction the memorialist is, or has last been, residing or employed or, if there is no Local Government answering to these descriptions, then through the Government of India.	III. —Every memorial to His Majesty or to the Secretary of State for India should be presented through the Local Government having jurisdiction in respect of the subject-matter of the memorial. In cases where no Local Government is in a position to deal with the subject-matter of the memorial, it should be presented through the Local Government within whose jurisdiction the memorialist is, or has last been, residing or employed or, if there is no Local Government answering to these descriptions, then through the Government of India.
IV. —Every memorial to His Majesty or to the Secretary of State for India presented through the Governments of Madras or Bombay should be forwarded direct by the Local Government, with a full statement of facts and an expression of opinion, except in the case of a memorial which—	IV. —Every memorial to His Majesty or to the Secretary of State for India presented through the Governments of Madras or Bombay should be forwarded direct by the Local Government, with a full statement of facts and an expression of opinion, except in the case of a memorial which—
(a) relates to— (i.) any rule or standing order of the Government of India, or (ii.) any Legislative Proceeding of the Governor-General in Council or to an Act to which the Governor-General has assented, or (iii.) a case which has been previously under the consideration of the Government of India, whether on appeal or otherwise, or (b) if granted, would cause expenditure for which the Imperial and not the Local Government would be primarily responsible.	(a) relates to— (i.) any rule or standing order of the Government of India, or (ii.) any Legislative Proceeding of the Governor-General in Council or to an Act to which the Governor-General has assented, or (iii.) a case which has been previously under the consideration of the Government of India, whether on appeal or otherwise, or (b) if granted, would cause expenditure for which the Imperial and not the Local Government would be primarily responsible.
Every such memorial should be forwarded with a covering letter containing a full statement of facts and an expression of opinion to the Government of India in the proper Department for transmission to the Secretary of State* for India.	Every such memorial should be forwarded with a covering letter containing a full statement of facts and an expression of opinion to the Government of India in the proper Department for transmission to the Secretary of State* for India.
* "In the case of memorials and petitions against, or regarding Acts passed by the Legislative Council of the Governor-General, the Legislative Department is to be considered to be the Department having cognizance of the subject-matter of the memorial. Such memorials will be transmitted to His Majesty's Secretary of State through that department; and to it should be referred all memorials of the kind now described, which may reach any other department of the Government of India. The Legislative Department will, when necessary, consult the executive department concerned before disposing of, or transmitting, such memorials."—Home Department, 22-Public No. 996-1001, dated 24th May 1878.	* "In the case of memorials and petitions against, or regarding Acts passed by the Legislative Council of the Governor-General, the Legislative Department is to be considered to be the Department having cognizance of the subject-matter of the memorial. Such memorials will be transmitted to His Majesty's Secretary of State through that department; and to it should be referred all memorials of the kind now described, which may reach any other department of the Government of India. The Legislative Department will, when necessary, consult the executive department concerned before disposing of, or transmitting, such memorials."—Home Department, 22-Public No. 996-1001, dated 24th May 1878.
Memorials involving questions relating to pensions, gratuities, allowances, and the like should be forwarded through the Government of India—Home Department Notification No. 5153, dated 10th September 1901.	Memorials involving questions relating to pensions, gratuities, allowances, and the like should be forwarded through the Government of India—Home Department Notification No. 5153, dated 10th September 1901.

Secretary of State's Memorial Rules—cont.

Existing.	Proposed.
V. —Every memorial to His Majesty or to the Secretary of State for India presented through a Local Government, other than the Government of Madras or Bombay, should be forwarded by the Local Government, with a full statement of facts and an expression of opinion, to the Government of India in the proper department for transmission to the authority addressed.*	V. —Every memorial to His Majesty or to the Secretary of State for India presented through a Local Government, other than the Government of Madras or Bombay, should be forwarded by the Local Government with a full statement of facts and an expression of opinion, to the Government of India in the proper department for transmission to the authority addressed.*
VI. —Every memorial to His Majesty or to the Secretary of State for India from a person who has been employed in the army should, if it relates to a military subject, be forwarded through the Lieutenant-General Commanding the Forces of the Command in which the memorialist has served. The Lieutenant-General will forward it, with a full statement of facts and an expression of opinion, to the Government of India in the Military Department for transmission to the authority addressed.†	VI. —Every memorial to His Majesty or to the Secretary of State for India from a person who has been employed in the army should, if it relates to a military subject, be forwarded through the <i>Divisional or Independent Brigade Commander, or such equivalent authority as may from time to time be determined in the case of retired military officers, in whose jurisdiction the memorialist has served.</i> The <i>Divisional or Independent Brigade Commander, etc.</i> , will forward it with a full statement of facts and expression of opinion to the Government of India for transmission to the authority addressed.†
VII. —No limit is fixed to the time within which an appeal from an order of the Governments in India must be preferred to the Home Government, except in the case of an appeal from a judicial decision in which the judge is a political officer and in which the appeal ordinarily lies to Government in the Department. Such appeals must be preferred within a period of twelve months from the date of communication to the person concerned of the order to which objection is taken.	VII. —(a) In the case of an appeal from a judicial decision in which the judge is a Political Officer, and in which the appeal ordinarily lies to the Government of India or a Local Government in the Political Department, such appeal must be preferred within a period of twelve months from the date of communication to the person concerned of the order to which objection is taken. (b) In other cases no definite limit of time is fixed within which an appeal from order of the Governments in India must be preferred to the Home Government. The Government of India are, however, vested with discretionary power to withhold a petition addressed to the Home Government when it is an appeal against an order or decision of the Local Government which has been confirmed by the Government of India, and is made more than six months after the communication of such order of confirmation to the petitioner without satisfactory explanation of the delay.
VIII. —A memorial may be transmitted either in manuscript or in print, but must, with all accompanying documents, be properly authenticated by the signature of the memorialist on each sheet, and must conclude with a specific prayer.	VIII. —A memorial may be transmitted either in manuscript or in print but must, with all accompanying documents, be properly authenticated by the signature of the memorialist on each sheet, and must conclude with a specific prayer.
IX. —Memorials, together with their accompanying documents, should be in English.‡ If the	IX. —Memorials, together with their accompanying documents, should be in English.‡ If the
* Appeals by private persons from the orders of the Lieutenant-Governors lie, in the first instance, to the Governor-General in Council. An appeal to the Secretary of State will lie only in the event of an appeal to the Governor-General in Council having been rejected.	* Appeals by private persons from the orders of the Lieutenant-Governors lie, in the first instance, to the Governor-General in Council. An appeal to the Secretary of State will lie only in the event of an appeal to the Governor-General in Council having been rejected.
† Appeals by individuals from the orders of the Lieutenant-General Commanding the Forces, lie in the first instance to the Governor-General in Council and thereafter to the Secretary of State.	† Appeals by individuals from the orders of the <i>Divisional or Independent Brigade Commanders, etc.</i> , lie in the first instance to the Governor-General in Council and thereafter to the Secretary of State.
‡ "As it frequently happens that the disposal of vernacular petitions presented to the Government of India is delayed owing to their being unaccompanied by the English translations, and as Local Governments and Administrations have greater facilities for translating the vernaculars in use under their different provinces than the Government of India have, I am directed to request that, in order to avoid inconvenience and delay, all vernacular petitions transmitted by a Local Government and Administration to the Government of India may invariably be accompanied by an English translation."	‡ "As it frequently happens that the disposal of vernacular petitions presented to the Government of India is delayed owing to their being unaccompanied by English translations, and as Local Governments and Administrations have greater facilities for translating the vernaculars in use under their different provinces than the Government of India have, I am directed to request that, in order to avoid inconvenience and delay, all vernacular petitions transmitted by a Local Government and Administration to the Government of India may invariably be accompanied by an English translation."
2. "It should, however, be clearly understood that it is not the intention of the Governor General in Council that any petition presented for transmission to the Government of India or to the Secretary of State should be refused by reason of its being in the vernacular or because it is unaccompanied by a translation. The great majority of the population do not know English, and cannot obtain the services of an English petition-writer; and it is most undesirable that in a country like India the free right of petition should be curtailed. But as the languages of India are many and diverse, it is desirable that any vernacular petition or memorial forwarded to supreme authority by, or through, a Local Government should be accompanied by an English translation."—[Home Department No. 54—2086-95 (Public), dated 21st November 1878.]	2. "It should, however, be clearly understood that it is not the intention of the Governor General in Council that any petition presented for transmission to the Government of India or to the Secretary of State should be refused by reason of its being in the vernacular or because it is unaccompanied by a translation. The great majority of the population do not know English, and cannot obtain the services of an English petition-writer; and it is most undesirable that in a country like India the free right of petition should be curtailed. But as the languages of India are many and diverse, it is desirable that any vernacular petition or memorial forwarded to supreme authority by, or through, a Local Government should be accompanied by an English translation."—[Home Department No. 54—2086-95 (Public), dated 21st November 1878.]

Existing.	Proposed.
accompanying documents must necessarily be forwarded in the vernacular, an English translation should be appended, which should be attested by the signature of the memorialist. N.B.—It will be well for the transmitting office to examine such translations, and if they are found to be incorrect or faulty, to notice the fact in sending on the memorial. X.—It is not necessary that memorials should be forwarded in duplicate or triplicate. The originals will invariably be transmitted to England, a copy being made and retained by the Government of India, if necessary, for record. XI.—As a general rule, the transmission to England of a memorial duly forwarded through the proper channel should not be delayed by the transmitting Government in India beyond a month after the receipt of the memorial. XII.—The Governments in India are vested with discretionary power to withhold the transmission of memorials addressed to His Majesty or to the Secretary of State for India in the following cases :— (1) When a memorial is illegible or unintelligible. (2) When a memorial contains disrespectful or improper language. (3) When a second memorial is presented after a decision has already been given by the authority to which it is addressed, and when no new facts or circumstances are adduced which affords grounds for a reconsideration of the case. A memorial addressed to His Majesty by a person whose appeal to the Secretary of State for India has already been rejected, shall be held to be a second memorial to the same authority, and shall not be transmitted. (4) When a memorial is a mere application for pecuniary assistance by a person manifestly possessing no claim. (5) When a memorial is an application for employment under one of the Governments in India from a person not in the service of the Government, or is a request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of Government, or by persons engaging in any profession, or employment. (6) When a memorial is a mere appeal from a judicial decision. NOTE 1.—If the memorial is practically an appeal for mercy or pardon or contains such an appeal, it must be transmitted, unless it falls under rule XIII. Note 2.—When a memorial of the kind referred to in Note 1 is addressed to His Majesty or to the Secretary of State for India after a previous petition has been rejected by the Government of India or the Local Government, the memorial must be transmitted, unless the case is one of which the Local Government is competent to dispose on its own responsibility under the orders contained in the Resolution of the Government of India in the Home Department, No. $\frac{7}{1161-72}$, dated the 15th August 1890.	accompanying documents must necessarily be forwarded in the vernacular, an English translation should be appended, which should be attested by the signature of the memorialist. N.B.—It will be well for the transmitting office to examine such translations, and if they are found to be incorrect or faulty, to notice the fact in sending on the memorial. X.—It is not necessary that memorials should be forwarded in duplicate or triplicate. The originals will invariably be transmitted to England, a copy being made and retained, if necessary by the Governments of India, Madras or Bombay, as the case may be. XI.—As a general rule, the transmission to England of a memorial duly forwarded through the proper channel should not be delayed by the transmitting Government in India beyond a month after the receipt of the memorial. XII.—The Governments in India are vested with discretionary power to withhold the transmission of memorials addressed to His Majesty or to the Secretary of State for India in the following cases :— (1) When a memorial is illegible or unintelligible. (2) When a memorial contains disrespectful or improper language. (3) When a second memorial is presented after a decision has already been given by the authority to which it is addressed, and when no new facts or circumstances are adduced which afford grounds for a reconsideration of the case. A memorial addressed to His Majesty by a person whose appeal to the Secretary of State for India has already been rejected, shall be held to be a second memorial to the same authority, and shall not be transmitted. (4) When a memorial is a mere application for pecuniary assistance by a person manifestly possessing no claim. (5) When a memorial is an application for employment under one of the Governments in India from a person not in the service of the Government, or is a request for exemption from the provisions of any law or rule prescribing the qualifications to be possessed by persons in the service of Government, or by persons engaging in any profession or employment. (6) When a memorial is a mere appeal from a judicial decision. NOTE 1.—If the memorial is practically an appeal for mercy or pardon, or contains such an appeal, it must be transmitted, unless it falls under rule XIII. Note 2.—When a memorial of the kind referred to in Note 1 is addressed to His Majesty or to the Secretary of State for India after a previous petition has been rejected by the Government of India or the Local Government, the memorial must be transmitted, unless the case is one of which the Local Government is competent to dispose on its own responsibility, under the orders contained in the Resolution of the Government of India in the Home Department, No. $\frac{7}{1161-72}$, dated the 15th August 1890.

Existing.	Proposed.
(7)* When a memorial is an appeal against an order of a Local Government regarding the dismissal, removal, reduction or other punishment of a Government servant or an employé of a local authority whose salary was not more than Rs. 100 a month; or when it is an appeal against a similar order of a Local Government confirmed by the Government of India from a Government servant or an employé of a local authority whose salary was not more than Rs. 250 a month. NOTE.—The first sentence in this clause applies to the orders of the Government of India as well as to those of local Governments. (8) When a memorial is an appeal against a decision, which by any law or rule having the force of law, is declared to be final. (9) When a memorial is addressed by an officer still in the public service, and has reference to his prospective claim to pension. (10) When a memorial is a mere appeal against the non-exercise by one of the Governments in India of a discretion vested in such Government by law or rule. (11) When a memorial is an appeal against action of a private individual, or of a body of private individuals, regarding the private relations of the memorialist and such individual or body. (12) When a memorial is an appeal against orders refusing the grant of a pension to an inferior servant who is not eligible for such grant under the pension rules. XIII.—The Government of India may withhold the transmission of a memorial to His Majesty or * "The Governor-General in Council considers that the discretionary power of withholding petitions under clause 8, rule XII† of the rules for the submission, receipt and transmission of memorials and other papers of the same class addressed to His Majesty the King, Emperor of India, or to the Right Hon'ble the Secretary of State for India, by private persons or by officers of all of State for India, by private persons or by officers of all civil departments should be used with caution, and only after full consideration of the facts in each case. Having regard to the constitution and character of the Indian subordinate Services, dismissal of Government officials often involves serious distress, if not actual ruin, to them, and it is right that, under such circumstances, every opportunity should be allowed to them of making themselves heard. Further, when, as sometimes happens, their representations reach the Secretary of State through non-official channels, it is convenient that he should be in a position at once to deal with them, instead of being obliged, as may now be the case, to refer for information to this country. Such petitions, therefore, should not be withheld when there is any reasonable prospect of difference of opinion as to the order passed on them by the Government of India, or when they contain anything to which the attention of the Secretary of State is likely to be specially directed."—[Home Department Resolution No. 1438 (Public) dated 24th September 1880.] † Since renumbered clause 7, rule XII.	(7)* (a) When a memorial is an appeal against an appellate order of a Local Government or of the Government of India confirming the dismissal, removal, reduction or other punishment of a Government servant or an employé of a local authority whose salary was not more than Rs. 250, or (b) when it is an appeal against an appellate order of the Government of India confirming a punishment inflicted on a Government servant or an employé of a local authority whose salary was more than Rs. 250. Provided that rule 7 (a) and 7 (b) shall not apply (i) in the cases of Gazetted Officers holding posts habitually recruited for in England, including officers of a Provincial Service holding appointments 'listed' from an Imperial Service, when punished in any way, or (ii) in the case of other Gazetted Officers, when punished with dismissal. Note.—For the purpose of this rule an order confirming a punishment includes an order which, while upholding the finding of the subordinate authority, modifies the terms of the punishment to the advantage of the appellant. In cases, however, in which the appellate authority has enhanced the original punishment, the order in appeal, for the purposes of these rules, should be regarded as an original punitive order. (8) When a memorial is an appeal against a decision, which by any law or rule having the force of law, is declared to be final. (9) When a memorial is addressed by an officer still in the public service, and has reference to his prospective claim to pension. (10) When a memorial is a mere appeal against the non-exercise by one of the Governments in India of a discretion vested in such Government by law or rule. (11) When a memorial is an appeal against the action of a private individual or of a body of private individuals, regarding the private relations of the memorialist and such individual or body. (12) When a memorial is an appeal against orders refusing the grant of a pension to an inferior servant who is not eligible for such grant under the pension rules. (13) When a memorial relates to a request other than for pardon which no authority in India * "The Governor-General in Council considers that the discretionary power of withholding petitions under clause 8, rule XIII† of the rules for the submission, receipt, and transmission of memorials and other papers of the same class addressed to His Majesty the King, Emperor of India or to the Right Hon'ble the Secretary of State for India, by private persons or by officers of all civil department should be used with caution, and only after full consideration of the facts in each case. Having regard to the constitution and character of the Indian subordinate Services dismissal of Government officials often involves serious distress, if not actual ruin, to them, and it is right that, under such circumstances, every opportunity should be allowed to them of making themselves heard. Further, when, as sometimes happens, their representations reach the Secretary of State through non-official channels, it is convenient that he should be in a position at once to deal with them, instead of being obliged, as may now be the case, to refer for information to this country. Such petitions, therefore, should not be withheld when there is any reasonable prospect of difference of opinion as to the order passed on them by the Government of India, or when they contain anything to which the attention of the Secretary of State is likely to be specially directed."—[Home Department Resolution No. 1438 (Public), dated 24th September 1880.] † Since renumbered clause 7, rule XII.

Existing.	Proposed.
to the Secretary of State for India unless the memorialist has previously memorialized the Government of India and the Local Government concerned on the same subject; and the Government of Madras or Bombay may withhold the transmission of a memorial which under Rule IV. they are authorized to forward direct, unless the memorialist has previously memorialized the Local Government concerned on the same subject: provided that, when the memorial is one for pardon which no authority in India has power to grant, it should be addressed to His Majesty and forwarded to the Secretary of State for India.	has power to grant, and a previous application for redress has not been made to the Local Government concerned or to the Government of India on the subject.
XIV.—When a memorial is withheld, the memorialist should be informed of the fact and of the reason for it.	Note.—When a memorial is one for pardon which no authority in India has power to grant, it should be addressed to his Majesty and forwarded to the Secretary of State for India.
XV.—A list of memorials withheld under the discretionary power conferred by Rule XII., with the reasons for withholding them, will be forwarded quarterly to the Government of India under the case of memorials withheld by Local Governments under the same discretionary power, and by the Government of India in the department concerned to the Secretary of State for India.	XIII.—When a memorial is withheld, the memorialist should be informed of the fact and of the reason for it.
	XIV.—A list of memorials withheld under the discretionary power conferred by Rules VII. and XII., with the reasons for withholding them, will be forwarded quarterly to the Government of India in the case of memorials withheld by Local Governments under the same discretionary power, and by the Government of India in the department concerned to the Secretary of State for India.

APPENDIX XIV.

(Filed by Sir H. Risley, vide Q. 45,558.)

No. 64 of 1903.—GOVERNMENT OF INDIA.—FINANCE AND COMMERCE DEPARTMENT.—SALARIES, ESTABLISHMENTS, ETC. (ADMINISTRATION).

To The Right Hon. LORD GEORGE FRANCIS HAMILTON, G.C.S.I., His Majesty's Secretary of State for India, Calcutta, the 12th March, 1903.

My Lord,

We have the honour to submit, for Your Lordship's favourable consideration, the following proposals for increasing both the gazetted and ministerial establishment of our Home Department.

2. During recent years the Government of India have, on two occasions, been constrained to recommend additions to this establishment. In September, 1890, Lord Lansdowne's Government urged the need for the appointment of a Deputy Secretary, and in March, 1898, Lord Elgin's Government asked that the office staff might be increased by a superintendent, six clerks and a proof reader. The first proposal was sanctioned in Lord Cross' Despatch No. 254 (Financial), dated the 13th November, 1890, and the second in Your Lordship's Despatch No. 67 (Public), dated the 12th May, 1898. At the present time the officers of the Department are the Secretary, Deputy-Secretary, Under-Secretary and Registrar, and there are 44 clerks the majority of whom are distributed among the four main branches of the office, at the head of each of which is a superintendent. The Officer in charge of the Records, who is *ex-officio* an Assistant Secretary to the Government of India, deals with a few cases connected with the subject-matter of his general duties.

3. It has for some time past been evident that the Home Department staff is painfully, and even dangerously, overtaxed. The opinion of all those who have watched or taken part in the work of the department is unanimous on this subject, and the test of personal experience is fully corroborated by the statistics of the business transacted. The average annual number of letters received and issued during the years 1886 to 1889 was about

27,000. The following table gives similar figures for the years 1891 to 1902 inclusive:—

Year.	Receipts and issues.
1891	25,456
1892	25,385
1893	25,590
1894	27,640
1895	29,825
1896	30,835
1897	30,716 ^c
1898	37,360
1899	42,603
1900	46,288
1901	46,165 ^c
1902	49,266

The aggregate volume of work dealt with at various times, and the strength of the clerical establishment employed on its disposal, is shown in the following comparative statement:—

Year.	Number of Receipts and Issues.	Number of Clerks.
1881	17,500	32
1891	25,000	40
1896	31,000	49
1902	49,000	48

The gradual increase of work between 1890 and 1897 rendered necessary the addition of a Superintendent and seven clerks mentioned in paragraph 2 above. During the past five years the growth of

* Excluding certain special classes of work.

ness has been much more rapid, with the result that a staff, the strength of which was adjusted in 1898 on the basis of the work represented by 31,000 letters received and issued annually, is itself now called upon to deal with the same of work represented by 49,000 letters annually—a numerical increase of 60 per cent.

4. We may add that we see no prospect of relief from the present pressure, but, on the contrary, every likelihood of the correspondence of the department attaining still larger dimensions in the far future. The improvement and development of all branches of education, police reform, the numerous questions that will arise out of the altered status of Berar, the re-organisation of the Sanitary Department, revised schemes of local Self-Government, and the revision of the Imperial Gazetteer, may be mentioned as subjects of great magnitude or importance which will contribute to this result.

5. The officers of the department and the office establishment have made every endeavour to cope with the increase of business, but it is not possible that they should continue indefinitely to work at the present tension. The four superintendents of the branches have made a formal representation to us which has been strongly endorsed and supported by their superior officers, and we cannot ignore their reasonable complaint. It is, furthermore, prejudicial to public business that it should be dealt with under the conditions which now prevail. The interests of administrative efficiency alone demand that the staff, gazetted and non-gazetted alike, should receive a substantial supplement.

6. Your Lordship may, however, ask whether the great increase of work which has resulted in the present reference is really unavoidable, or whether it may not be to some extent due to an unnecessary enlargement of the scope of the supervision undertaken by the central office, against which Lord Cross gave a warning in his Despatch No. 128 (Financial), dated the 2nd July, 1891. We would reply that the development of modern systems of administration in India must inevitably add to the range and volume of the work of the Supreme Government, and that this tendency makes itself specially felt in the Home Department which deals with the general internal affairs of the country. The improved means of communication which have brought all parts of the empire into closer touch with one another have at once emphasised the imperial importance of numerous questions which are primarily the subject of provincial administration, and made it easier to consider them in their more general aspects. With the march of progress the system of Government is daily becoming more complex and in many respects more technical. Large problems are constantly arising which require to be considered in their bearing on the general interests of India, and to be examined from this point of view by the best expert opinion that can be obtained. Cases which involved such wide issues can be dealt with only by the Supreme Government. Finally, while we fully recognise the importance of keeping decentralization steadily in view as a guiding principle, experience has repeatedly shown us the need for watchful supervision on the part of the Government of India, both in order to maintain the general standard of the administration and to guard against the occurrence of positive errors and the disregard of standing orders or accepted principles.

7. Having explained the grounds on which we ask Your Lordship to sanction an increase of

establishment, it remains for us to state the details of our proposal. In the first place we desire to appoint a second Under-Secretary, who should be a member of the Indian Civil Service and should be granted pay at the same rate as the present Under-Secretary, namely, Rs. 1,300 a month. We have considered the alternative of appointing an Assistant Secretary, but we do not think that such an appointment would meet the needs of the present case. What is required is an officer able to give the same assistance in the submission of cases and the drafting of letters and despatches that is rendered by the present Under-Secretary, and this can only be done by a member of the Indian Civil Service of high educational attainments and some administrative experience.

8. In the office the present branches are both too few and too weak, and it is, in our opinion, essential to form two new branches with the following staff:—

	Rs.
1 Superintendent on	400—40—600
1 Do. "	300—20—400
2 Assistants "	200—20—300
2 Do. "	150—10—200
1 Assistant "	100—10—150
2 Assistants "	50—10—100
3 Do. "	50
—	—
12	—

These proposals have been made with all possible regard to economy, and we would lay particular stress on the necessity for appointing two new superintendents on the pay stated. The difficult and exacting nature of the work makes it advisable to attract to these posts the best men who are obtainable in the country.

9. The increases which we have proposed involve consequential additions to the strength of the menial establishment. We attach a *proposition statement which shows the extra cost of the whole scheme to be as follows:—

	Per mensem.
	Rs. a. p.
I. Gazetted Staff	1,300 0 0
II. Clerical Establishment	2,312 8 0
III. Menial Establishment	115 12 0
Total	3,728 4 0

10. We shall be obliged if Your Lordship will communicate your orders at as early a date as is conveniently possible, as the relief asked for is urgently needed.

We have the honour to be,

My Lord,

Your Lordship's most obedient humble Servants,

(Signed) CURZON.

KITCHENER.

T. RALEIGH.

E. F. G. LAW.

E. R. ELLES.

A. T. ARUNDEL.

DENZIL IBBETSON.

* Not reprinted in present volume.

India Office, London,
15th May 1903.

Public—No. 55.—To His Excellency the Right Honourable the Governor General of India in Council.

My LORD,—I have considered in Council the Financial letter of your Excellency's Government No. 64,* dated the 12th March 1903, in which you propose the addition of an Under Secretary to the gazetted staff of your Home Department, and of two superintendents, with ten assistants, to the ministerial staff, involving an increased expenditure of Rs. 44,739 a year.

2. It appears from the statement in paragraph 3 of the letter that there has been a great increase in the work of the Home Department since it was strengthened, in 1890, by the addition of a Deputy Secretary, the number of receipts and issues in 1902 having been 49,266 as compared with 25,456 in 1891, or nearly double. I observe that the year 1898 marks the period when the expansion began to be large and rapid, and that the total of last year is nearly 12,000 in excess of that of 1898. You say that you see no prospect of relief from the present pressure, but, on the contrary, every likelihood of the correspondence of the department attaining still greater dimensions in future.

3. In your sixth paragraph you explain, with reference to the remarks of my predecessor Lord Cross, in his Despatch No. 128 (Financial), dated the 2nd July 1891, regarding the danger of excessive enlargement of the scope and range of the supervision undertaken by the Central Government, and the multiplication of correspondence entailed thereby, that you regard the development of modern systems of administration in India as inevitably leading to this result, and that you consider it absolutely necessary to maintain a watchful supervision on the part of the Government of India over the proceedings of the Local Governments and Administrations, both in order to maintain the general standard of administration, and to guard against the occurrence of positive errors and the disregard of standing orders or accepted principles.

4. I have no doubt that the active enquiry pursued, under your Excellency's orders, into the necessity for improvement in the various branches of public business, and especially in those with which the Home Department deals, has contributed greatly to the increase of correspondence shown in your letter. It may be true that under existing conditions the improvement of various branches of executive and administrative work can be initiated more easily by the Central Government than by the local administrations, and it is no doubt necessary that for some few years after the introduction of reforms the Central Government should be fully informed as to their progress and development. But the correspondence thence arising should steadily decrease as the Local Governments become habituated to the changes which have been made. For this reason I cannot regard the figures relating to the growth of correspondence since 1891 as evidence of a normal and permanent increase. The efforts made by your Government to curtail the mass of report writing, which you rightly consider to be a serious hindrance to the proper conduct of business, by public officers, would be neutralised if, in place of annual reports, the amount of ordinary correspondence were allowed to grow at the rate which the present figures disclose, and I cannot but regard them with much misgiving. It appears to me to be of great importance that the initiative and responsibility of the heads of the various provinces should be allowed their legitimate share in our system of administration, since it is upon their activity and watchfulness that the continuous improvement of the government of the country mainly depends. I observe that your Excellency "fully recognizes the importance of keeping decentralization steadily in view as a guiding principle;" and only a detailed examination, which I am not in a position to make, of the great increase which has taken place in correspondence could suggest whether, or where, this principle has been departed from. I trust, however, that your Excellency will address

yourself to the problem which these figures present, with a view to checking, as far as possible, the growth of correspondence indicated by them.

5. With these remarks I accord my sanction to the addition to the establishment of the Home Department which you propose as a temporary measure for four years; and I shall be glad to be furnished, three years hence, with statistics showing how far the reduction in the work of the Department which I have urged above has been carried out.

I have the honour to be,

My Lord,

Your Lordship's most obedient, humble Servant,
GEORGE HAMILTON.

No. 19 of 1907.—Government of India—Home Department.—Establishments.

To the Right Honourable JOHN MORLEY, O.M., His Majesty's Secretary of State for India.

SIMLA,

9th May 1907.

SIR,—We have the honour to refer to the despatch No. 55 (Public), dated the 15th May 1903, in which Lord George Hamilton sanctioned an increase in the establishment of our Home Department office as a temporary measure for four years, and commented upon the increase of correspondence which the figures submitted to him by Lord Curzon's Government in their despatch No. 64 of 12th March 1903, showed to have taken place in recent years.

2. His Lordship recognised that the enquiry undertaken by Lord Curzon's Government into the necessity for improvement in the various branches of public business, especially in those with which the Home Department deals, had contributed greatly to the increase of correspondence which the figures implied. He admitted that for some few years after the introduction of reforms it was necessary that the Central Government should be fully informed as to their progress and development. But he suggested that the correspondence thence arising should steadily decrease as the Local Governments become habituated to the changes which had been made, and for this reason he declined to regard the figures relating to the growth of correspondence since 1891 as evidence of a normal and permanent increase. He observed that it was of importance that the initiative and responsibility of the Heads of the various provinces should be allowed their legitimate share in the system of administration, since it is upon their activity and watchfulness that the continuous improvement of the government of the country mainly depends. He acknowledged that our predecessors attached due importance to keeping decentralization steadily in view as a guiding principle; but he suggested that the Government of India should address themselves to a detailed examination of the statistics relating to the correspondence with the object of ascertaining whether, or where, the principle had been departed from, and of checking the growth of correspondence as far as possible.

3. The examination which His Lordship desired our predecessors to undertake has since been made. Its result may be gathered from the attached statement in which are shown the figures relating to receipts and issues for the past nine years under the fifteen several heads under which the business of the Home Department is distributed. In commenting on these figures it is perhaps needless to observe that in such a matter any statistics taken by themselves are a misleading and fallacious guide. It is necessary to have regard, not merely to the number of units of work, but also to the character of the different units. A single reference, for instance, from the Administrator-General or from the Metropolitan in India may involve the expenditure of greater time and labour to the establishment dealing with it than scores of routine references of the nature of plague reports or the transfers of officers, and for

this reason we think it necessary to supplement the deductions to be drawn from the bare statistics as they stand, with our knowledge of the degree of complexity and difficulty which is likely to be involved in the discussions which they represent.

Public (including Census).
Judicial.
Ecclesiastical.
Medical.
Sanitary (including Plague).
Education.
Examinations.
Archæology and Epigraphy.
Police.
Jails.
Port Blair.
Establishments.
Municipalities.
Local Boards.
Books.

4. Out of the fifteen heads of public business marginally noted with which the Home Department deals, the subject of Archaeology and Epigraphy, which has only recently been transferred from the Revenue Department to the Home Department, may be, for present purposes, set aside. As regards the fourteen remaining subjects, the figures suggest that work is increasing in the case of eight, constant in the case of three, and decreasing in the case of three. This conclusion is generally confirmed by the personal experience of the staff. In the case of the Public Branch, a marked increase occurred in the year 1899, which was sustained in the four years following. These variations are sufficiently accounted for by the increased attention devoted, in 1899, to cases of collision between Europeans and natives; in 1900, by the enquiry which Lord Curzon's Government undertook into the curtailment of reports and returns; and in 1901, by correspondence connected with the death of Her late Majesty the Queen-Empress. The decrease which occurred in 1904 resulted partly from the transfer of certain heads of correspondence to other branches of the office, as a result of the reorganization of the office undertaken in the latter part of 1903. The increased figures of 1905 may reasonably be connected with the reconstitution of the provinces of Bengal and Assam. There has been a decrease in 1906 the figures for which are almost exactly the same as those for 1904. In the Education Branch the marked increase of work which occurred towards the end of the year 1901, synchronized accurately with the Educational Conference held by Lord Curzon at Simla in October of that year. The discussions thereby originated fully account for the development of work to which the five following years bear witness. Nor do the latest figures available show that the impetus then given has yet spent itself. Many problems relating to the improvement of secondary, technical and European education, and other important matters, still await solution. Similar remarks apply to the case of the Police Branch, the business of which increased steadily after the appointment of the Police Commission in 1902. These two branches are amongst the most heavily worked portions of the Home Department; and in their case our experience has hitherto not borne out the conclusion which Lord George Hamilton suggested, that far-reaching reforms in any great department of public business should be only of temporary effect as regards the increase of actual correspondence. On the contrary we are inclined to think that the effect of a Commission in this direction is to some extent at least permanent. The Plague Commission, the Simla Educational Conference and the Police Commission have all resulted in, or been associated with, the appointment of an expert adviser to the Government of India as regards the peculiar matters which those bodies considered; and we are inclined to think that the department will always have more work to discharge in these various directions than would have fallen to it if the reforms instituted during Lord Curzon's term of office as Governor General had not been undertaken at all. The other branches of work in which an increase is observable are those which fall under the headings of Establishments, Examinations, Port Blair, Municipalities and Books. The transfers of officers between Bengal and the new province have occasioned some increase of work under the head Establishments. The increase between the years 1901 and 1905 under the heading Examinations is mainly due to our attempts to place the system of examination in Oriental languages on a more practical footing. It is true that there has been a slight decrease under the head of Examinations in 1906, but this is not likely to be permanent, as we have under consideration at present some very important questions relating to examinations both in law and vernacular languages which will cause a considerable access of work. The apparent large development of work during the past two years under the head Port Blair, must be ascribed to the activity of the late Superintendent who initiated various schemes for the development of the settlement and the improvement of the administration in many directions. In this case we need only observe that

no question of centralization or the reverse arises. The Superintendent is a Local Government only for certain limited purposes and, in all matters which are beyond his competence, the Government of India in the Home Department are themselves the Local Government. The increase of business under the heading Municipalities is not serious and may probably be attributed—

- (1) to normal progress in the development of the municipal system throughout India, and the gradual replacement of obsolete enactments by new ones in which provision is made for modern requirements in such matters as water-supply, sewerage, conservancy, and drainage;
- (2) to the inception of large schemes of structural improvement in the cities of Calcutta, Bombay and Rangoon; and
- (3) to the discussion of questions of taxation both in municipalities and cantonments.

The increase of work in the Books Branch is probably connected with correspondence relating to the Victoria Memorial Hall.

5. The figures representing the volume of business falling under the headings Judicial, Ecclesiastical and Local Boards may be described as fairly constant; our own experience of the work in these respects tend, to confirm this conclusion; and we think it unnecessary therefore, to discuss these subjects further.

6. The work falling under the headings Sanitary, Medical and Jails is decreasing. In the first of these it cannot be said that this is due to the fact that the main principles of sanitary administration have yet been determined. Such is indeed far from being the case. The decrease which the figures represent must be ascribed to the fact that in the earlier years of the period under consideration the progress of plague necessitated far more references to the Supreme Government than is at present found necessary. While there has been a considerable diminution in the number of references of a comparatively unimportant kind, due to the fact that our plague policy is now more fully understood by Local Governments, the number of references on important subjects has not diminished. The figures for the last two years indeed indicate a rising tendency; nor would it be surprising if this tendency continues, in view of the large problems of sanitary administration which still lie before us. This recent increase has been attended by a slight decrease, though of longer duration, under the heading Medical, which may be attributed in part at least to a redistribution of subjects, due to the appointment in 1904 of a Sanitary Commissioner. The decrease under the heading Jails is, we think, to be attributed not so much to the admitted fact that the main lines of penal administration throughout India have been settled, as to the circumstance that an amendment of the Prisoners Act, undertaken in 1904, has relieved the Government of India of the necessity of dealing with a large class of references of a routine nature from Local Governments relating to the transfers of prisoners between provinces.

7. Our conclusion therefore is that the increase of business, which is undoubtedly occurring, can only partially be located under restricted heads. It is in the main due to the operation of general tendencies, causes of which lie beyond our control, but the effect of which cannot be overlooked in any endeavour to arrive at a just appreciation of the problems with which any administrative Department of the Government of India is confronted. The first of these is the one to which our predecessors referred in paragraph 6 of their despatch of 12th March 1903. The development of the country generally, and the vast improvement of communications, which day by day brings the various parts of India into closer relations, tends of necessity to increase the desirability of or need for uniformity in many matters which can only be secured by the control of a central authority. An obvious illustration is presented by those matters which in the interests of trade require to be regulated by uniform rules throughout India. Such uniformity can be secured only by the Government of India, who either make the rules themselves where they have the legal power or, where they have not, frame model rules and instruct the Local Governments to conform

* Increase of the establishment of the Home Department of the Government of India.

to them as far as possible. Whichever process has been adopted the utmost care has been taken to provide for the adaptation of general principles to local conditions. Among the matters pertaining to the Home Department which we have in mind, are questions of arms and ammunition and poisons : to which may be added the questions of explosives, steam boilers, petroleum and carbide of calcium which have only recently been transferred from its control. A cognate case is that of the rules and orders affecting shipping, which have been framed in the interests of sanitation with the object of preventing plague or other epidemic disease from being imported into, or exported from, India. It would clearly be an intolerable hindrance to captains and shippers if a different set of rules were in force at each port which a vessel entered ; but here again the Government of India alone are in a position to secure practical uniformity.

8. Another of the most important causes of the increase of work in the Home Department, as well as in the other Departments of the Government of India, is to be found in the financial prosperity of the country. Before 1899, India was still suffering from the effects of the depreciation of silver, and reforms could not be undertaken because the Government had not the money required for them. As the condition of the finances improved Local Governments and the administrative departments took up one reform after another each of which involved increased work for the department concerned. We see no reason to anticipate that in a country which is being so rapidly developed the work of administration will ever diminish : on the contrary we do not think that it can fail to increase.

9. There is another way in which the modern economic development of India has insensibly favoured the concentration of authority in the hands of the Central Government. The increased facilities of communication with Europe have brought India more and more closely into touch with western countries, by whose standards she is judged, and to whose ideas of efficiency she is expected to conform. The Government of India, who are concerned to see that she is properly equipped to take her new place among the nations, have gradually found it impossible to content themselves in dealing with all matters of a technical or difficult character with the intermittent and unauthoritative advice of unspecialised departments. It has been necessary to create new expert agencies to deal with new conditions, and thus there has grown up by degrees a series of specialised offices or departments. Some of these pertain directly to the Supreme Government, such as the Department of Commerce and Industry, the Director-General of Education, the Sanitary Commissioner, the Director-General of Archaeology, the Chief Inspector of Explosives, and in some measure the Inspecting Officer of Cantonments. Others, though nominally under Local Governments, are or are coming to be practically administered by the Government of India. These are the Jails Service, the Bacteriological Service, the Lunatic Asylum Service and the Chemical Examiners. Each Local Government has at most only a few such officers under its orders, and cannot by itself appraise the individual's merits or ensure his prospects : the Services are in fact too small to be worked on a provincial basis, and their establishment has inevitably tended to concentrate business in the hands of the headquarters Government. Further illustrations might be added if we were not for the present concerned with the business of the Home Department only.

10. If full allowance be made, however, for the operation of all these causes, the fact undoubtedly remains that the work falling on the Home Department has been during recent years mainly augmented by the far-reaching reforms set on foot by Lord Curzon's Government in the matters of police and education. It is possible to represent these as measures of centralization. We hope to satisfy you that they were nothing of the kind. The Simla Conference of 1901 initiated proposals in every branch of the subject of education, and formulated lines of policy which the Local Governments are now engaged in carrying out with due regard to their own requirements and to the inevitable variation of local conditions. The appointment of the Police Commission of 1902 was a measure of the same type. It was the only possible agency through which a comprehensive scheme of reforms

could have been worked out. The conditions of police-service, machinery and work must be fairly uniform throughout India, and the experience of a series of years shows that several Local Governments, conscious of their own deficiencies, had planned reforms which from the nature of their position they were unable to carry out. They had neither the money nor the authority to work on comprehensive lines, and in the records of the Government of India their failure was abundantly written. The case of plague again affords an instance in which the Government of India would, we think, have been justified in working on a far more uniform method of administration than has in fact been attempted. We have indeed given Local Governments a large discretion even at the cost of maintaining in some parts of India methods of which we do not wholly approve, and as a rule we have not interfered with Local Governments save when they have sought our advice of their own motion, or when their orders have conflicted with obvious principles of public policy or the requirements of international conventions. Another fertile source of increased references to the Government of India to which allusion should be made lies in the unwillingness of the legislature to confer powers on Local Governments except subject to the previous sanction or at least to the control of the Government of India. Our system of legislation frequently takes the form of empowering Acts laying down general principles but leaving very wide powers of rule-making, or of what has been called "legislation by notification," to the executive. It is within the experience of those of us who have served on Select Committees that it has been represented that such discretion should be made subject to the control of the Supreme Government ; and it is usually impossible to resist such a demand, save when it is obviously unreasonable. This circumstance is not without significance as showing in what light the reservation of control in the hands of the Government of India is generally regarded by public opinion in India.

11. We venture to question whether there is any essential connection between the two propositions laid down in the last sentence but two of paragraph 4 of Lord George Hamilton's despatch. We entirely agree that unless Local Governments are active and watchful there can be no continuous improvement in India, but this proposition does not in our view necessarily involve the exercise of initiative by Local Governments or impugn its exercise by the Government of India. In our view the Supreme Government must retain and must often exercise the privilege of suggesting changes, enforcing uniformity, and enunciating broad principles ; but we fully recognize that Local Governments are not unworthy of the custody of these principles, and that they are capable of suggesting changes and initiating reforms. We have no desire to interfere either with their responsibility or with their power of initiative, nor do we consider that the imputation of having so interfered in the past could fairly be made against us. At the same time experience has shown that as a rule it is from the Supreme Government that suggestions of reform must emanate and to them that the custody of principles and the enforcement of such uniformity as may be found requisite properly and inevitably belong. These are functions analogous to those which the Secretary of State in Council exercises in relation to the Government of India. There has been no attempt to usurp powers which would be legitimately exercised by lower authority, but the sole object has been to ensure that such powers are properly exercised. The term centralization as commonly employed in such discussions conveys a suggestion of reproach which seems to us unmerited : and we should prefer to describe the policy to which it has been applied partly as the successful adaptation of administrative means to an end, partly as the exercise of legitimate and necessary control.

12. There is, however, one important class of references to the Government of India which in many cases involve centralization in its invidious sense. We refer to the applications which Local Governments are compelled under financial rules to make to the Government of India, and the Government of India to the Secretary of State, whenever it is proposed to create a new appointment carrying a salary exceeding Rs. 3,000 a year, or to increase a salary which already exceeds or will, with the intended increase, exceed Rs. 5,000 a year, or to introduce a

cheme costing more than Rs. 25,000 a year. Some arbitrary limits under these heads are no doubt essential to the maintenance of adequate control. But we are satisfied that the limits should be placed at higher figures than the existing standards, which date back to the experimental stage in the delegation of financial authority, and have become inconsistent with the wide general powers which the Local Governments exercise with so much advantage under the existing system of provincial settlements. This system gives a Local Government practically the complete control of the revenues allotted to it, and where the Local Government is solvent, and the scheme submitted for sanction is not one of unusual magnitude and involves expenditure from provincial revenues only, the question of providing funds is a matter which concerns the Local Government much more directly than the Government of India. This is more especially the case now that the provincial settlements have been revised on a quasi permanent basis. It follows that the criticism which we apply to such proposals is almost wholly administrative, and practically the whole work of dealing with them, including the drafting of the final despatches, falls upon the administrative department concerned. A relaxation of existing restrictions would therefore in some degree lighten the task of those departments, and especially of our Home Department, and would discourage that excessive centralization on the administrative side which is out of harmony with the financial relations subsisting between ourselves and the Local Governments.

These are the considerations which led us to address to you a separate representation on this subject in our Finance despatch No. 17, dated the 24th January 1907, but its important bearing on

the questions now under discussion makes it necessary to allude to it here.

13. We have now, as desired by Lord George Hamilton, dealt with the condition of the work in the Home Department as it stands nearly four years after the despatch under reply was written. The sanction given by His Lordship expires at the end of the present month and we are therefore compelled to address you regarding the necessity for the further retention of the additional establishment which he sanctioned. In doing so we desire to place on record our opinion that no diminution in the business of the department is perceptible. If the staff of officers and clerks are not now as heavily burdened as they were before the assistance given in 1903, they are at least fully occupied ; and though we shall not fail to bear your predecessor's wishes in mind we must add that we apprehend that there is little or no hope of a decrease of work, and that the continuance in permanence of the establishment added in 1903 is absolutely necessary. We therefore request your sanction to the retention as a permanent measure of the establishment to whose temporary entertainment Lord George Hamilton accorded his sanction in 1903.

We have the honour to be,

Sir,

Your most obedient, humble servants ;

MINTO.
KITCHENER.
H. E. RICHARDS.
E. N. BAKER.
C. H. SCOTT.
H. ADAMSON.
J. F. FINLAY.
J. O. MILLER.

Enclosure.

Abstract of receipts and issues in the Home Department during the years 1898 to 1906.

Abstract of receipts and issues in the Home Department during the years 1898 to 1906.

Branch.	Class of work.	1898.	1899.	1900.	1901.	1902.	1903.	1904.	1905.	1906.	Increase or decrease per cent. 1898-1906.
Public...	Receipts ...	2,948	3,570	4,849	4,962	4,851	4,356	3,589	3,643	3,818	...
	Issues ...	3,978	6,754	6,183	8,990	6,544	6,398	4,622	6,978	4,392	...
	Total ...	6,926	10,324	11,032	13,952	11,395	10,754	8,211	9,721	8,210	+18.54
Census ...	Receipts ...	...	47	248	287	137	63	28	...	...	...
	Issues ...	...	113	559	457	318	107	27	...	...	...
	Total ...	...	160	807	744	455	170	55	...	...	...
Judicial ...	Receipts ...	1,899	2,089	2,243	2,231	2,389	2,612	2,356	2,160	2,005	...
	Issues ...	2,579	2,827	3,069	3,033	3,012	3,209	3,269	2,999	2,457	...
	Total ...	4,478	4,916	5,312	5,264	5,401	5,821	5,625	5,159	4,462	-35
Ecclesiastical ...	Receipts ...	535	621	570	652	620	624	625	565	602	...
	Issues ...	649	720	739	835	875	836	803	746	793	...
	Total ...	1,184	1,341	1,309	1,487	1,495	1,460	1,428	1,311	1,395	+17.82
Medical ...	Receipts ...	1,550	1,704	1,870	1,490	1,332	1,364	1,208	1,421	1,196	...
	Issues ...	2,432	2,972	3,313	2,595	2,198	2,081	2,090	1,886	1,824	...
	Total ...	3,982	4,676	5,183	4,085	3,530	3,445	3,298	3,307	3,020	-24.16

Abstract of receipts and issues in the Home Department during the years 1898 to 1906—concluded.

Branch.	Class of work.	1898.	1899.	1900.	1901.	1902.	1903.	1904.	1905.	1906.	Increase or decrease per cent. 1898-1906.
Sanitary and Sanitary—Plague.	Receipts ...	4,247	4,457	3,766	3,667	4,027	2,962	2,934	3,739	3,989	...
	Issues ...	5,797	4,035	3,485	2,763	2,800	2,244	2,195	2,551	2,699	...
	Total ...	10,044	8,492	7,251	6,430	6,827	5,206	5,129	6,290	6,688	-33.41
Education ...	Receipts ...	581	621	605	772	1,132	965	959	1,035	1,150	...
	Issues ...	683	815	640	933	1,408	1,147	1,552	1,274	1,413	...
	Total ...	1,264	1,436	1,245	1,705	2,540	2,112	2,511	2,309	2,563	+102.77
Examinations ...	Receipts ...	589	628	684	805	884	738	947	830	641	...
	Issues ...	647	916	905	1,051	1,024	950	1,038	1,012	951	...
	Total ...	1,236	1,544	1,589	1,856	1,908	1,688	1,985	1,842	1,592	+28.80
Archæology and Epigraphy.	Receipts ...	...	...	...	...	...	...	360	335	...	...
	Issues ...	...	...	...	...	...	...	741	534	...	...
	Total ...	...	...	...	...	...	...	1,101	869	...	...
Police ...	Receipts ...	605	627	812	807	992	1,459	1,657	1,721	1,627	...
	Issues ...	577	734	880	956	1,390	1,810	2,154	2,461	2,157	...
	Total ...	1,182	1,361	1,692	1,763	2,382	3,269	3,811	4,182	3,784	+220.14
Jails ...	Receipts ...	410	405	421	379	565	375	424	250	264	...
	Issues ...	703	636	622	638	1,118	875	710	401	389	...
	Total ...	1,113	1,041	1,043	1,017	1,683	1,250	1,134	651	653	-41.33
Port Blair ...	Receipts ...	601	753	608	649	745	541	616	1,010	838	...
	Issues ...	981	1,086	906	865	1,060	961	964	1,506	1,322	...
	Total ...	1,582	1,839	1,514	1,514	1,805	1,502	1,580	2,516	2,160	+36.54
Establishments ...	Receipts ...	1,177	783	902	942	833	1,159	1,286	1,595	1,691	...
	Issues ...	1,350	993	1,099	1,222	1,096	973	2,049	2,173	2,270	...
	Total ...	2,527	1,776	2,001	2,164	1,929	2,132	3,335	3,768	3,961	+56.75
Municipalities ...	Receipts ...	300	434	465	466	436	446	468	525	534	...
	Issues ...	282	449	394	457	468	384	598	506	528	...
	Total ...	582	883	859	923	904	830	1,066	1,031	1,062	+82.47
Local Boards ...	Receipts ...	113	137	130	116	178	158	155	130	132	...
	Issues ...	57	112	118	78	166	156	141	119	84	...
	Total ...	170	249	248	194	344	314	296	249	216	+27.06
Books ...	Receipts ...	1,608	1,629	2,083	1,579	1,777	1,895	1,903	2,307	2,176	...
	Issues ...	2,087	1,901	2,235	1,705	1,836	1,738	2,100	2,422	2,283	...
	Total ...	3,695	3,530	4,318	3,284	3,613	3,633	4,003	4,629	4,459	+20.68
GRAND TOTAL ...	Receipts and Issues ...	39,965	43,568	45,403	46,382	46,211	43,586	43,467	48,166	45,094	+12.83

India Office, London,
23rd August 1907.

Public—No. 123.—To His Excellency the Right Honourable the Governor-General of India in Council.

MY LORD,—I have had under my consideration in Council the letter from Your Excellency's Government, No. 19,* dated the 9th May last, in which you recommend that the additional establishments sanctioned by Lord George Hamilton's Despatch No. 55 (Public), dated the 15th May 1903, to strengthen your Secretariat in the Home Department, at an increased expenditure of Rs. 44,739 a year, should now be made permanent.

2. The greater part of your letter is devoted to an examination of the business coming before the Home Department, and an exposition of your views regarding the expansion of correspondence in your Secretariats and the relations of control and supervision

which you consider should exist between the Supreme Government and Local Governments and Administrations. Your Excellency is aware that I have in contemplation the appointment of a Royal Commission to examine this question, as well as others connected with the suggested decentralization of public business in India; and I do not propose on the present occasion to enter upon the subject. Your letter will naturally form one of the documents to be laid before the Commission.

3. Meanwhile, however, the sanction given by Lord George Hamilton's Despatch expired at the end of May last, and I authorise the continuance of the additional establishment until further orders. The necessity for its further retention will come under review when the Commission on decentralization have reported.

I have the honour to be,
My Lord,

Your Lordship's most obedient, humble Servant,
(Signed) JOHN MORLEY.

* Home Department Secretariat of the Government of India.

APPENDIX XV.

(Filed by Sir H. Risley—vide Q. 45606.)

Statement showing expenditure per 1,000 of population in Madras, Bombay, Bengal, the United Provinces, the Punjab, the Central Provinces and Burma.

Provinces.	Total provincial expenditure per 1,000 of population for 1894-95 as compiled by Sir James Westland in 1898.	Total provincial expenditure per 1,000 of population for 1899-1900 as compiled by Finance Department in 1902.	Expenditure on higher administrative appointments per 1,000 of population for 1904-05 as compiled by Home Department in 1907.	Total provincial expenditure per 1,000 of population in 1907-08.	Expenditure per sq. mile.
	Rs.	Rs.	Rs.	Rs.	Rs.
Madras ...	608	870	86	1,306	352
Bombay ...	1,135	2,380	146	3,141	474
Bengal ...	325	620	77	1,072	469
United Provinces ...	391	760	90	1,036	461
Punjab ...	632	910	103	1,627	340
Central Provinces ...	537	860	103	1,871	223
Burma ...	1,933	3,061	352	4,483	198

Statement showing the relative strength of the police in certain provinces.

Provinces.	Proportion of police to cognizable cases.	Number of inhabitants to each police officer.	Square miles. to each police officer.
Madras ...	1 to 6.5	1,290	4.7
Bombay ...	1 to 1.02	670	4.4
Bengal ...	1 to 4.7	2,141	4.7
United Provinces ...	1 to 5.9	1,628	3.7
Punjab ...	1 to 2.9	998	4.7
Central Provinces ...	1 to 2.3	833	7.2
Burma ...	1 to 2.8	621	11.3

Statement showing the revenue of different provinces during 1907-08.

Provinces.	Revenue, 1907-08.	
	Imperial.	Provincial.
	Rs.	Rs.
Madras ...	8,33,76,000	4,96,72,000
Bombay ...	8,51,05,000	5,70,17,000
Bengal ...	13,32,46,000	5,21,49,000
United Provinces ...	4,54,56,000	4,58,22,000
Punjab ...	2,80,61,000	3,11,49,000
Central Provinces and Berar ...	1,02,69,000	2,16,04,000
Burma ...	3,78,86,000	4,39,40,000
Eastern Bengal and Assam ...	2,15,53,000	2,44,74,000
North-West Frontier Province ...	46,96,000	—

APPENDIX XVI.

Statements of information required from Local Governments in certain cases (filed by Sir H. Risley—vide Q. 45656).

(1) Police.

The Government of India desire to be informed of the progress that is being made in the introduction of police reforms in the several provinces. I am accordingly directed to request that, [with the permission of the Governor in Council,] the Governor-General in Council may be furnished with a brief report showing:—

- (1) what reforms have already been introduced in the Madras presidency, the Bombay presidency, Bengal, etc.

- (2) when these reforms were introduced, and (3) what is their annual cost.

The Government of India will be glad to receive also a forecast regarding the introduction of future reforms with an estimate of their cost.

(2) Education.

A statement showing the extent to which the grants made in 1905-06 had been utilised in increasing the normal allotment for primary education, inclusive of the expenditure on buildings and the outlay incurred through the agency of Local Boards, the expenditure of 1904-05 being taken as the normal standard for the purpose.

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